

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on November 5, 2025, at 1:00 p.m. in Lane Auditorium, Second Floor, Albemarle County Office Building, 401 McIntire Road, Charlottesville, Virginia, 22902.

PRESENT: Mr. Jim H. Andrews, Mr. Ned Gallaway, Ms. Beatrice (Bea) J.S. LaPisto-Kirtley, Ms. Ann H. Mallek, Ms. Diantha H. McKeel, and Mr. Mike O. D. Pruitt.

ABSENT: none.

OFFICERS PRESENT: County Executive, Jeffrey B. Richardson; County Attorney, Andy Herrick; Clerk, Claudette K. Borgersen; and Senior Deputy Clerk, Travis O. Morris.

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Agenda Item No. 1. Call to Order. The meeting was called to order at 1:01 p.m., by the Chair, Mr. Jim Andrews.

Mr. Andrews introduced the Albemarle County Police Department Officers present to provide their services at the meeting, Sergeant Jason Freishtat and Officer Tayvaun Richardson.

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Agenda Item No. 2. Pledge of Allegiance.  
Agenda Item No. 3. Moment of Silence.

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Agenda Item No. 4. Adoption of Final Agenda.

Ms. McKeel **moved** to adopt the final agenda. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.  
NAYS: None.

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Agenda Item No. 5. Brief Announcements by Board Members.

Ms. McKeel stated that on October 18, 2025, Greg and she attended the No Kings protest at Stonefield, which was located in the Jack Jouett Magisterial District. She said that she would like to express her gratitude to their community, as thousands of people gathered peacefully and joyfully, showcasing the power of unity. She specifically wanted to extend her sincere appreciation to the Albemarle County Police Department and Albemarle County Fire and Rescue for their presence, which greatly contributed to a sense of safety and calm and response to health issues.

Ms. McKeel announced that secondly, she would like to address the high alert for fire risk that they were currently under. The weather conditions outside were quite blustery, as she was sure everyone had noticed. She asked if Mr. Henry could address the current situation and the response of their Fire Rescue Department.

Trevor Henry, Deputy County Executive, reported that this morning, he had communicated with the Board regarding the overnight Fire Rescue operations to ensure they were fully staffed, including holdovers in case of any response needs today. He explained that the National Weather Service had issued a red flag warning, effective from 11:00 a.m. this morning until 6:00 p.m. this evening, due to low humidity and strong winds that could cause fires to spread rapidly.

Mr. Henry said that as a result, their stations were fully staffed, and they had asked their volunteer partners to also staff up in case of any issues. They were utilizing the public engagement process to inform the community about this situation. He said that he wanted to keep the Board informed that they had anticipated this and had taken necessary steps to ensure their staff was prepared.

Ms. McKeel asked if they had notified the individuals who had burn permits.

Mr. Henry confirmed that was correct. There was only one burn permit active at this time, and they contacted that commercial entity yesterday to confirm there was no burning allowed today and no additional permits would be issued.

Ms. Mallek stated that she was thankful that the Red Flag Day had been mentioned, and she had heard it on the radio as she was coming into town. She said that it was essential that people were aware of the efforts being made, as it may help save resources and lives this afternoon.

Ms. Mallek reported that she had recently attended the Rural Center of Virginia's conference in Hanover County. The event featured excellent presentations, and she would be sharing the notes and materials with the Board and staff. Jason El Koubi and Juan Pablo Segura from the Virginia Economic Development Department discussed strategies for protecting rural lands and businesses, as well as spreading economic growth benefits to both established and new rural businesses.

Ms. Mallek said that environmental protection and telling the story of a County's culture to attract businesses that fit in were of great importance. The rural-urban interface, while a challenge, also presented opportunities, as it allowed for the exchange of customers and producing land between urban

and rural areas. This exchange could be beneficial, but it required careful facilitation. She added that she was reminded of the success of the farm-to-table program, which began as a regional effort in 2010 and had since benefited many communities.

Ms. Mallek stated that the conference also highlighted the importance of economic development at various County levels, as some had no staff dedicated to that field. She said that Albemarle's mindset used to be that the University of Virginia (UVA) would take care of their economic development, and it was the Board's efforts starting in 2010 that began to put more focus on the County's distinct goals. She said that something she often thought about from that time period was the remark that a good job or better job was a key solution to the housing affordability problem. She said that this was an asset to Albemarle and helped her better understand how all of these aspects fit together.

Ms. Mallek stated that the Agriculture and Forestry Industries Development (AFID) program was also discussed at the conference, which Albemarle had used before. She said that she was proud to see that her County had been using these resources and state programs to benefit local citizens. She said that they also discussed how historic preservation tax credits had been used to tremendous benefit in other communities, including the restoration of old buildings. The owner of a river block in Danville shared his experience, highlighting the significant return on investment for the community due to that one street's restoration.

Mr. Gallaway thanked the voters of the Rio District for re-electing him to serve a third term, which he looked forward to starting at the beginning of the new year. He also wanted to thank the candidates who ran for School Board in the Rio District, Leslie Pryor and Jim Dillenbeck. He said that he appreciated their willingness to run and the challenges that came with it. He congratulated Mr. Dillenbeck on his successful candidacy, as he would represent Rio in the upcoming year.

Mr. Gallaway said that he had the opportunity to visit and observe the operations at three of the five precincts in the Rio District. He said that he was impressed by the volunteer team that ran elections in this County, who were knowledgeable about the rules, pleasant, and efficient. They had all the necessary data and understood the impact of early voting. He said that it was a pleasure to see firsthand the smooth operation of these precincts. He thanked the volunteers who worked tirelessly to ensure safe and successful elections.

Mr. Gallaway noted that the precincts he visited had a positive and respectful atmosphere, with volunteers for both Democrat and Republican parties engaging in cordial dialogue. This was a model that he wished their federal and state politicians would emulate. When a sample ballot was accidentally blown away, volunteers from both parties scurried to help pick it up. It was heartening to see them demonstrating their understanding of the importance of civility and respect in the electoral process.

Mr. Gallaway said that he was grateful to the citizens who volunteered their time to advocate for their opinions in a respectful and courteous manner. He believed this was the case throughout the County, as he had witnessed it in the past. He was thankful to all those involved and appreciated the time and effort they put into making this process successful. It was a lovely day, and he was grateful for the well-run election in Albemarle.

Ms. LaPisto-Kirtley congratulated Sally Duncan and Fred Missel on their recent election as new Supervisors. She said that they would indeed miss Ms. McKeel and Mr. Andrews, but she was excited to welcome their new members. She reported that this morning, she had the pleasure of attending the topping out ceremony at Center 2 at Albemarle High School. She said that the event would enable them to accommodate approximately 400 students for the entire day and it was clear that the building was going to be truly beautiful.

Ms. LaPisto-Kirtley stated that she would like to extend an invitation to a Veterans Day ceremony scheduled for November 11, 2025, at 11:00 a.m. at the County Office Building. She said that this was a special, dear, occasion where they honored all veterans and she encouraged everyone to attend.

Mr. Pruitt extended his congratulations to Molly Angevine, who won a seat on the Scottsville Town Council in a surprise election, unseating Eddie Payne. He also expressed his gratitude to Councilor Payne for his years of selfless service to the Town of Scottsville and looked forward to working with the new Councilor.

Mr. Pruitt said that additionally, Planning Commissioner Fred Missel had won the Scottsville seat for the Board of Supervisors, so this meant they needed a new Scottsville Planning Commissioner. He was already considering this appointment and would like to ask anyone to refer anyone who was interested to him. He noted that this was a crucial appointment that would have a significant impact on their community, and he was fortunate to have the opportunity to make this appointment twice, thanks to the success of Supervisor-elect Missel.

Mr. Pruitt stated that next, he would like to discuss the top of the ticket, as they talked about it frequently on this Board. Governor Youngkin had been an ally on economic development issues, providing significant support to their County. However, he had also vetoed funding initiatives and blocked legislation that they considered their top priorities. He stated that he was optimistic about the potential for the new administration to address some of their specific issues and hoped for a continued strong working relationship at the state level.

Mr. Pruitt stated that on another note, would like to mention the Scottsville School and Hickory Hope in Southwood, both in the Scottsville District, were facilities that had complex application processes, requiring a government lottery administered locally. The wait lists were typically closed, but they would be

open from November 7 to November 14, 2025. He highly encouraged low-income qualifying residents to apply, as this was a reliable and low-cost housing option in two of the best communities in Albemarle County. He said that if anyone needed assistance, he would be glad to connect them to the right people to facilitate that process.

Mr. Pruitt stated that finally, he would like to mention the federal shutdown, which posed significant consequences for their community. The most immediate concern was the impact on Supplemental Nutrition Assistance Program (SNAP), with approximately 3,000 people in the County relying on the program. The state was providing stopgap funding, but it would be different from normal funding. This was a state-administered program, not local, and they would be implementing it in one-week-at-a-time increments. He asked all members of the community to be aware that this was how their SNAP benefits would be rolled out presently. Although there should be a relative non-interruption in services, they may need to purchase groceries on a weekly basis instead of a monthly basis.

Mr. Pruitt stated that additionally, for individuals receiving vouchers, if they had a housing choice voucher, either in a project-based context such as the Scottsville School or in a private marketplace using a Section 8 housing choice voucher, the government would no longer be paying its portion. The voucher recipient would still be responsible for paying their portion, but the government would not pay theirs. This was crucial because a landlord could not evict someone due to the government's non-payment of their rent portion. He encouraged anyone facing issues with their landlord during the government funding freeze to notify their voucher administrator in the County and also reach out to Legal Aid Justice Center (LAJC) and Central Virginia Legal Aid Society (CVLAS), as they could assist with illegal evictions resulting from the government's non-payment of rent.

Mr. Pruitt stated that finally, he wanted to mention an incident at UVA that occurred recently. He said that there was a warning of an active shooter at Shannon Library, although no shooter was actually present. He said that he learned that someone he knew was a current student and had to be evacuated from the library and sprint across the Lawn under guard of police officers to get to a new shelter-in-place location. He stated that it was a chilling situation that everyone had to work through, and it reminded him of how impactful these incidents were to the community. He said that he still wanted to find a solution to prevent this type of event from recurring in the future, but there was still work to be done.

Mr. Andrews stated that he agreed with Mr. Gallaway that he was very impressed with how well the elections were run yesterday. He said that professionalism and grace from everyone allowed for a very manageable process. He appreciated all of the candidates and congratulated Mr. Missel, who would be taking his seat on the Board. He promised he would try to make that transition as smooth as possible for the benefit of everyone.

Ms. McKeel added that Mr. Pruitt had made a particularly good point that she would like to emphasize to anyone who was listening. She said that the magisterial districts with new Supervisors would be advertising new positions and seeking individuals to apply for those roles. She said that this included the Planning Commission, as well as other commissions, boards, and service authorities.

Ms. McKeel said that if anyone was interested in serving, especially in the Samuel Miller and Jack Jouett Districts, those positions would be advertised. She said that she encouraged anyone who was interested to visit the County website and review the available positions and consider applying to serve their community.

Ms. Mallek added that she had been surprised to hear during yesterday's election that dozens of long-time, frequent voters, including long-time residents, had been purged from the rolls at both the Earlysville Precincts and Free Union locations. She said that fortunately, the staff was able to resolve the issue with provisional ballots and re-process the affected individuals. This experience did serve as a reminder for all of them to double-check their voter registration status before the election to ensure they had not been inadvertently removed from the rolls.

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Agenda Item No. 6. Proclamations and Recognitions.  
Item No. 6.a. Proclamation Honoring Veterans Day.

Mr. Pruitt **moved** to adopt the Proclamation Honoring Veterans Day, which he read aloud.

Ms. McKeel **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.  
NAYS: None.

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#### **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, 2025, marks the 87<sup>th</sup> 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 especially recognize the local veterans in Albemarle County for their continued service.

**NOW, THEREFORE, BE IT PROCLAIMED**, that we, the Albemarle County Board of Supervisors, do hereby recognize November 11, 2025, as Veterans Day and celebrate all who have served our country around the world and continue to serve as veterans in Albemarle County.

Signed this 5<sup>th</sup> day of November 2025

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Cai Mowry, Deputy Chief of Operations for Facilities and Environmental Services, accepted the Proclamation. He stated that it was an honor to accept this proclamation on behalf of the veterans of Albemarle County. He stated that he had retired after 28 years of service as a Captain in the United States Navy. He knew firsthand the deep sense of duty, sacrifice, and pride that came with serving their nation. He said that this proclamation was more than just words on paper; it was a meaningful recognition of the generations of men and women who had defended their freedoms, both at home and abroad.

Mr. Mowry stated that it reminded them that Veterans Day was not just a date on the calendar, but a moment to reflect on the values of equality, democracy, and justice that so many had fought to protect. He accepted this proclamation on behalf of all local veterans, including those who continued to serve their community as teachers, first responders, public servants, and neighbors. They were proud to call Albemarle County home and were grateful for the Board's continued support and recognition. He thanked them for honoring their service and for standing with them, not just on Veterans Day, but every day.

Ms. McKeel thanked Mr. Mowry for being here today, for working with the County, and for his military service. She was always amazed at the large population of veterans in Albemarle, and they truly contributed to making the community such a very special place. She said that on Tuesday, they would be having a Veterans Day Ceremony here at the County Office Building at 11:00 a.m., and she knew there were other celebrations around the County for everyone to participate in and give their thanks. She reiterated her thanks to Mr. Mowry and all the County's veterans.

Ms. Mallek thanked Mr. Mowry for being here today. She also thanked the Facilities and Environmental Services (FES) for lighting up their buildings for Operation Green Light, in recognition of their veterans. She encouraged all veterans to renew or sign up for benefits with Veterans Affairs, as they had undoubtedly earned it.

Mr. Gallaway said that he greatly appreciated Mr. Mowry's remarks. He gave his deep respect to everyone who had served in the military.

Ms. LaPisto-Kirtley expressed her thanks from the bottom of her heart to Mr. Mowry for his service.

Mr. Pruitt noted that Mr. Mowry had an impressive collection of legions of merit for his service, which he must say was humbling to see. He wanted to bring up the fact that there was a large federal-level lobbying effort for the military, but a much smaller effort to advocate for the warfighters and veterans as individuals with needs. He stated that this was seen in policy, as critical services for veterans and Veterans Affairs were reduced and eliminated, especially within the past year. He stated that this was seen at many different levels of operations, and it was disheartening to see, so he hoped they could do something about it. He expressed his pride in representing a community that was actually concerned for their individual veterans as people, and as a community that attracted incredible, talented veterans to be part of their local organizations.

Mr. Andrews stated that he appreciated that this proclamation highlighted the veterans who came back and served the community, which spoke to the character of people who chose to serve in the military. He thanked Mr. Mowry for being here and was glad to present him with this proclamation today.

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Agenda Item No. 7. Public Comment on: Matters Previously Considered or Currently Pending Before the Board (Other than Scheduled Public Hearings).

Dan Gritsko, Scottsville District, said that they were about to experience a very important moment in history. He said that very soon, a new statue in the United States Capitol will be dedicated to Barbara Johns. She was a courageous young woman, who at just 16 years old led a walkout of students on April 23, 1951. He recounted the words from the Governor-elect from the previous evening who stated: "Where Washington and Jefferson established a government by and for the people, it was also where Barbara Johns, a 16-year-old girl from Farmville, lead a walk out of students that would be a part of the Brown v.

Board of Education. Barbara Johns never gave up, and she showed them that no matter what age, you could be part of the change and progress in Virginia and across the nation.”

Mr. Gritsko stated that as someone who works in the tourism industry and had given presentations about Virginia history, he had the honor of sharing this story with many people. He said he often started with a lighthearted remark about Virginia's rich history, but he also acknowledged the painful and negative aspects, such as continuing to support slavery until abolition and serving as the capital of the Confederacy. However, with this new statue, they had a new story to tell, and it was their honor as a County to step into this moment and encourage students to learn about it.

Mr. Gritsko stated that he only recently discovered this story in 2025 and had opportunities to visit Farmville, take students there, and share it with his own family. He encouraged all of the Supervisors to learn about Barbara Johns and the significance of this statue. He stated that he planned to discuss this with the School Board and was honored to have this moment to share her story, which was truly remarkable.

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The Blech-Caulder, Rio District, said that she had authorized Sarah Blech to speak on her behalf today.

Sarah Blech, White Hall District, spoke on behalf of Thea. She said that she had moved to Branchlands from Earlysville in 2021, specifically to improve her access to public transportation and maintain her independence. When MicroCAT launched in 2023, it was a meaningful improvement. She said that she had used it to get to and from work, buy groceries, attend appointments, and stay engaged in community life. MicroCAT played a crucial role in supporting her independence. However, since changes to the MicroCAT fleet, she had encountered major accessibility barriers.

Ms. Blech said that as someone with a mobility impairment who uses a cane, she was unable to step up into a high-profile vehicle. The earlier MicroCAT wheelchair vans had a ramp and included a third seat that allowed her to walk in safely. Unfortunately, the newer vans did not have this seating configuration, and their height made it impossible for her to enter the vehicle from the side. She said that these vans were described as wheelchair accessible, but accessibility was not a one-size-fits-all.

Ms. Blech said that in this case, the newer vans were not accessible for riders with mobility impairments who walked with a cane, a category recognized in MicroCAT's own accessibility request form. She said that this was not just a vehicle design issue; it was a system reliability issue. If the system was described as accessible, but riders with documented mobility impairments could not board, then the system was not meeting the accessibility standards it claimed to provide. In April, an advocate from the Independent Resource Center (IRC), who also had a mobility impairment, evaluated a van with MicroCAT staff and confirmed the issue.

Ms. Blech stated that during that meeting, staff acknowledged that lower-profile vans existed in the fleet and were significantly easier for people like her to use. Later, IRC was told that an option to request low-profile vans could be addressed to add it to the app, but months had passed with no progress. IRC followed up in September and received no response. As of today, there was no option in the app to request a low-profile vehicle. There was no reliable process through dispatch, nor was dispatch aware of this option, and there was no guarantee that a rider with a documented mobility need would be assigned a vehicle they could actually board.

Ms. Blech said that this meant she could not rely on MicroCAT, and when transportation was unreliable, independence was lost. Therefore, she was asking for two commitments: a clear and reliable way, either in the app or through dispatch, for riders with mobility impairments to request a low-profile van.

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Susan McCulley, Samuel Miller District, stated that since April, the Board had been reminded that stripping constitutional rights from their immigrant and refugee neighbors threatened all of their rights. She said that the administration's policies, far from targeting violent criminals, would sweep up anyone it wanted, including American citizens. She said that the community had raised alarms about data collection and surveillance. The federal government had access to personal information for all Medicaid recipients, and there was a data-sharing agreement between Immigrations and Customs Enforcement (ICE) and the Internal Revenue Service (IRS).

Ms. McCulley said that links between Palantir and the federal government were well-documented. She said that the administration was actively seeking voter rolls from every state, and most recently, it had sanctioned the use of Pegasus, software developed by an Israeli-owned company that secretly infiltrated cell phones. She said that with the acquisition of Signal licenses, ICE intended to further expand its social media surveillance capabilities and planned to develop a social media monitoring team to identify leads for immigration enforcers.

Ms. McCulley said that the partnership between Flock and Ring cameras was another insidious example of surveillance and data collection. She said that recently, Department of Homeland Security (DHS) had issued a procurement for bounty hunters, equipping them with this arsenal of surveillance data. She said that in July, they had asked the Board to pass or consider a resolution requiring ICE agents to be unmasked, identify themselves, present warrants, and drive marked vehicles. Given all that was happening, their request seemed quaint by comparison.

Ms. McCulley said that yesterday, voters around the Commonwealth and across the country had made their voices heard. She said that yesterday, Virginia had elected a platform of Democratic leaders committed to affordability, health and well-being, the rule of law, and the Constitution. She said that yesterday, people had spoken, and the message was abundantly clear. They had voted for principled leaders who would stand up for all of them. She said that today, they were asking the Board to take courage from their constituents and to take a principled stand. She requested the Board to pass a resolution to unmask ICE and to formally state that in this community, they believed in the rights of everyone.

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Stuart Overbey, Samuel Miller District, said that she was here to represent Don't Spread on Me. She said that she was present to discuss the need for a biosolids ordinance in the County, specifically the spreading of sewage sludge as fertilizer on farms and forests in Albemarle. She said that recently, around October 1, sewage sludge was spread on Fleetwood Farm in the Rivanna District, adjacent to the North Pointe housing development. She said that she received a message on October 23 through their website, and she would like to share it with the Board.

Ms. Overbey said that the message stated that the sender had experienced the farmer next to them spread biosolids on their land near their house. They contacted the Department of Environmental Quality (DEQ) because the sludge was spread uphill, and their well was approximately 150 feet below the surface. She said that the DEQ representative assured them it would be fine, but the smell alone was horrible. They had to turn off their HVAC unit for a week due to the smell permeating into the house, and it was still lingering three weeks after the application.

Ms. Overbey said that the message continued to explain that birds were attracted to the area and were concerned about the impact on local wildlife. Even though this time of year was when it was usually nice to open windows and let in fresh air, they could not. They spoke to a gentleman with DEQ who was extremely nice, and he told them the farmer could not dump for another three years, which was the only thing that made them feel better. She said that this was a typical experience for someone living near an area where biosolids have been spread. She said that the smell was not just a nuisance, but also toxic.

Ms. Overbey said that people often reported getting sick, and pets were also affected. She said that per- and polyfluoroalkyl substances (PFAS) and other toxins could migrate into the air, soil, groundwater, and nearby streams when it rained. She said that this person, along with many others, was forced to live in a toxic cloud. She explained that she was hosting an event to discuss this issue, and they had a wonderful researcher, Bryan Berger from UVA, who would be presenting and answering questions on November 20 from 6:00 p.m. to 7:00 p.m. at Grace Church in Red Hill.

Ms. Overbey said that she had brought personalized invitations. She said that Mr. Berger's lab research, funded by the Environmental Protection Agency (EPA), focused on man-made problems and nature-based approaches to remediation. She said that his work was fascinating, and she encouraged everyone to attend. She said that the presentation was open to the public, and she looked forward to seeing them all there.

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Agenda Item No. 8. Consent Agenda.

Ms. LaPisto-Kirtley **moved** to approve the consent agenda. Ms. McKeel **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.  
NAYS: None.

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Item No. 8.1. Approval of Minutes: February 19, March 5, March 19, April 23, April 30, and May 14, 2025

Ms. LaPisto-Kirtley had read the minutes of February 19 and April 30, 2025, and found them to be in order.

Mr. Andrews had read the minutes of March 5, 2025, and found them to be in order.

Mr. Gallaway had read the minutes of March 19, 2025, and found them to be in order.

Ms. Mallek had read the minutes of April 23, 2025, and found them to be in order.

Mr. Pruitt had read the minutes of May 14, 2025, and found them to be in order.

**By the above-recorded vote, the Board approved the minutes of February 19, March 5, March 19, April 23, April 30, and May 14 as read.**

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Item No. 8.2. Fiscal Year 2026 Appropriations.

The Executive Summary forwarded to the Board states that Virginia Code §15.2-2507 provides that any locality may amend its budget to adjust the aggregate amount to be appropriated during the

fiscal year as shown in the currently adopted budget; provided, however, any such amendment which exceeds one percent of the total expenditures shown in the currently adopted budget must be accomplished by first publishing a notice of a meeting and holding a public hearing before amending the budget. The Code section applies to all County funds, i.e., General Fund, Capital Funds, E911, School Self-Sustaining, etc.

The total change to the Fiscal Year 2026 (FY 26) budget due to the appropriations itemized in Attachment A is \$1,696,140. A budget amendment public hearing is not required because the amount of the cumulative appropriations does not exceed one percent of the currently adopted budget.

Staff recommends that the Board adopt the attached resolution (Attachment B) to approve the appropriations for County government projects and programs described in Attachment A.

**Appropriation #2026016**

<b>Sources:</b>	State Revenue	\$621,000
<b>Uses:</b>	Capital Project: Rivanna Futures	\$621,000
<b>Net Change to Appropriated Budget:</b>		<b>\$621,000</b>

**Description:**

This request is to appropriate \$621,000 in state revenue for the Economic Development Access Program (EDAP) Grant. These funds will be used to support design and site development efforts at the Rivanna Futures site.

**Appropriation #2026017**

<b>Sources:</b>	Local Revenue	\$4,320
<b>Uses:</b>	General Fund - Broadband	\$4,320
<b>Net Change to Appropriated Budget:</b>		<b>\$4,320</b>

**Description:**

This request is to appropriate \$4,320 in local revenue from the City of Charlottesville to provide no-cost internet to 12 low-income families through the Albemarle Broadband Office's existing broadband benefit program for the 2025-2026 school year.

**Appropriation #2026018**

<b>Sources:</b>	Emergency Communications Center (ECC) Funds Fund Balance	\$904,820
<b>Uses:</b>	ECC Operational Budget	\$904,820
<b>Net Change to Appropriated Budget:</b>		<b>\$904,820</b>

**Description:**

The Charlottesville-UVA-Albemarle County Emergency Communications Center (ECC), an entity where the County serves as fiscal agent, requests to appropriate \$904,820 from the Emergency Communications Center Fund's fund balance for various technology purchases, as approved by the ECC Management Board in their FY 26 Adopted budget.

**Appropriation #2026019**

<b>Sources:</b>	Proffer Funds Fund Balance	\$6,000
<b>Uses:</b>	Proffer Fund Expenditure	\$6,000
<b>Net Change to Appropriated Budget:</b>		<b>\$6,000</b>

**Description:**

This request is to appropriate \$6,000 from the Eckard Pharmacy Proffer fund for payment to the Virginia Department of Transportation (VDOT) for work completed in prior fiscal years.

**Appropriation #2026020**

<b>Sources:</b>	State Revenue	\$160,000
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**Uses:** Capital – Biscuit Run \$160,000  
**Net Change to Appropriated Budget:** \$160,000

**Description:**

This request is to appropriate \$160,000 of state revenue from a Virginia Outdoors Foundation grant to support the acquisition of property contiguous with Biscuit Run Park.

**Appropriation #2026021**

**Sources:** General Government Capital Fund's fund Balance (\$4,237,176)  
**Uses:** School Division Capital Fund's fund Balance \$4,237,176  
**Net Change to Appropriated Budget:** \$0

**Description:**

This request is to reconcile and reallocate the balance of \$4,237,176 in unreimbursed bond proceeds from the bond issuance that occurred in the fall of 2023. This request facilitates the closeout of that bond issuance by reallocating bond proceeds and the use of Capital Funds' fund balance among eligible capital projects. This appropriation only amends revenues sources across Capital Funds, and it does not change the total budget or scope for any projects.

**By the above-recorded vote, the Board adopted the attached resolution (Attachment B) to approve the appropriations for County government projects and programs described in Attachment A:**

**RESOLUTION TO APPROVE  
 ADDITIONAL FY 2026 APPROPRIATIONS**

**BE IT RESOLVED** by the Albemarle County Board of Supervisors:

- 1) That the FY 26 Budget is amended to increase it by \$1,696,140;
- 2) That Appropriations #2026016; 2026017; 2026018; 2026019; 2026020; and #2026021 are approved;
- 3) That the appropriations referenced in Paragraph #2, 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, 2026.

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Account String	Amount (\$)	APP#	Description
9010-8-82100-324000-9020-9999-00000-00000-240500-	\$621,000.00	SA2026016	New VBRSP Rivanna Futures Grant
9010-8-82100-494000-9020-0000-00000-00000-344400-	\$621,000.00	SA2026016	New VBRSP Rivanna Futures Grant
1000-5-51700-318000-0000-9999-00000-00000-181109-	\$4,320.00	SA2026017	Charlottesville contribution for IEPP program
1000-5-51700-453000-0000-9999-00000-00000-592000-	\$4,320.00	SA2026017	Program support increase for IEPP
4100-3-32110-435600-0000-9999-00000-00000-800701-	\$94,000.00	SA2026018	PC and Monitor Replacement
4100-3-32110-435600-0000-9999-00000-00000-800701-	\$498,000.00	SA2026018	Datacenter Replacements and Refresh
4100-3-32110-435600-0000-9999-00000-00000-800301-	\$312,820.00	SA2026018	Phone Replacement and Refresh
4100-3-32100-352000-0000-9999-00000-00000-510100-	\$904,820.00	SA2026018	ECC Fund Approved Fund Balance
8531-9-99000-352000-0000-9999-00000-00000-510100-	\$6,000.00	SA2026019	SA2026018 Eckard Pharmacy Proffer to VDOT
8531-9-99000-481000-0000-0000-00000-00000-560000-	\$6,000.00	SA2026019	SA2026018 Eckard Pharmacy Proffer to VDOT
9010-7-71009-324000-9810-0000-00000-00000-240500-	\$160,000.00	SA2026020	Virginia Outdoor Foundation Grant Revenue
9010-7-71009-471000-9810-0000-00000-00000-800750-	\$160,000.00	SA2026020	Biscuit Run Property Acquisition
9010-9-99000-352000-9812-0000-00000-00000-510101-	\$(14,159.73)	SA2026021	Debt Issuance 2023A Clean Up
9010-9-99000-341000-9812-0000-00000-00000-410530-	\$14,159.73	SA2026021	Debt Issuance 2023A Clean Up
9010-9-99000-352000-9323-0000-00000-00000-510101-	\$(1,161,230.10)	SA2026021	Debt Issuance 2023A Clean Up
9010-9-99000-341000-9323-0000-00000-00000-410530-	\$1,161,230.10	SA2026021	Debt Issuance 2023A Clean Up
9010-9-99000-352000-9140-0000-00000-00000-510101-	\$(2,661,788.21)	SA2026021	Debt Issuance 2023A Clean Up

9010-9-99000-341000-9140-0000-00000-00000-410530-	\$2,661,788.21	SA2026021	Debt Issuance 2023A Clean Up
9010-9-99000-352000-9141-0000-00000-00000-510101-	\$(328,368.00)	SA2026021	Debt Issuance 2023A Clean Up
9010-9-99000-341000-9141-0000-00000-00000-410530-	\$328,368.00	SA2026021	Debt Issuance 2023A Clean Up
9010-9-99000-352000-9530-0000-00000-00000-510101-	\$(68,209.10)	SA2026021	Debt Issuance 2023A Clean Up
9010-9-99000-352000-9530-0000-00000-00000-510100-	\$68,209.10	SA2026021	Debt Issuance 2023A Clean Up
9000-6-69000-351000-9138-0000-00000-00000-512090-	\$(4,237,176.13)	SA2026021	Debt Issuance 2023A Clean Up
9000-6-69000-352000-9138-0000-00000-00000-510101-	\$4,237,176.13	SA2026021	Debt Issuance 2023A Clean Up
9010-9-99000-352000-0000-9999-00000-00000-510101-	\$1,807.65	SA2026021	Debt Issuance 2023A Clean Up
9010-9-99000-352000-0000-9999-00000-00000-510100-	\$(1,807.65)	SA2026021	Debt Issuance 2023A Clean Up
9000-6-69000-352000-0000-9999-00000-00000-510101-	\$1,613.34	SA2026021	Debt Issuance 2023A Clean Up
9000-6-69000-352000-0000-9999-00000-00000-510100-	\$(1,613.34)	SA2026021	Debt Issuance 2023A Clean Up
9010-9-93010-493010-0000-9999-00000-00000-930004-	\$(4,237,176.13)	SA2026021	Debt Issuance 2023A Clean Up
9010-4-41400-341000-0000-9999-00000-00000-410530-	\$(4,237,176.13)	SA2026021	Debt Issuance 2023A Clean Up

Item No. 8.3. Schedule a Public Hearing to Consider the Adoption of an Ordinance to Modify Real Estate Tax Relief for Elderly and Disabled Persons.

The Executive Summary forwarded to the Board states that staff is recommending expansion of the current program for Real Estate Tax Relief for Elderly and Disabled Persons by establishing two recurring annual adjustments to the program:

- Increasing the income limit to align to the current value for the U.S. Department of Housing & Urban Development Area Median Income (AMI) Limits, using the value for 80% AMI for a family of four in Albemarle County.
- Adjusting the net combined financial worth limit by the inflation adjusted value of \$200,000 in January 2007 and rounded to the nearest \$1,000.

Under Virginia Code § 58.1-3210, the County has authority to modify the qualifying criteria. The Board of Supervisors expressed support for this approach after reviewing staff's analysis at the January 15, 2025, Board meeting, and scheduled this public hearing to consider adoption of an ordinance.

Albemarle County Code Chapter 15, Article 7, Division 2, Real Property Tax Exemption for Certain Elderly and Disabled Persons, describes the County's real property tax relief program for elderly and disabled persons. Based on direction from the Board of Supervisor's January 15, 2025 meeting, the proposed ordinance (Attachment A) would modify the current program criteria with the following:

- Adjust the maximum annual net income limit to align with the current value for the U.S. Department of Housing & Urban Development Area Median Income (AMI) Limits, using the value for 80% AMI for a family of four in Albemarle County.
- Adjust the maximum annual net combined financial worth to not exceed the inflation adjusted value of \$200,000 in January 2007 and rounded to the nearest \$1,000 for the calendar year immediately preceding the taxable year. This inflation adjustment will use the published Consumer Price Index for All Urban Consumers, U.S. City Average, or similar published inflation data for the calendar year immediately preceding the taxable year.
- Modify the three relief percentage brackets of 50%, 75%, and 100% to align with the maximum annual income threshold.

The change would be effective for Tax Year 2026, which will begin on January 1, 2026.

The proposed modification to the Real Estate Tax Relief for Elderly and Disabled Persons program would decrease collectible tax revenues. For FY 27, the budgetary impact of increasing the income and net worth limits is estimated to be \$120,000 and if approved, would be incorporated into the County Executive's FY 27 Recommended Budget.

Staff recommends that the Board schedule a public hearing to consider the adoption of the attached proposed ordinance (Attachment A).

**By the above-recorded vote, the Board authorized the Clerk to schedule a public hearing to consider the adoption of the attached proposed ordinance (Attachment A).**

Item No. 8.4. Notice of Public Hearing on the County Acquisition of a Portion of Parcel 056A2-02-0A-00100 at 1153 High Street by Eminent Domain.

The Executive Summary forwarded to the Board states that the County currently is in the right-of-

way acquisition phase for a project to construct sidewalks along High Street, Library Ave and Hilltop Road in Crozet. Completion of the project requires acquisition of 337 square feet of fee simple, 436 square feet for a permanent utility easement, and 1,176 square feet of temporary construction easement on Parcel 056A2-02-0A-00100 at 1153 High Street (shown as Parcel 006 on Attachment A).

Assisted by consultants experienced in right-of-way acquisitions, the County has successfully acquired or reached agreements on almost all rights-of-way and easements needed for the project. On Parcel 006, the property owner has agreed to convey the necessary portions of the property to the County for this project. However, the lienholder has been unresponsive to the County's request for a partial release of the lien on the property. A courtesy letter (Attachment B) was sent to the lienholder on September 24, 2025.

Staff recommends that the Board of Supervisors authorize notice for a public hearing on the potential condemnation and certificate of take for the subject right-of-way and easements. Negotiations can continue throughout the condemnation process. Without this authorization, the project would likely be delayed and incur additional costs.

No budget impact is associated with this item. This project is funded through the Virginia Department of Transportation's Revenue Sharing Program.

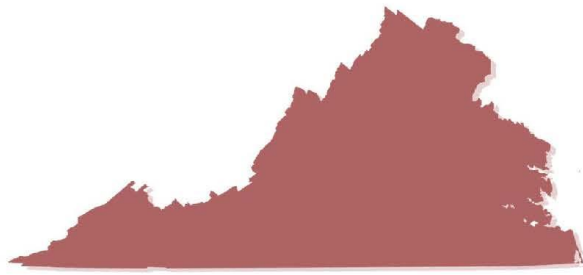
Staff recommends that the Board of Supervisors authorize notice and scheduling of a public hearing on the proposed acquisition.

**By the above-recorded vote, the Board authorized the Clerk to notice and schedule a public hearing on the proposed acquisition.**

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Item No. 8.5. 2026 Thomas Jefferson Planning District (TJPD) Legislative Program.

**By the above-recorded vote, the Board adopted the 2026 Thomas Jefferson Planning District (TJPD) Legislative Program:**



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**Thomas Jefferson Planning District**

**2026 LEGISLATIVE PROGRAM**

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**Thomas Jefferson Planning District**

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

**October 2025**

**DRAFT**

Keith Smith, Chair  
Christine Jacobs, Executive Director  
David Blount, Director of Legislative Services

## TOP LEGISLATIVE PRIORITIES

### Public Education Funding

**PRIORITY: The Planning District’s member 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.**

With the federal government fundamentally changing its funding relationship with states, policymakers in Virginia are pledging to exercise caution in development of the next state biennial budget. Also added to the mix is more than \$1.5 billion needed to meet increasing state K-12 education rebenchmarking costs and for Medicaid.

The State will spend more than \$21 billion dollars on direct aid to public education in the current biennium. Additional state funding for teacher salaries, at-risk students and childcare subsidies in the current biennium are appreciated. However, we continue to believe that the State should increase its commitment to public education in a manner that reflects the true costs of K-12 education. The 2023 Joint Legislative Audit and Review Commission (JLARC) report on K-12 education funding confirmed this, finding that public education in Virginia is underfunded, while 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” their responsibilities by appropriating twice as much K-12 funding as required by the state. We believe localities need an adequately defined SOQ that more equitably shares the costs of public education between the state and local governments, in order to ensure the overall success of students across the Commonwealth.

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 preserve and 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 addresses 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. 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.

As the state confronts declines in financial support and additional spending requirements from the federal government, we urge the state to avoid shifting costs for programs previously supported by federal funds to localities, and to collaborate with local governments to implement required changes to programs with shared state/local responsibility. Generally, 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, phase out or restrict local revenue sources or confiscate or redirect local general fund dollars to the state treasury. This includes any state-mandated exemptions to local revenue sources, Communications Sales and Use Tax Trust Fund dollars, and the local share of recordation taxes, unless a viable revenue replacement to local governments is established.

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## Land Use and Growth Management

**PRIORITY: The Planning District's member localities urge the State to resist preempting or circumventing existing land use authorities, but rather 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 more recently have prescribed one-size-fits-all rules that hamper different local approaches to land use planning. Accordingly, we support local control of decisions 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 local authority to address siting and other impacts associated with utility-scale installation of clean energy resources and facilities. We support state funding and technical assistance that address the planning, production, transmission, and deployment of new energy resources.
- We support broader impact fee authority for facilities other than roads, and changes to the current proffer law that limit the scope of impacts that can 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 believe accessory dwelling units should not be mandated, and that local governments should retain the authority to regulate them.
- We request 1) state funding and incentives for localities, at their option, to acquire, preserve and maintain open space, and 2) enhanced ability for localities to balance growth and development as it pertains to farm and forestland within their jurisdiction.
- We support greater flexibility for 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:

- The costs of CSA should be fully funded in the state's base budget, with allocations based on realistic anticipated levels of need. 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 do not support caps on state reimbursement which limit the state's exposure to increasing costs.
- We support the state being proactive in making residential facilities, services, and service providers available, especially in rural areas, and in supporting local 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.

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## 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.

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## 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 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 should discontinue seizing dollars from the Literary Fund to help pay for teacher retirement.
  - >We appreciate and support the school construction assistance programs enacted in 2022 and request that they be consistently funded.
- 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.

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## 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 assistance for cyanobacteria monitoring, mitigation, and remediation efforts, as well as hydrilla treatment and buoy maintenance at Lake Anna.
- 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 (SLAF) to assist localities with much-needed stormwater projects and in response to any new regulatory requirements.
- 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.

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## 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 the need. We request adequate funding for costs associated with voting equipment, mail in ballots, 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; 3) provisions concerning the creation of customized records; and 4) provisions allowing public bodies to charge for providing requested 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.
- The State should not inhibit the ability of localities to determine how best to use artificial intelligence (AI) or require any related reporting requirements that are unreasonable.

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## 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. Funding for at-risk individuals and families to access appropriate services remains critical. Recently enacted changes to the Supplemental Nutrition Assistance Program (SNAP) and to Medicaid also will require significant state support and coordination between state agencies and localities. 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.
- We support investment in staff training and other tools to enable local social services staff to administer revised SNAP and Medicaid programs effectively and efficiently.
- 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.
- The State should provide sufficient funding to allow Community Services Boards to meet the challenges of providing a community-based system of care for people with behavioral health and developmental disability service needs that helps divert them from needing state hospital care, as well as having services such as outpatient and permanent supportive housing available.

- We support improvements in state hospital capacity to accept individuals under a TDO, and encourage support for rural hospitals facing reductions in overall Medicaid funding.
- 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).
- We support additional funding to local communities to assist low-income working families with childcare costs.

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## 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 a balanced mix of 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. Accordingly, we take the following positions:

- We support the following specific items: 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 communities in fostering an increased supply of housing that is affordable; 3) grants and loans to low- or moderate-income persons to aid in purchasing dwellings; 4) funding for rental assistance to low-income families with school-aged children; and 5) policies and direct state investments to prevent homelessness and to assist the chronic homeless.
- We support incentives that encourage rehabilitation and preservation of historic structures.

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## 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 and related equipment needs, given the ever-increasing importance they play in local communities. We oppose regulatory action that hinders the provision of emergency services by increasing costs of operations or deterring recruitment and retention of emergency services employees.
- 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 to address safety concerns, including on locally designated highway segments.

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## 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 seek to grow revenue over time to meet increasing demands for new construction and maintenance for existing transportation infrastructure; to prioritize funding for local and regional transportation needs; and to provide financial support to localities for increased workloads for performing administrative functions. 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.

### Item No. 8.6. Commonwealth and Local Development Opportunity Fund Performance Agreements for the Afton Scientific Expansion.

The Executive Summary forwarded to the Board states that Afton Scientific announced in September 2024 its plan to invest \$200 million to build a new facility on Avon Court that would enable an expansion of its sterile injectable manufacturing operations and create 200 new jobs in Albemarle County. The company operates within the biotechnology & life sciences sector, which is a target industry in the County's economic development strategic plan.

In spring 2024, the Economic Development Office (EDO) learned of Afton Scientific's future expansion needs, which included a multi-state search for sites that could accommodate manufacturing, offices, research and development, and warehousing.

With the company engaging in a multi-state search, partners in state government (including the Governor's Office, Secretary of Commerce & Trade, and the Virginia Economic Development Partnership (VEDP)), and local government were able to work with the company to provide incentives that made locating the expansion in Albemarle County financially feasible. Afton Scientific is now proceeding with building a second facility on Avon Court.

VEDP, in consultation with the Governor's Office, determined Afton Scientific Expansion was eligible for several state incentives based on its projected job creation and capital investment: \$540,000

from the Commonwealth Development Opportunity Fund (COF), which requires a 1:1 match from the locality, as well as recruitment and training support through Virginia's Talent Accelerator Program, valued at \$768,000. The terms of the COF award are provided in the state agreement (Attachment A), including a required capital investment of \$202,422,101 and the creation of 201 new jobs. The agreement between the County and the company is provided in Attachment B, requiring that the company fully satisfy its obligations to the Commonwealth of Virginia in order to receive the full County match award, with interim construction milestones related to the building permit and the certificate of occupancy.

Albemarle County's match of up to \$540,000 for the Commonwealth Development Opportunity Fund (COF) grant will come from the Economic Development Investment Pool.

Staff recommends the Board adopt the Resolution found in Attachment C to authorize the County Executive to sign the State and Local COF Performance Agreements once each agreement is approved to form and substance by the County Attorney.

**By the above-recorded vote, the Board adopted the Resolution found in Attachment C to authorize the County Executive to sign the State and Local COF Performance Agreements once each agreement is approved to form and substance by the County Attorney:**

**RESOLUTION TO APPROVE THE AGREEMENTS TO SUPPORT  
THE EXPANSION OF AFTON SCIENTIFIC, LLC**

**WHEREAS**, the Albemarle County Board of Supervisors finds that entry into the following Agreements is consistent with the County's economic development strategic plan; is beneficial to and in the best interest of the County and its inhabitants; and accords with the purposes of the Commonwealth of Virginia stated in *Virginia Code* § 15.2-4901 by supporting the expansion of Afton Scientific, LLC, and its facilities and operations in Albemarle County:

- a. Commonwealth's Development Opportunity Fund Performance Agreement; and
- b. Economic Development Investment Pool Performance Agreement and Commonwealth Opportunity Fund Match Grant.

**NOW, THEREFORE, BE IT RESOLVED** that the Albemarle County Board of Supervisors hereby approves (1) the Commonwealth's Development Opportunity Fund Performance Agreement and (2) the Economic Development Investment Pool Performance Agreement and Commonwealth Opportunity Fund Match Grant, as presented to the Board, and authorizes the County Executive to execute the Agreements on behalf of the Albemarle County Board of Supervisors, in a substantially similar and consistent form, including such completions, omissions, insertions, and changes as may be approved by the County Attorney once those Agreements have both been accepted and executed by Afton Scientific, LLC, approved by the Albemarle County Economic Development Authority, and approved as to substance and form by the County Attorney.

\* \* \* \*

**COMMONWEALTH'S DEVELOPMENT OPPORTUNITY FUND**

**PERFORMANCE AGREEMENT**

This **PERFORMANCE AGREEMENT** (the "Agreement") made and entered this 17<sup>th</sup> day of June, 2025, by and among the **COUNTY OF ALBEMARLE, VIRGINIA** (the "Locality"), a political subdivision of the Commonwealth of Virginia (the "Commonwealth"), **AFTON SCIENTIFIC, LLC**, a Virginia limited liability company (the "Company"), the **VIRGINIA ECONOMIC DEVELOPMENT PARTNERSHIP AUTHORITY ("VEDP")**, a political subdivision of the Commonwealth, and the **ECONOMIC DEVELOPMENT AUTHORITY OF ALBEMARLE COUNTY, VIRGINIA** (the "Authority"), a political subdivision of the Commonwealth.

WITNESSETH:

WHEREAS, the Locality has been awarded a grant of and expects to receive \$540,000 (the "COF Grant") from the Commonwealth's Development Opportunity Fund (the "Fund") through VEDP for the purpose of inducing the Company to expand, equip, improve, and operate an existing pharmaceutical preparation manufacturing facility in the Locality (the "Facility"), thereby making a significant Capital Investment, and creating and Maintaining a significant number of New Jobs, as such capitalized terms are hereinafter defined;

WHEREAS, the Locality is willing to provide the funds to the Authority with the expectation that the Authority will provide the funds to or for the use of the Company, provided that the Company meets certain criteria relating to Capital Investment and New Jobs;

WHEREAS, the Locality, the Authority, the Company, and VEDP desire to set forth their understanding and agreement as to the payout of the COF Grant, the use of the COF Grant proceeds, and the obligations of the Company regarding Capital Investment and New Jobs;

WHEREAS, the expansion, equipping, improvement, and operation of the Facility, as defined herein in Section 1, will entail a capital expenditure by or on behalf of the Company of approximately \$202,422,101, of which approximately \$61,125,000 will be invested in machinery and tools, approximately \$9,189,500 will be invested in furniture, fixtures and business personal property, and approximately \$132,107,601 will be invested in the construction, expansion and up-fit of the buildings for the Facility;

WHEREAS, the expansion, equipping, improvement, and operation of the Facility will further entail the creation and Maintenance of 201 New Jobs at the Facility; and

WHEREAS, the stimulation of the additional tax revenue and economic activity to be generated by the Capital Investment and New Jobs constitutes a valid public purpose for the expenditure of public funds and is the animating purpose for the COF Grant:

NOW, THEREFORE, in consideration of the foregoing recitals which are incorporated fully into this Agreement, the mutual benefits, promises and undertakings of the parties to this Agreement, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties covenant and agree as follows.

**Section 1. Definitions.**

For the purposes of this Agreement, the following terms shall have the following definitions:

“Average Annual Wage” means the gross average annual salary of full-time positions at the Facility determined by dividing total payroll (of a type included in W-2 compensation) provided to full-time positions at the Facility by the number of full-time positions at the Facility. There will be separate Average Annual Wage calculations for High-Paying New Jobs and for Standard New Jobs.

“Capital Investment” means a capital expenditure by or on behalf of the Company in taxable real property, taxable tangible personal property, or both, at the Facility. The purchase or lease of machinery and tools or furniture, fixtures, and business personal property, including under an operating lease, and expected building expansion, improvement and up-fit by or on behalf of the Company will qualify as Capital Investment. The Capital Investment must be in addition to the capital improvements existing at the Facility as of September 1, 2025.

“Capital Investment Target” means that the Company has made or caused to be made and retained Capital Investments of at least \$202,422,101.

“Facility” means a pharmaceutical preparation manufacturing facility and operation located in Albemarle County on TMPs 07700-00-00-008B0, 07700-00-00-00900, and 077E2-00-00-00400.

“Fund” means the Commonwealth’s Development Opportunity Fund.

“High-Paying New Jobs” means those New Jobs, exclusive of the Standard New Jobs, created and maintained by the Company paying an Average Annual Wage of at least \$70,414.

“High-Paying New Jobs Target” means the Company’s obligation, in addition to the Standard New Jobs Target, to create and Maintain at least 70 High-Paying New Jobs as of the Performance Date.

“Maintain” and “Maintenance” mean that the New Jobs will continue without interruption from the date of creation through the date that the level of achievement of the New Jobs Target is being tested, including the Performance Date. Positions for the New Jobs will be treated as Maintained during periods in which such positions are not filled due to (i) temporary reductions in the Company’s employment levels (so long as there is active recruitment for open positions), (ii) strikes, and (iii) other temporary work stoppages.

“New Job” and “New Jobs” mean new permanent full-time employment of an indefinite duration at the Facility for which the standard fringe benefits are provided by the Company for the employee. Each New Job must require a minimum of either (i) 35 hours of an employee’s time per week for the entire normal year of the Company’s operations, which “normal year” must consist of at least 48 weeks, or (ii) 1,680 hours per year. Seasonal or temporary positions, positions created when a job function is shifted from an existing location in the Commonwealth, and positions with construction contractors, vendors, suppliers and similar multiplier or spin-off jobs shall not qualify as New Jobs. No full-time position may count as both a High-Paying New Job and a Standard New Job. The New Jobs must be in addition to the 77 full-time jobs at the Facility as of July 1, 2024.

“New Jobs Target” means, together, the High-Paying New Jobs Target and the Standard New Jobs Target.

“Performance Date” means December 31, 2030.

“Performance Report” means a report to be filed by the Company in accordance with Section 5. The “Final Performance Report” is to be filed within 90 days after the Performance Date. As noted in Section 5, the Locality, the Authority and VEDP may each request a Performance Report at other dates prior to the Performance Date.

“Standard New Jobs” means those New Jobs, exclusive of the High-Paying New Jobs, created and Maintained by the Company and paying an Average Annual Wage of at least \$52,397.

“Standard New Jobs Target” means the Company’s obligation, in addition to the High-Paying New Jobs Target, to create and Maintain at least 131 Standard New Jobs as of the Performance Date.

“Statutory Minimum Requirements” means the statutory minimum requirements for a COF Grant in the Locality, which require the Company (1) to make or cause to be made and retained a Capital Investment of at least \$5,000,000, and (2) to create and Maintain at least 50 High-Paying New Jobs.

“Targets” means, collectively, the Capital Investment Target and the New Jobs Target, including the High-Paying New Jobs Target and the Standard New Jobs Target, all to be achieved as of the Performance Date.

“Virginia Code” means the Code of Virginia of 1950, as amended.

**Section 2. Targets; Statutory Criteria.**

(a) *Targets:* The Company will expand, equip, improve, and operate the Facility, and achieve the Targets.

(b) *Encouragement to Offer New Jobs to Residents of the Commonwealth:* The Locality, the Authority, and VEDP hereby strongly encourage the Company to ensure that at least 30% of the New Jobs are offered to “Residents” of the Commonwealth, as defined in Virginia Code Section 58.1-302. In pertinent part, that definition includes natural persons domiciled in Virginia or natural persons who, for an aggregate of more than 183 days of the year, maintained a place of abode within the Commonwealth, whether domiciled in the Commonwealth or not.

(c) *Prevailing Wage; Unemployment and Poverty Rates:* The average annual wage of the High-Paying New Jobs of at least \$70,414 is more than the prevailing average annual wage in the Locality of \$70,267. The Locality is not a high-unemployment locality, with an unemployment rate for 2023, which is the last year for which such data is available, of 2.6% as compared to the 2023 statewide unemployment rate of 2.9%. The Locality is not a high-poverty locality, with a poverty rate for 2022, which is the last year for which such data is available, of 8.4% as compared to the 2022 statewide poverty rate of 10.6%.

(d) *Disclosure of Political Contributions:* The Company acknowledges that the name of the Company will be shared by VEDP with the Governor of Virginia, and any campaign committee or political action committee associated with the Governor. The Company acknowledges that within 18 months of the date of this Agreement, the Governor, his campaign committee, and his political action committee will submit to the Virginia Conflict of Interest and Ethics Advisory Council a report listing any contribution, gift, or other item with a value greater than \$100 provided by the Company to the Governor, his campaign committee, or his political action committee, respectively, during the period from the date of the Company’s application for the COF Grant through the one-year period immediately after the date of this Agreement.

(e) *Support for Virginia’s and Locality’s Economic Development Efforts:* Recognizing that it is in the best interest of all parties for the Commonwealth and the Locality to achieve sustained economic growth, the parties will periodically engage with one another to advise on economic development strategies and initiatives for the Commonwealth and the Locality, such as promoting the attributes of the Commonwealth and the Locality as places to do business, or highlighting important industry trends and/or business development opportunities that the Commonwealth or the Locality may wish to pursue. Such engagement would include the Company’s participation in occasional business retention and expansion visits from VEDP personnel, as deemed appropriate based on the project parameters and nature of the incentives provided to the Company.

(f) *Compliance with Environmental Laws:* The Company covenants to (i) comply in all material respects with any and all applicable federal, state, and local laws and regulations relating to the protection of human health and safety, the environment or hazardous or toxic substances or wastes, pollutants or contaminants (“Environmental Laws”) with respect to its operations at the Facility, (ii) receive all material permits, licenses or other approvals required of the Company under applicable Environmental Laws to conduct its business at the Facility, and (iii) remain in compliance with all material terms and conditions of any such permit, license or approval. If the Company fails to comply with this covenant and fails to rectify the noncompliance within 30 days of notice from VEDP, VEDP shall have the option to terminate this Agreement in accordance with Section 7.

**Section 3. Disbursement of COF Grant.**

(a) *General Provisions:* The disbursement of the COF Grant proceeds to the Company will serve as an inducement to the Company to achieve the Targets.

The COF Grant is to be allocated as 60% (\$324,000) for the Company's Capital Investment Target, 25% (\$135,000) for the Company's High-Paying New Jobs Target, and 15% (\$81,000) for the Company's Standard New Jobs Target.

The statutory minimum requirements for a COF Grant in the Locality require that the Company (1) make or cause to be made and retained a Capital Investment of at least \$5,000,000 and (2) create and Maintain at least 50 High-Paying New Jobs (the "Statutory Minimum Requirements").

The COF Grant proceeds shall be retained in the Fund until needed for disbursement or the COF Grant is withdrawn in accordance with the terms of this Agreement.

If the Company has more than 70 High-Paying New Jobs as of the Performance Date, those New Jobs over 70 may be counted as Standard New Jobs. Further, the wages of those High-Paying New Jobs over 70 may be used in calculating the Average Annual Wage for the Standard New Jobs.

(b) *Disbursement of the COF Grant:* Within 90 days after the Performance Date, the Company will deliver the Final Performance Report. Through this report, the Company will provide notice and evidence satisfactory to the Locality, the Authority and VEDP of the amount of Capital Investments made or caused to be made and retained, the number of High-Paying New Jobs created and Maintained, and the Number of Standard New Jobs created and Maintained by the Company as of the Performance Date. The Final Performance Report will be subject to verification by the Locality and VEDP.

Upon such verification, the amount of the COF Grant proceeds to be disbursed to the Company, if any, shall be determined as follows:

(i) *If Statutory Minimum Requirements Not Met:* If, as of the Performance Date, the Company has not achieved both of the Statutory Minimum Requirements, the Company will not receive any of the proceeds of the COF Grant.

(ii) *If Targets Met:* If, as of the Performance Date, the Company has achieved the Capital Investment Target and the New Jobs Target, the Company will receive all \$540,000 of the proceeds of the COF Grant.

(iii) *If Statutory Minimum Requirements Met, but Targets Not Met:* If, as of the Performance Date, the Company has achieved both of the Statutory Minimum Requirements, but has not achieved the full Capital Investment Target, the full

High-Paying New Jobs Target, and the full Standard New Jobs Target, the Company will qualify for a reduced disbursement of the COF Grant, reflecting a proportional amount of the Target or Targets for which there is a shortfall. For example, if as of the Performance Date, only \$182,179,891 of the Capital Investment has been retained (reflecting achievement of 90% of the Capital Investment Target), only 52 High-Paying New Jobs have been created and Maintained (reflecting achievement of 75% of the High-Paying New Jobs Target), and only 79 Standard New Jobs have been created and Maintained (reflecting achievement of 60% of the Standard New Jobs Target), the Company will receive \$291,600 (reflecting 90% of the \$324,000 of the COF Grant allocated to the Capital Investment Target), *plus* \$101,250 (reflecting 75% of the \$135,000 of the COF Grant allocated to the High-Paying New Jobs Target), *plus* \$48,600 (reflecting 60% of the \$81,000 of the COF Grant allocated to the Standard New Jobs Target) for a total of \$441,450. These amounts reflect the percentages of the shortfall from the Capital Investment Target, the High-Paying New Jobs Target, and the Standard New Jobs Target, each such shortfall multiplied by the portion of the COF Grant proceeds available to the Company allocated to that Target.

Within 30 days after verification of the Final Performance Report, if any amount of COF Grant proceeds is available for disbursement to the Company, as determined in accordance with the foregoing calculations, VEDP will disburse that amount to the Locality. Within 30 days after receipt of such amount, the Locality will disburse such COF Grant proceeds to the Authority. Within 30 days after receipt of such amount, the Authority will disburse such COF Grant proceeds and Local Match Grant proceeds to the Company.

If any amount of COF Grant proceeds has not been earned by the Company, the amount not disbursed will be retained in the Fund and will be available for other economic development projects.

(c) *Use of the COF Grant Proceeds:* The Company will use the COF Grant proceeds to pay or reimburse the cost of construction or build-out of publicly or privately owned buildings for the Facility, as permitted by Section 2.2-115(D) of the Virginia Code.

**Section 4. Break-Even Point; State and Local Incentives.**

(a) *State-Level Incentives:* VEDP has estimated that the Commonwealth will reach its “break-even point” by the Performance Date. The break-even point compares new revenues realized as a result of the Capital Investment and New Jobs at the Facility with the Commonwealth’s expenditures on discretionary incentives, including but not limited to the COF Grant. With regard to the Facility, the Commonwealth expects to provide discretionary incentives in the following amounts:

<u>Category of Incentive:</u>	<u>Total Amount</u>
COF Grant	\$540,000

Virginia Talent Accelerator Program (“Virginia Talent Accelerator”) (Approximate Value)	\$768,000
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The proceeds of the COF Grant shall be used for the purposes described in Section 3(c). The Virginia Talent Accelerator represents the value to the Company of workforce development services expected to be provided by VEDP to the Company for recruitment and training.

(b) *Local-Level Incentives:* The Locality and the Authority expect to provide the following incentives, as a matching grant for the Company’s fulfillment of this Agreement:

<u>Category of Incentive:</u>	<u>Total Amount</u>
Cash grants	\$540,000

The Locality, subject to appropriation, will provide the local level incentives as provided in the Economic Development Investment Pool Performance Agreement and Commonwealth Opportunity Fund Match Grant among the Locality, the Authority and the Company (the “Local Agreement”). The local level incentives shall match the COF payments so long as the Company has met its Targets. The local level incentives may be reduced to match the amount of the COF actually paid by VEDP based on proportional performance of the Targets.

(c) *Other Incentives:* This Agreement relates solely to the COF Grant. The qualification for, and payment of other State-Level Incentives and Local-Level Incentives will be governed by separate arrangements between the Company and the entities offering the other incentives.

**Section 5. Company Reporting.**

(a) *Performance Reporting:* The Company shall provide, at the Company’s expense, in the form attached hereto as Exhibit A, detailed Performance Reports satisfactory to the Locality, the Authority and VEDP of the Company’s progress on the Targets. The Performance Reports are due by each January 1, commencing January 1, 2026, reflecting the Company’s progress toward the Targets as of the prior September 30. Further, the Company shall provide such Performance Reports at such other times as the Locality, the Authority or VEDP may require.

(b) *Final Performance Report:* The Company shall provide, at the Company’s expense, in the form attached hereto as Exhibit B, a detailed Final Performance Report satisfactory to the Locality, the Authority and VEDP of the Company’s achievement of the Targets as of the Performance Date. This Final Performance Report shall be filed within 90 days after the Performance Date.

Should the Company be unable to file the Final Performance Report within the 90-day timeframe, the Company may request a 60-day delay in filing the Final Performance Report.

VEDP will require a \$3,000 fee, payable to VEDP, to process the request for the filing delay. Should the Company neither file the Final Performance Report within the 90-day window nor request a filing delay (including payment of the required fee), or if the Company requests a filing delay but does not file the Final Performance Report prior to the new filing deadline, VEDP will withhold any COF Grant payment that might otherwise be due, and all rights of the Company under this Agreement will automatically terminate.

**Section 6. Verification of Targets.**

(a) *Verification of Capital Investment:* The Company hereby authorizes the Locality, including the Locality's Commissioner of the Revenue and Treasurer, to release to VEDP the Company's real estate tax, business personal property tax and machinery and tools tax information. Such information shall be marked and considered confidential and proprietary and shall be used by VEDP solely for verifying satisfaction of the Capital Investment Target. If the Locality, the Office of the Commissioner of the Revenue or the Office of the Treasurer should require additional documentation or consents from the Company to access such information, the Company shall promptly provide, at the Company's expense, such additional documentation or consents as the Locality or VEDP may request. In accordance with Virginia Code Section 58.1-3122.3, VEDP is entitled to receive the Company's real estate tax, business personal property tax and machinery and tools tax information from the Locality's Commissioner of the Revenue.

(b) *Verification of New Jobs and Wages:* The Company must submit a copy of its four most recent Employer's Quarterly Tax Reports (Form FC-20) with the Virginia Employment Commission with the Final Performance Report. The forms shall be marked and considered confidential and proprietary and shall be used by VEDP solely for verifying satisfaction of the New Jobs Target. In accordance with Virginia Code Section 60.2-114, VEDP is entitled to receive the Company's employment level and wage information from the Virginia Employment Commission.

The Company agrees that it will report to the Virginia Employment Commission with respect to its employees at a facility-level, rather than at the company-level.

(c) *Additional Documentation:* In addition to the verification data described above, in the sole discretion of the Locality, the Authority or VEDP, the Locality, the Authority or VEDP, may each require such other documentation or audits as may be required to properly verify the Capital Investment or New Jobs.

**Section 7. Possible Termination of this Agreement and Redeployment of COF Grant Proceeds.** If the Locality, the Authority or VEDP shall determine at any time prior to the Performance Date that the Company is unable or unwilling to meet and Maintain its Targets by and through the Performance Date, and if the Locality, the Authority or VEDP shall have promptly notified the Company of such determination, this Agreement will be terminated, no further disbursements of the COF Grant proceeds will be made to the Company, and the amount of COF Grant proceeds not disbursed will be retained in the Fund and made available for other economic development projects. Such a determination will be based on such circumstances as a

filing by or on behalf of the Company under Chapter 7 of the U.S. Bankruptcy Code, the liquidation of the Company, an abandonment of the Facility by the Company, a failure to comply with the covenant provided in Section 2(f), or other similar significant event that demonstrates that the Company will be unable or is unwilling to satisfy the Targets for the COF Grant.

**Section 8. Notices.** Formal notices and communications between the parties shall be given either by (i) personal service, (ii) delivery by a reputable document delivery service that provides a receipt showing date and time of delivery, (iii) mailing utilizing a certified or first class mail postage prepaid service of the United States Postal Service that provides a receipt showing date and time of delivery, or (iv) delivery by electronic mail (email) with transmittal confirmation and confirmation of delivery, addressed as noted below. Notices and communications personally delivered or delivered by document delivery service shall be deemed effective upon receipt. Notices and communications mailed shall be deemed effective on the second business day following deposit in the United States mail. Notices and communications delivered by email shall be deemed effective the next business day, not less than 24 hours, following the date of transmittal and confirmation of delivery to the intended recipient. Such written notices and communications shall be addressed to:

if to the Company, to:

Afton Scientific, LLC  
2020 Avon Court  
Charlottesville, Virginia 22902  
Email: [tthorpe@aftonscientific.com](mailto:tthorpe@aftonscientific.com)  
Attention: Thomas Thorpe, CEO

with a copy to:

Flora Pettit PC  
530 East Main Street  
Charlottesville, Virginia 22902  
Email: [DDL@fplegal.com](mailto:DDL@fplegal.com)  
Attention: Donald D. Long, Esq.

if to the Locality, to:

County of Albemarle, Virginia  
401 McIntire Road  
Charlottesville, Virginia 22902  
Email: [jrichardson3@albemarle.org](mailto:jrichardson3@albemarle.org)  
Attention: County Executive

with a copy to:

Economic Development Office  
401 McIntire Road  
Charlottesville, Virginia 22902  
Email: [economicdevelopment@albemarle.org](mailto:economicdevelopment@albemarle.org)  
Attention: Director of Economic Development

if to the Authority, to:

Economic Development Authority of  
Albemarle County, Virginia  
c/o County of Albemarle, Virginia  
401 McIntire Road  
Charlottesville, Virginia 22902  
Email:  
economicdevelopmentauthority@albemarle.org  
Attention: Vice Chair

with a copy to:

County of Albemarle, Virginia  
401 McIntire Road  
Charlottesville, Virginia 22902  
Email:  
economicdevelopment@albemarle.org  
Attention: Director of Economic  
Development

if to VEDP, to:

Virginia Economic Development Partnership  
One James Center, Suite 900  
901 East Cary Street  
Richmond, Virginia 23219  
Email: ceo@vedp.org  
Attention: President and CEO

with a copy to:

Virginia Economic Development Partnership  
One James Center, Suite 900  
901 East Cary Street  
Richmond, Virginia 23219  
Email: generalcounsel@vedp.org  
Attention: General Counsel

Each party may change the address for service of notice upon it by a notice in writing to the other parties hereto.

**Section 9. Miscellaneous.**

(a) *Entire Agreement; Amendments:* This Agreement constitutes the entire agreement among the parties hereto as to the COF Grant and may not be amended or modified, except in writing, signed by each of the parties hereto. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns. The Company may not assign its rights and obligations under this Agreement without the prior written consent of the Locality, the Authority and VEDP.

(b) *Governing Law; Venue:* This Agreement is made, and is intended to be performed, in the Commonwealth and shall be construed and enforced by the laws of the Commonwealth. Jurisdiction and venue for any litigation arising out of or involving this Agreement shall lie in the Circuit Court of the City of Richmond, and such litigation shall be brought only in such court.

(c) *Counterparts:* This Agreement may be executed in one or more counterparts, each of which shall be an original, and all of which together shall be one and the same instrument.

(d) *Severability:* If any provision of this Agreement is determined to be unenforceable, invalid or illegal, then the enforceability, validity and legality of the remaining provisions will not in any way be affected or impaired, and such provision will be deemed to be restated to reflect the original intentions of the parties as nearly as possible in accordance with applicable law.


(e) *Attorney's Fees:* Attorney's fees shall be paid by the party incurring such fees.

(f) *Force Majeure:* Notwithstanding the foregoing provisions of this Agreement, if the Company does not achieve a Target or take any action required under this Agreement because of an "Event of Force Majeure" (as defined below), the time for achieving the applicable Target or taking such action will be extended day-for-day by the delay in meeting the applicable Target or taking such action caused by the Event of Force Majeure. "Event of Force Majeure" means without limitation, any of the following: acts of God; strikes, lockouts or other industrial disturbances; act of public enemies; orders of any kind of the government of the United States of America or of the Commonwealth or any of their respective departments, agencies, political subdivisions or officials, or any civil or military authority; insurrections; riots; epidemics; pandemics; landslides; lightning; earthquakes; fires; hurricanes; tornadoes; storms; floods; washouts; droughts; arrests; restraint of government and people; civil disturbances; explosions; breakage or accident to machinery, transmission pipes or canals not caused by the Company; partial or entire failure of utilities; or any other cause or event not reasonably within the control of the Company.

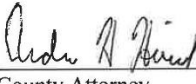
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IN WITNESS WHEREOF, the parties hereto have executed this Performance Agreement as of the date first written above.


**COUNTY OF ALBEMARLE, VIRGINIA**

By   
Name: Jeffrey B. Richardson  
Title: County Executive  
Date: \_\_\_\_\_


Approved as to Form:

  
County Attorney

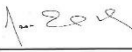
**ECONOMIC DEVELOPMENT AUTHORITY  
OF THE COUNTY OF ALBEMARLE,  
VIRGINIA**

By   
Name: JEFF MORRILL  
Title: VICE CHAIR  
Date: 9/23/25

**AFTON SCIENTIFIC, LLC**

By   
Name: Amanda J. Lewis  
Title: CEO  
Date: 19th June 2025

**VIRGINIA ECONOMIC  
DEVELOPMENT PARTNERSHIP  
AUTHORITY**

By   
Name: Jason El Koubi  
Title: President and CEO

Date: Jan 22, 2026

Exhibit A: Performance Report Form  
Exhibit B: Final Performance Report Form

**PERFORMANCE REPORT  
 COMMONWEALTH'S DEVELOPMENT OPPORTUNITY FUND**

**PROJECT SUMMARY:**

Project	
Location	
Amount of Grant	
Performance Reporting Period	
Performance Date	

**PROJECT PERFORMANCE:**

<b>Performance Measurement</b>	<b>Target</b>	<b>As of</b>	<b>% Complete</b>
<b>New Jobs (over baseline)</b>			
Confidence level target will be reached by Performance Date shown above (check one)	High <input type="checkbox"/>	Moderate <input type="checkbox"/>	Low <input type="checkbox"/>
<b>Capital Investment (provide breakdown below)<sup>1</sup></b>			
Confidence level target will be reached by Performance Date shown above (check one)	High <input type="checkbox"/>	Moderate <input type="checkbox"/>	Low <input type="checkbox"/>
<b>Average Annual Wage</b>			N/A
Confidence level target will be reached by Performance Date shown above (check one)	High <input type="checkbox"/>	Moderate <input type="checkbox"/>	Low <input type="checkbox"/>
<b>Standard Fringe Benefits (check one)</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A

<sup>1</sup> Data will be verified with locality records.

Capital Investment Breakdown	Amount
Land	\$
Land Improvements	
New Construction or Expansion	
Renovation or Building Up-fit	
Production Machinery and Tools	
Furniture, Fixtures and Equipment	
Other	
<b>Total</b>	<b>\$</b>

**COMMENTS:**

Discuss project status, including the current level of new jobs and capital investment, progress on targets, changes or likely changes in project's nature that may impact achievement of targets, and other information relevant to project performance. If the project is not on track to meet targets, please provide an explanation.

**TO BE CERTIFIED BY AN OFFICER OF THE COMPANY:**

I certify that I have examined this report and to the best of my knowledge and belief, it is true, correct, and complete.

Company: \_\_\_\_\_

Submitted By: \_\_\_\_\_  
Signature of Official

Name: \_\_\_\_\_  
Print Name

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Please return to:

Kim Ellett, Director of Compliance, Virginia Economic Development Partnership,  
 804.545.5618, kelleth@vedp.org

**FINAL PERFORMANCE REPORT  
 COMMONWEALTH'S DEVELOPMENT OPPORTUNITY FUND**

**PROJECT SUMMARY:**

Project	
Location	
Amount of Grant	
Performance Date	

**PROJECT PERFORMANCE:<sup>1</sup>**

Performance Measurement	Target	As of _____, 20__	% Complete
<b>New Jobs</b> (over __ baseline) <sup>2</sup>			
<b>Capital Investment</b> (provide breakdown below) <sup>3</sup>			
<b>Average Annual Wage</b>			N/A
<b>Standard Fringe Benefits</b>			

<sup>1</sup>Final, actual performance will be reported on VEDP's public reporting website.

<sup>2</sup> Attach the company's four most recent Quarterly Tax Reports (Form FC-20) filed with the Virginia Employment Commission.

<sup>3</sup> Data will be verified using records from the Commissioner of the Revenue and invoices.

Capital Investment Breakdown	Amount
Land	\$
Land Improvements	
New Construction or Expansion	
Renovation or Building Up-fit	
Production Machinery and Tools	
Furniture, Fixtures and Equipment	
Other	
<b>Total</b>	<b>\$</b>

**LOCAL MATCH:**

Goal	
Actual	

**COMMENTS:**

Discuss Project status or the importance of the Project to the locality and region.

**TO BE CERTIFIED BY AN OFFICER OF THE COMPANY:**

I certify that I have examined this report and to the best of my knowledge and belief, it is true, correct, and complete.

Company: \_\_\_\_\_

Submitted By: \_\_\_\_\_  
Signature of Official

Name: \_\_\_\_\_  
Print Name

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Please return to:

Kim Ellett, Director of Compliance, Virginia Economic Development Partnership,  
804.545.5618, [kelllett@vedp.org](mailto:kelllett@vedp.org)

Item No. 8.7. Proposed Abandonment and Conveyance of a Portion of Oak Street, Crozet.

The Executive Summary forwarded to the Board states that, as part of the Crozet Square/Oak Street VDOT Revenue Sharing Project (UPC 113188), the County is seeking to acquire portions of Virginia Passenger Rail Authority (VPRA) property in exchange for conveyance of County property (a portion of Oak Street) to the VPRA. The County's acquisition of this VPRA property would enhance the parking along The Square in Crozet. VPRA in turn wishes to acquire a portion of Oak Street to best maintain operations within the new roadway alignments created in the Crozet Square Project (Attachment A). However, before conveying that portion of Oak Street to VPRA, the County must first abandon it and hold a public hearing on its proposed conveyance. This consent agenda item is to start that process, beginning with both (i) a notice of intention to abandon portions of the platted public right of way of Oak Street in Crozet, as set forth in Virginia Code § 33.2-916, and (ii) a public hearing for the conveyance of County property to VPRA.

Upon authorization from the Board to begin the procedures for abandonment of a road, staff would proceed with the necessary notice requirements. Virginia Code § 33.2-916 requires the governing body to give at least 30 days' notice of intention to abandon a road by posting notice at the courthouse, in three places along the road proposed to be abandoned, and publishing notice in two issues of a newspaper having general circulation in the County. All notices posted and published would state the time and place where the Board will meet to consider the abandonment. The proposed area of abandonment

is outlined in red on Attachment A.

Staff recommends the Board adopt the resolution (Attachment B) authorizing the County both (a) to proceed with the notice of intent to abandon a portion of Oak Street and (b) to schedule a public hearing for the conveyance of that County property to VPRA in furtherance of the Crozet Square Project.

No budget impact is associated with this item. This project is funded through the Virginia Department of Transportation's Revenue Sharing Program.

Staff recommends that the Board adopt the resolution attached to the staff report as Attachment B.

**By the above-recorded vote, the Board adopted the resolution attached to the staff report as Attachment B:**

**RESOLUTION FOR NOTICE OF INTENT  
TO ABANDON A PORTION OF OAK STREET AND TO  
SCHEDULE AND ADVERTISE A PUBLIC HEARING TO CONSIDER CONVEYING REAL PROPERTY  
TO THE VIRGINIA PASSENGER RAIL AUTHORITY**

**WHEREAS**, Oak Street in Crozet was reserved as a right-of-way in Crozet by plat recorded on January 6, 1947, in Albemarle County Deed Book 272, page 113; and

**WHEREAS**, on February 15, 2023, the Board of Supervisors adopted a resolution affirming and accepting ownership of Oak Street in Crozet; and

**WHEREAS**, in furtherance of the County-VDOT Revenue Sharing Project, UPC 113188 Crozet Square/Oak Street, the County needs to acquire portions of real property from the Virginia Passenger Rail Authority (VPRA), and in turn, the VPRA wishes to acquire portions of Oak Street from the County; and

**WHEREAS**, *Virginia Code* § 15.2-1800(B) requires a public hearing before the County may sell, exchange, or otherwise dispose of real property; and

**WHEREAS**, portions of Oak Street would need to be abandoned in order to convey the underlying real property to the VPRA; and

**WHEREAS**, *Virginia Code* § 33.2-916 requires notice of a proposed abandonment of a road prior to the Board considering such abandonment.

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, that the Board of Supervisors of the County of Albemarle, Virginia, authorizes the posting of the notice of intent to consider abandonment of a portion of Oak Street, and authorizes a public hearing to be scheduled and advertised to consider the conveyance of real property, being a portion of Oak Street, to the VPRA.

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Item No. 8.8. SE-2025-00026 2163A Scottsville Rd Homestay. (*Scottsville Magisterial District*)

The Executive Summary forwarded to the Board states that the applicant is requesting a special exception for a homestay at 2163A Scottsville Rd.

**Resident Manager.** Pursuant to County Code § 18-5.1.48(d), the applicant is requesting authorization under County Code 18-5.1.48(b)(2) to permit a resident property-managing agent(s) to fulfill the residency requirements for a parcel of five acres or more in the Rural Areas zoning district.

Please see Attachment A for full details of staff's analysis and recommendations.

Staff recommends that the Board adopt the attached Resolution (Attachment F) to approve the special exception.

**By the above-recorded vote, the Board adopted the attached Resolution (Attachment F) to approve the special exception:**

**RESOLUTION TO APPROVE SE-2025-00026  
2163A SCOTTSVILLE ROAD HOMESTAY**

**WHEREAS**, upon consideration of the Memorandum prepared in conjunction with the SE-2025-00026 2163A Scottsville Road Homestay application and the attachments thereto, including staff's supporting analysis, any comments received, and all of the relevant factors in *Albemarle County Code* §§ 18-5.1.48 and 18-33.9, the Albemarle County Board of Supervisors hereby finds that a modified regulation would satisfy the purposes of the Zoning Ordinance to at least an equivalent degree as the specified requirement, and that the requested special exception:

- (i) would not cause adverse impacts to the surrounding neighborhood;
- (ii) would not cause adverse impacts to the public health, safety, or welfare;
- (iii) would be consistent with the Comprehensive Plan and any applicable master or small-area plan(s); and
- (iv) would be consistent in size and scale with the surrounding neighborhood.

**NOW, THEREFORE, BE IT RESOLVED**, that in association with the SE-2025-00026 2163A Scottsville Road Homestay, the Albemarle County Board of Supervisors hereby grants a special exception to permit resident property-managing agent(s) to meet the residency requirements for a homestay use on Parcel 09000-00-00-017B0.

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Item No. 8.9. Proclamation Designating Albemarle County as a Purple Heart County.

**By the above-recorded vote, the Board adopted the Proclamation Designating Albemarle County as a Purple Heart County:**

**PROCLAMATION DESIGNATING ALBEMARLE COUNTY  
AS A PURPLE HEART COUNTY**

**WHEREAS**, the Purple Heart, the oldest American military decoration in continuous use and the first service award made available to the common soldier, is awarded to members of the Armed Forces who have been wounded or paid the ultimate sacrifice in combat; and

**WHEREAS**, Albemarle County supports its military population, appreciates the sacrifices of Purple Heart recipients, and is grateful for all the men and women who have selflessly served their county; and

**WHEREAS**, Albemarle County has a highly decorated veteran population, and there are 95 Albemarle County veterans on the Virginia War Memorial, all who selflessly paid the high price of freedom by leaving their families and communities and placed themselves in harm's way for the good of our country.

**NOW, THEREFORE, BE IT PROCLAIMED**, that we, the Albemarle County Board of Supervisors, do hereby designate Albemarle County as a

**Purple Heart County**

and call upon the Albemarle County community to honor the service and sacrifice of our men and women in uniform who were wounded or killed while serving and protecting the freedoms enjoyed by all Americans.

Signed this 5<sup>th</sup> day of November 2025.

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Item No. 8.10. Proclamation Supporting Operation Green Light for Veterans.

**By the above-recorded vote, the Board adopted the Proclamation Supporting Operation Green Light for Veterans:**

**Proclamation Supporting Operation Green Light for Veterans**

**WHEREAS**, Albemarle County has great respect, admiration, and the utmost gratitude for all the men and women who have selflessly served our country and this community in the Armed Forces, and honors the contributions and sacrifices of those who served in the Armed Forces as vital in maintaining the freedoms and way of life enjoyed by citizens; and

**WHEREAS**, veterans continue to serve our community in the American Legion, Veterans of Foreign Wars, religious groups, civil service, and as Albemarle County staff, and approximately 200,000 service members transition to civilian communities annually; and

**WHEREAS**, studies show that service members experience high stress levels during the transition from military to civilian life, and active military service members transitioning from military service are at a high risk for suicide during their first year after military service.

**WHEREAS**, Albemarle County appreciates the sacrifices of our United States military personnel and seeks to honor individuals who have made countless sacrifices for freedom by placing themselves in harm's way for the good of all.

**NOW THEREFORE BE IT PROCLAIMED**, that we, the Albemarle County Board of Supervisors, do hereby recognize Operation Green Light for Veterans, and declares November 4, 2025, through Veterans Day, November 11, 2025, as a time to salute and honor the service and sacrifices of our men and women in uniform transitioning from active service; and

**BE IT FURTHER PROCLAIMED**, that in observance of Operation Green Light, we, the Albemarle County Board of Supervisors, will light the County Office Building on McIntire Road green, and encourage County residents, businesses, and organizations in patriotic tradition to recognize the importance of honoring all those who made immeasurable sacrifices to preserve freedom by displaying green lights in a window of their place of business or

residence from November 4 through November 11, 2025.

Signed this 5<sup>th</sup> day of November 2025.

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Item No. 8.11. Albemarle Broadband Authority Quarterly Report, **was received for information.**

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Item No. 8.12. Board to Board, November 2025, A Monthly Report from the Albemarle County School Board to the Albemarle County Board of Supervisors, **was received for information.**

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Agenda Item No. 9. **Action Item:** Miller School Extension – Private Central Sewerage System and Central Water Supply.

The Executive Summary forwarded to the Board states that, as required by County Code § 16-102, The Miller School of Albemarle has notified the Clerk of the Board of Supervisors of its intent to upgrade and extend an existing central sewerage system and a central water supply (Attachment A) located on Tax Parcel 07200-00-00-03200. Under County Code §§ 16-104 and 16-105, the Board is to consider this proposal and either approve or deny this request.

On August 2, 2023, the Board approved Special Use Permit (SP202200032), with conditions, to allow The Miller School of Albemarle to continue and expand the historic private school use. Since then, the Board also approved a Special Exception (SE-2025-00015) to disturb critical slopes on June 12, 2025, and an Initial Site Plan (SDP-2025-00019) was approved on June 27, 2025. The property is in the Rural Area 3 Comprehensive Plan area and is not in the Albemarle County Service Authority (ACSA) jurisdictional area for water or sewer services.

This request seeks approval to upgrade and extend the central sewerage system and central water supply to serve 22 buildings, 18 existing and 4 proposed (three dormitories and one gymnasium), on Tax Parcel 07200-00-00-03200. Although the new buildings will be constructed in phases, the systems' improvements will be completed all at once to support all phases.

The existing water system, originally permitted by the Virginia Department of Health (VDH) Office of Drinking Water in 1970, has a capacity of 22,480 GPD (Attachment A, Appendix A). The system components include three drilled wells, chlorine disinfection and corrosion control systems, pressurized and atmospheric storage tanks, backup power generators, and a distribution system. System capacity is sufficient to accommodate the four additional buildings/connections; therefore, no additional upgrades would be required other than extending the distribution system to the new buildings.

The existing sewer system, constructed in 1977, consists of septic tanks, a conventional drainfield system, and a collection system. Considering its age, the existing collection system experiences inflow and infiltration (I&I) during storm events and the capacity of the existing drainfield has diminished. Investigations of the existing system are proposed to identify and repair leaks and new primary and reserve drainfields are proposed. Furthermore, a new secondary multistep biological treatment system is proposed to treat wastewater from the existing and proposed facilities (Attachment A, Appendices B, C, D, and E). Proposed upgrades would be a substantial improvement over the existing system and reduce the potential for groundwater or surface water contamination.

County Code § 16-101(1) defines a "central sewerage system" and "central water supply" as systems "... designed to serve three or more connections." Further, County Code § 16-104 requires each person who proposes to establish or extend a central sewerage system or a central water supply to notify the Board of Supervisors, and the Board may approve or disapprove the proposal. Since the existing water and sewer systems each serve more than three connections, and the owner proposes extending the systems to include an additional four connections, this proposal requires Board action.

Staff reviews requests such as this for technical feasibility and for conformity with the Comprehensive Plan. Even though the Comprehensive Plan discourages central systems in the Rural Area, the County Engineer has reviewed this request and has no objections, noting that the systems would be designed and constructed to VDH standards and would be regulated by VDH.

Alternatives were not considered by the applicant. The only alternative to a central sewerage system would be to construct multiple separate systems with no more than two connections each. This would result in 11 conventional systems serving 22 total connections and would provide no benefit of scale, treatment, or maintenance/operation. The only alternative to a central water supply would be to drill eight more wells so that each well served no more than two buildings. However, this would result in the same water demand/withdraw and wouldn't utilize existing well/system capacity. Considering this and that a single entity owns the systems, staff supports the expansion of the existing central sewerage system and water supply as the only reasonable solution to serve the school and its future growth.

Staff recommends that, if approved, the Board impose the following conditions:

1. The central sewerage system must be constructed in accord with the preliminary design summary plans and calculations (Attachment A, Appendix B).

2. Final plans and specifications are subject to County Engineer approval prior to final site plan approval.
3. Prior to issuance of any certificate of occupancy for any new building to be served by the sewerage system, the owner must demonstrate to the satisfaction of the County Engineer that the system upgrades/expansion were constructed in accord with the approved plans and specifications.
4. The Miller School of Albemarle must assume full responsibility for the operation and maintenance of the central sewerage system and central water supply.
5. The Miller School of Albemarle must annually document compliance with all state operation and maintenance requirements.

There is no budget impact associated with this item.

Staff recommends the Board adopt the attached Resolution (Attachment B) approving the upgrades and extension of the central sewerage system and central water supply, subject to the conditions herein.

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Frank Pohl, County Engineer, stated that he would be presenting the staff report on a request from the Miller School of Albemarle to expand their central sewage and central water supply systems. He explained that the Miller School was located in the Samuel Miller District, a Rural Area zoned parcel, and was situated outside the jurisdictional area for water and sewer service. It was situated within the upper Mechums River, a water supply protection area. To the north was Crozet, and Dick Woods Road entered from the right on the screen. Miller School Road, named after the school, entered from the north and continued to the south.

Mr. Pohl said that for context, the school had opened in 1878 and currently had 225 students. There were 21 structures with addresses on them. The sewer permit had been first issued in 1977, and the water permit had been first issued in 1970. The County's Ordinance had some sections that had been first adopted in 1976. There were a number of previous approvals for the school, and the most recent approval that affected this request was a special exception that was approved in 2023 to allow the school to continue and expand, including four buildings and up to 500 students.

Mr. Pohl stated that a special exception related to that special use permit had also been approved to disturb critical slopes. An initial site plan, which was administrative approval, had recently been approved. He said that next, he would provide a brief description of the systems. The existing sewer system was a conventional system that experienced inflow from rainwater, overwhelming the existing system. The capacity of the drain fields, considering their age, had diminished. The proposed solution was to investigate the system to find leaks and repair them, allowing up to 10,000 gallons per day to enter the system while minimizing leaks.

Mr. Pohl stated that they were also proposing new primary drain fields, showing reserve drain fields, but not installing them at this time. A new secondary multi-step biological treatment system was also proposed. He said that there were 10 existing sewerage connections and the request was to add four more for a total of 14 connections. He continued that for the water supply, there were three wells, with a total capacity of 22,480 gallons per day. Currently, they were using about 10,000 gallons per day on average, and a peak demand of around 16,000. He said that the water supply system had sufficient capacity to absorb the additional structures without increasing its capacity.

Mr. Pohl said that the proposed system included two storage tanks, a disinfection system, and a distribution system. The distribution system they were extending and installing new water lines for some existing buildings to bring them up to modern standards and ensure they last longer. They were also adding fire protection hydrants. Currently, there were 18 existing water connections, but they proposed to add four more, bringing the total to 22. This indicated that not all structures were connected to the sewer, but they did have water supply.

Mr. Pohl stated that to clarify, a central sewerage system was defined as having three or more connections, which they counted as structures or buildings served. The request was to extend and expand that system. He said that per the ordinance, a hearing on the proposal was required. He provided a map of the campus layout and indicated the locations of the different features and facilities on the property.

Mr. Pohl said that the four structures would be phased in, with phase one including a dormitory, and phase two including two dormitories and the gymnasium. He provided an aerial map of the new drain field areas and the new pump station. He stated that it would include a new two-inch high-density polyethylene pipe would be installed to pump water to this location, and a dosing system would be used to dose the drain fields.

Mr. Pohl summarized that favorable factors included existing capacity for the water to serve the additional buildings, which was already approved at 22,480 gallons per day. The new water lines for fire suppression and fire hydrants would be installed, although these were not necessarily required for the new buildings. He said that the existing sewer system would be prepared and upgraded with new drain fields and a secondary treatment system, as there was currently none in place.

Mr. Pohl stated that the single unfavorable factor was that the system would be privately owned and maintained, but it would be owned by a single entity, which was a mitigating aspect of that. He said

that staff had included their proposed conditions for approval, which he briefly reviewed. He noted that they may need to change some of the wording from "in accord" to "in general accord" so that subsequent amendments to the conditions were not necessary.

Ms. McKeel asked if the County was better prepared to handle the fifth condition of approval with their new systems.

Mr. Pohl said that number five had been a carryover since he started reviewing and presenting these system requests. He said that these requirements had been in place since the previous County Engineer's presentations and conditions for other systems, and they were carried over. He said that the main difference was that they used to require the County Engineer to request these documents, whereas now they were considering making it an automatic requirement rather than a request. He said the new system allowed them to set up an inspection by putting a blank end date and because of that, it would go indefinitely.

Ms. McKeel said that she just wanted to ensure that the updates would be accounted for even when there were staff changes and that this was an improvement.

Mr. Andrews asked if they needed to change "in accord" to "in general accord."

Mr. Pohl said that he wanted to highlight a wording nuance, as someone who would be enforcing a condition, that he might propose to the County Attorney in the future. He said that for now, he believed the "accord" was satisfactory due to the level of detail they had provided. He said that these agreements typically tied applicants to the information they had submitted. He said that he was concerned that if there were future tweaks, they may struggle to accommodate them without returning to the Board to make those technical changes.

Andy Herrick, County Attorney, stated that he believed the language presented to the Board was legally sufficiently.

Mr. Andrews asked for confirmation that the capacity was based on the usage rather than the number of buildings.

Mr. Pohl confirmed that was correct; it was based on the number of students and whether they were resident students or daytime students. He said that they considered all of that information. However, the County ordinance was focused on the number of connections to the system, not the number of students.

Mr. Andrews **moved** that the Board of Supervisors adopt the attached Resolution (Attachment B) approving the upgrades and extension of the central sewerage system and central water supply, subject to the conditions therein.

Ms. Mallek **seconded** the motion.

Ms. Mallek added that "accord" was important in this case because it gave them notice that this was what the County expected. She said that using phrases like "in significant accord" may actually provide too much wiggle room in a lot of cases.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.  
NAYS: None.

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**RESOLUTION TO APPROVE THE EXTENSION OF  
A PRIVATE CENTRAL SEWERAGE AND CENTRAL WATER SUPPLY SYSTEM  
AT THE MILLER SCHOOL OF ALBEMARLE**

**WHEREAS**, the Board of Supervisors approved The Miller School of Albemarle's special use permit, SP2022-00032 on August 2, 2023, to allow the school to continue and expand the historic private school use on Tax Map Parcel 07200-00-00-03200 (the "Property"); and

**WHEREAS**, in conjunction with Initial Site Plan SDP-2025-00019, approved on June 27, 2025, The Miller School of Albemarle requested approval to upgrade and extend an existing central sewerage system and central water supply system to serve the private school on the Property; and

**WHEREAS**, the proposed extension of the existing central sewerage system and central water supply system would serve eighteen (18) existing buildings and four (4) proposed buildings, which proposed buildings will consist of three dormitories and one gymnasium, on the Property; and

**WHEREAS**, on November 5, 2025, the Albemarle County Board of Supervisors considered The Miller School of Albemarle's request for approval of an upgrade to an existing central sewerage system and central water supply system on the Property.

**NOW, THEREFORE, BE IT RESOLVED** that, upon consideration of the foregoing, the staff report prepared for this request and all of its attachments, the information presented to the Board of Supervisors, and the factors relevant to central sewerage systems and central water supply systems in County Code

Chapter 16 and the Albemarle County Comprehensive Plan, the Albemarle County Board of Supervisors hereby approves The Miller School of Albemarle's request to upgrade and extension of an existing central sewerage system and central water supply system, as proposed in the submitted materials, to serve eighteen (18) existing buildings and four (4) proposed buildings on the Property, subject to the conditions attached hereto.

\* \* \* \*

**The Miller School of Albemarle Central Sewerage System  
and Central Water Supply System Conditions**

1. The central sewerage system must be constructed in accord with the preliminary design summary plans and calculations submitted with this request.
2. Final plans and specifications are subject to County Engineer approval prior to final site plan approval.
3. Prior to issuance of any certificate of occupancy for any new building to be served by the sewerage system, the owner must demonstrate to the satisfaction of the County Engineer that the system upgrades/expansion were constructed in accord with the approved plans and specifications.
4. The Miller School of Albemarle must assume full responsibility for the operation and maintenance of the central sewerage system and central water supply.
5. The Miller School of Albemarle must annually document compliance with all state operation and maintenance requirements.

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Agenda Item No. 10. **Action Item:** SE-2025-00033 - Rivanna Futures Building Height and SE-2025-00034 - Rivanna Futures Stepback.

The Executive Summary forwarded to the Board states that the Rivanna Futures property (Tax Map Parcels: 03300-00-00-001D0, 03300-00-00-01000, and 03300-00-00-00100) was acquired by the County to facilitate development consistent with national security and the economic development goals of the County. A pharmaceutical manufacturer has selected portions of the Rivanna Futures property for development which is consistent with the County's economic development goals. The manufacturing requirements of the pharmaceutical industry necessitate a building height in excess of 65 feet and a waiver of the building stepback.

The Staff Report (Attachment A) provides a more detailed review of the request (Attachment A1): special exceptions to modify the requirement of County Code §18-26.4 to increase the building height to 140 feet, and waive the stepback requirement of County Code §§18-26.4 and 18.2-4.20 .

In Industrial Districts, the County Code limits the building height to 65 feet and requires that for each story that begins above 40 feet in height or for each story above the third story, whichever is less, the minimum stepback is 15 feet. The County Code allows for an increase in the building height and a waiver of the stepback requirements by special exception.

An aerial photo of the area is included as Attachment A2. A portion of initial site plan showing proposed factory building envelope is included as Attachment A3.

Granting the special exceptions for the building height and stepback will allow for building design requirements of modern industrial uses and facilitate development consistent with the Comprehensive Plan and the County's economic development goals.

Budget Impact: None identified.

Staff recommends that the Board adopt the attached resolutions (Attachments A4 and A5) to approve the special exception requests for SE-2025-00033 to allow an increase in building height, and SE-2025-00034 to waive the requirement for stepbacks.

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Bill Fritz, Development Process Manager, stated that he would be providing information to the Board regarding two special exceptions for Rivanna Futures. He stated that the first special exception allowed for structures up to 140 feet in height, and the second was a stepback special exception to reduce the required stepback from 15 feet to 0 feet. He explained that the ordinance permitted special exceptions for height and stepback, but it did not include specific criteria for either. The first exception had recently been added to the ordinance, and previously, there was no way to increase the height without a variance or rezoning process, both of which could be difficult.

Mr. Fritz stated that the minimum stepback requirements had always been eligible for a special exception, but the ordinance did not specify criteria for reviewing these exceptions. The ordinance simply stated that the Board was not required to make specific findings in support of its decision, but the Board may impose reasonable conditions to address any possible impacts. He noted that typically, special

exceptions were included as part of the consent agenda and staff did not give presentations. They were bringing this forward to the Board because it was the first time they were seeing this height special exception.

Mr. Fritz said that regarding the setback, the ordinance required a 15-foot setback when a building exceeded 40 feet or three stories, and this setback was only on the front of the building. The ordinance did include a figure showing how the step back was implemented, which was helpful. However, the requirement of a setback could make building construction difficult, as it may compromise the usability of lower floors or require alternative construction techniques, which could be extremely costly. The next slide showed the potential location of a proposed building and road extension. This information had been taken from a site plan recently submitted for grading and utility work in the area, included in Attachment A3 sheet 9.

Mr. Fritz clarified that the building location and size were approximate only at this time, and a site plan showing the details of the building was required for a building permit to be issued. The outline showed the boundary between the Rural Area zoning and Urban zoning. He said that the proposed building was located at the edge of the urban zoning in this case, which was Light Industry. However, these properties had split zoning. He had highlighted the portions of the property owned by Albemarle County that were zoned as Rural Areas (RA). As one could see, the building was set back considerably from the property line. The setback exemption was only in the area adjacent to the extended road, not anywhere else.

Mr. Fritz said that the increased building height was mitigated by the fact that the proposed building was approximately a third of a mile from Route 29 and approximately 600 feet from buildings on the adjacent rural property. He said that some existing trees were located on County property, and there was approximately 100 feet available on County property for the planting of screening trees. Plantings would be reviewed as part of the site plan for any buildings proposed. Given the distance from adjacent development and the designation of this area for intensive development, staff was able to recommend approval of the two special exceptions.

Mr. Fritz said that for context, he had provided another slide which illustrated the various zonings in the area, which included a mix of Light Industry and Rural Areas. He said that this particular map had been taken from the application for the special exceptions. They may notice that the original request included Parcel 33-14, which was highlighted here. He said that this parcel had been removed from the request and was not covered by either of the proposed resolutions.

Ms. Mallek said that she did not anticipate when the height changes for the SE were proposed that they would double it. She said that this was her initial shock when she read the staff report for this. She said that she was wondering if there was a formula that could be used to determine the setback distances for future requests, similar to the 600 feet of setback that was granted for this item. She said that if not, it seemed to her that they were essentially eliminating their existing rules, which could lead to inconsistent and potentially problematic outcomes.

Mr. Fritz said that the ordinance lacked specific regulations and guidance on how to review these types of special exceptions. He said that therefore, they were bringing this issue to the Board to gain insight into the Board's expectations when considering special exceptions, so that they could incorporate this information into staff's decision-making process and recommendations in the future.

Ms. Mallek said that she hoped they could successfully flesh out this process to ensure they were being fair in how they treated all special exceptions. She said that the setback would trouble her more if it were on the back of the building, but since it was not, it protected the neighbors on the other side.

Mr. Gallaway said that they considered each special exception individually, so he did not see how a decision on one could affect the others.

Mr. Fritz said that the special exception for setbacks lacked review criteria, but the Board had reviewed multiple instances of this exception and staff had developed a formula for its review. He said that they had a concept in place for what they were reviewing, and they had been providing that information to the Board. He said that if this had only been a setback special exception, it would have been placed on the consent agenda due to guidance from prior applications. However, they did not have that same guidance for the height special exception.

Mr. Gallaway said that he understood the point being made. He said that granting a special exception in one instance did not necessarily mean they had to grant it in another. He said that they did take into consideration the location of each place when making their decision. He said that for instance, they considered the setback requirements and height restrictions differently depending on the location. He said that they had granted setback waivers in other places, primarily for residential projects, as it allowed for more units to be built.

Mr. Gallaway said that in the Rio 29 Small Area Plan, they had stated that setbacks were not applicable, although that may be subject to change. He said that regardless, their consideration of height would be different depending on the location. He said that for example, they would consider height at Rio 29 differently than at Hillsdale or Greenbrier at 29. This was because they took into account the specific project and its location.

Ms. LaPisto-Kirtley said that on the first page of Attachment A, it stated that a stream with floodplain runs parallel to Route 29. She asked if Mr. Fritz could indicate that on the map.

Mr. Fritz displayed a map and indicated the location.

Mr. Pruitt acknowledged that the unique issue here was the height special exception. He said that he had not had as much opportunity to address the setback requirements, as they had previously been included in consent agendas since his tenure began on the Board. He asked if the setback requirement applied to all buildings, regardless of their intended use, based on the area designation, or if it varied depending on the specific use.

Mr. Fritz replied that different zoning districts had this requirement, and the intention was to step back the upper floors to prevent a canyon effect. In this particular case, the focus was on the type of activity expected at the street level and how pedestrians would be impacted by that. He said that they were not anticipating significant pedestrian activity, as the area was primarily a manufacturing district and an employment generator. As a result, the setback was not considered a concern.

Mr. Pruitt stated that he was curious about the key considerations for implementing setbacks, beyond aesthetics, such as wind shear or other environmental factors.

Mr. Fritz said there were none; it was purely aesthetic.

Mr. Pruitt said that this was intriguing, considering that he had previously assumed that the reason people were not building higher buildings was due to economic factors. He was surprised that in this case, the County was influencing the factor of economics on preventing people from building higher.

Ms. LaPisto-Kirtley said that she believed this reinforced her point that they could build higher.

Mr. Pruitt said that yes, it may be worth revisiting this topic when they conducted a zoning refresh.

Mr. Andrews said that he was supportive of the proposal but wanted to ensure he understood all the details. He asked if the Industrial or Light Industrial zoning designations would influence how this was reviewed in terms of the expectations for that area.

Mr. Fritz answered that it did, and staff had considered this as a consideration in their analysis, although they had no specific guidance. He said that staff believed that one mitigating factor allowing for increased height was the County's stated intent to accommodate intense developments and specific types of projects. He said that if a user then presented a case, stating that their industry required a certain height to operate, they would take that into consideration. Conversely, in an industrial district adjacent to residential areas, such as Broadway, the zoning may not be suitable for the same types of businesses, and they may not be able to support a similar application in that area.

Mr. Andrews said that they occasionally reviewed heights in the context of towers. He said that in those cases, they conducted balloon tests and other assessments to determine how this height would appear from different perspectives. He said that this approach might be considered in this case, or renderings of some sort.

Mr. Fritz noted that the Board had also granted height increases, allowed for height exceptions during rezoning processes for planned developments. He said that the hotel at Stonefield stood at about 130 feet tall, which was achieved through the rezoning process. He said that this demonstrated the County's history of increasing height, albeit primarily through rezoning rather than special exceptions.

Mr. Andrews said that he did not recall what evidence of possible height perspectives was presented in that case.

Mr. Fritz said that there was a discussion about that particular building, specifically regarding fire suppression. It was determined that fire suppression could indeed be provided, but the property's topographic information revealed variations in height, with one side reaching 120 feet and the adjacent side reaching only 30 to 40 feet. He said that from the adjacent residential development, it did not appear that a special exception for height was implemented. He said that they looked at that case as providing some guidance for future height exceptions.

Mr. Andrews said that he wanted to note one minor point regarding the materials. He said that there was a reference to utility infrastructure heights, but the actual numbers were not provided.

Mr. Fritz said that it was referring to the high-voltage power lines, which actually divided the Industrial and Rural zoning in this area. He stated that he could not recall the exact height of those power lines.

Mr. Andrews said that that would be an example of something he would like to see in future reviews of this type.

Mr. Pruitt said that the Chair had been asking about the criteria staff used to make their own determinations on recommendations, and he was reminded of the comparison between Rivanna Futures and Broadway. Since it was still fresh in his mind, he would like to point out that Rivanna Futures and Broadway were both identically designated as employment centers in the Comprehensive Plan.

Mr. Pruitt said that if they were looking to the Broadway Small Area Plan for guidance, that was a relevant consideration. He said that his concern was that they were relying heavily on qualitative standards for staff, which could shift the recommendation process further away from public accountability and democratic oversight. This also made him wonder if they should have been more thoughtful in

designing their activity centers, focusing on specific, quantitative factors rather than just qualitative ones.

Mr. Fritz said that he thought it was a good comment and he was thinking through all of the different components of the Comprehensive Plan. He said that he was trying to recall the specific language used to describe the Broadway area and this area. He acknowledged that both were designated as employment areas and industrial areas. He said that he believed the Rivanna Futures area had additional language that promoted it for defense industry, pharmaceutical, and other specific types of activities, which set it apart from the Broadway and other industrial areas. That distinction could be an important distinction in comparing the two areas.

Bart Svoboda, Deputy Director of Community Development, stated that Mr. Pruitt's suggestion was similar to how they had handled homestays. He said that they needed to get a few of these under their belt, develop the criteria, and then they could parse that out as they went forward. He said that from Woolen Mills to this site, it was so specific. He said that Mr. Gallaway pointed out that they would be heavily scrutinizing the request in terms of its location and what was next to it. He said that although the designation in the Comprehensive Plan was part of their review, it may not be the deciding factor.

Mr. Svoboda said that if they used Woolen Mills as an example, they might approve something or recommend something with a 20-foot height limit, but not necessarily double that. He said that it was really going to be specific. These projects worked more like special permits, where they needed to determine how special it was to fit into that area, whether it was too special or special enough to require additional guidance.

Ms. LaPisto-Kirtley **moved** that the Board of Supervisors adopt the Resolution (Attachments A4) to approve the special exception requests for SE-2025-00033 to allow an increase in building height.

Ms. McKeel **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.  
NAYS: None.

Ms. LaPisto-Kirtley **moved** that the Board of Supervisors adopt the Resolution (Attachments A5) to approve the special exception requests for SE-2025-00034 to waive the requirement for setbacks.

Ms. McKeel seconded the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.  
NAYS: None.

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**RESOLUTION TO APPROVE SE-2025-00033  
RIVANNA FUTURES BUILDING HEIGHT**

**WHEREAS**, upon consideration of the staff reports prepared for SE-2025-00033 - Rivanna Futures Building Height and the attachments thereto, including staff's supporting analysis, any comments received, and all relevant factors in *Albemarle County Code* §§ 18-26.4, and 18-33.9, the Albemarle County Board of Supervisors hereby finds that the proposed special exception is consistent with the County's Comprehensive Plan and economic development goals.

**NOW, THEREFORE, BE IT RESOLVED** that the Albemarle County Board of Supervisors hereby approves a special exception on Parcels 03300-00-00-001D0, 03300-00-00-01000, and 03300-00-00-00100 to modify the maximum structure height permitted by *County Code* § 18-26.4 from 65 feet to 140 feet.

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**RESOLUTION TO APPROVE SE-2025-00034  
RIVANNA FUTURES STEPBACK WAIVER**

**WHEREAS**, upon consideration of the staff reports prepared for SE-2025-00034 - Rivanna Futures Stepback and the attachments thereto, including staff's supporting analysis, any comments received, and all relevant factors in *Albemarle County Code* §§ 18-4.20(b)(3) and 18-33.9, the Albemarle County Board of Supervisors hereby finds that the proposed special exception is consistent with the County's Comprehensive Plan and economic development goals.

**NOW, THEREFORE, BE IT RESOLVED** that the Albemarle County Board of Supervisors hereby approves a special exception on Parcels 03300-00-00-001D0, 03300-00-00-01000, and 03300-00-00-00100 to waive the 15-foot minimum setback otherwise required by *County Code* § 18-4.20(b)(3).

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Agenda Item No. 11. **Presentation:** Transportation Planning Quarterly Report.

The Executive Summary forwarded to the Board states that this Executive Summary serves as a cover sheet for the Transportation Planner Quarter Report covering the months of July - October 2025.

The Transportation Planning Quarterly Report is intended to provide broad updates on all transportation-related projects that impact Albemarle County.

The Quarterly Report does not directly influence the transportation planning budget. Staff will separately prepare presentations/reports on specific items with direct budget impact.

Staff recommend that the Board of Supervisors review the attached Quarterly Report and follow-up with staff regarding any questions, comments, or concerns.

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Tonya Swartzendruber, Planning Manager, stated that she was joined by Alberic Karina-Plun to review a few highlights from the Transportation Quarterly Report. The complete details of all the work the Transportation Planning Team was doing were provided in the packet. She said that she would like to start with Virginia Department of Transportation (VDOT) funding opportunities. There were two types of funding: revenue sharing, which they applied for in odd years, and Smart Scale, which they applied for in even years. They were now entering the period where they were considering the projects they would apply for.

Ms. Swartzendruber stated that pre-application materials were due April 1, 2026, and final materials were due August 1, 2026. The Commonwealth Transportation Board (CTB) would consider all applications and release a recommended funding scenario in January and adopt the final six-year improvement plan in June of 2027; this process took several years to complete. She said that staff had been discussing with VDOT their eligible projects and would like to go over those projects. She said that they would continue to work with VDOT and the Metropolitan Planning Organization (MPO) to develop a recommendation for the Board's approval at a future meeting.

Ms. Swartzendruber stated that they had provided a list of the eligible projects. Both the MPO and the County were eligible to submit up to four applications each. The slide listed the projects for consideration, and she would identify those the MPO may apply for, and then the County's with more detail in the following slides. The numbered projects were those the MPO was eligible to apply for, and the lettered projects were those the County was eligible for.

Ms. Swartzendruber said that first, she would review the projects the County was eligible for. The first one was the pipeline study of Barracks Road. This project would add a dedicated right turn lane and build a median to eliminate left turn movements from vehicles. Additionally, a sidewalk or shared use path would be included to connect the bypass bridge to Surrey Road. She said that another potential submittal was a roundabout at Old Trail and Route 250, in front of Western Albemarle High School. This project had been submitted previously, in 2022 and 2024, and staff believed it was a good candidate for a Smart Scale application submittal based on previous scores.

Ms. Swartzendruber stated that approximately a year ago, they had presented the results of the Old Ivy Pipeline Study. There were two roundabout projects from the Ivy Road Corridor Pipeline Study that the County was considering. The first one was the proposed roundabout at Ivy Road, Old Garth Road, and Canterbury Road. This roundabout would improve operations at this critical intersection, helping to alleviate backups for drivers coming off the Route 29 Bypass to get to Ivy Road. The study also recommended a roundabout west of the previous one at the entrance to Boar's Head. This could be an addition to dual right turns from Old Garth Road onto Ivy Road, with left turn movements at the roundabout.

Ms. Swartzendruber explained that drivers would have to make a slight detour to turn left, similar to the current situation on Hydraulic Road with the roundabout in front of Whole Foods. They were still evaluating the options in collaboration with VDOT and would decide whether to pursue one roundabout or both roundabouts as a single project.

Alberic Karina-Plun, Planner I, Transportation, stated that he would discuss some other VDOT studies. Currently, they have two Strategically Targeted Affordable Roadway Solutions (STARS) studies being conducted by VDOT. One was focused on the U.S. 29 corridor from Hydraulic Road to Woodbrook Road, and the other was the interchange at Emmet/Hydraulic/250/Barracks bowtie system. He said that the purpose of the 29 Corridor Study was to address safety concerns for drivers, bicyclists, and pedestrians, identify suitable crossing locations for U.S. 29, and improve the operations of the corridor for side streets.

Mr. Karina-Plun said that the Emmet Street study aimed to improve the interchange operations and enhance pedestrian access in the area. Staff had provided initial comments to consultants, and further meetings were planned for November. He said that the project recommendations from this study were not expected to be ready for a Smart Scale application until next year. In other news, the notice to proceed for the Three Notch'd Trail was issued in February, and staff had conducted multiple meetings with the technical committee, stakeholder groups, and the public.

Mr. Karina-Plun said that site visits had been conducted to the potential alignment sites, and the three potential alignments would be released to the public in December. He said that the Board had previously decided to move forward with a permanent closure and discontinuance of Free Bridge Lane, which was scheduled for August 15, 2025, of this year. He said that a petition had been signed by Mr. Richardson and forwarded to the Charlottesville VDOT Residency, so staff was working with VDOT and Albemarle County Parks and Recreation to determine the exact limits of the discontinuance.

Mr. Karina-Plun said that staff would return later this winter with a formal resolution to discontinue Free Bridge Lane. Finally, the Secondary Six-Year Plan had been adopted last spring, with the Board making some changes to the Rural Rustic process. He said that when residents requested a road to be paved, staff would provide a list of people who needed to give feedback, but the responsibility of collecting signatures lay with the resident. He said that after signatures were provided, VDOT would review the road for Rural Rustic status.

Mr. Karina-Plun stated that the roads that had been approved for paving included Sutherland Road, Burton Road, Burton Lane, Starlight Road, and Blair Park Road. He said that Bleak House Road and Pea Ridge Road did not receive more than one-third votes opposing paving, and Sharon Road and Fosters Branch Road did not receive enough votes either way. There were multiple roads currently undergoing the signature process. He said that staff would return to the Board in April to present the draft of the Secondary Six-year Plan. Furthermore, County staff continued to receive calls and emails from the public about transportation issues throughout the County.

Mr. Karina-Plun said that staff had been working on finding funding for a speed study for Park Ridge Road in Crozet, as VDOT studies had shown excessive speeding on this road segment. According to the VDOT traffic calming guidelines, the locality was responsible for managing a traffic calming study that would provide engineering solutions. He said that staff continued to receive concerns from residents about the speed of Pen Park Road and the lack of pedestrian and bike facilities on the road from Rio Road to Pen Park. Staff would continue to monitor concerns and evaluate potential for bike facilities along the road.

Ms. McKeel said that there were frequent crashes at the Barracks Road and 29 Bypass intersection. She asked if staff could review that potential project again.

Ms. Swartzendruber explained that this project proposed adding a dedicated right turn lane onto the entrance ramp, as well as installing a median down the road, preventing left turns onto roads like Bennington. She said that previously, they had studied the possibility of a roundabout at Georgetown and determined it was an expensive solution. Therefore, they thought it would be more practical to start with this project.

Ms. McKeel clarified that the Georgetown roundabout was decided against for the time being but was not completely off the table.

Ms. Swartzendruber said that as far as she knew, it remained a possibility.

Ms. McKeel said that she thought that this potential project was a great solution. She said that it seemed like they were trying to address the traffic issues one segment at a time, which was appropriate. She noted that this continuous median was a critical improvement because so many people made U-turns along Barracks Road. She said that it was often hazardous due to the amount of conflicting traffic movements. She noted that the neighborhoods in this area had agreed to these improvements; this was what they wanted. She was thrilled to see this being proposed. She asked what the current status of this project was.

Ms. Swartzendruber explained that they were working with VDOT to refine the project and obtain a concept plan from them, as well as an initial cost estimate, in order to apply for funding through Smart Scale.

Ms. McKeel asked what the timeline would be.

Ms. Swartzendruber replied that it would be approximately five years.

Ms. Mallek asked if the proposed sidewalk addition would be located on the south side of Barracks Road, spanning from Surrey to the bypass.

Ms. Swartzendruber said that their preference would be a shared use path that accommodated both bicycles and pedestrians.

Ms. Mallek said that she wanted to clarify that the Boar's Head Roundabout was actually located at the Birdwood entrance, not the Boar's Head Inn, as it appeared directly opposite White Gables on the map. She said that she wanted to ensure she was looking at the correct map.

Kevin McDermott, Deputy Director of Planning, clarified that the road Boar's Head, was not located at the Boar's Head hotel, but rather at the entrance of Birdwood. He said that therefore, the roundabout would be situated at the road Boar's Head, which was located at Birdwood.

Ms. Mallek said that she was curious because when the mansion was renovated with a special permit, it was carefully described as being used only by the golf team. She said that however, it had since become the primary entrance to the entire area, shifting traffic from the residences near the sports club, who were originally told it would not happen. This seemed to make it a permanent situation, with severe traffic impacts on the residences.

Mr. Gallaway said that he did not need to reiterate his stance on funding for these projects. He said that when they received the latest Smart Scale update from VDOT at the MPO meeting a few weeks ago, they stated that the next round would be even more competitive than the previous one, and the County did not receive anything the last time. He said that he appreciated their optimism when discussing the potential timeline with Ms. McKeel, but he believed it would take significantly longer than four to six

years.

Mr. Gallaway said that they had multiple projects in the pipeline, including four or five that they would submit and four or five that the MPO would submit, and VDOT had indicated that the process would be even more competitive than before. He said that as a result, they did not receive any of their major projects funded in the previous round. Instead, VDOT had opted for smaller, piecemeal solutions, which was what these projects appeared to be.

He said that he had brought this up at the MPO meeting, and it seemed that VDOT was essentially using this approach to delay the approval of larger projects. By submitting smaller projects, they were essentially putting themselves in a position where they could not submit other applications in the next round. He said that these smaller projects were not substantial enough to address the real issues, and they would have to wait for another round to potentially get a project that could provide a meaningful solution.

Mr. Gallaway stated that in his opinion, the Smart Scale program had lost its effectiveness due to the funding issue. He said that it was not just the projects themselves; it was the underlying funding problem. He said that he had been critical of the State's approach, where \$30 billion in projects were submitted, but only \$8 billion was approved, with an additional \$1 billion in localities required to match the funding. Recently, it occurred to him that their transportation priorities list, which included over 100 projects, was woefully underfunded.

Mr. Gallaway stated that if he had to estimate, approximately 50 of the projects would be at the Smart Scale level. He said that now, considering the localities they were limited to submitting to the state, he was concerned that this \$30 billion request may not accurately represent the full scope of transportation projects needed; it was only a portion of those most eligible for the program. In fact, it was a significant multiplier of what was required for maintenance and improvement beyond just maintenance. He did not have many questions about the projects or the order in which they were submitted. He was simply eager to get one of their projects funded, regardless of whether it was theirs.

Mr. Gallaway stated that Ms. Mallek and he had been asked to provide opinions at the MPO and would be attending the meeting on December 17. As a result, they needed to start making decisions on what the MPO would submit. The meeting would be virtual, and if anyone wished to listen in or participate, they had requested a complete explanation from VDOT on how transportation funding worked in the state for all projects. They had asked for this information, and VDOT had agreed to provide a presentation on it.

Mr. Gallaway said that they would receive a detailed explanation of how dollars flowed from the General Assembly to VDOT and then to the locality; this was just a heads-up. He was specifically focused on the Barracks Road project because they had reviewed an outdated iteration, and he believed it may have been a VDOT slide from a few weeks ago. Specifically, he was concerned about the crosswalk location and the placement of the on and off ramps. He said that he was glad to see the crosswalk was not included in the County's project maps.

Mr. McDermott clarified that there was a second project being considered by the MPO, which involved the northbound ramp and exit ramp in this area. He said that specifically, there were dual left turns and a crosswalk present. He said that at this point, these were still preliminary concepts. They were aware that pedestrian facilities could only be accommodated on one side of Barracks Road under this bridge. Therefore, they must ensure that all pedestrians could access the side with pedestrian facilities. He wanted to reiterate that these were conceptual ideas they were still developing in collaboration with VDOT, and they would bring the concern of a crosswalk at Barracks Road to their attention.

Mr. Gallaway said that some of the MPO projects would include the Fifth Street revitalization, a variation of the diverging diamond interchange (DDI) at Fifth Street and 64, and another new treatment. He said that this was his point from earlier regarding Exit 118, where they had to implement smaller approaches. He said that if they had done the project correctly 30 years ago, they would not be facing the issues they had now. They had another chance to do it right in a different project, but it could not be funded, so they opted for a smaller piece instead.

Mr. Gallaway said that now, they were left with a smaller problem that needed to be fixed again. He said that this created a cycle of doing band-aid fixes, which were costing them millions of dollars to implement, only to have to fix them again in the future. He said that it was frustrating, and he hoped to have the opportunity to express this more succinctly when he met with their state legislators in December.

Ms. McKeel asked for the date of the virtual MPO meeting.

Mr. Gallaway stated that it was scheduled for December 17 at 4:00 p.m.

Mr. Gallaway stated that he had asked Mr. McDermott about their transportation priorities list in relation to the MPO. He said that he appreciated the response provided earlier. He said that sometimes these projects came up at the MPO, and Ms. Mallek and he did not always have the input or feedback from all the stakeholders. He said that they relied on their staff to keep them informed about their work. However, they had not thoroughly reviewed the transportation priorities list in a couple of years, and they needed to do so.

Mr. Gallaway said that when considering projects at the MPO, it was challenging without that input. He said that they were working with outdated priorities and opinions from Board members. He said that he thought they needed to revisit that. He said that they were looking at a different process, and he

did not know how to navigate it. He said that there were over 150 priorities now. He said that between public interest, the needs of the community, and advocacy, they needed to get their own priorities in order.

Mr. Gallaway said that he had his own opinions, but he was not sure if others would agree. He said that certain projects were more important to him, but knowing everyone else's priorities helped when projects popped up at the MPO. He said that the Fifth Street Intersection DDI was a significant project they would like to see completed. However, all the projects submitted by the MPO were important, and the County's submissions may not be as important to everyone else. He said that they were playing the game, and they might be able to get these through. He said that by doing so, they were putting off other higher-priority or more significant projects.

Mr. Gallaway said that one other comment he would like to make was that, although this was not an immediate Smart Scale project, now that they had acquired the right-of-way behind Home Depot for the possible Hillsdale realignment, he thought it would be beneficial to start thinking about preparing for that project. They still needed to acquire a small chunk of land to complete the realignment, but eventually, it would likely be a Smart Scale project. He said that it would be nice to get a few other pieces in place to start thinking about that. This type of conversation was what happened when discussing the transportation priorities list.

Mr. McDermott noted that regarding the study on 29 North, which Mr. Karina-Plun mentioned, VDOT was currently conducting that and staff had actually asked them to consider how the Hillsdale extension could fit into those alternatives. He said that as a result, they were starting this discussion with them and hoped to begin moving the project forward.

Mr. Gallaway said that given the project's potential to address the Old Brook Road, Northfield, and Hillsdale intersections' issues, it was clear that it could help alleviate some of the problems associated with those two lights. In the meantime, if there were smaller light or programming adjustments that could be made, such as analyzing light configurations, he would be supportive of exploring those options. He was aware that funding constraints were prioritizing other projects, including the Old Brook-Northfield intersection.

Mr. Gallaway stated that there were numerous intersections with high accident rates that continued to pose a problem. He said that if there was anything that could be done to help mitigate these issues, he would like to advocate for that. He said that regarding Pen Park Road, he had previously inquired about a speed study with Ms. Shepherd, and he was still waiting for an update.

Mr. Gallaway said that based on the current signage, it was clear that there was only a small segment where it was even possible to do 35 miles per hour. He said that he had expressed this opinion to VDOT, but he was wondering if it was ultimately their responsibility to address this issue. He said that he had been waiting for VDOT to provide an update, but it was evident that the signs already indicated a speed limit that was not feasible.

Mr. McDermott said that they were actively pushing VDOT to reconsider lowering speed limits, but they could take this opportunity to express their concerns to them and ensure they were aware of their position.

Mr. Gallaway said that he had requested an update from Ms. Shepherd just a month ago, and unfortunately, he had yet to receive it. Therefore, he would follow up with her on this matter. He said that he wanted to confirm that this issue did not fall solely on staff to handle, as it was a VDOT matter. He had previously pointed out that the sidewalk on Pen Park Road, combined with the upcoming development of Rio Point with over 300 units, would result in a significant increase in pedestrian traffic. He said that consequently, there would be a lack of sidewalks along Rio East, making it difficult for pedestrians to safely access Pen Park, and subsequently, drivers would be traveling at high speeds.

Mr. McDermott said that he appreciated his acknowledgment of this issue, as staff shared the same sentiments and would continue to push for those improvements.

Mr. Gallaway asked when the Board might be able to discuss the transportation priorities list with staff.

Mr. McDermott said that they were working with the County Executive's Office and Ms. Filardo to establish a process for moving forward with that. He said that they felt it was necessary to complete AC44 before proceeding, as it would provide valuable feedback to incorporate into their prioritization. He said that as a result, they had something scheduled for internal discussions next week. He said that they would provide a more detailed schedule to the Board after that.

Mr. Gallaway asked when the multimodal study would be taken up.

Mr. McDermott said that staff was currently working on that. He said that it was possible that the multimodal study and the prioritization process may be interconnected. He said that they would need to discuss these items internally, but he would provide the Board with that information soon.

Mr. Gallaway asked if staff could update the Board as to when they could expect that. He said that he thought everyone needed to weigh in on this, especially since the MPO needed to submit their own applications.

Ms. LaPisto-Kirtley asked if it was likely that they would get at least one out of the eight potential

Smart Scale projects approved.

Mr. McDermott said that he believed they had successfully secured one Smart Scale project per round, with the exception of the first round. He said that based on this history he assumed that they could secure another project from this round.

Ms. LaPisto-Kirtley asked if that was usually based on money.

Mr. McDermott replied absolutely; the issue was about the significant amount of money allocated to the Smart Scale program in the State budget, as well as the costs of other projects across the state, and how their local project compared in terms of cost versus the benefits it provided.

Ms. LaPisto-Kirtley asked if it would be best to focus on one or two projects to raise their chances of being approved.

Mr. McDermott said that in situations where two projects had similar scores, one of theirs may be selected over the other, but they also faced competition from numerous projects in the Culpeper district and across the state. He said that without access to the full scoring method or knowledge of how other projects would score, they tended to prioritize maintaining a strong number to increase their chances. He said that while VDOT assisted them in evaluating the feasibility of moving forward with a project, he believed it was beneficial for the County to have a diverse range of projects to choose from.

Ms. LaPisto-Kirtley said that their chances sounded slim in this case. She said that she had been advocating for red light cameras at Route 250 and Route 20, so she was wondering if they could implement something like that to improve safety at their intersections without relying on Smart Scale.

Mr. McDermott clarified that they did have a Smart Scale project that would be going to construction in the next year to completely rebuild that intersection.

Ms. LaPisto-Kirtley asked if red light cameras would be a County responsibility.

Mr. McDermott said that he would follow up with more information on that.

Ms. LaPisto-Kirtley said that she would like to consider a roundabout at Gordonsville Road near Cismont Market as a future potential project.

Mr. McDermott confirmed that it was on staff's list.

Mr. Pruitt agreed with Mr. Gallaway's thorough comments. He said that he had similar thoughts, as he was seeing they kicked off the pipeline study in one of his most complained-about areas, the Fifth Street intersection near the new Wawa. He said that this intersection had already been problematic since its opening, and the new study aimed to find solutions for a future Smart Scale project. If that Smart Scale project failed, it would leave them with the need for a minor stopgap solution in a location where they were already conducting a VDOT-level construction project that would not address the underlying issues.

Mr. Pruitt said that it was exhausting to think about the resources being invested in a project without seeing meaningful results. He did not have a specific solution to offer, but he wanted to express his frustration. This issue primarily rested with the state level and how they implemented these programs, but they had discussed this previously on the Board during their comprehensive planning process that it would be beneficial to reduce the complexity of certain projects at the planning level. Having more off-the-shelf, implementable schemes could help deploy solutions more efficiently, without the need for a lengthy two-year engagement and planning process. It would be exciting to see that level of agility in their state-level transportation planning, despite it being unlikely.

Mr. Andrews said that he did not have any additional comments at this time. He said that he looked forward to discussing this with the senator and delegates at their meeting on legislative priorities. He said that regarding the materials, he would like to make a quick comment. He said that the document stated November 2025, but there were references to a public hearing scheduled for the summer of 2025. He said that he was unsure if this public hearing actually took place, as the information on pages seven and eight appeared outdated. He said that it would be helpful to know the current status of this public hearing at some point.

Mr. McDermott said that he would check that information and provide a follow-up.

Ms. Mallek said that she wanted to follow up on the mention of Park Ridge Road. She said that she believed he had mentioned a speed study, but they had already conducted several speed studies in this area. She recalled that during the COVID-19 pandemic, hundreds of residents had gathered at a distance to try to find a solution to the issue with this road. She said that upon reading the report, she took away that they were seeking funding for a speed study.

Ms. Mallek said that she believed they had already passed that point. She said that they had had numerous dangerous incidents, with everyone disregarding safety on this road. She said that if there was a contingency fund available to pay for a consultant to design traffic calming measures, that would be acceptable, but she would be upset if they were seeking funding for another speed study, especially since the last one had been deemed qualified.

Ms. Swartzendruber clarified that they had secured funding to conduct a thorough examination of the actual solution for traffic calming on this road. She said that this week, they would be working with a

consultant to finalize the scope of the project and move forward with the project. She said that the project would include a speed study as requested by VDOT.

Ms. Mallek said that she wanted to bring up the adoption of Eastern Avenue into the state system.

Michael Barnes, Director of Planning, stated that Mr. Pohl, County Engineer, was working with the developer who still owned Eastern Avenue. He said that to his knowledge, they were actually paving the road in the next couple of weeks, which was likely one of the final steps they needed to complete to bring the road into the state system.

Ms. Mallek recalled that there was a poorly done repair on the road a few years ago, where they used the wrong elevation and did not correct it. She said that it sounded like now, they were finally fixing that mistake.

Mr. Barnes replied that that was what it sounded like to him.

Ms. Mallek said that she appreciated that, and she was relieved that it was being resolved. She said that reflecting on what Mr. Gallaway had mentioned earlier brought this situation to mind, particularly the Hydraulic Road grade-separated interchange. She said that the state had been willing to cover 100% of the project, but their jurisdictional neighbor had blocked the proposal. She said that instead of fighting, Albemarle had chosen to walk away. She said that they had been meeting with local officials, trying to persuade them to support the project, but they had refused. She said that her point was that they needed to be more assertive in their advocacy, as it was unlikely to get any easier.

Mr. Gallaway said that he was unsure who to address his concerns too, but he wanted to discuss something that had come up at the MPO meeting. He said that people were concerned about people traveling south on Route 29, after passing the river, after Woodbrook people had to get over to the left two lanes to go under the interchange. Then, in the other direction, when coming off Rio Road and entering Route 29 north, there were people trying to cross over to get to Kroger. He did not have any comments on the northbound issue, as it was a challenging problem; people could simply drive west over the interchange and take Berkmar to Kroger, which worked for him. He said that the interchange worked well for the Rio Road crossing.

Mr. Gallaway said that however, when he drove it recently coming back from a meeting, he noticed that there was no signage until one passed Hilton Heights Road, suggesting that one needed to be in the left two lanes when going south. He said that the sign in the median was not visible, and the sign on the right side of the road was not present until one passed Woodbrook Drive, which was too late. Before VDOT considered a major correction, perhaps they could try some signage, possibly before the river, to inform people to get into the left lanes. He said that this could be a cost-effective solution to fix the problem without a lot of money and effort.

Ms. Swartzendruber stated that they were scheduled to meet with the consultants for the STARS study in that area and VDOT next week, and staff would be pleased to take that suggestion to them.

Ms. McKeel said that it was important to have people willing to take charge and get things done, especially in the face of challenges. She said that she also wanted to emphasize that the State had underfunded transportation and education for decades, and they were currently experiencing the effects. She said that unless the State made a commitment to correct the funding for transportation and education so it was adequate to address the well-known issues, these discussions would continue indefinitely. She said that with the new state administration, there was some hope that changes would come about, but ultimately people could not expect to have low taxes without there being impacts to infrastructure.

Ms. McKeel stated that the City and the County must work better together, especially with regards to transportation. The traffic gridlock in the urban area was unacceptable, and she thought that better collaboration would solve a lot of those issues. She acknowledged that this was not staff's issue to solve; it was local leadership's role to facilitate and achieve that. She said that many of these issues were decades-old and the result of poor communication between their localities, such as synchronizing the stoplights between the City and the County. She hoped the community could find some solutions and work together.

Ms. McKeel said that another aspect they needed to address was prioritizing and promoting public transit over personal vehicles, which would certainly go a long way towards solving the congestion in the urban area of the County and City. She understood that there was general hesitation to raise taxes to pay for these amenities, but they had to identify a way to provide comprehensive, long-term solutions. They had to advocate at the state level for some of these improvements, but their constituents also needed to understand their taxes had been relatively low compared to what they would need to be to fully fund their many infrastructure needs.

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**Recess.** The Board adjourned its meeting at 3:23 p.m. and reconvened at 3:37 p.m.

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Agenda Item No. 12. **Presentation:** MicroCAT Program Update.

The Executive Summary provided to the Board states that the Albemarle County Transit Expansion Plan, completed in early 2022, was a planning exercise funded through a Department of Rail and Public Transit (DRPT) Grant and managed by the Thomas Jefferson Planning District (TJPD) to evaluate opportunities to expand and improve transit throughout much of the Albemarle County Urban Development Areas. The result of that study was a recommendation to implement a micro-transit service to serve the Pantops and Places 29 - North Development Areas through a pilot program to determine the feasibility of this type of service to address transit needs in those areas. Micro-transit is a relatively new transit mode being implemented across the country. The service is an on-demand, technology-enabled solution that offers real-time trip requests and dynamically routed vehicles. It is primarily designed to provide a "first-mile/ last-mile" transit solution that can take riders to either close-by destinations or transport the rider to and from a transit stop along fixed-bus route where the bus will then take the rider to a farther away destination.

In 2023 Charlottesville Area Transit (CAT) applied for and received a \$1.94 million demonstration grant to implement micro-transit in the Pantops and Places 29 - North Development Areas. The County committed to a local match for this grant of \$388,000. An evaluation was performed by CAT and Albemarle County to determine the operating model and release a Request for Proposals to contract with a micro-transit service provider to operate the service. Following a competitive procurement process, the contract was awarded to VIA to operate the service. This contract was for one year of service with up to three years of possible renewals. During the contracting and planning phase, the County, CAT, and VIA were able to realize additional service areas and operations to enhance the service beyond the initial service area and provide added value to the County's residents. This included a significant expansion of the service area to cover all the County's Development Area adjacent to U.S. 29 from Hydraulic Road to Piney Mountain (Attachment A). The service began operating in late October 2023 and has been a tremendous success. In July of this year the service crossed the 100,000-rider mark.

The presentation is focused on providing the Board an update on the service as it completes its second year of operations and begins the final year of the grant period. It will cover the operational aspects of the service including ridership, customer feedback, and the financial overview.

The Board of Supervisors previously committed funding to support this micro-transit demonstration grant. No additional funding from Albemarle County is requested at this time.

Staff recommends the Board receive the update and provide feedback.

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Kevin McDermott, Deputy Director of Planning, stated that he would provide the Board with an update on the MicroCAT program. For background, the MicroCAT program had begun in October 2023, with a two-year demonstration grant. With that in mind, he would provide a recap of the past two years and how it helped them think about the future. He explained that the MicroCAT program had originated in 2022 with the Albemarle County Transit Expansion Study, which was not focused on Microtransit, but rather on improving transit services in various areas of the County, including the Route 29 North area, Pantops, and some areas south of town. The study's results had led to a recommendation to explore micro transit for the Pantops area and the 29 North area as separate zones.

Mr. McDermott said that according to the study, Microtransit could potentially generate approximately 100 total rides per day in these two zones. In 2023, the County successfully secured a demonstration grant of \$1.94 million from the Department of Rail and Public Transportation (DRPT), which covered a two-year period. They subsequently conducted a competitive procurement process and hired VIA as the turnkey operator for the Microtransit service. The service launched on October 30, 2023, operating from 6:30 a.m. to 9:00 p.m. on weekdays and Saturdays. The service was free and included eight hybrid minivans in operation.

Mr. McDermott noted that the service area had expanded significantly from the initial proposal, including the addition of areas previously not included, such as Berkeley, and the extension of the service to Rio Road East. Additionally, the service now allowed for travel between the two zones, which was not initially part of the program. In terms of service performance, they had been working with VIA to ensure that the service provided a high-quality experience with high engagement and retention. Their data showed a 92% five-star ride rating, with an average of 10 rides per rider per month. He acknowledged the issues raised in a public comment to the Board earlier in the meeting, and he felt that they could address that quickly.

Mr. McDermott stated that furthermore, 79% of riders returned for a second ride, and less than 0.3% of riders had complaints per ride. He would like to extend credit to their VIA representatives for their responsiveness and cooperation, as well as for providing much of the detailed data for analyzing the service. Every week, when they met with the service providers, VIA shared with them quotes from their regular surveys or app comments. This gave them insight into the supportive notes people left about the service, highlighting its value in providing transportation for workers, volunteers, and anyone who did not drive.

Mr. McDermott said that service performance data came from a rider survey, which revealed that 71% of users did not own a car. Although the sample size was limited, it was important information. In the survey, 100 respondents reported that they earned less than \$50,000 per year, and 40% had a disability. The comments from users were also noteworthy. Looking at the two-year period, they had seen 120,060 completed rides. Initially, they had aimed for 100 rides per day, but the actual average was closer to 190 rides per day. This was impressive, especially considering it had taken them 15 months to reach 50,000

rides and only seven months to surpass 100,000.

Mr. McDermott said that interest in the service had been significant, as evidenced by the graph showing the increase in ridership. The green lines represented the number of completed rides, which steadily increased until late 2024, when they plateaued. The gray lines indicated seats unavailable, as people were requesting rides but could not get them due to vehicle unavailability, and he would elaborate on this later. The provided map showed the top origins and destinations, with Walmart being the most popular destination in every market their contractor had worked with. People were using the service to travel to grocery shopping, jobs, and other essential activities.

Mr. McDermott said that he wanted to highlight some additional service data as it provided valuable insights into the future of transit. He believed it was essential to point out that the primary route for these rides was along Route 29, and this spoke to what they should be considering when it came to fixed route service. These users were mostly trying to get up and down the Route 29 corridor; it was obvious in the visualization of the data. The highest density of riders was concentrated in the Stonefield area, just north of the City. When they first began this project, they had discussed how this data could help identify potential locations for fixed route service, and the map started to shed light on that.

Mr. McDermott said that there were limitations to the service, and he wanted to ensure that everyone understood these constraints. Their budget allowed for 380 driver hours per week. The provided chart showed the blue line at 380 and the darker blue lines, which represented the actual hours worked by drivers each week. This fluctuated, but the average was approximately 380 hours per week. This got back to the issue of unfulfilled rides and when they could not meet demand. They had reached the maximum demand in late 2024 and early 2025, which was why they had started to see higher levels of unmet demand.

Mr. McDermott said that this was largely due to the limited number of drivers they could fund with their budget, resulting in unmet demand. They had stopped advertising for this service because they could not accommodate any additional riders with the available drivers. It was doing well without further advertisement, but this was one of the limitations they faced. They worked with VIA to address this issue. The samples of time of day shown here were similar to the previous chart, with the green line representing completed rides and the gray line showing unmet demand. This occurred throughout the service day, with peaks in the early afternoon.

Mr. McDermott explained that VIA attempted to match driver hours to peak demand, as shown by the light blue line, which indicated the drivers' hourly availability. The blue lines also represented the requests that came in, with the highest number of requests occurring between 2:00 p.m. and 5:00 p.m. At this point, they were maximizing what they could do with the available drivers. In terms of looking ahead, the two-year grant period had ended in October, but they had worked to extend the contract through to the end of FY26. There was still one additional contract extension available with VIA if that was something they were interested in exploring in the future.

Mr. McDermott stated that some of the things they were considering to maximize the number of rides they could provide with the number of drivers they had or within their budget involved working with Garland Williams to incorporate the GTFS feed, which included real-time fixed-route transit routes. He said that by using VIA's app, they could include transit lines and their schedules at bus stops and offer people the option to get rides that connect them directly to the transit, making it easier for them to plan their entire trip. This may include using MicroCAT to get to a bus stop and then transferring to the bus more seamlessly than they could currently.

Mr. McDermott said that the GTFS feed provided them with the ability to alter their service to focus more on first-mile, last-mile opportunities, rather than door-to-door service. He said that this allowed them to connect people to fixed-route service, reducing the load on their MicroCAT budget. He said that VIA's app also enabled them to push people to transit routes, allowing users to choose whether they wanted a ride all the way to their destination or just to the bus stop, where they could transfer more efficiently. This was an option they would be exploring, and they anticipated being able to incorporate it at the beginning of the new year.

Mr. McDermott said that they would also be discussing the future of the service in upcoming budget discussions. He said that he wanted to provide this context for their consideration. With that, he would conclude his presentation. Ryan Davidson and Mr. Williams were present, and staff was available to answer any questions the Board may have.

Ms. McKeel clarified that this service was currently being provided for free to the public, and between now and the end of 2026, the Board would be discussing how MicroCAT would move forward and how it informed their transit system in the future.

Mr. McDermott confirmed that was the intended purpose of this information, so the Board had it to inform their discussions.

Ms. McKeel said that it was clear that the MicroCAT program had provided them with important data about the areas with the highest demand for transit. She asked for more information on the high demand they had seen from students using this service, namely Albemarle High School students who used the service to go to jobs after school. She added that Loaves and Fishes was delighted at the success of this service; it had been a gamechanger for them.

Garland Williams, Director of Charlottesville Area Transit (CAT), clarified that when they initially looked at the original outline for this program, the high school was not included. He said that however,

when they expanded the service area, that provided an opportunity for students to utilize the service and get to and from school. He said that they did not anticipate how well this would be received, and students were using it to get to school early in the morning. He explained that there were potential modifications to the route that could be explored, and they could geocode the high school within the app to control whether it was included as a possible destination during certain hours of the day. If the Board considered this an issue that warranted modifying the service area to serve a broader population, they would need to work through policy concerns with this Board and staff.

Ms. McKeel said that her main question was whether students were using this service early in the mornings before the school buses were running.

Mr. McDermott said that one of the great things about working with VIA was that they offered excellent software options that they could analyze. He said that they had talked about this situation a lot, because it was clear in the data that the school was one of the top destinations in the County. He said that he investigated this further and found that he could separate the data by time of day, day of week, and other factors. He said what he noticed was that if he looked at the hour before school starts and the hour after school starts, there were very few rides going in during those times out of the total number of rides.

Mr. McDermott said that this suggested that the users were not students choosing this service over riding the school bus; it looked like people using it during slightly off hours such as getting to school late or leaving early, or employees traveling to the school. He said that upon digging into the data, he did not think that there was a significant issue of students using this service as an alternative to riding the school bus.

Mr. Williams said that anecdotally, when looking at the finer points of the data, the timing indicated that students may be using it when they missed the bus, so he was not sure if they wanted to eliminate this feature entirely, as it was still important for students to get to school on time. He said that they had examined the time frame, and he did not see a significant rush during that period. Nevertheless, they did see an increase in numbers after school, which may be due to various activities such as extracurricular activities or jobs. These were policy-level issues that they needed to discuss further.

Ms. McKeel said that she greatly appreciated the additional context, as she had been trying to understand the reasons why the high school was such a popular destination for this service. She expressed concern that traffic situation at Lambs Lane Campus was appalling at present. She knew that meetings at the campus were scheduled around the hours of heavy traffic and some activities could not be done at certain times because people could not get in and out in a timely manner. She said that this affected the residents on Lambs Road, who could not even leave their houses during the peak hours of people arriving and departing from school. She emphasized that they needed to resolve that issue.

Ms. McKeel added that there was a stretch of Hydraulic Road that lacked any type of bus service right now, which was concerning due to the high number of residents along that road. She asked everyone to keep this in mind as they worked through improving and refining their transit services. She asked if staff had anything to add with regard to the traffic situation at Lambs Lane.

Mr. McDermott said that he wanted to remind the Board that they had previously worked with schools to evaluate their master plan proposals for the loop road. Those proposals were still being considered for future transportation funding opportunities, which could potentially address the single point of entry and exit concern. He said that as a result, they would continue to evaluate this option. The project currently underway was focused on Hydraulic improvements, which also included enhancing intersection safety and bike-ped facilities.

Ms. McKeel said that that was also necessary. She said that the master plan that included the loop road must be implemented, and she wanted to make sure it was not cast aside.

Ms. Mallek said that she was truly gratified by the success of the ridership, and she looked forward to learning more details about how it could effectively transport people to transit. She believed that was the initial goal, and she was glad it had raised awareness about the availability of this service. She was eager to receive staff's next round of reports on what they had learned and how they could further master it.

Ms. Mallek stated that now it seemed like students were not riding the bus in general, but now that they had fully staffed bus drivers, they should prioritize getting kids back on the bus. She recalled that during the recession, there was no legal authority to require parents to register their children for bus service or pay anything, but now she believed that if a child did not register for the bus, they may not be allowed to ride it at all, even halfway through the year. She thought there must be a better way to plan and utilize their resources, as it was not efficient to have buses with only half their seats filled when many students were getting rides to school with their parents. She said that however, this was exciting progress, and she hoped that more students would eventually take the real transit bus to school in the urban area.

Mr. Gallaway said that he was not surprised to hear about the success of the program because he had heard it firsthand from several members of his Community Advisory Committee (CAC), who had been using it since its inception. They were also excited about the potential future connections it could offer to a fully functioning fixed route. Based on its current usage, despite its limitations, meaning the geographic boundaries they had established, it was clear that a fixed route could be a viable option in conjunction with this. He believed that people were just not going from downtown to the mall or vice versa. During a recent meeting with Mr. Barnes with his CAC, they discussed form-based code, but the

conversation also touched on how Route 29, stretching from Stonefield to Target, and from downtown to the Wegmans on Fifth Street, were becoming Main Street-like areas.

Mr. Gallaway said that it got him thinking about how fixed bus routes could work, particularly for commuter routes that differed from daily use patterns. He was excited about the prospect of exploring how fixed routes could inform their transportation strategy, potentially incorporating a 29 route and a figure-eight route that connected Berkmar and Hydraulic. He said that additionally, a fixed route could provide some relief to the traffic at the high school. He noted that high school students were involved in a much wider variety of activities than the lower grade levels and expecting all the kids to take the bus home at the end of the school day did not meet all the students' varying schedules.

Mr. Gallaway emphasized that he did not care who was using MicroCAT; if it was being used and was successful, that was the main point of this program. If they had six people in a car versus one person in a car, that was a success. It was also meant to give independence to people who could not drive cars and give them different ways to move throughout the system. He said that he was thrilled at the success of this initiative. However, he was aware that it would come with a cost. He had often found himself agreeing with Mr. Pruitt's point about housing, where he noted that this was a fixable problem, and the question was really who was going to pay for it.

Mr. Gallaway said that with transit, the City and County often talked about wanting to reduce cars on the road and create functional systems. They claimed to want to achieve this, but when it came to putting their money where their mouth was, they would need to step up. He thought it was essential to recognize that 30-minute stops along 29 were not sufficient; they needed 15-minute stops so that it was more accessible and efficient for all travelers. He also would like to highlight that the economic development data suggested that their area was not just comprised of people commuting to the center of town for work and then returning home. Many people commuted to the center of town for work, but many also traveled from the center of town to outlying areas for work.

Mr. Gallaway said that this meant that their morning and evening commutes were both ways, which could lead to congestion. The Afton Express worked well around the hospital, but he believed that a commuter route connecting the employment centers between Pantops and other areas could greatly benefit their community. However, he was aware that this would not be inexpensive. He hoped that the Charlottesville Albemarle Regional Transit Authority (CARTA) and other advocates would identify some solutions in terms of the hospital, university, and school transit systems. He said that school buses were about \$300,000, so he thought it was possible to outfit three or four Toyota Siennas for Americans with Disabilities Act (ADA) accessibility, which could replace one school bus.

Mr. Gallaway said that this approach was likely more effective and better suited to modern living standards than a fixed-route school bus. He said that by doing so, they could eliminate the expense of school buses, a significant component of their Capital Improvement Plan. He said that he was simply bringing up this idea. He said that MicroCAT was something that he consistently heard about from constituents, and it was almost always a source of excitement and gratitude. With the upcoming launch of Vista 29, the redevelopment of the old Red Roof Inn, and their efforts to provide permanent housing for residents, there was a growing need for accessible transportation. They required functional transit to support the residents' mobility and access to essential services, otherwise they would be inviting old issues into new places.

Mr. Gallaway stated that if they could provide viable ways for people to move around the community and access their essential daily services, it would help alleviate some larger issues that concerned folks. He asked for clarification regarding the Food Lion and whether staff were referring to Hillsdale or Pantops.

Mr. McDermott said that the Pantops one did not appear as a high-usage location, whereas the one on Hillsdale and Branchlands, and the one in Hollymead, in the northern district, both showed up as high-usage areas. He said that he was not certain which one was listed as one of the top destinations, but both of these locations were heavily used.

Mr. Gallaway said that they mentioned Mallside as well, but he also thought about the people along Commonwealth, including the students, who would likely be happy to walk. He said that on rainy, cold, or extremely hot days, they may opt to use the MicroCAT service to make the walk more manageable. He stated that he observed many people walking from Food Lion across Rio Road with bags, and he believed they were far from having a fixed route that made walking a functional option. He said that MicroCAT was the solution to this problem, and he knew the users appreciated it.

Ms. LaPisto-Kirtley asked what the frequency of buses was along Route 29. She asked if it was about every half-hour.

Mr. Williams said that currently, CAT did not have any services that function beyond Walmart on Route 29. He said that they had been exploring various enhancements and were talking through those. He said that these plans would be part of the budget discussions in the future, and they would be able to report back on their intended direction.

Ms. LaPisto-Kirtley asked if Mr. Williams would return with plans as to what they would do for a fixed-route service along Route 29 and whether they were including any additional MicroCAT vans.

Mr. Williams said that from his department he would be working on the fixed route and would discuss MicroCAT with Mr. McDermott and County staff.

Ms. LaPisto-Kirtley said that it was clear that MicroCAT was very popular, so she was looking forward to seeing what they could do.

Mr. Pruitt said that those previous comments laid the groundwork for his thoughts, and he must admit that he felt like this topic had caught him off guard. He said that he was wondering if anyone else shared his concerns. He said that as they approached the end of their pilot period for MicroCAT, Board members had mentioned various ways to shape the program for the future, particularly as they considered cost. They had asked about cost containment measures, ways to structure the program to be more integrated with fixed route systems, means testing, and fare systems, and ways of containing specific types of rides. They had inquired about ways to implement these measures.

Mr. Pruitt said that he had expected a decision point or a selection of alternatives before they would conclude the pilot period. However, he realized now that there may not be a strong element of path dependence, as they were already in the process of preparing for the 2027 budget. He said that Mr. Richardson's team was likely already reviewing the budget, and they were months away from making a decision.

Ryan Davidson, Deputy Chief of Budget, said that he would like to clarify one aspect of the grant program. The grant program was initially set up as a two-year demonstration grant, with the first year fully funded by a County match and the second year being a full County obligation. He said that fortunately, they were able to secure a lower-cost Request for Proposals (RFP), and in conjunction with discussions with DRPT, they were able to extend the grant period to nearly two years, providing grant funding for almost two years.

Mr. Davidson said that their current FY2026 budget was set up to cover the final year of this grant period entirely with County funds. He said that as a result, they had not yet exited the demonstration grant period, and the discussions they were having about transit options may be part of a larger, holistic conversation as they approached budget development. He said that to facilitate these conversations, they did extend the contract through the end of Fiscal Year 2026, aligning the contract with the timing of their budget discussions and avoiding the need for off-cycle conversations about specific budget items.

Mr. Pruitt said that his concern was that he did not want to be in a position where they had already committed to a significant budget, which came with many assumptions. He said that frankly, the assumption that not many things would change significantly was not unfair to say. He did not want to consider how they would structure a \$1 million a year program in a way that would limit their flexibility. He was assuming an iterative phase, but he appreciated Mr. Davidson's point. As someone who sat on the Regional Transit Partnership (RTP), CARTA, and the Thomas Jefferson Planning District Commission (TJPDC), he had received many presentations on MicroCAT and had asked many questions.

Mr. Pruitt said that Mr. Williams was aware of his specific concerns, so he would not delve into those. He said that, reflecting on Mr. Gallaway's point, he thought they could discuss this in abstraction all day long. However, when it came to making policy decisions, he was not opposed to MicroCAT; he wanted to ensure they had the highest number of deliverables, particularly for vehicle rides to places people needed to go. He said that he had been pleased that the results from the data almost felt like means testing, despite their intention not to do so. He said that a significant percentage of users, including the elderly, people without means, and students, truly needed this service.

Mr. Pruitt said that he had been impressed by these findings. Another thought that had been lingering in the back of his mind was the potential for big picture transit projects in the future. He said that as they considered CARTA, his secret hope was that they could partner best with the University on transit projects. He hoped they could create a unified transit system, similar to Blacksburg, where the State paid for it through the University. He knew this was an optimistic vision, but he wanted to lean into it. He said that he had been a little nervous about the change in leadership and how it might shape their future plans. He was curious to know if they had been in conversations with university leadership about comparable or sympathetic programs to MicroCAT, such as those that addressed specific needs of users.

Mr. Williams said that his understanding was that the University had reached out to VIA. He knew that UVA had a safe ride program, which used similar-style vehicles at night. He said that the University sat on the RTP and attended CARTA meetings, so they were aware of the success of MicroCAT as a product. He said that as a result, they were having conversations because many students were interested in utilizing MicroCAT, but the service currently did not extend to the University or grounds. They were working through that right now.

Mr. Williams said that he believed the primary driver behind these conversations was that students wanted to take advantage of the service, and if they could get as many people as possible onto the fixed route, they could mitigate the need for the MicroCAT service. He said that they knew there was a bubble, and with further pent-up demand, expanding MicroCAT would likely increase interest in using it. He said that this was not a bad thing, but it was an expensive one. He said that his goal had always been to establish the most robust public transportation system with a fixed route.

Mr. Williams said that once they achieved this, he believed they could reassess their ancillary products and potentially shift them to areas without any existing transit services. He reiterated that this was a policy decision that would take time to work through. He said that he was not sure they were in a position to have that conversation yet, but it was something they should start exploring.

Mr. Andrews congratulated staff and Mr. Williams on the success of this program. He said that regarding the seats unavailable, he was interested to know what happened to those people and how did they end up being unavailable.

Mr. McDermott said that he believed that there was a time limit for scheduling a ride. He said that if all their vehicles were in use on rides and they could not find an alternative to double up with, they would not be able to accommodate a request within a 30-minute time frame. He said that according to their policy, if a request could not be fulfilled within 30 minutes, they would inform the caller that they would have to call back later or explore alternative options. He said that in some cases, they may wait for a short period, such as 10 or 15 minutes, before attempting to accommodate the request again, but that was why the "seat unavailable" message was used to convey this information.

Mr. Andrews asked if that was still the current system, so if they did not get in the queue soon enough, they were out of luck because it was not prioritized by need in any way.

Mr. McDermott confirmed that was correct.

Mr. Andrews said that he wanted to ensure that he understood this correctly because he believed that they had a situation where demand exceeded supply, and there was no current method that prioritized who received the rides, other than who received the call first and happened to fit in the schedule. He said that this was something that he hoped could be addressed to make the system more sensible.

Ms. McKeel said that in her experience, and as the former chair of the Virginia Transit Association, she had seen that no transit system truly paid for itself. She emphasized that they must remember this. This was not unique to their community; it was a nationwide issue. She said that however, it was not solely about a financial return on investment, as there were other reasons it was important to provide transit for a community. She thought about how wonderful it would be for there to be a pedestrian bridge from Stonefield crossing Route 29 into the City, with a transit stop on the other side. She said that she was concerned that with a pedestrian bridge and no transit stop on the other side, that was a loss.

Ms. McKeel said that when planning for those types of infrastructure improvements, they needed to keep connectivity between systems in the front of their minds always. She said that it may be impossible to add those types of connections in later. She stated that they had five transit systems in the community, but they were disjointed and inefficient. She hoped they could work through those logistical issues and smooth things out so their transit system made more sense. She agreed with Mr. Pruitt that one transit system for the entire community was definitely something to consider.

Mr. Andrews said that he would like to add that he agreed this service must be subsidized; however, he had not heard any mention of cost-per-mile and alternatives. He understood VIA was doing a great job, but ultimately that must be part of their conversations so they knew exactly what they were paying and what would be required to subsidize other methods.

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Agenda Item No. 13. From the County Executive: Report on Matters Not Listed on the Agenda.

Jeff Richardson, County Executive, stated that he did not have a formal presentation to share at this meeting, but he would at the November 19, 2025, meeting. He said that he would like to bring two matters to the Board's attention, and he appreciated the Board's responsiveness to email invitations. One was an invitation to attend an Intelligence and National Security Alliance (INSA) conference at Boar's Head on November 18, 2025, which was tied to their partnership with the University of Virginia, the Department of Defense Intelligence Community, and the National Security Institute at UVA. He said that the conference would feature a reception and gathering on the morning of November 18, and he would like to request the Board's attention to this event.

Mr. Richardson said, additionally, Ms. Kilroy had sent an email regarding a Chamber event on the evening of November 19, 2025, which would normally conflict with the Board meeting. However, due to the short evening schedule, he believed it would be beneficial for the Board to attend if possible, as it was a business awards ceremony through the Chamber. Ms. Kilroy had assured him that she would be more mindful of scheduling conflicts in the future.

Mr. Richardson said that he had also had the opportunity to attend a national conference in Tampa, the International City/County Management Association (ICMA), last week, alongside Bart Svoboda, their Assistant Director of Community Development. The conference was well organized, and he appreciated the opportunity to learn from managers and speakers from across the nation. He said that he would like to extend his gratitude to Mr. Henry and Ms. Wall for their hard work in his absence.

Mr. Richardson said that he wanted to commend their Police and Fire Departments for their work on October 18, which was a busy day for everyone in the County and the City. He said that he would also like to thank the supporting departments who worked diligently to ensure the success of their elections yesterday. He was proud of the efforts made by the supporting departments, particularly their Information Technology Department and their public safety departments, which played a crucial role in establishing a plan and monitoring to ensure safe and secure sites. He said that all of the other supporting departments and volunteers were outstanding and he commended them for a job well done.

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Agenda Item No. 14. From the Board: Committee Reports and Matters Not Listed on the Agenda.

Mr. Gallaway said that he would like to express his gratitude to the staff who worked on the all-CAC (Community Advisory Committee) meeting. He said that the information presented was helpful, and

he believed the CAC members found it valuable as well. He said that he would like to extend his appreciation to them for their efforts in pulling that together.

Mr. Andrews said that he noticed in this week's news that there was a Rivanna Futures newsletter, and he wanted to bring it to everyone's attention. He could not find the direct link but wanted to mention it as it looked to be a periodic newsletter that would be worth subscribing to. Additionally, he said that he came across news about additional funding for and activities surrounding the Pharmaceutical Manufacturing Education Institute. He said that any further information on that would be appreciated as well.

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Agenda Item No. 15. Closed Meeting.

At 4:33 p.m., Mr. Pruitt **moved** that the Board go into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:

- Under subsection (1) to discuss and consider appointments to various boards and commissions including, without limitation: the 5th and Avon Community Advisory Committee, the Pantops Community Advisory Committee, the Places 29 (North) Community Advisory Committee, and the Places 29 (Rio) Community Advisory Committee;
- Under subsection (8), to consult with legal counsel regarding specific legal matters (including the June 2025 cybersecurity incident) requiring the provision of legal advice by such counsel; and
- Under subsection (19), to discuss plans to protect public safety as it relates to specific cybersecurity threats or vulnerabilities, including the June 2025 cybersecurity incident, and briefings by staff members, legal counsel, or law-enforcement or emergency service officials concerning actions taken to respond to such matters.

Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.  
NAYS: None.

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Agenda Item No. 16. Certify Closed Meeting.

At 5:24 p.m., Mr. Pruitt **moved** that the Board of Supervisors certify by a recorded vote that, to the best of each supervisor's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed meeting, were heard, discussed, or considered in the closed meeting.

Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.  
NAYS: None.

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Agenda Item No. 17. Boards and Commissions.  
Item No. 17.a. Vacancies and Appointments.

Ms. McKeel **moved** that the Board make the following appointments to Boards and Commissions:

- **Appoint** Reginald Woods to the Pantops Community Advisory Committee with said term to expire on June 30, 2027.
- **Reappoint** Michael Giesert to the Places 29 (Rio) Community Advisory Committee with said terms to expire on September 30, 2027

Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.  
NAYS: None.

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Agenda Item No. 18. Adjourn.

At 5:25 p.m., the Board adjourned its meeting to November 19, 2025, 1:00 p.m. in Lane Auditorium, Albemarle County Office Building, 401 McIntire Road, Charlottesville, VA, 22902.

Approved by Board
Date: 03/18/2026
Initials: CKB

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Chair