



# Albemarle County

## Legislation Text

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**File #:** 20-420, **Version:** 1

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**AGENDA DATE:** 8/6/2020

**TITLE:**

Court Square - Civil War Monuments and Memorials

**SUBJECT/PROPOSAL/REQUEST:** To receive public comment on the Board of Supervisors intent to remove, relocate, contextualize, or cover the following monuments or memorials for the veterans of war located on the County-owned portion of Court Square - the statue known as "At Ready", cannons, and the stacked cannonballs.

**ITEM TYPE:** Regular Action Item

**STAFF CONTACT(S):** Richardson, Kamptner, Walker, Russell, Kilroy

**PRESENTER (S):** Greg Kamptner, Siri Russell, Emily Kilroy, Liz Russell

**LEGAL REVIEW:** Not Required

**REVIEWED BY:** Jeffrey B. Richardson

**BACKGROUND:** Until July 1, 2020, Virginia Code § 15.2-1812 made it unlawful for localities to "disturb or interfere with" any war monuments or memorials. "Disturb or interfere with" included removing, damaging, or defacing the monuments or memorials.

Senate Bill 183 and House Bill 1537 (2020) amend Section 15.2-1812, effective July 1, 2020, to authorize a locality to remove, relocate, contextualize, or cover war monuments and memorials from its public property, provided that the locality complies with the procedures required by the new law.

At its July 1, 2020 meeting, the Albemarle County Board of Supervisors took an action to advertise a public hearing to receive public comment on the Board of Supervisors intent to remove, relocate, contextualize, or cover the following monuments or memorials for the veterans of war located on the County-owned portion of Court Square - the statue known as "At Ready", cannons, and the stacked cannonballs.

According to state code, after the public hearing, the Board may vote on whether to remove, relocate, contextualize, or cover the monument or memorial. If the Board votes to remove, relocate, contextualize, or cover the monument or memorial, it must first offer for a period of 30 days the monument or memorial for relocation and placement to any museum, historical society, government, or military battlefield. If the County still has the monument or memorial after step 4, it may then remove, relocate, contextualize, or cover it.

**STRATEGIC PLAN:** Engaged Citizens: Successfully engage citizens so that local government reflects their values and aspirations

**DISCUSSION:** The public hearing will provide a forum to receive public comment on the future of the At Ready statue, cannons, and stacked cannonballs located at 5<sup>th</sup> Street NE and East Jefferson Street, in front of the historic Albemarle County General District Courthouse at Court Square.

Opportunities for community engagement began February with face to face offerings at Yancey School Community Center, Sutherland Middle School, and Lane Auditorium as well as a guided tour of the Court Square property. Staff resource was diverted in response to the COVID-19 pandemic and engagement was temporarily paused, resuming in June with additional panel discussions and community conversations hosted virtually. An online public input platform was launched at the same time, soliciting community response to questions related to expectations and experience of the Court Square property, hosting a virtual tour, and offering video of the panel discussions. Attendance across all live engagement opportunities totaled around 600 individuals; there were over 3300 views of the online hub, and 709 posted comments.

A report of all comments submitted to the public input site, Let's Talk Albemarle: Court Square is provided in Attachment A. A work group comprised of County staff, representatives of the Historic Preservation Committee, and County residents who previously served on the Office of Equity and Inclusion's equity working group reviewed the feedback to identify themes (Attachment B).

**BUDGET IMPACT:** If the Board of Supervisors takes action to remove, relocate, contextualize, or cover any Civil War monument or memorial on the County's property at Court Square, funding for that purpose may be provided from the Reserve for Contingencies included in the FY 21 budget. If directed, staff will prepare an appropriation request for a subsequent Board of Supervisors meeting.

**RECOMMENDATION:**

Staff recommend the Board of Supervisors receive public comment during the public hearing to inform decision-making with regards to the removal, relocation, contextualization, or covering of At Ready, the cannons, and the cannonballs. Staff can prepare a resolution as the Board directs.

**ATTACHMENTS:**

Attachment A: Let's Talk Albemarle: Court Square All Comments (to July 29, 2020)

Attachment B: Let's Talk Albemarle: Court Square Prominent Themes