

ACTIONS Board of Supervisors Meeting of November 1, 2023		
November 2, 2023		
AGENDA ITEM/ACTION	ASSIGNMENT	VIDEO
1. Call to Order. <ul style="list-style-type: none"> The meeting was called to order at 1:00 p.m., by the Chair, Ms. Price. All BOS members were present. Also present were Jeff Richardson, Steve Rosenberg, Claudette Borgersen, and Travis Morris. 		
4. Adoption of Final Agenda. <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED the final agenda. 		
5. Brief Announcements by Board Members. <u>Bea LaPisto-Kirtley:</u> <ul style="list-style-type: none"> Mentioned that she and fellow Supervisors attended the MicroCAT launch on Monday, October 30. Commented that she attended the annual meeting of the Stony Point Fire. Announced that the Albemarle County Parks Foundation is almost ready to launch and the Board recently met in order to finalize the memorandum of agreement and the bylaws <u>Jim Andrews:</u> <ul style="list-style-type: none"> Shared that he also attended the MicroCAT launch. Announced that the McIntire Recycling Center was holding the Great Pumpkin Smash for composting of pumpkins until November 7. <u>Diantha McKeel:</u> <ul style="list-style-type: none"> Lamented that the leading cause of death in U.S. children is now guns violence. Commented that Albemarle County recently had the AAA, AAA, Aaa reconfirmed and thanked staff for their hard work to maintain for rating for the community. Explained that MicroCAT is a free on demand transport service for community members traveling in the Pantops and 29 North area and urged community members to download the app. <u>Ann Mallek:</u> <ul style="list-style-type: none"> Encouraged community members to compost their pumpkins. Remarked that it was a very successful apple butter season and there was a great festival turn out in the White Hall village the previous weekend. Read the 9th anniversary recognition for the Earlysville Exchange. Encouraged community members to hang green lights at their homes in honor of all veterans. <u>Donna Price:</u> <ul style="list-style-type: none"> Encouraged community members to use the MicroCAT app and recognized Garland Williams for his efforts to launch the service. Congratulated staff on the AAA AAA Aaa bond rating and the financial stability it provides to the County. Will be attending the VACo Conference November 12-14. Encouraged Community members to vote in the upcoming election. Recognized and congratulated Travis Morris, 	Link to Video	

Senior Deputy Clerk, for earning his Master Municipal Clerk Certification (MMC).			
6. Proclamations and Recognitions. <ul style="list-style-type: none"> a. Proclamation Recognizing Veterans Day. • By a vote of 6:0, ADOPTED proclamation and presented it to Trevor Henry who introduced the following veterans and Albemarle County employees: <ul style="list-style-type: none"> ○ Sgt. Dale Shoope, U.S. Army/Community Development Department, ○ Sgt. Roger Snodgrass, U.S. Coast Guard/ Albemarle County Police Department ○ Renaldo Ovalle U.S. Army/Building Services 		(Attachment 1)	
7. From the Public: Matters Not Listed for Public Hearing on the Agenda or on Matters Previously Considered by the Board or that are Pending Before the Board. <ul style="list-style-type: none"> • <u>Sally James</u>, White Hall District, spoke about the need for a change in criteria for tax relief for the elderly. • <u>John Hall</u>, City of Charlottesville, spoke on CAT solar shelters and the strategic underground program by Dominion Energy. 			
8.2 Fiscal Year 2024 Appropriations. <ul style="list-style-type: none"> • ADOPTED resolution to approve appropriations #2024014; #2024015; and #2024016 for County government projects and programs. 		<u>Clerk</u> : Forward copy of signed resolution to Finance and Budget, and County Attorney's office.	
8.3 Personnel Policy Amendments. <ul style="list-style-type: none"> • ADOPTED Resolution to amend personnel policies § P-34 and § P-38. 		<u>Clerk</u> : Forward copy of signed resolution to Human Resources and County Attorney's office. (Attachment 3)	
8.4 Schedule a Public Hearing for an Ordinance to Delegate Appointing Authority. <ul style="list-style-type: none"> • SCHEDED public hearing to consider the adoption of the ordinance and organizational chart at a future Board meeting. 		<u>Clerk</u> : Schedule on future agenda, notify appropriate individuals and advertise in the Daily Progress.	
8.5 2024 Thomas Jefferson Planning District (TJPD) Legislative Program. <ul style="list-style-type: none"> • APPROVED the draft 2024 TJPD Legislative Program. 		<u>David Blount</u> : Proceed as approved. (Attachment 4)	
8.6 Letter of Support for the Virginia Association of Planning District Commissions Funding. <ul style="list-style-type: none"> • AUTHORIZED Chair to sign the letter of support. 		<u>Clerk</u> : Prepare letter for Chair's signature and mail to Governor Youngkin. (Attachment 5)	
8.7 SE202300032 Sentara Martha Jefferson Hospital Early Learning Center (Front-Maximum Setback Waiver) Special Exception. <ul style="list-style-type: none"> • ADOPTED Resolution to approve a special exception to waive the 30-foot maximum front setback requirement for the subject parcel. 		<u>Clerk</u> : Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 6)	
8.8 Proclamation Celebrating National Native American Heritage Month. <ul style="list-style-type: none"> • ADOPTED proclamation. 		(Attachment 7)	
9. Discussion : Transit Governance Study. <ul style="list-style-type: none"> • HELD. 			
10. Presentation : Smart Scale Program Updates. <ul style="list-style-type: none"> • RECEIVED. 		<u>Community Development</u> : Proceed as discussed.	
Recess. At 2:12 p.m., the Board recessed and reconvened at 2:23 p.m.			
11. Discussion : County Transit Analysis: Phase 1 Report. <ul style="list-style-type: none"> • HELD. 		<u>Budget and Finance</u> : Proceed as discussed.	
12. Closed Meeting.			

<ul style="list-style-type: none"> At 4:13 p.m., the Board went into closed meeting pursuant to section 2.2-3711(A)(1) of the Code of Virginia, to discuss and consider appointments to various boards and commissions including, without limitation, Albemarle County Economic Development Authority and Charlottesville-Albemarle Joint Airport Commission. 		
13. Certify Closed Meeting. <ul style="list-style-type: none"> At 4:13 p.m., the Board reconvened into open meeting and certified the closed meeting. 		
14. Boards and Commissions: <ol style="list-style-type: none"> Vacancies and Appointments. APPOINTED, Mr. David Storm to the Economic Development Authority as the Scottsville District representative, with said term to expire January 19, 2024. 	<u>Clerk:</u> Prepare appointment/reappointment letters, update Boards and Commissions book, webpage, and notify appropriate persons.	
15. From the County Executive: Report on Matters Not Listed on the Agenda. <u>Jeff Richardson:</u> <ul style="list-style-type: none"> There was no report. 		
16. From the Public: Matters on the Agenda but Not Listed for Public Hearing or on Matters Previously Considered by the Board or Matters that are Pending Before the Board. <ul style="list-style-type: none"> Teresa Hepler, Samuel Miller District, spoke towards the upcoming jail renovations. 		
17. Pb. Hrq.: SP202300001 Covenant School Amendment Hickory Campus Tennis Courts. <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED resolution to approve SP202300001. 	<u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 8)	
18. From the Board: Committee Reports and Matters Not Listed on the Agenda. <u>Bea LaPisto-Kirtley:</u> <ul style="list-style-type: none"> Announced that on November 11th at 11:00 a.m., she will be at the St. John's Community Center for the formal opening. Stated that on November 8th at 6:00 p.m. at the Southwest Mountain Vineyard, she would participate in announcing the Wine Enthusiast winner for Wine Region of the Year and commented that Central VA was one of five in the world represented. <u>Ned Gallaway:</u> <ul style="list-style-type: none"> Requested an update on what is in the Virginia Scan service of the Virginia Economic Development Partnership (VEDP) for Albemarle County sites. <u>Ann Mallek:</u> <ul style="list-style-type: none"> Commented that while driving on Rt.29 at the Greenbriar intersection there was bright lighting at a new gas station and asked if there was consideration for modifying lighting requirements for LED technology. Requested that staff consider adding the Proclamation Celebrating National Native American Heritage Month as part of the regular part of agenda in the future. Recalled the memory of Canadian fire smoke and asked the fire marshals to consider ways to modify the County burn regulations by extending the distances to 1000 feet in the rural area, similar to that of the growth area. Southwood Mountain Vinyard <u>Donna Price:</u>		

<ul style="list-style-type: none"> Commented on the Veterans Day events in Albemarle County: <ul style="list-style-type: none"> Highland – On November 10th at 1:00 p.m. there will be a ceremony and veterans will receive free admission. Monticello – Veterans will receive complementary admission on November 10:00 a.m. -12:00 p.m. Lane Auditorium – Veterans Day Ceremony on November 11th at 11:00 a.m. held by American Legion Post 74. Ruck the Ridge – November 11th <p><u>Trevor Henry:</u></p> <ul style="list-style-type: none"> Announced that he will be attending annual Installation Innovation Forum in Orlando Florida from November 6-8 which will highlight challenges bases and installations are facing. He mentioned he will be a panelist. <p><u>Jeff Richardson:</u></p> <ul style="list-style-type: none"> Mentioned that he and Chair Price will be presenting to 30 National Postdoctoral Association (NPA) students at UNC Chapel Hill regarding the partnership between elected boards and staff. 		
19. Adjourn to November 15, 2023, 1:00 p.m. Lane Auditorium. <ul style="list-style-type: none"> The meeting was adjourned at 6:47 p.m. 		

ckb/tom

Attachment 1 – Proclamation Recognizing Veterans Day

Attachment 2 – Resolution to Approve Additional FY 2024 Appropriations

Attachment 3 – Resolution Amending Personnel Policies § P-34 and § P-38

Attachment 4 – Draft 2024 Thomas Jefferson Planning District (TJPD) Legislative Program

Attachment 5 – Letter of Support

Attachment 6 – Resolution Approving SE202300032 Sentara Martha Jefferson Hospital Early Learning Center

Attachment 7 – Proclamation Celebrating Native American Heritage Month

Attachment 8 – Resolution Approving SP202300001 The Covenant School Amendment Hickory Campus Tennis Courts

Proclamation Recognizing Veterans Day

WHEREAS, throughout our Nation's history, the United States of America has called on its citizens in uniform to serve and protect our national security; and

WHEREAS, at home and abroad, generations of American patriots have defended the freedoms and American values of equality, democracy and justice for all; and

WHEREAS, November 11, 2023, marks the 85th anniversary of Veterans Day being recognized as a national holiday. On this day (and every day), we remember the millions of patriots who have served and sacrificed for the betterment of our nation; and

WHEREAS, many veterans continue to serve their country in public schools and government as public officials, teachers, police officers, fire rescue, and other professions providing services to all community members; and

WHEREAS, with a profound debt of gratitude, we recognize the veterans employed by Albemarle County Public Schools and Local Government for their continued service.

NOW, THEREFORE, BE IT PROCLAIMED, that we, the Albemarle County Board of Supervisors, do hereby recognize November 11, 2023, as Veterans Day and celebrate all who have served our country around the world and continue to serve as veterans employed by Albemarle County local government and public schools.

Signed this 1st day of November 2023.

**RESOLUTION TO APPROVE
ADDITIONAL FY 2024 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

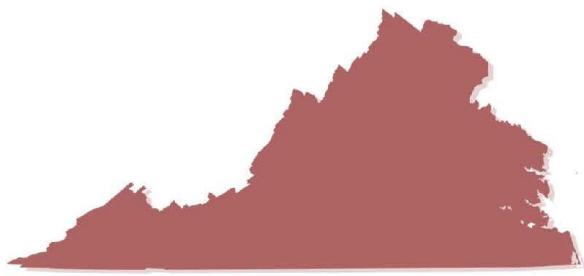
- 1) That Appropriations #2024014; #2024015; and #2024016 are approved;
- 2) That the appropriations referenced in Paragraph #1, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2024.

RESOLUTION

WHEREAS, the Board of Supervisors may adopt Personnel Policies under Albemarle County Code §2-901; and

WHEREAS, the Board desires to amend and re-number the following Policies: §P-03 Employee Grievance Procedures as §P-34 Grievance and §P-26 Termination of Employment as §P-38 Separation of Employment.

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of Albemarle County, Virginia, hereby approves the renumbering and amendment to the County's Personnel Policies as set forth in the documents attached hereto.



Thomas Jefferson Planning District
2024 LEGISLATIVE PROGRAM

Albemarle County | City of Charlottesville
Fluvanna County | Greene County
Louisa County | Nelson County

November 2023
DRAFT

Ned Gallaway, Chair
Christine Jacobs, Executive Director
David Blount, Director of Legislative Services

TOP LEGISLATIVE PRIORITIES

Public Education Funding

PRIORITY: The Planning District localities urge the State to fully fund its share of the realistic costs of the Standards of Quality (SOQ) and reverse policy changes that previously reduced funding or shifted funding responsibility to localities.

The State will spend billions of dollars on direct aid to public education in the current biennium. While we appreciate additional state teacher salary and other one-time and ongoing education dollars approved during the current biennium, we continue to believe that the State should increase its commitment to K-12 education in a manner that reflects the true costs of K-12 education. This belief was supported this past summer with the release of the Joint Legislative Audit and Review Commission (JLARC) report on K-12 education funding, which found that public education in Virginia is underfunded, noting that local school divisions receive less K-12 funding per student than divisions in other states and several key funding benchmarks.

Local governments consistently go “above and beyond” by appropriating twice as much K-12 funding as required by the state. We believe localities need an adequately-defined SOQ so that state funding better aligns with prevailing local practice in schools that drives the additional local dollars. This could include recognizing additional instructional positions and increasing state-funded staffing ratios for various non-instructional positions in the education funding formula.

Further, we urge state efforts to support 1) flexibility in the use of state funds provided for school employee compensation. 2) adequate pipeline programs for teachers, especially in critical shortage areas; and 3) funding and policies that assist localities in addressing challenges with hiring school bus drivers and mental health professionals.

Budgets and Funding

PRIORITY: The Planning District’s member localities urge the governor and legislature to enhance state aid to localities, to not impose unfunded mandates on or shift costs to localities, and to enhance local revenue options.

As the State continues to fine-tune revenue and spending priorities for the current biennium, we encourage support for K-12 education, health services, public safety, economic development and other public goals. Localities continue to be the state’s “go-to” service provider and we believe state investment in local service delivery must be enhanced. Especially in these critical times, the State should not expect local governments to pay for new funding requirements or to expand existing ones on locally-delivered services, without a commensurate increase in state financial assistance.

We oppose unfunded state and federal mandates and the cost shifting that occurs when the State or the federal government fails to fund requirements or reduces or eliminates funding for programs. Doing so strains local ability to craft effective and efficient budgets to deliver required services or those demanded by residents.



We support the legislature making additional revenue options available to localities in order to diversify the local revenue stream. Any tax reform efforts should examine the financing and delivery of state services at the local level and how revenue is generated relevant to our economic competitiveness. The State should not eliminate or restrict local revenue sources or confiscate or redirect local general fund dollars to the state treasury. This includes Communications Sales and Use Tax Trust Fund dollars, the local share of recordation taxes, and any state-mandated exemptions to the local option sales tax, unless a viable revenue-replacement to local governments is established.

Land Use and Growth Management

PRIORITY: The Planning District's member localities encourage the State to resist preempting or circumventing existing land use authorities, and to support local authority to plan and regulate land use.

In the past, the General Assembly has enacted both mandated and optional land use provisions. Some have been helpful, while others have prescribed one-size-fits-all rules that hamper different local approaches to land use planning. Accordingly, we support local authority to plan and regulate land use and oppose legislation that weakens these key local responsibilities.

- We support the State providing additional tools to plan and manage growth, as current land use authority often is inadequate to allow local governments to provide for balanced growth in ways that protect and improve quality of life.
- We support broader impact fee authority for facilities other than roads, authority that should provide for calculating the cost of all public infrastructure, including local transportation and school construction needs caused by growth.
- We support changes to provisions of the current proffer law that limit the scope of impacts that may be addressed by proffers.
- We oppose legislation that would 1) restrict local oversight of the placement of various telecommunications infrastructure; 2) single out specific land uses for special treatment without regard to the impact of such uses in particular locations; and 3) exempt additional facilities serving as event spaces from building, fire code and other health and safety regulations.
- We request state funding and incentives for localities, at their option, to acquire, preserve and maintain open space, and support greater flexibility for all localities in the preservation and management of trees.

LEGISLATIVE POSITIONS

Broadband

The Planning District's member localities urge and support state and federal efforts and financial incentives that assist localities and their communities in deploying universal, affordable access to broadband technology in unserved areas. While we appreciate federal and state actions that have substantially increased funding for the Virginia Telecommunication Initiative (VATI), we believe state and federal support for broadband expansion that utilizes both fiber and wireless technologies, public/private partnerships and regulated markets should include the following:

- Support for cooperative efforts among private broadband, internet and wireless companies, and electric cooperatives to ensure access to service at an affordable cost.
- Support for linking broadband efforts for education and public safety to private sector efforts to serve businesses and residences.
- Maintaining local land use, permitting, fee and other local authorities.
- The ability of localities to establish, operate and maintain sustainable broadband authorities to provide essential broadband to communities.
- Provisions and incentives that would provide a sales tax exemption for materials used to construct broadband infrastructure.

Children's Services Act

The Planning District's member localities urge the State to be partners in containing Children's Services Act (CSA) costs and to better balance CSA responsibilities between the State and local governments. Accordingly, we take the following positions:

- We support local ability to use state funds to pay for mandated services provided directly by the locality, specifically for private day placements, where the same services could be offered in schools.
- We support the state maintaining cost shares on a sum sufficient basis by both the State and local governments; changing the funding mechanism to a per-pupil basis of state funding would shift the sum sufficient portion fully to localities, which we would oppose.
- We support enhanced state funding for local CSA administrative costs.
- We support a cap on local expenditures (with the State making up any gaps) in order to combat higher costs for serving mandated children.
- We support the State being proactive in making residential facilities, services and service providers available, especially in rural areas, and in supporting locality efforts to provide facilities and services on a regional level.
- We oppose state efforts to increase local match levels and to make the program more uniform by attempting to control how localities run their programs.

Economic and Workforce Development

The Planning District's member localities recognize economic development and workforce training as essential to the continued viability of the Commonwealth. Policies and additional state funding that closely link the goals of economic and workforce development and the state's efforts to streamline and integrate workforce activities and revenue sources are crucial. Accordingly, we support the following:

- Enhanced coordination with the K-12 education community to equip the workforce with in-demand skill sets, so as to align workforce supply with anticipated employer demands.
- Continuing emphasis on regional cooperation in economic, workforce and tourism development.
- Continuation of the *GO Virginia* initiative to grow and diversify the private sector in each region.
- State job investment and small business grants being targeted to businesses that pay higher wages.
- State support for the Virginia Business Ready Sites Program and for an economic development project adjacent to the existing Rivanna Station.
- Increased state funding for regional planning district commissions.

Education

The Planning District's member localities believe that, in addition to funding the Standards of Quality (as previously noted), the State should be a reliable funding partner with localities by recognizing other resources necessary for a high-quality public education system. Accordingly, we take the following positions:

- Concerning school facilities, we appreciate and support the school construction assistance programs enacted in 2022 and request that they be consistently funded. We also support allowing all localities the option of levying a one-cent sales tax to be used for construction or renovation of school facilities. The State also should discontinue seizing dollars from the Literary Fund to help pay for teacher retirement.
- The State must continue to be a partner in sharing costs with localities for children served in private special education placements.
- We support 1) amending the LCI formula to recognize the land use taxation value, rather than the true value, of real property; and 2) preserving current Code provisions stipulating that local school funds unexpended at the end of the year be retained by the local governing body.
- We believe that unfunded liability associated with the teacher retirement plan should be a shared responsibility of state and local government.

Environmental and Water Quality

The Planning District's member localities believe that environmental and water quality should be funded and promoted through a comprehensive approach, and address air and water quality, solid waste management, land conservation, climate change and land use policies. Such an approach requires regional cooperation due to the inter-jurisdictional nature of environmental



resources, and adequate state funding to support local and regional efforts. Accordingly, we take the following positions:

- We oppose legislation mandating expansion of the Chesapeake Bay Preservation Act's coverage area.* Instead, we urge the State to provide legal, financial and technical support to localities that wish to improve water quality and use other strategies that address point and non-point source pollution. We also support aggressive state investment in meeting required milestones for reducing Chesapeake Bay pollution to acceptable levels.
- We support state investment targeted to permitted dischargers to upgrade treatment plants, to aid farmers with best management practices, and to retrofit developed areas.
- We support continued investment in the Stormwater Local Assistance Fund to assist localities with much-needed stormwater projects and in response to any new regulatory requirements. Any such requirements should be balanced, flexible and not require waiver of stormwater charges.
- We support the option for localities, as a part of their zoning ordinances, to designate and/or reasonably restrict the land application of biosolids to specific areas within the locality.
- We support legislative and regulatory action to ensure effective operation and maintenance of alternative on-site sewage systems and to increase options for localities to secure owner abatement or correction of system deficiencies.
- We support dam safety regulations that do not impose unreasonable costs on dam owners whose structures meet current safety standards.
- The State should be a partner with localities in water supply development and should work with and assist localities in addressing water supply issues, to include providing funding for development and implementation of state-required regional plans and investing in regional projects.
- The State should not impose a fee, tax or surcharge on water, sewer, solid waste or other local services to pay for state environmental programs.
- We support local authority to address choices and impacts associated with utility-scale installation of clean energy resources. As the move to non-carbon sources of energy continues, we support the creation of stronger markets for distributed solar and authority for local governments to install small solar facilities on government-owned property and use the electricity for schools or other government-owned buildings located nearby.

General Government

The Planning District's member localities believe that since so many governmental actions take place at the local level, a strong local government system is essential. Local governments must have the freedom, flexibility and tools to fulfill their responsibilities. Accordingly, we take the following positions:

- State policies should protect local governments' current ability to regulate businesses, to include collection and auditing of taxes, licensing and regulation, whether they are traditional, electronic, internet-based, virtual or otherwise, while encouraging a level playing field for competing services in the marketplace.
- We oppose intrusive legislation involving purchasing procedures; local government authority to establish hours of work, salaries and working conditions for local employees; matters that can be adopted by resolution or ordinance; and procedures for adopting ordinances.
- The state should maintain the principles of sovereign immunity for local governments and their employees, to include regional jail officers.*
- Localities should have maximum flexibility in providing compensation increases for state-supported local employees (including school personnel), as local governments provide significant



local dollars and additional personnel beyond those funded by the State. We also support the use of a notarized waiver to allow volunteer workers to state they are willing to provide volunteer services and waive any associated compensation.

- We urge state funding to address shortfalls in elections administration dollars, as administration has become more complex and federal and state financial support for elections continues to lag behind the need. We request adequate funding for costs associated with voting equipment, registrar offices, early voting requirements and election security standards.
- We urge state funding necessary for agencies to carry out tasks such as processing applications, reviewing permits and other critical administrative functions.
- We support expanding the allowable use of electronic meetings for all local public bodies, with flexibility for them to determine public comment, participation and other procedures. Also, any changes to FOIA should preserve 1) a local governing body's ability to meet in closed session; 2) the list of records currently exempt from disclosure; and 3) provisions concerning the creation of customized records.
- We support the use of alternatives to newspapers for publishing various legal advertisements and public notices.
- We support federal and state funding for localities to acquire and maintain advanced cybersecurity to protect critical systems and sensitive data.
- We support enhanced state funding for local and regional libraries.
- We support expanding local authority to regulate smoking in public places.

Health and Human Services

The Planning District's member localities recognize that special attention must be given to helping disabled people, poor people, and young and elderly people achieve their full potential. Transparent state policies and funding for at-risk individuals and families to access appropriate services are critical. Accordingly, we take the following positions:

- We support full state funding for any local costs associated with Medicaid expansion, including local eligibility workers and case managers, but oppose any shifting of Medicaid matching requirements from the State to localities.
- The State should provide sufficient funding to allow Community Services Boards to meet the challenges of providing a community-based system of care that helps divert people from needing a state hospital level of care, as well as having services such as outpatient and permanent supportive housing available. We also support measures to address census pressures at state hospitals that will enable them to receive admissions of individuals subject to temporary detention orders without delays.
- The State should ensure that stable, predictable funding through state and federal appropriations is available to help low-income families with children achieve economic self-sufficiency.
- We support the provision of sufficient state funding to match federal dollars for the administration of mandated services within the Department of Social Services, and to meet the staffing standards for local departments to provide services as stipulated in state law.
- We support continued operation and enhancement of early intervention and prevention programs, including the Virginia Preschool Initiative and Part C of the Individuals with Disabilities Education Act (infants and toddlers).

Housing

The Planning District's member localities believe every citizen should have an opportunity to afford decent, safe and sanitary housing. The State, regions and localities should work to promote affordable and mixed-use housing, and to expand and preserve the supply and improve the quality of housing that is affordable for the elderly, disabled, and low- and moderate-income households.

- We support the following: 1) local authority to promote and flexibility in the operation of housing affordability programs and establishment of affordable dwelling unit ordinances; 2) increased federal and state funding, as well as appropriate authority and incentives, to assist localities in fostering housing that is affordable; 3) grants and loans to low- or moderate-income persons to aid in purchasing dwellings; and 4) measures to prevent homelessness and to assist the chronic homeless.
- We support incentives that encourage rehabilitation and preservation of historic structures.

Public Safety

The Planning District's member localities encourage state financial support, cooperation and assistance for law enforcement, emergency medical care, criminal justice activities and fire services responsibilities carried out locally. Accordingly, we take the following positions:

- The Compensation Board should fully fund local positions that fall under its purview, to include supporting realistic levels of staffing to enable constitutional offices to meet their responsibilities and limit the need for localities to provide additional locally-funded positions. The Compensation Board should not increase the local share of funding for Constitutional offices or divert money away from them, and localities should be afforded flexibility in the state use of state funds for compensation for these offices.
- We encourage state support and incentives for paid and volunteer fire/EMS/first responders, given the ever-increasing importance they play in local communities.
- We support state efforts to assist localities in recruiting and retaining law enforcement personnel.
- We support changes to the Line of Duty Act (LODA) to afford officers employed by private police departments the benefits available under LODA.
- We urge state funding of the HB 599 law enforcement program in accordance with *Code of Virginia* provisions.
- We support adequate and necessary funding for mental health and substance abuse services at juvenile and adult detention facilities and jails.
- We encourage needed funding for successful implementation of policies and programs that 1) supplement law enforcement responses to help individuals in crisis to get evaluation services and treatment; 2) provide alternative transportation options for such individuals; and 3) reduce the amount of time police officers must spend handling mental health detention orders.
- In an effort to fairly share future cost increases, we support indexing jail per diem costs as a fixed percentage of the actual, statewide daily expense average, as set forth in the annual Jail Cost Report.
- We support the ability of local governments to 1) adopt policies regarding law enforcement body worn cameras that account for local needs and fiscal realities, and 2) utilize photo speed camera devices on locally-designated highway segments.



Transportation

The Planning District's member localities recognize that revenues for expanding and maintaining all modes of infrastructure are critical for meeting Virginia's well-documented transportation challenges; for attracting and retaining businesses, residents and tourism; and for keeping pace with growing public needs and expectations. We encourage the State to prioritize funding for local and regional transportation needs. Accordingly, we take the following positions:

- As the State continues to adjust the "Smart Scale" prioritization and the funds distribution process, there should be state adequate funding and local authority to generate transportation dollars for important local and regional projects across modes.
- We support additional authority to establish mechanisms for funding transit and non-transit projects in our region.
- We support the Virginia Department of Transportation utilizing Metropolitan Planning Organizations and regional rural transportation staff to conduct local transportation studies.
- We oppose attempts to transfer responsibility to counties for construction, maintenance or operation of current or new secondary roads.
- We support ongoing state and local efforts to coordinate land use and transportation planning and urge state and local officials to be mindful of various local and regional plans when conducting corridor or transportation planning within a locality or region.

November 1, 2023

The Honorable Glenn Youngkin, Governor
Commonwealth of Virginia
P. O. Box 1475
Richmond, VA 23218

Dear Governor Youngkin:

On behalf of the Albemarle County Board of Supervisors, I write to express strong support for increased funding for Planning District Commissions (PDC) in your biennial budget for FY25/26. State funding of an additional \$150,000 per PDC per year in Virginia is critically needed to enhance the capacity of PDCs to support and assist both the State and their communities.

In Albemarle County, the Thomas Jefferson Planning District Commission provides professional, reliable, and trusted support. The TJPDC is uniquely situated to serve as a convener of its member localities to navigate difficult challenges that cross jurisdictional lines – for example, affordable housing, broadband development, and transit. TJPDC staff provide efficient support that otherwise would either need to be absorbed locally, adding pressure to local staff resources, or simply not be addressed. TJPDC's role as the Metropolitan Planning Organization, the convener of the Regional Housing Partnership and Regional Transit Partnership, the grant lead on a transformational Virginia Telecommunication Initiative broadband infrastructure grant, and other emerging needs, is a critical asset for our local governments.

We feel strongly that the TJPDC has been a critical partner to help our community and region to proactively address collective challenges. But there is more that can be done. We are at an opportune time with the availability of grant funding being available; adding resources to PDCs will help bring federal dollars to the state and regions. This additional state funding being requested also could be used to extend PDC staff capacity to assist the State and to prepare and execute additional projects with their member local governments, driving more effective and efficient local government.

We appreciate the efforts of the Youngkin Administration to work alongside localities to promote and enhance efficiency in government. On behalf of Albemarle County, thank you for your consideration of these views and this request. Your support and favorable action would be greatly appreciated.

Respectfully,

Donna P. Price
Chair, Albemarle County Board of Supervisors

CC:
Albemarle County Board of Supervisors
Jeffrey B. Richardson, County Executive
Steve Rosenberg, County Attorney

**RESOLUTION TO APPROVE
SE 2023-00032 SENTARA MARTHA JEFFERSON HOSPITAL
EARLY LEARNING CENTER**

WHEREAS, upon consideration of the staff reports prepared for SE2023-00032 Sentara Martha Jefferson Hospital Early Learning Center and the attachments thereto, including staff's supporting analysis, any comments received, and all relevant factors in Albemarle County Code §§ 18-4.20 and 18-33.9, the Albemarle County Board of Supervisors hereby finds that:

1. The maximum front setback should be increased by special exception to accommodate unique parking or circulation plans on the subject parcel; and
2. The proposed special exception is consistent with the intent of the Planned Development Mixed Commercial (PDMC) zoning district and the Neighborhood Model Principles of the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves a special exception to waive the 30-foot maximum front setback requirement of County Code § 18-4.20 on Parcel 07800-00-00-031I0.

Proclamation Celebrating Native American Heritage Month

WHEREAS, November 2023 marks the 33rd anniversary of National American Indian Heritage Month (also known as Native American Heritage Month) being federally recognized; and

WHEREAS, Since time immemorial, Native Americans have been active stewards of North American land; and

WHEREAS, Native American Heritage Month is a time to celebrate the traditions, languages, and stories of Native American, Alaska Native, Native Hawaiian, and Island communities to ensure their rich histories and contributions continue to thrive with each passing generation; and

WHEREAS, the Monacan Indian Nation is known to be the indigenous stewards of present-day Albemarle County; and

WHEREAS, through the resilience and perseverance of the Monacan Indian Nation maintaining their culture and traditions for centuries and ensuring the continuity of their long history, the Monacan Indian Nation was recognized by the state of Virginia in 1989, and received federal recognition in 2018.

NOW, THEREFORE, BE IT PROCLAIMED, that we, the Albemarle County Board of Supervisors, do hereby recognize November as Native American Heritage Month, and extend our further commitment to strengthen relationships with the Monacan Indian Nation to create a more equitable and inclusive community.

Signed this 1st day of November 2023.

**RESOLUTION TO APPROVE
SP202300001 THE COVENANT SCHOOL AMENDMENT
HICKORY CAMPUS TENNIS COURTS**

WHEREAS, upon consideration of the staff reports prepared for SP 202300001 The Covenant School Amendment-Hickory Campus Tennis Courts and all of their attachments, including staff's supporting analysis, the information presented at the public hearings, any comments received, and all of the relevant factors in Albemarle County Code §§ 18-14.2.2(5) and 18-33.8(A), the Albemarle County Board of Supervisors hereby finds that the proposed special use would:

1. not be a substantial detriment to adjacent parcels;
2. not change the character of the adjacent parcels and the nearby area;
3. be in harmony with the purpose and intent of the Zoning Ordinance, with the uses permitted by right in the R-2 Residential zoning district, and with the public health, safety, and general welfare (including equity); and
4. be consistent with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves SP 202300001 The Covenant School Amendment-Hickory Campus Tennis Courts, subject to the conditions attached hereto.

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**SP202300001 The Covenant School Amendment-Hickory Campus Tennis Courts
Special Use Permit Conditions**

1. Development of the use must be in general accord (as determined by the Director of Planning and the Zoning Administrator) with the Conceptual Plan titled "Covenant School Hickory Campus Special Use," last revised October 6, 2023, and prepared by Woolley Engineering. To be in general accord with the Conceptual Plan, development must reflect the following major elements within the development essential to its design:
 - a. Location of buildings, parking areas, and athletic facilities;
 - b. Location of entrances;
 - c. Location of buffers and screening; and
 - d. Site Lighting Plan
 Minor modifications to the plan that do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance or improve safety.
2. The maximum enrollment must not exceed five hundred fifty (550) students.
3. Development of the property must comply with the Commercial setbacks and buffer/screening requirements set forth in *County Code* § 18-21.7, except that the reduced setback and width of screening along the western property line and shared school parcel boundaries must be as depicted on the concept plan.
4. Use of the tennis courts is prohibited after 9:00 p.m. and before 7:00 a.m.
5. Use of the tennis courts is limited to tennis. Other racket or paddle sports (pickle ball or padel) are prohibited.
6. Use of the tennis courts is limited to school sponsored activities and use by residents of the three adjacent properties by invitation of the school. The tennis courts may not be used by other tennis organizations.
7. Outdoor lighting for tennis courts must be full cutoff. No tennis court lighting may spill over to parcel(s) under different ownership except for de minimis spillover. Timers, sensors, or equivalent means must be used to prevent any lighting after 9:00 p.m. and before 7:00 a.m.