

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on March 3, 2021 at 1:00 p.m. This meeting was held by electronic communication means using Zoom and a telephonic connection due to the COVID-19 state of emergency.

BOARD MEMBERS PRESENT: Mr. Ned Gallaway, Ms. Beatrice (Bea) J. S. LaPisto-Kirtley, Ms. Ann H. Mallek, Ms. Diantha H. McKeel, Ms. Liz A. Palmer, and Ms. Donna P. Price.

ABSENT: None.

OFFICERS PRESENT: County Executive, Jeffrey B. Richardson; Deputy County Executive, Doug Walker; County Attorney, Greg Kamptner; Clerk, Claudette K. Borgersen; and Senior Deputy Clerk, Travis O. Morris.

Agenda Item No. 1. Call to Order. The meeting was called to order at 1:00 p.m., by the Chair, Mr. Gallaway.

Mr. Gallaway said the meeting was being held pursuant to and in compliance with Ordinance No. 20-A(16), "An Ordinance to Ensure the Continuity of Government During the COVID-19 Disaster."

Mr. Gallaway said the persons responsible for receiving public comment are the Board of Supervisors of Albemarle County.

Mr. Gallaway said the opportunities for the public to access and participate in the electronic meeting are posted on the Albemarle County website, on the Board of Supervisors homepage and on the Albemarle County calendar.

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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.

Mr. Gallaway said Item 16, "Matters from the Board Not on the Agenda" and Item 17, "From the County Executive" would be moved to the afternoon session based on the timing of the agenda. He said these would be placed after Item 10, the School Board report.

Mr. Gallaway said that during "Matters from the Board," a discussion would be added about subcommittee meetings on non-County Zoom platforms, at Ms. Palmer's request. He said they would also add a discussion regarding the Lewis & Clark Exploratory Center receiving the Lewis and Clark statue from the City to Item 16, at Ms. Mallek's request.

Mr. Gallaway said under Item 17, they would be adding the Blue Ridge Health District COVID-19 update.

Mr. Gallaway said he would ask Ms. Price to speak on one of the proclamations on the agenda for which amended language was suggested. He said he did not see any Supervisors objecting to this prior to the meeting.

Ms. Price said she had asked a question and believed that a bit of clarification of the actual language from the proclamation could be put into the proclamation as a revision. She said this was just a very slight modification of the language.

Mr. Gallaway said if there were no objections, when they come to this proclamation, the idea would be to make this with the suggested change, then vote on that proclamation.

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

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price  
NAYS: None.

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Agenda Item No. 5. Brief Announcements by Board Members

Ms. LaPisto-Kirtley said she heard some encouraging internet possibilities that could go vis-à-vis a large disk. She said she talked to staff, specifically Mr. Mike Culp, about this as something that could get into the Rural Areas relatively quickly. She expressed hope that they could at least get internet up and running in some areas prior to fiber.

Ms. Palmer said it was nearly spring, which meant spring cleaning. She announced that at the Ivy MUC (Materials Utilization Center), there will be Household Hazardous Waste Days. She asked everyone to go to the Rivanna website to get information and times for April 30 and May 1. She said one can drop off old chemicals, gardening materials, and other waste.

Ms. Palmer said later in May will be Bulky Waste Amnesty Days, with the first being for furniture

and mattresses. She said the second weekend will be for appliances, and the next weekend would be for tires. She said the wonderful people who collect tires by the side of the road and in creeks can drop off the tires at Ivy for free.

Ms. Palmer said she had something to share with the Board that SWAAC, despite COIVD, has finally been able to do. She said the Board would recall that education is a topic SWAAC is addressing, and SWAAC has finally gotten the ambassador program going at McIntire. She said there are volunteers at McIntire explaining to people what they can and cannot put in the recycling bins, which is important because it not only increases the recyclables, but the price that SWAAC receives for those recyclables.

Ms. Palmer said anyone can check the Rivanna website or email [ambassadaors@Rivanna.org](mailto:ambassadaors@Rivanna.org) to see if they would like to join those volunteers. She said there is one person from the Rio District involved and another from the Scottsville District who said it was quite fun, and people were very appreciative of the help.

Ms. McKeel said the Community Climate Collaborative (C3) currently has a community survey on their website, which is geared at transit needs in the Charlottesville and Albemarle community. She said it would be helpful if as many people as possible could take the survey. She said she did it the day before, and it only took her five minutes to take. She said the simplest way to access the survey is to visit the Climate Collaborative website and click the link. She said the survey would be live until March 28. She said participation would be greatly appreciated by Board members, staff, and community members.

Ms. Price said she was looking to try to schedule a virtual townhall to go over the budget. She asked the Board to be on the lookout for this, as there may be Supervisors looking to have more of these interactions with their constituents.

Ms. Mallek said she had questions about the item on the consent agenda and realized she should have said something about it when they were adopting the final agenda, rather than waiting until the Consent Agenda item. She said she was simply going to send in her questions, but Mr. Kamptner directed her to raise them.

Mr. Gallaway asked Ms. Mallek if she had any announcements.

Ms. Mallek replied yes, adding that she would also be signing up for a townhall (as Ms. Price had talked about). She said her first announcement was about water testing. She said the Virginia Cooperative Extension annually holds a drinking water clinic and if one has a well, they can get more than \$300 worth of water tests done for \$60, with lots of explanation to go along with it. She said she would share the email with all of the Supervisors so that people can reach out directly to the Virginia Cooperative Extension to get information sent to them, or they can go online to the Extension and order their kits. She said the Supervisors could also connect people if they have trouble doing that.

Ms. Mallek said beginning on February 15 and going through April 30, the spring burning ban will be in effect. She said while it feels as if it has been raining so much that nothing could ever burn, surprisingly with winds, things can turn around very quickly. She said they are not to be burning anything before 4:00 p.m. in hopes that this is when the wind will slow down. She said there will be no burning within 300 feet of a woodland or brushland, and burnings must be attended at all times. She said people can get more details from the Department of Forestry.

Ms. Mallek said as the Supervisors all know, communication with their constituents is the most important, most fun, and sometimes most difficult aspect of their jobs as representatives. She thanked all the radio hosts in the area on their many stations who provide the Supervisors with a chance to reach out more in depth than a quick clip to take questions and to provide extra information. She said Mr. Les Sinclair is one of those hosts who has worked in radio for 25 years. She said she has sat in Mr. Sinclair's interview chair many times and hopes to again, either by phone or in-person. She congratulated Mr. Sinclair on his 25th anniversary.

To further Ms. Mallek's point, Ms. McKeel said there was a brushfire reported the day prior. She said people need to be careful with cigarettes and other things.

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Agenda Item No. 6. Proclamations and Recognitions.

Item No. 6. a. Proclamation Celebrating Liberation and Freedom Day

Ms. Price **moved** to adopt the Proclamation Celebrating Liberation and Freedom Day. Ms. Palmer **seconded** the motion.

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

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price  
NAYS: None.

Ms. Irtefa Binte-Farid, Coordinator for Equity and Accountability, said that on behalf of the Office of Equity and Inclusion, she wanted to thank the Board for acknowledging and celebrating this important day in local history. She said they know that the road to emancipation was long and complicated, and that freedom did not come to all at the same time, which is why it is especially important to take a moment

to celebrate the liberation of the local community almost three years after the Emancipation Proclamation was actually issued.

Ms. Binte-Farid said OEI is pleased to continue the Board's Community Remembrance project and support community partners in celebrating Liberation and Freedom Day 2021. She said the organization of the prolonged virtual events this year has been led by the Jefferson School African American Heritage Center, and they span from February 28 to March 7.

Ms. Binte-Farid said that in addition to Albemarle County, the events are being sponsored by the UVA Office of Diversity, Equity, and Inclusion; UVA Democracy Initiative Memory Project; UVA Office of Engagement and Lifetime Learning; the Charlottesville Clergy Collective; Albemarle Charlottesville Historical Society; and the Descendants of Enslaved Communities at UVA, among others.

Ms. Binte-Farid said that in addition to this proclamation, the County is supporting the keynote address, which would happen that afternoon, by Ms. Christy Coleman, Executive Director of the Jamestown-Yorktown Foundation and former president and COO of the American Civil War Museum. She said Ms. Coleman is a tireless advocate of the power of museums, narrative correction, diversity, and inclusiveness, and the County is proud to sponsor her speech on behalf of the Board's Community Remembrance project. She said since the speech itself would be at 6:00 p.m., she knew the Board would not be able to attend, but it will be recorded to watch later.

Ms. Binte-Farid said if the Supervisors had not had a chance to participate in any of the events yet, there will be upcoming events all the way through March 7. She said the schedule could be found on the Jefferson School's website.

Ms. Binte-Farid thanked the Board again for taking the time to acknowledge and remember this joyous day for the community.

#### **Proclamation Celebrating Liberation and Freedom Day**

**WHEREAS**, the County of Albemarle, in keeping with the core principles of our great United States of America, believes that all persons are created equal and possess unalienable rights to life, liberty, and the pursuit of happiness; and

**WHEREAS**, on the twenty-second day of September, in the year 1862, a proclamation was issued by the President of the United States, containing, among other things, an emancipating declaration; and

**WHEREAS**, on the third day of March, in the year 1865, the liberation of the estimated 14,000 enslaved persons, or almost 52% of the total population in the Charlottesville/Albemarle area, was enforced; and

**WHEREAS**, the Board of Supervisors recognizes the enduring cultural and historical significance of emancipation, acknowledges the universally cherished values of liberty and justice, and emphasizes our common humanity.

**NOW, THEREFORE, BE IT RESOLVED**, that we, the Albemarle County Board of Supervisors, do hereby recognize today, March 3, 2021 as Liberation and Freedom Day and celebrates the joy of people finally being free.

**Signed this 3<sup>rd</sup> day of March 2021.**

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Item No. 6.b. Proclamation Recognizing March 13 through March 26, 2021 as the 27th Annual Festival of the Book.

Ms. McKeel **moved** to adopt the Proclamation Recognizing March 13 through March 26, 2021 as the 27th Annual Festival of the Book. Ms. LaPisto-Kirtley **seconded** the motion.

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

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price  
NAYS: None.

Ms. Jane Kulow, Director of the Virginia Center for the Book, thanked the Board for the proclamation and for their long-time support of the Virginia Festival of the Book. She said this will be their 27th outing.

Ms. Kulow said this year's festival runs two full weeks, from Saturday, March 13 through Friday, March 26. She said it is all virtual, free, and includes books in all genres for all ages. She said two to four events will be presented per day, and this is the first time there will not be any overlap. She said most of these events can be viewed on video afterwards. She said nearly all the events include closed captions.

Ms. Kulow said the festival believes they have found a way to offer some of its best features and make the festival more accessible than ever. She invited everyone to explore the schedule and find events to attend.

Mr. Gallaway said he appreciated the innovative approach to the virtual presentation, and he imagined that many would be able to take advantage of it in that regard. He wished Ms. Kulow success with the festival.

Ms. McKeel said in thinking about the new virtual format, about schools and how many of the County schools have Fridays more open, she was making a connection about this availability to the festival. She asked Ms. Kulow if she was able to reach out to the public schools about the kids listening in and joining this.

Ms. Kulow replied that this is a very important part of the outreach for the festival. She said going into this year, they knew that they could not do what they typically do, which is bringing book authors directly into the classrooms. She said they worked very closely with a young readers committee that includes educators and school librarians to help make sure they are doing everything they can to provide access.

Ms. Kulow said that summer, they would launch a weekly series of book discussions that are targeted directly to the young reader, and they hope to provide access to this across the state. She said they will be in touch with local educators to make sure they know about it and see it is coming their way. She said this will be done with Mac McClellan and be called "Mac's World," with similarities to Reading Rainbow and LeVar Burton.

Ms. Mallek said Ms. Kulow would remember that out of the Crozet Library, the teen book club has been one of the most popular things for decades. She said she was glad Ms. Kulow was starting up this ongoing program, noting that her own children were glued to Reading Rainbow when they were young.

**PROCLAMATION  
VIRGINIA FESTIVAL OF THE BOOK**

**WHEREAS**, the County of Albemarle believes that literacy is critical to active and engaged citizenship, and is committed to promoting reading, writing, and storytelling for all, both within and outside its borders; and

**WHEREAS**, reading stimulates the creative and intellectual growth of individuals, while also building community through shared experiences, discourse, and understanding; and

**WHEREAS**, the **2021 VIRGINIA FESTIVAL OF THE BOOK** as an all-virtual event draws attendees and attention to Albemarle County from around the globe, while providing all programs free of charge to attendees and offering greater accessibility through live-captions; and

**WHEREAS**, Virginia Humanities, the Virginia Center for the Book, the University of Virginia, local businesses and schools, and cultural and civic organizations collaborate with the **VIRGINIA FESTIVAL OF THE BOOK** to explore the world through reading, foster empathy for the stories of others, and promote literacy for all; and

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

**SATURDAY, MARCH 13 THROUGH FRIDAY, MARCH 26, 2021  
AS THE  
TWENTY-SEVENTH ANNUAL  
VIRGINIA FESTIVAL OF THE BOOK**

and encourage community members to participate fully in the wide range of available programs and activities.

**Signed this 3<sup>rd</sup> day of March 2021.**

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Agenda Item No. 7. From the Public: Matters Not Listed for Public Hearing on the Agenda or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.

Mr. Gary Grant (Earlysville area, Rio District) asked if the six Supervisors knew that since the year 2012, they have dealt with the policy matter of their rules of procedure at least 14 separate times, always in open meetings and not once in a closed meeting. He asked if the six Supervisors realized, however, that on February 17, 2021, for the first time in a decade, they thumbed their noses at the public on this policy topic and took their policy discussion about the rules of procedure into a closed meeting so that the public could neither hear, nor see, them conduct the public's business on this policy.

Mr. Grant said for full disclosure, he is a member of the Virginia Coalition for Open Government, but he speaks for himself here. He said he was ticked at a jerk allegedly named Mr. Justin Miller, who

spoke at the February 3 meeting spewing depraved, hateful, and transphobic allegations at Scottsville Supervisor Donna Price. He said he was also ticked at all six Supervisors and at their County Attorney.

Mr. Grant said that on February 17, the Board used “Jerk Miller’s” despicable comments to take cover behind closed doors, away from the public’s ears and eyes, to discuss the policy matters of their rules of procedure – a policy topic they have a long-standing record of dealing with in open meetings at least 14 times over the past ten consecutive years.

Mr. Grant asked if not one of the six Democrat Albemarle Supervisors, including one who is an attorney, has the courage to say that rules of procedure are a policy matter and do not meet the standard for closed meeting discussion. He shamed the Board for unanimously voting on February 17 to discuss policy in secret. He shamed the County Attorney for authoring a bogus secrecy motion.

Mr. Grant said the Board also used the excuse of attorney-client consultation to hide a policy discussion on their rules of procedure that they have a historic public record of dealing with in open meetings at least 14 times over the past decade. He said he knows this because he researched the past ten years of the Board’s meeting minutes to prove this.

Mr. Grant said if the Board Chair and County Attorney will not apologize to the public for their bogus meeting of February 17 in closed session about their rules of procedure, he would ask which of the other five Supervisors has the courage to say this was wrong. He said he was ticked, but he would still thank the Board for spending money to stream their meetings. He wished the Board a productive meeting.

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Mr. Neil Williamson said he serves as President of the Free Enterprise Forum, a privately funded public policy organization focused on Central Virginia governments. He said later that day, the Board would be receiving a presentation on the proposed Community Development increase in fees. He said he wanted to thank CDD staff at the outset for outreach to the development community in discussions about these proposed increased fees. He said it is the Free Enterprise Forum’s understanding that this fee increase is a band-aid and that a full fee study is the future within the next 24 to 36 months (or at least, this will be proposed).

Mr. Williamson noted that with this being said, he believed it was worthwhile to ask a couple of questions. He said in FY 21, he saw the applications go steady, and Community Development was running seven positions down. He said this is a fee-based organization, and one would think there were significant revenue increases. He said the forum has asked for this information to be broken out, and they have not yet seen it. He said they will hopefully see this before it goes to public hearing.

Mr. Williamson said in addition, he has asked twice about the cost share. He said recently, the Commonwealth of Virginia passed its stormwater ordinance that calls for the cost to be borne by the applicant to be no less than 60% and no more than 62% of the cost of administering the fee.

Mr. Williamson said he once had a boss who told him, “You should always know whether you’re the buyer or the seller in any transaction.” He said in this case, he thinks it is important to recognize who the beneficiary of the regulations are. He said it is hard to argue that the beneficiary 100% of a new ARB (Architectural Review Board) fee is the person sitting in the building. He said he thinks the community definitely derives benefit. He said he thinks there should be a cost sharing for these new fees as well as for an increase in fees.

Mr. Williamson said the fees may seem de minimis in percentage of the overall project cost, but in his discussion with the development community, there have been major concerns raised regarding the interest rates ticking up slightly, as well as just a 1% change in project costs. He said combined, they have put in the sharing costs of these fee increases, and one may actually reach that 1%. He said as the Supervisors know, if a project does not pencil out, it does not get built. He said these fees will, indeed, harm affordable housing.

Mr. Williamson again thanked staff for their outreach. He said he looked forward to the Board’s conversation later that day.

Mr. Gallaway closed matters from the public.

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Agenda Item No. 8. Consent Agenda.

Mr. Gallaway noted that Ms. Mallek had some questions. He suggested putting the motion on the table, then asking the questions during the discussion period. He asked Mr. Kamptner if this was appropriate.

Mr. Kamptner said this would be fine.

Ms. Palmer **moved** to approve the consent agenda. Ms. LaPisto-Kirtley **seconded** the motion.

In further discussion, Ms. Mallek clarified that she was heartedly in favor of this, but she had thought there was going to be a chance between now and later to bring those things up. She said she then learned that today was the day things should be brought up. She said these were clarifications more

than anything else, and she did not expect answers to them all that day. She said at least Mr. Andy Herrick from the County Attorney's office would have ideas about other information that could be provided to everyone, as others may have the same questions.

Ms. Mallek said she hesitated to go through every item. She asked first what the Critical Resources Plan is, noting that it was mentioned, but she did not think it was in the definitions. She said this was something they could learn about going forward.

Ms. Mallek asked what "minor" means under VESCP when it comes to a minor disturbance around a house construction. She said those are other things where unless they know what it means, it will be harder for staff to interpret what is going on.

Ms. Mallek said she would forward all her comments so that they did not have to be written down. She said that on page 5, she was very glad to see in Schedule F that exemptions are limited to agriculture and agriculture operations. She said this is very different from a residential property who parks out a large acreage of woodland to make it look prettier, but it has nothing to do with agriculture. She said they need to make sure they are able to distinguish those two activities to protect their waterways.

Ms. Mallek said that under Schedule F, the construction of agricultural roads is supposedly exempt until a plan of development is submitted and the road is no longer exempt. She said this is confusing because there is a great temptation (as they found out with Advance Mills Village) to put in a farm road, then after the erosion has happened, immediately turn it into a subdivision. She said she understood several years ago that there was a time delay that had already been put in, but she did not see this in the document anywhere. She said it was either two years or five years that a farm road had to be in existence before it could become considered for residential roads.

Mr. Kamptner said there is a 24-month delay, and this is in a section of the ordinance (Chapter 17) that was not being amended when it comes back for public hearing.

Ms. Mallek said that to have this added here as well would make it even clearer for people who only look at one chapter. She said this has always been her confusion when she is trying to research things herself, and so she would ask that this be considered.

Ms. Mallek said the document says that exemptions shall not apply to the harvesting of forest crops unless the area on which the harvesting occurs is reforested or turned into pasture. She said she thought they had a 12-month requirement or 9-month requirement that the permanent pasture happens, and so it would be nice to know more about this in order to provide a good understanding or interpretation of how these will be carried out so the public knows when to bring something to the Board's attention and when not to.

Ms. Mallek said that under Section G, there are lots of agricultural engineering operations listed, but one of them is land drainage. She said she was quite sure that Virginia frowns upon channelization, which is when people used to make big ditches to draw the water away so that they could grow corn right up to the edge. She said this would certainly be a negative point as far as the WIP III work for the state and Chesapeake Bay rules. She said if this comes out of state law, they may be stuck with it, but it is a grave concern that it looks like it is something that is okay when it should not be okay at all.

Ms. Mallek said that under 17-303, Section C, it says single-family residences separately built and disturbing less than one acre are exempt. She asked what happens when they have a five-acre yard. She said this should not be exempt, but she did not know what happens, as it was not spelled out as to what would happen.

Ms. Mallek said she also did not know exactly what the timeline or the chain of command is. She said without a management plan in place, someone claims they will be farming and building a barn, and it then turns out to be just residential. She said a lot of damage might be done in the meantime because the proper information was not given.

Ms. Mallek said the takeaway there she would love to get a response to is as Loudoun County requires a farm management plan for anyone participating in their land use taxation program, does Albemarle have the authority and/or willingness to say that they should have a management plan for agricultural uses whenever soil disturbance will happen over the 2,500 square feet, or perhaps for all of them. She said this then provides staff with good information about what is going to happen, and they are less apt to be catching up, but staying even or ahead instead.

Ms. Mallek promised she would send Mr. Frank Pohl and Mr. Andy Herrick the cleaned-up version in writing so that they would have something to respond to. She said these were the things she was most concerned about.

Ms. Mallek said she did have one other question. She said regarding partial release of bond, the document says that partial release is given for partial stabilization or partial completion of the project. She asked if someone could later explain how they can avoid having this encouraging people to cut corners and say they will only do 30% or 60% of it and get that money back. She said with erosion control, she thinks it is very important that they get 100% of a project because they know so many of the standards are not catching 100% of the dirt anyway, and this is what they have to work with from the state. She said she needed extra explanation about that as well.

Ms. Mallek said she knows the rule about stream crossings has changed because it was stricter 20 years ago. She said she would like to know about why they are allowing so many more stream crossings now where they hadn't in the past. She said for example, there have been many subdivisions that have happened since 1998 that were still allowed to cross streams, and so they would like to get clarification on this.

Ms. Palmer thanked Ms. Mallek for her comments. She said she herself had a few questions and had to go back and read all the information from the last time the Board discussed this. She said she did not realize that this was the time to do this, and she did not have her questions prepared. She said she assumed she would be asking her questions at the public hearing. She thanked Ms. Mallek for clarifying this and asked her to share her questions with the entire Board, as she wanted to go through the list.

Ms. LaPisto-Kirtley asked Ms. Mallek if, regarding the stream crossings, she was saying that in the developable areas, there is a stream crossing vis-à-vis a road or bridge, and if there is something that was negative about this.

Ms. Mallek replied that she is seeing lots put into the Rural Area where in the past, when someone was laying out a subdivision, they had to find a way to get in without crossing a stream. She said what people are telling her now is that all throughout the district, there are places where lots are being put in, and people are just choosing to put in a culvert because it is cheaper than making a decent dry land driveway. She said this may be something where the County is doing the best it can, and she would like the Board to learn more about that in general.

Ms. Mallek said in the past, if one would be buying a property, they had the obligation to make sure that it actually could be built on. She said she did not want the County to be put in a position where they have to grant approvals to many things that should never be approved because somehow, they have not held a standard when things are being subdivided that could prevent this from happening.

Ms. LaPisto-Kirtley said she supposed the size of the stream would decide whether or not it should be a culvert, a road, or a bridge going across. She asked if this was correct.

Ms. Mallek said she is not an engineer, but she would say they should not have any fords at all because it is so dangerous to the environment. She said certainly, bridges or culverts would depend on the velocity, which Mr. Pohl could tell the Board about. She said she used to have culverts, and after the May 2018 flood, she now has a bridge to give the water lots of room to go if it wants to. She said her culvert had a large tree jammed through the middle of it during that flood, taking it out of commission.

Mr. Gallaway suggested that Ms. Mallek's comments could be sent out to the entire Board, and if they needed to place this on the agenda before the public hearing to address them, they could discuss this in the pre-agenda. He said otherwise, they could address it the night of the public hearing, as this action was the schedule that public hearing. He asked Mr. Kamptner if he was misunderstanding any of this.

Mr. Kamptner replied no and said this was a good summary.

Mr. Gallaway said there was a motion on the table to approve the consent agenda, which was seconded. He asked if there were any other matters to discuss, noting that if any are to come from emails, they will be shared with everyone and can be added if needed. He heard no further comments.

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

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price  
NAYS: None

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Item No. 8.1. Schedule Public Hearing for Water Protection Ordinance - Phase 1.

The Executive Summary forwarded to the Board states that, with the goal of improving stream health, staff conducted a public review of the County's stream buffer regulations in 2017, culminating in a work session with the Board on December 6, 2017. From October through December of 2018, staff conducted a public engagement process to receive feedback and public comment on the proposed strategies. The proposals that arose from this input were subsequently shared with the Board.

During a work session on January 9, 2019, the Board directed staff to work on nine of the initial thirteen proposals to improve stream health in the County's Development Areas. At a joint work session with the Board and Planning Commission on July 9, 2019, more detailed proposals and staff recommendations were presented and discussed. At a Board work session on November 6, 2019, specific recommendations were presented and the Board provided further direction.

On July 15, 2020, staff returned to the Board with final proposals for consideration, which included the recommendation to phase the adoption of the proposals because of staff resource needs. The Board agreed to implement the proposals that have no or minimal impacts on staff resources.

In an effort to improve stream health within the County, staff recommends adopting the following proposals:

- Proposal #3 - Allow temporary Erosion & Sediment Control (ESC) measures within the stream buffer if the area is restored.
- Proposal #14 - General Water Protection Ordinance (WPO) updates and clarifications.
- Proposal A2 - Require a maintenance bond for stormwater facilities prior to release of the construction bond if the developer requests to have its construction bond released and the facility has not been transferred to the Property Owners Association.

An estimated 0.10 Civil Engineer FTE and 0.10 Analyst FTE would be required if the proposals were adopted, but that these FTEs could be absorbed by current staff. No other budget impacts have been identified.

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

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Agenda Item No. 9. **Discussion:** Community Development Fees Review.

The Executive Summary forwarded to the Board states that, under the provisions of Chapters 5, 14, 17, and 18 of the County Code, the Department of Community Development (CDD) charges fees for a number of services that the Department provides to the development community and the general public. The purpose of the fees is to help CDD recover a portion of the cost of providing these services.

In August of 2008, the Board adopted a policy for updating the levels of existing fees. This policy provides for biennial fee adjustments, based on Board-approved salary adjustments. Under this approach, if Board-approved staff salaries increased cumulatively by a certain percentage over the course of the two years, CDD fees would increase by that same percentage. This policy has not been routinely applied. Most CDD fees were last adjusted on November 1, 2015, although some fees were adjusted as recently as November 1, 2018 and as far back as July 1, 2014.

The lack of increase in fee levels over the course of several years has made it progressively challenging for CDD to cover the cost of providing services, including the provision of mandated services. In addition, staff has recently identified several CDD costs that the current County Code does not address, which further constrains the department's ability to provide efficient services.

On January 6, 2021, the Board adopted a Resolution of Intent to update the CDD fees. The Board's public hearing is scheduled for April 21, 2021.

In order to help address the imbalance between the cost of providing services and the fee revenue generated from those services, staff propose two strategies, increasing existing fees and establishing new fees, as described below.

Increase existing fees consistent with the policy that the Board of Supervisors adopted in August of 2008. As noted above, CDD fees have been adjusted in recent years, during Fiscal Year (FY) 2015, 2016, and 2019. Board-approved salary increases in the intervening years increased cumulatively by 13.36% (FY 15 to 21), 10.05% (FY 16 to 21), and 3.00% (FY 19 to 21), respectively. In Attachments A through D, staff has used these respective percentage changes to make the appropriate proposed adjustments to existing CDD fees. These proposed amounts appear in red font. Staff envisions that these levels would become effective July 1, 2021 (FY 22). Please be aware that proposed changes in existing fees related to Chapter 18 of the Code need to go before the Planning Commission (PC) for a public hearing. On February 2, 2021, staff made a presentation to the PC regarding proposed changes to Chapter 18 fees. The PC public hearing is scheduled for March 23, 2021.

Establish new fees that would capture CDD costs that the current County Code does not include. Staff has identified several services related to architectural review, building inspections, and Water Protection Ordinance-related activities for which CDD currently does not charge a fee. Staff has estimated the amount of time necessary to perform each of these services, the associated costs in terms of salaries and benefits, and the indirect costs that these services generate in terms of administrative work and technological infrastructure. Staff recommendations for new fees, and the proposed dollar or percentage levels of these fees, appear in green font in Attachments A, B, C, and D. Staff envisions that these new fees would become effective July 1, 2021 (FY 22). Please be aware that the proposed new fees in Chapter 18 of the Code will need to go before the Planning Commission for a public hearing. As mentioned above, staff made a presentation of proposed Chapter 18 fees to the PC on February 2, 2021, and the PC's public hearing is scheduled for March 23, 2021.

As part of staff's work to update CDD fees, staff has examined other jurisdictions' development-related fees to determine if proposed updated levels for existing fees, and proposed levels for new fees, are reasonable. Staff specifically has looked at the technology fees that exist in Fairfax and Montgomery Counties and the architectural review fees in the City of Alexandria, as well as the broader fee structure in the City of Charlottesville and Hanover, Henrico, James City County, and Roanoke Counties.

Additionally, staff is undertaking case studies of properties in the County that have been developed in recent years to compare the total level of fees that the County charged for each of these

projects to the total level that would be charged under the proposed updated fees. The goal of these case studies is to determine the impact that the adoption of the fees would have on the overall cost of similar projects.

Staff has engaged in community outreach as part of this work. Notifications were sent through the County's e-newsletter subscribers as well as anyone who has done planning and/or building work with CDD in the past two years, inviting them to learn about the proposed updates to CDD's fees, and provide feedback about the fees: <<https://www.albemarle.org/government/community-development/community-development-fees>>.

As of February 2, 2021, roughly 650 people visited the site and one visitor has left comments. Note that the deadline for leaving comments about the proposed fees update is February 26, 2021.

Additional public outreach has included meetings with members of the development and environmental communities. In January 2021, staff met with representatives from the Blue Ridge Home Builders Association, the Free Enterprise Forum, Southern Development, Great Eastern, Southern Environmental Law Center, and the Piedmont Environmental Council. From these meetings, staff gained several points to consider. Participants desired fee comparisons with jurisdictions beyond Fairfax, Montgomery, Alexandria, and Charlottesville, which staff has completed. Participants also raised questions about the impact of the proposed fees on development in general and on housing affordability in particular; this question has resulted in staff's undertaking the case studies described above. One participant wanted to verify that the cost recovery percentage for the proposed fees was consistent with the recovery percentage associated with current levels of fees. Staff is confirming that the percentage would remain essentially the same.

Staff estimates that the adoption of the proposed ordinances, including increases to current fees and the addition of new fees, would generate approximately \$345,000 in additional CDD General Fund revenue in Fiscal Year 2022 (FY 22). This estimate assumes that CDD's workload and mix of services provided in FY 22 would be identical to the workload and mix of services provided in FY 21. Components of this \$345,000 figure include approximately \$215,000 in additional revenue generated by changes in the levels of existing fees, about \$88,000 from the proposed Technology Fee, and roughly \$42,000 in revenue from the various proposed new fees related to architectural review, WPO-related services, and building-related services.

The County Executive's FY22 Recommended Budget assumes half of this additional revenue in an effort to balance the reasonable possibility that the Board may support some increase in fees effective July 1st against the reality that the Board has not yet made any such determination. FY22 revenue assumptions will be adjusted based on action by the Board.

Staff recommends that the Board schedule a public hearing on April 21, 2021, to consider the adoption of the attached proposed ordinances.

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Mr. Steve Allshouse, Manager of Forecasting and Performance in the Department of Community Development, said he would be talking about the proposed CDD fee updates. He said he would start by giving some general background information and some work staff has done on the fees update as of the end of the February. He said he would also give a comparison of the proposed fees to fees that exist in other localities. He said additionally, he would speak about the impact of the proposed fees on development in Albemarle County, particularly with a few case studies compiled by CDD.

Mr. Allshouse said he would then talk about the remaining timeline in terms of what is ahead in the next month or so, and finally open up the discussion to questions, adding that he knew there would likely be many questions. He encouraged the Supervisors to take notes as they watch and hear the presentation, then let him know what their questions are at the end.

Mr. Allshouse said the fees under discussion are covered in Chapters 5, 14, 17, and 18 of the County Code. He said in 2007, the County hired PFM Group out of Arlington to do a fee study. He said this was a comprehensive look at the CDD's fees, and out of the study came a set of recommended fees that the Board adopted in 2008.

Mr. Allshouse said also at that time, the Board adopted a policy whereby every two years, based on Board-adopted staff salary changes, the fees were also supposed to change according to, and at the same rate of, the changes in staff salaries.

Mr. Allshouse noted that with this said, the policy has not been routinely applied. He said most of the fees have not been increased since 2015. He said a few number of them were last updated in 2014, and a handful of them were last updated in 2018. He said for the most part, however, most of the fees have been the same since 2015.

Mr. Allshouse said one may be asking themselves why the policy had not been routinely applied. He said his recollection was that in 2010, which would have been the first two-year block after the fees were adopted, there had been the Great Recession and politically, the thought was that it might not be the best time to adjust fees. He said he could not speak for the period from 2010 onward, but he does know that things have not been updated since 2015.

Mr. Allshouse said the issue for CDD is that the lack of an increase since 2015 has increased the

disparity between what CDD takes in in terms of revenues and what their costs are. He said fundamentally, CDD is providing services in 2021, and they are charging the 2015 price, for the most part. He asked the Board to keep this context in mind.

Mr. Allshouse said another point he wanted to make, which was alluded to earlier when the Board heard from a member of the public, is that what they were talking about that day should be seen as an interim step. He said staff will be proposing fees, but what they think should eventually be happening is a fee study similar to what the County did in 2007. He said they will likely come to the Board sometime in FY 23 asking for funding for a study of that sort. He said the idea is that the study would be done, and they would be looking at potentially implementing a new fee structure in FY 24. He said this was sometime in the future, however, and what was under discussion was the immediate proposal.

Mr. Allshouse said he would transition to the work that staff had done as of the end of February. He said the Board's packet contained a set of tentative calculations for updates to existing fees, using the 2008 Board-adopted policy. He said most of these have not been updated since 2015, and by that policy, most of the increases staff was proposing would be around 10% or slightly over. He said some would be higher and some would be lower, depending on when the last time was that the fees were updated.

Mr. Allshouse said additionally, staff has looked at some of the services they provide, particularly in reference to architectural review, building inspections, and WPO-related activities. He said they are proposing new fees based on the relative time it takes to do the tasks at hand.

Mr. Allshouse pointed out that staff was proposing a technology fee, which would be a mechanism to fund the replacement for the County's CountyView system. He said perhaps not everyone listening to the presentation was familiar with CountyView, which is a software package that CDD and the public can and does use to track development activity in the County. He said the problem is that CountyView is 16 years old, which is very old. He said some may be wondering if it was really time for a replacement, but when putting this within the context of what the County did recently with its website, he would make the case that it was indeed the time to think about replacing CountyView.

Mr. Allshouse said another way of looking at this within a historical context is in 2005, when CountyView was being developed and implemented, they did not have smartphones or tablets. He said this was an era when the technology consisted of flip phones and laptops. He said thinking about it in that way, CountyView is a very old technology.

Mr. Allshouse said he would talk about some other work that staff had done as of the end of February in terms of their outreach efforts. He said their goal was to get community input about the proposed fees and the processes. He said the first thing staff did was send out an email blast to everyone who subscribes to the County's A-mail system. He said they also sent out an email to anyone who has done business either with building or planning work with CDD in the past two years. He said in both cases, staff alerted people to the fact that they were proposing changes. He said they referred recipients to the documents on the website underlying the proposals, and they gave people the opportunity to leave feedback there in the feedback box.

Mr. Allshouse said the deadline for leaving feedback on the website was February 26, 2021. He said the last count he had for the number of unique webpage visits was 650, and of that, they had exactly one comment. He said this is a relatively recent attempt to get feedback, and he was not sure how many people felt comfortable leaving feedback on the County's website.

Mr. Allshouse said a second outreach effort was made by staff on January 19 with members of the Blue Ridge Home Builders Association (Ms. Jenny Tapscott), the Free Enterprise Forum (Mr. Neil Williamson), Southern Development (Mr. Charlie Armstrong), and Great Eastern Development (Mr. David Mitchell).

Mr. Allshouse said additionally, on January 21, staff met with representatives from the Southern Environment Law Center (SELC), including Mr. Travis Pietila, and from the Piedmont Environmental Council (PEC), Mr. Christopher Hawk.

Mr. Allshouse said several themes emerged from these outreach efforts. He said one was that the group of builders and developers did want to see some sort of comparison with what other jurisdictions were doing. He said this makes perfectly good sense, and so staff agreed to do that. He said he would talk at length about this later in his presentation.

Mr. Allshouse said participants were also wondering about the impact of these fees on projects, and so they were looking for case studies. He said he would talk later about what staff did in that regard.

Mr. Allshouse said another issue was about the cost recovery percentage and if it would be the same for the new fees as it was for the old. He said this touched somewhat on what Mr. Williamson spoke about earlier, but as defined here, the idea is that of those services for which Albemarle County CDD provides and charges a fee, what percentage of their costs are covered by those fees.

Mr. Allshouse said he has done some research, and it turns out that by that definition, the number is about 40%. He said the ratio for the new fees is about the same as the old. He said there are other ways to look at this issue, and he is happy to look at it from different angles. He said by this definition, however, he did make some progress and research.

Mr. Allshouse said he wanted to talk about fee comparisons with other jurisdictions. He said staff has looked at other Virginia jurisdictions' development-related fees in order to determine if the updated levels of existing fees and proposed new fees are reasonable. He said they looked at a number of jurisdictions, some with the specific idea of looking at a portion of their fees that were most relevant to what is being proposed. He said for example, they looked at Fairfax County and Montgomery County, particularly because they have a technology fee. He said it turns out that Roanoke County also has a technology fee.

Mr. Allshouse said staff also looked at the City of Alexandria because they have a certain number of ARB-type fees, which staff thought would be relevant for the work they do in CDD. He said they also looked at Charlottesville as their neighboring jurisdiction to see what is going on with their fee structure.

Mr. Allshouse said that after meeting with members of the building community and developers, staff also took their suggestions to heart and looked at fees in Hanover, Henrico, James City County, and Roanoke County. He said these were identified as comparable jurisdictions, and staff wanted to see with how the proposed fees would compare with the existing fees in other jurisdictions.

Mr. Allshouse noted that it is tricky to compare fees across jurisdictions for three main reasons. He said first, there is no set format for the taxonomy, or the way fees are presented across jurisdictions. He said one has to glean and do detective work to make sure they are comparing apples to apples.

Mr. Allshouse said another issue is that practices might, can, and do vary across jurisdictions in terms of how they apply fees.

Mr. Allshouse said finally, a major methodological issue is that many jurisdictions are in the same boat that Albemarle is in and have not updated their fees in several years. He said when he talks about fees being proposed in Albemarle County and comparing them against fees that exist in other jurisdictions, one major point to keep in mind is that the fees in the other jurisdictions have not been updated as of 2021 and are all running behind. He explained that other jurisdictions' fees may be less than what is being proposed in Albemarle because of this.

Mr. Allshouse said that as part of this comparison, he was asked to look at several major categories of fees. He said he looked at building permits (because everyone does those), site plan fees, rezoning applications, and subdivision fees. He said for staff's purposes, he looked at what are arguably major fees that everyone charges for and has somewhat similar methodologies for applying these fees. He said the slide on the screen showed the differences between those and what is being proposed with two columns. He said he took the average of non-Albemarle fees in the second column to keep as little clutter on the slide as he could.

Mr. Allshouse noted that he would be sending the Board members a spreadsheet that underlies the slide, as he knew they would want to look at it in more detail.

Mr. Allshouse continued that he looked at the average of the non-Albemarle fees, and that those averages include the City of Charlottesville as well as the four jurisdictions' staff sees as being broadly comparable to Albemarle County (Hanover County, Henrico County, Roanoke County, and James City County). He said one may look at this and say that it looks like Albemarle's fees are higher across the board, with one glaring exemption. He urged the Board to be very careful when looking at that column as, again, those other jurisdictions' fees have not necessarily been updated.

Mr. Allshouse said he could provide examples of this. He said in the City of Charlottesville, fees were last updated in June of 2014. He said in Roanoke County, certain building fees have not been updated since September of 2004. He said in Hanover, there were building fees that had not been updated since July of 2016. He said amazingly, one set of fees in Roanoke County had apparently not been updated since June of 1990.

Mr. Allshouse said the Board was probably looking at the data and wondering what was going on with commercial building. He said there was \$2,000 listed for the proposed fees to build, adding that he had to make certain assumptions about what they were building when comparing fees. He said in this particular case, he looked at a 10,000-square-foot building of stated value of about \$3 million on one acre of land.

Mr. Allshouse said the big discrepancy in the \$10,000 average non-Albemarle fee versus the proposed \$2,000 was that in a number of jurisdictions (i.e., Hanover, Henrico, and the City of Charlottesville), the localities would charge fees according to the dollar value of the structure being built versus Albemarle, where they are charging based on square footage. He said this can and does make a big difference.

Mr. Allshouse said if he looks at the localities that do not charge by dollar value, the comparable fee in James City County is about \$1,365 and about \$3,320 for Roanoke County. He said this number does skew to the high end due to the fee structure in three of the jurisdictions.

Mr. Allshouse said overall, they were talking about higher amounts, with the caveat that these fees in other localities are not necessarily current, and he explained the huge differential listed there.

Mr. Allshouse said if he were to take the average of all the fees, Albemarle's proposed fees would come in at about \$2,000. He said if he took the average of the comparables (including the admittedly

inflated figure he explained), it would come to about \$2,179. He said he was fully cognizant that the number was a bit misleading, but again, he believed he explained the difference between the numbers and why some apparently look so low.

Mr. Allshouse said he would be happy to answer any questions from the Board about the comparison. He said this comparison had to be done at a fairly high level, and he had to look at fees that were charged across the board, were somewhat comparable and, in terms of business practices, similar to what is done in Albemarle County. He said even so, it was a tricky task.

Mr. Allshouse said he would transition to some of the case studies staff looked at, which were instructive. He said they examined a set of six recent developments in Albemarle County and looked at the fees that were historically charged on these projects. He noted that these were all projects that were either completed or underway in the past couple of years, not projects from ten years ago. He said staff calculated the levels that were charged under the existing fee structure, compared these with what would be charged under the proposed fees, and determined the difference between the two.

Mr. Allshouse noted he would be sending the Board a spreadsheet in a packet after his comments that day containing the case study information. He said staff looked at a project familiar to the Board: the rezoning of 999 East Rio Road. He said they looked at some residential development, including two properties in the Rural Areas at about 2,500 square feet. He said there are houses being built where the Oakencroft Winery was. He said the Poorhouse Road project is also in a Rural Area and sits on about 22 acres of land.

Mr. Allshouse said the next project on the list was key. He said staff was asked to look at the impact on an affordable housing unit. He said Stargazer Lane is part of the Emerson Commons project in Crozet. He said it is a townhouse seen as being an affordable dwelling unit.

Mr. Allshouse said staff also looked at some commercial projects, including 601 5th Street Landing (also known as the Starbucks Project). He said it sits on a parcel of land that is distinct from the rest of 5th Street and is a commercial building that contains a number of tenants. He said staff also looked at 1576 Avon Street Extended, which is another commercial building. He said he believed some sort of collision service would be going in there.

Mr. Allshouse said staff looked at the total fees that were charged under the current regime and the total fees that would be charged under the proposed structure. He said the last column showed the differences between these.

Mr. Allshouse said there are a number of ways to look at this data. He said they could be looked at in percentage terms and perhaps be thoroughly shocked (or not) in some cases. He said what one would notice is that it is not simply a 10% increase. He said that while most of the fee proposals for existing fees are envisioned to increase by 10%, there are also new fees being proposed on top of that. He said thus, in some cases, these are more than 10%.

Mr. Allshouse said when he was looking at this, he wanted to put it into a larger context about the overall cost or value of the projects being effective. He said he added on a final column to the slide, and what he was looking at there was either the assessed value for the January 2021 reassessment or the estimated assessed value. He said in some cases, some of the buildings have not been completed, so he has the construction cost data from the building permits and added those onto the current assessed values of the properties to come up with those estimated numbers. He said the majority of the numbers were actual and not estimated. He said for example, the Stargazer Lane affordable townhouse has an actual assessed value of \$308,700.

Mr. Allshouse said he wanted to look at the increases in dollar values and put them in the context of the overall value of the project, which is what the last column on the slide does. He said for example, with the 999 East Rio Road rezoning, the increase to the cost would have been \$1,812 by staff's reckoning, and the assessed value of the property is \$448,000, which would translate into about four-tenths of 1% additionally for the development or the rezoning.

Mr. Allshouse said taking an average of the numbers from the six projects, they were looking at about one-fifth of a percentage point. He noted that with this being said, he was talking with someone recently who is familiar with development and is very knowledgeable about things like carrying costs. He said this person told him that these dollar increases might be

Mr. Allshouse said so far, he had talked about the general background regarding the CDD fees update, the staff work that was done, comparisons with other jurisdictions, and briefly about some case studies. He said next, he would lead the Board through the remaining timeline.

Mr. Allshouse said on March 23, the Planning Commission is scheduled to have a public hearing on Chapter 18 fees, which he believed would also include some fees for Chapter 14 (the Subdivision Ordinance). He said on April 21, they will come back for a public hearing on the fees the Board sees before them presently.

Mr. Allshouse said if anyone listening to the broadcast had any additional information they would like to get about the fees, they can visit the County website's Community Development page and click on "Community Development Fees." He said this will take the visitor to links to the underlying documents, which contain a wealth of information.

Mr. Allshouse opened the discussion to questions.

Ms. LaPisto-Kirtley said it was an informative presentation and that she looked forward to hearing the other Supervisors' comments.

Ms. Palmer said she had a clarifying question. She said when Mr. Allshouse was giving the Board the information about the commercial building permits for non-Albemarle projects, and the \$10,000 figure was shown, she did not quite understand his explanation of the difference and the large figure.

Mr. Allshouse agreed it was confusing and thanked Ms. Palmer for the question. He said basically, in some of the other jurisdictions staff looked at, with a total building value of \$3 million, for instance, they were charging according to a formula (e.g., x number of cents per square foot). He said as he was looking at what this would have done in a hypothetical case in Albemarle versus the other jurisdictions, there could be a wide variance between what the average was in these jurisdictions that were employing that methodology versus Albemarle's methodology, which looks at the cost per square foot.

Mr. Allshouse said this brings up a good point: practices are not consistent across jurisdictions. He said he does not know how, for example, Henrico County came up with 13 cents per every \$1,000 of value. He said this does make a difference, and he hoped this clarified things for Ms. Palmer.

Ms. Palmer asked Mr. Allshouse if he averaged all the numbers together to get the \$10,000 number where some people are doing the calculation by square foot while others are doing it by total amount of cost of the building.

Mr. Allshouse replied yes. He said he looked at other jurisdictions, including the City of Charlottesville, and what they would have charged under their fee regime. He said he looked at the counties of Hanover, Henrico, Roanoke, and James City County. He said he took all of that information on what each jurisdiction would charge for that particular hypothetical building and took the average.

Ms. Palmer said she would ask her question a different way. She asked Mr. Allshouse to provide the Board with an example of a county that charges by the total cost of a commercial building, using something similar to 999 Rio Road. She asked what kind of cost this would be without being an average.

Mr. Allshouse said this would be on the spreadsheet he would send to the Board but that he would offer up one example. He said he believed that in Hanover County, the cost would have been something like \$20,000 for the building permit. He said this is just an example, and the Board would see more when he sends the spreadsheet. He reiterated that with the numbers he showed, the averages were skewed up highly by the three jurisdictions (Hanover, Henrico, and the City of Charlottesville) that were doing the fees that way.

Ms. Palmer said one thing that was puzzling to her was that she did not see a comparison of the total number of permits that the County requires versus how they compare to other counties. She said when she was reading through the list of all the permits the County requires, she was surprised by some of them. She said for instance, one is supposed to get a permit to put in a woodstove. She said perhaps she misunderstood this, but she wondered if the total number of things the County requires someone to do was something Mr. Allshouse was looking at.

Mr. Allshouse replied that unfortunately, this was beyond the scope of what he was looking at, although he certainly thinks that at some point if there is general Board interest, staff might be able to take a look at that. He said this was not part of the study at that point, however.

Ms. Palmer said if someone is building a house in Albemarle County and needs a building permit, this does not cover the plumbing, electrical, and mechanical. She asked if this was true.

Mr. Allshouse replied yes. He said there would be separate charges for any number of things like that.

Ms. Palmer asked if any of the other places Mr. Allshouse looked at combine this into one standard cost, with a list of things that it includes.

Mr. Allshouse replied no. He said he did not see any jurisdiction combining them into one major fee. He said they were all listed separately. He said it was interesting to him how little uniformity there is across jurisdictions in terms of what is being charged and the descriptors that go along with the charges. He said he was speaking with someone recently who tried doing something like this several years ago, and he ran into the same problem, expressing that it was very confusing and almost byzantine.

Ms. Palmer said there was a chat message from Mr. Michael Dellinger, which said that the County's single-family dwelling permit fee does include the trade permits. She said she assumed this would mean the electrical, plumbing, and mechanical for a single-family dwelling.

Ms. Palmer asked what percentage of the building and permitting activity costs the County is trying to cover with the fees. She pointed out that CDD does other things besides building permits. She asked how this compares and if other communities are trying to cover a similar percentage of their County employees' work.

Mr. Allshouse said the answer to Ms. Palmer's first question is that staff is not shooting for a particular number, at this point. He said for the activities for which they charge a fee, he has calculated about 40%. He said they are not necessarily shooting for anything higher or lower than that, but this is what he believes they are currently covering.

Mr. Allshouse said the other way to look at this is to say that of all the activities of the entire budget, what percentage is being covered by fees. He said this would be lower because they are not charging for everything they do, which is more like 30%. He said that again, they were not shooting for a particular threshold.

Mr. Allshouse said to answer Ms. Palmer's second question, he did not know what the respective percentages are in other jurisdictions as he had not looked at this.

Ms. McKeel said she had one basic clarifying question and asked Mr. Gallaway if the Board would have an opportunity to do another round robin later. She said she thinks it is important for the public and the Board to understand exactly what these fees cover and what the reward is for these fees. She asked if they pay for positions in CDD. She said perhaps Mr. Allshouse covered this, but she thinks it is important to understand what these fees actually pay for.

Mr. Allshouse said he would be happy to report on that. He said he did not cover this because it is about the expenditure side of the equation, and he was focused on the revenue side. He said this is a question staff could answer more fully in the future.

Ms. McKeel said she was not asking for percentages, but in general, what the fees cover.

Mr. Allshouse said they would cover some of the staffing costs because CDD is a service organization and the last time he checked, 92% of CDD's expenditures were related to staff salaries and benefits. He said in terms of what they are proposing, if looking at the technology fees, these would be covering some of CDD's IT infrastructure.

Ms. McKeel informed Mr. Gallaway that Ms. Jodie Filardo was present and that she would like Ms. Filardo to speak to this issue.

Ms. Jodie Filardo said any fee increases that CDD would realize, should the fees be adopted, simply go into the General Fund. She said this will help the County across the board. She said to both Ms. McKeel's and Ms. Palmer's points, when Mr. Allshouse opened, he shared that this is an initial approach on fees. She said the percentage of cost recovery for each type of fee was set in the 2008 adopted fee plan. She said staff thinks it is time to reexamine this, and their hope is that for FY 23, they bring forward a proposal to the Board asking for a fee study at that time.

Ms. Filardo said the current proposal is to tide them over based on the previous fee approach, which was using salary increases from staff that had been approved by the Board as a proxy for cost increases. She said Ms. Palmer had asked what percentage they were going for, and staff is looking at about a 10% increase simply in staff's salary costs from 2015 forward. She said staff is looking to bring that forward and hopes to add a couple additional fees, as Mr. Allshouse mentioned, to prospectively cover things like technology, which CDD is very interested in updating on behalf of staff and customers.

Ms. McKeel said she believed she just heard Mr. Allshouse say that they are covering about 40% of their costs currently, and 30% of what they are doing.

Mr. Allshouse clarified he had said that for the services for which they charge a fee, they are covering about 40%. He said if they were to look at the department's budget totally, then look at what they are taking in terms of fee revenue, the number is 30%.

Ms. McKeel said she would leave her comments for later.

Mr. Gallaway said he wanted to make sure he understood correctly. He said he followed the logic of the 40% number going to 30%. He asked if they were just not covering their costs based on their current fee structure.

Mr. Allshouse replied that they were not. He said as a public institution, however, there is the philosophical question about the extent to which they should be recouping their costs. He said this was somewhat outside the scope of what he was working on.

Mr. Gallaway asked if the County had applied the previous policy consistently, if this was what Mr. Allshouse was suggesting the new fees should be. He asked what the new fees would have been compared to what is being suggested as new fees.

Mr. Allshouse replied that the fees were last updated as of 2015, and since he was not part of CDD at the time, he did not know what the methodology was. He said he assumed that it was possible the fees were updated per increases in staff salaries, although he would have to verify that, and what they are proposing for existing fees is an increase based on the change in staff salaries since 2015, if that was the last time the fees were updated.

Mr. Allshouse said that in any cases where the fees were updated more recently than this, the

increase would be less. He said that in cases where fees were updated before 2015 (e.g., fees that were updated in 2014), the proposal is to update them based on the staff salaries since 2014.

Mr. Gallaway said as they head to the public hearing, he would like to know if the policy was implemented in 2008 was followed (although he understood why it wasn't), and fees were adjusted accordingly, how those numbers compare to what is being proposed today.

Mr. Allshouse said he could look at that.

Mr. Gallaway said in terms of the technology point, he would certainly be in favor of having technology improve systems, and he understands there is a cost involved upfront. He said eventually, this should result in some savings, and he does not think this is a point that should get lost in the conversation.

Mr. Gallaway said he understands how fees will be concerning to the different people who have to pay them. He said if there is ultimately a savings in this via technology, however, then the Board should be clear in deciding to either help reduce the cost of the fees or retain that money as revenue.

Mr. Gallaway said he looks at this somewhat like a dealer processing fee. He said while Albemarle compares itself to other localities, it is really regional. He said if someone in Charlottesville charges a processing fee that is too high compared to everyone else, this can dip into their revenue. He said there is a reason Northern Virginia's fees are higher than what Albemarle and Richmond have. He said it is a revenue-generating fee, and whether it is appropriate and what it is going to is an important part of the question, which is what he believed Ms. McKeel and others were getting at.

Mr. Gallaway said it is understood that it goes into the General Fund but theoretically, they could say how much of the cost it would cover because to him, this seems to be the first conversation. He acknowledged this was more of a comment than a question.

Mr. Allshouse said the 4% fee staff is proposing was based on a placeholder number they had looked at that was very tentative in terms of what a system may cost. He said the idea that this placement for CountyView would be something that can be shared among County departments. He said staff thought about what might be the useful life of that system, then looked at estimated fees to come up with the number of 4%, which they believe to be reasonable.

Mr. Allshouse said that when he looked at technology fees in other jurisdictions, of the three he is aware that have them, 4% was in line with Fairfax's fee. He said Roanoke's was 3%. He said it is not unheard of for other jurisdictions to have a technology fee and to be using it to upgrade their IT infrastructure.

Ms. LaPisto-Kirtley said she had a concern, recalling that on one of the earlier slides, Mr. Allshouse mentioned the need to increase the fees because of the fact that more was coming in and they do not have the staff. She said she wondered if they did have the staff, if those fees would need to increase. She said she was sure they need to be reviewed, but she was also worried about the fee increase (although she was not saying they did not need it) regarding affordable housing and its effect on that.

Ms. LaPisto-Kirtley said she wondered whether or not the increase was due to the time the County is taking in approving applications. She said if a developer does not turn everything in, that is one thing, but if they did do this, she wondered if there are people who look at applications more efficiently than others. She said time is money, and she wondered if they were making sure that everyone they have on board is efficient in processing the applications.

Mr. Allshouse said he could speak only to the methodology, which is based on overall staff salaries. He said Ms. LaPisto-Kirtley was talking about looking at productivity of individuals in the organization, which he could not speak to.

Ms. LaPisto-Kirtley asked if putting in a better IT system would bring savings so that they then would not need to increase fees.

Mr. Allshouse replied that there was the potential for this. He said anytime there is an increase in IT infrastructure that leads to increased productivity, holding everything else constant, this would tend to bring costs down. He speculated if nothing else, if they were able to streamline operations through the use of an enhanced IT system and knowing in the development community that time is money, he can see many scenarios where this might help developers save money.

Ms. Filardo noted that these fee increases are based on the cost of staff salaries and benefits. She said it is not about the processing time, but the cost of people and benefits involved in processing these things.

Ms. Filardo said the department is absolutely looking to improve technology and, with that, they are looking to dramatically improve processing deficiencies so that they can do a faster, better, clearer job for all of the development community, from single-family residences being built by individuals all the way through to large-scale developments. She said currently, the tools are clunky and cumbersome for both staff and the development community to use. She said they are looking to build a better future for the County that is a much more sustainable, efficient, effective process. She said this is one of those steps

forward in doing that.

Ms. LaPisto-Kirtley said if they have an IT system identified so that the Board, in its budget, can look at purchasing something like this. She said she is also worried about the cost to affordable housing.

Ms. Filardo said Ms. LaPisto-Kirtley was teeing up all the right questions for the County Executive's budget presentation for later that day. She said the Board would be hearing more about that later in the evening, and there is now a process to start reviewing and selecting that very IT system.

Mr. Gallaway invited the Supervisors to make comments. He noted there was a question about fees in the chat and suggested it could be addressed later, adding that the point here was to get to the scheduling of the public hearing.

Ms. Palmer said years ago, the Albemarle County Service Authority (ACSA) developed a policy where growth pays for growth. She said their finance department put a formula together to figure out how much connection fees would be for new building. She said for instance, if one is to put a sewer interceptor out in 29 North to a new development such as North Pointe, that infrastructure needed to be paid for by connection fees. She said the idea was that the people who have been on the system for years have to cover all the maintenance, renewal, and replacement costs, which was huge. She said they did not want to burden the people who had been on the system for a long time with the growth costs.

Ms. Palmer said they got a lot of pushback about that, but she was very proud of the ACSA for keeping that system in place all these years. She said the question came up as to what would be done if water became unaffordable. She said this is a subsidy issue aside from how fees are structured.

Ms. Palmer said when extrapolating that kind of situation to General Government, she thinks they should be figuring out what percentage of new construction should be covered by permitting fees because they know that the people who are already living there already have to cover the cost of schools, infrastructure, Fire Rescue, and the like. She said they do end up paying the cost of growth because the system does not allow for impact fees, etc.

Ms. Palmer said she would like to see the CDD come back to say that they would suggest the policy as an amount they would cover for new construction. She said she fully approves of rates going up. She said while she thinks affordable housing is incredibly important, it must be subsidized, and she did not think they should be considering that in the context of this fees discussion. She said she knew Mr. Richardson would be talking about this later, and perhaps he had a much better idea, but she would encourage the County to try to cover new construction with the fees.

Ms. McKeel expressed that she had the same thoughts as Ms. Palmer about the fees being able to cover growth. She said while she does not think Albemarle County and government should be making money, she does think they have to be able to cover the costs because if not, exactly what Ms. Palmer referenced happens. She said the people who are not involved and have nothing to do with this end up, in a way, covering the costs.

Ms. McKeel expressed that she was pleased about the fees update. She said she liked that staff went to some of the businesses and showed the Board some case studies. She said she wanted to hear from the public, but the County hears constantly from the developers that they are too clunky and too slow. She said if the County keeps doing the same thing without changing anything, they cannot expect a different outcome.

Ms. McKeel said she thinks the fees could move the County forward, and she was excited about the technology. She said in this day and age, any technology that is 16 years old needs to be replaced, period. She said she would support taking the fees update to public hearing and then coming back for a discussion.

Ms. Mallek said having been involved in the 2008-2010 discussions about fees, there was a big debate about whether to be at 80% or 100% cost recovery. She said there were arguments (some of which were from the current speakers) about there being some public benefit for this process and therefore, the public should pay a little bit of it. She said she is shocked to find that it is only 40%, however, that the growth industry is providing when this is half of what she was anticipating based on what the Board had adopted back then.

Ms. Mallek encouraged staff to go forth and keep modernizing. She said the technology is something that will help everyone, and she looks forward to that. She said she was especially sensitive to Ms. Palmer's example about growth paying for growth because those were terms used during the boom in 2006-2008, when long-time residents were being clobbered by carrying the cost of everything.

Ms. Mallek said she is very much in favor of getting the fees back on track. She recalled there was a temporary delay in 2010 for the increase, but she was horrified to realize that they never picked it up again for the subsequent 8-11 years.

Ms. Mallek said she appreciated Mr. Allshouse's dilemma about it being tricky to look at jurisdictions. She said a perfect example of this was when she was new on the Board, she asked Mr. Pat Cofield, who was the manager in August, why their community development staff numbers were so much lower than Albemarle's. She said he laughed and told her to look at the book, noting that Albemarle has five departments within one department, whereas his were five different departments. She said this is

always an example that comes to mind when people try to tell her that Albemarle should not charge more than another county.

Ms. Mallek said she is taken by the 0.4% increase based upon the increase in assessed value of the project. She said this is so clinical and easy. She said she likes when one can use numbers to evaluate something. She added that Albemarle County is in the minimum wage situation where the cost of living has gone up 55%, and the wage is still \$7.

Ms. Price said she would largely echo the comments of the other Supervisors. She thanked Mr. Allshouse for the presentation and Ms. Filardo for the work her department had done to prepare for this. She said they all see that something has to be done, and they recognize that this will be an interim step into what is a much larger and more complicated process. She said in that regard, she thinks the way that Mr. Allshouse has been able to go to other jurisdictions and identify both the difference between a square footage fee versus a value fee helps the Board to better understand how complicated this truly is.

Ms. Price said one other area that she would be interested in is whether it is possible to differentiate fees for new construction versus rehabilitation or remodeling. She said one of the areas of deep concern in her district are the residents who are in existing buildings and homes and are struggling to afford to maintain them.

Ms. Price said whereas many fees on new construction can easily be rolled into a 30-year mortgage and not be as significant, if one is already living in a home with a mortgage and having to make some repairs or improvements, and one must get an additional loan, she believes this is an aspect of affordable housing that is often perhaps not given the attention it needs. She said moving forward, she would appreciate hearing what considerations could be made in that regard.

Ms. Price said she looked forward to the public hearing. She said she did believe that the Board had to approve some measure of interim relief at that point while staff undergoes the broader study, which they know will have to be delayed in some respect due to, if nothing else, the Comprehensive Plan review. She said she recognizes staff's other responsibilities.

Mr. Gallaway reminded everyone that the public hearing was scheduled for April 21. He said comments and questions could be sent to the Board ahead of time and that the public could participate in the hearing.

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Agenda Item No. 10. **Presentation:** Board-to-Board, February 2021, A Quarterly Report from the Albemarle County School Board to the Albemarle County Board of Supervisors.

Mr. Graham Paige, School Board Chair, said he had four main items to report to the Supervisors.

Mr. Paige said the first item was about the 2021-2022 budget presentation. He said on February 18, Dr. Matthew Haas brought his funding request before the School Board, and they have held two work sessions on the budget so far. He said the following evening (March 4), they would hold a public hearing and their third work session on the proposed funding request. He said at the March 11 meeting, they will approve the request.

Mr. Paige said as the Board of Supervisors has been involved in developing Schools' budget, examination of hiring market data has been discussed since it has not been revised for 10 years. He said the schools lose employees to Charlottesville because of the City's higher pay grade. He said an examination of the hiring market could possibly include more localities that are similar to Albemarle instead of primarily including the localities that surround them.

Mr. Paige said that on March 15, he would be back before the Board of Supervisors to present the Schools' funding request.

Mr. Paige said secondly, he had an update on the School Board's plan for reopening schools. He said they will open in Stage IV on March 15. He said this move was approved by the School Board on February 11. He said in this stage, pre-K to third graders will be able to receive four days of in-school instruction each week, and grades 4-12 will have two days of in-school instruction.

Mr. Paige said they expect approximately 7,600 students to receive in-person instruction, with nearly 6,000 other students opting to receive virtual instruction. He said this move will help to alleviate the problems with internet access for some students. He said even though the School Division distributed hot spot devices for homes without sufficient internet access for virtual learning, only 60% of respondents to a division survey reported that the access they have at home enables them to fully participate in synchronous virtual learning.

Mr. Paige said a third matter to inform the Supervisors about is the departure of one of the Schools' valued employees. He said he regretted to report that Dr. Nick King, former Director of Student Services, has left the division. He said Dr. King left in January to relocate to his native North Carolina. He said Dr. King accepted the position of Chief Academic Officer for Johnston County Schools, a school division of 37,000 students.

Mr. Paige said the School Division misses Dr. King very much, and although they will not be able to replace him, they hope to find someone who can fill that role.

Mr. Paige said finally, he had an update on the renaming process for two County schools. He said Virginia L. Murray Elementary School is the fourth school in the division to have its name reviewed following the School Board's 2018 decision to evaluate all schools' names for individuals.

Mr. Paige said more than 92% of local school community residents responding to an online survey said that the current name of Virginia L. Murray Elementary School should remain the same. He said the survey was conducted by the Schools' Community Advisory Committee as part of their review of the school's name. He said committee members were chosen from those who expressed interest in serving and consisted of School Division staff, parents, community members, and Murray school alumni.

Mr. Paige added that two committee members are leading a parallel student committee that is working closely with the Advisory Committee and is intended to ensure that student voices factor into the name review process. He said the student committee designs activities to keep students informed of the Advisory Committee's process and elicits name suggestions.

Mr. Paige said on February 10, the Advisory Committee hosted a public meeting to hear from community residents about the online survey, which drew 458 responses. He said while the large majority of survey participants supported retaining the school's current name, the most popular suggestion for a new name was Ivy Elementary School, in reference to the school's location in the western part of the County.

Mr. Paige said the latest updates regarding the Murray Elementary School naming review are available on the School Division's School Naming Review website, along with current information on all school naming reviews.

Mr. Paige said the committee's recommendation on a school name will be provided to Dr. Haas who, in turn, will make recommendations to the School Board. He said the board will make the final decision, which will hopefully take effect on July 1 if the name is to change.

Mr. Paige said the other school undergoing a name review is the Lab School for Student-Centered Learning (formerly Murray High School). He said the new school was formed last year, when the School Board approved the merger of the charter middle and high schools to form one school. He said the school is currently serving 158 students in grades 6-12.

Mr. Paige said Murray Community School was the name preferred by 59.9% of survey participants. He said the Community School of Albemarle was supported by 33.2% of those responding. He said other names in the top five included the Lab School of Albemarle (with 30.1%), the Community School of Innovation (21.7%), and Rivanna Community School (20.2%). He said the Advisory Committee will follow the usual procedure of recommending a name to Dr. Haas, who will then make a recommendation to the School Board.

Mr. Paige offered to answer any questions from the Supervisors.

Ms. LaPisto-Kirtley said she appreciated the update and looked forward to continued work with Mr. Paige.

Ms. McKeel applauded the idea that the younger kids needed to be in school. She also thanked Mr. Paige because often, there are questions from the community, and they often go to both the School Board and the Board of Supervisors, and she appreciates that when Mr. Paige replies to the individual with an answer, he includes the Supervisors in that information loop so they can see his response.

Ms. Mallek reported to Mr. Paige that the Crozet community was excited about the expansion of Crozet Elementary School (CES), as there are so many kids who will be going there, and there are already thoughts about sidewalk improvements leading to school so that the extra children attending there can get there safely.

Mr. Paige said if the plans follow through, it will be a beautiful addition to Crozet.

Ms. Price said she has nothing but praise and adoration for what the public schools have done over the last 12 months. She said she honestly could not think of any type of organization or entity that has faced the challenges the schools have faced. She said every teacher, assistant, administrator, and staff member deserves a great thanks and appreciation from the County.

Mr. Paige said Dr. Haas and staff have done a tremendous job in planning for all of this, as well as teachers. He said the teachers have quite often had to change very quickly in order to adapt to any new changes, and so the School Division appreciates them all.

Mr. Gallaway said he looked forward to seeing Mr. Paige in a few weeks relating to the budget work.

Mr. Paige said he would see the Board then, on March 15.

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**Recess.** The Board recessed its meeting at 2:56 p.m. and reconvened at 3:00 p.m.

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Agenda Item No. 17. From the County Executive: Report on Matters Not Listed on the Agenda.

Dr. Denise Bonds, Health Director of the Blue Ridge Health District (BRHD), said she would present some slides and that Mr. Ryan McKay could answer any questions.

Dr. Bonds said as of that day, March 3, the district had just over 13,000 cases. She said the County of Albemarle has had just under 5,000 cases. She said with regard to hospitalizations, the district has had just over 500, with the County of Albemarle just under 200. She said for fatalities, there have unfortunately been 151 deaths due to COVID in the district, and 69 of those deaths were citizens of Albemarle County.

Dr. Bonds said some graphs were shown on the slide, with the first being the daily case count for Albemarle County. She said there was a big spike earlier in February, when students came back to UVA, and there was a fairly large outbreak at that time. She said it has since tapered off, and they are now having much smaller numbers. She said the other graph showed cumulative cases by locality.

Dr. Bonds said BRHD continues to see overrepresentation in primarily hospitalizations for Blacks, as well as fatalities; and cases in hospitalizations for the Latinx community. She said 12% of cases have been Black or African American, and 12% have been Latino. She said for hospitalization, 31% of hospitalizations in the district have been amongst Black or African Americans, and 12% amongst Latinos. She said 21% of district deaths have been amongst individuals who are Black or African American.

Dr. Bonds said the district currently has a very low positivity rate. She reminded everyone that positivity rate is both the number of positive cases as well as the denominator, which is the number of tests that are actually done. She said because of UVA's ongoing monitoring of their students every day, where they take a large number of saliva samples, this means there is a huge number (as represented on the graph on the slide) of tests that are done daily, which result in a very low positivity rate, which is currently 2.3% for the area. She asked the Board to keep in mind this is a ratio with two components – the number of positive cases and the number of tests that are being done.

Dr. Bonds said when they look across the state, they are seeing an improving trend in all of the regions of the state. She said BRHD is in the Northwest region and although their activity level is still high, it is in a decreasing mode at this point in time. She said they are beginning to see regions of the state (particularly the northern and most southwest areas) that have low activity levels. She said overall, this is an encouraging trend with regard to cases. She said the slide showed data from about 10 days ago.

Dr. Bonds said she thinks this is a great sign that things are improving over the previous very high surge they saw around the holidays.

Dr. Bonds said as shown in the slide data, there continue to be outbreaks in facilities. She said many of the outbreaks, as indicated in the notification dates, were from 2020, and so the facilities have either been closed or are pending closure. She said there were a couple outbreaks in late January, but nothing since then. She said this is a great sign as well.

Dr. Bonds said the area has been pretty much able to complete vaccination for long-term care facilities. She clarified that BRHD is not involved in the vaccination of long-term care facilities as it is done by a federal pharmacy program, but for the most part, long-term care facilities have received vaccination. She said there will obviously always be new staff members that need to be vaccination, and a process is being worked on at the state level for that. She said there will always also be new residents that need to be vaccinated, and the state is trying to come up with a fairly seamless process for that, ongoing. She said generally, the district is seeing an improvement in the number of outbreaks.

Dr. Bonds said the State of Virginia, in all districts, is currently vaccinating people in Phases 1a and 1b. She reminded everyone that Phase 1a is healthcare personnel, which is very broadly defined as anyone who is in a front-facing position that works in some form of patient care. She said this includes doctors and nurses as well as hospital and doctors office receptionists, staff who clean hospital rooms, and kitchen staff who serve meals in hospitals.

Dr. Bonds said residents of long-term care are vaccinated by a federally run pharmacy program using CVS and Walgreens. She said they have, for the most part, done the three visits they were contractually obligated to do, and the district is seeing a good uptake of vaccine amongst long-term residents as well as staff.

Dr. Bonds said Phase 1b includes frontline essential workers. She said there is a more comprehensive list on the VDH website, but this essentially includes police, fire, and hazmat crews; K-12, preschool, and daycare teachers; individuals who work in manufacturing or agriculture; grocery store workers; public transit workers; and other government officials with front-facing types of positions that are necessary to keep business going. She said additionally, 1b was expanded to include anyone over the age of 65, and anyone between the ages of 16-64 with an underlying medical condition, as well as people in correctional facilities, homeless shelters, and migrant labor camps.

Dr. Bonds said Phase 1c includes other essential workers, and Phase 2 has the rest of the population.

Dr. Bonds said with regard to the vaccination plan, BRHD is currently vaccinating with Pfizer and Moderna. She said starting on Friday, March 5, they will be vaccinating in the district with Johnson & Johnson. She said Johnson & Johnson was just approved last weekend by the FDA for emergency use, and it is a single-dose vaccine based on an adenovirus platform, which is a more traditional vaccine platform used for other types of vaccine.

Dr. Bonds said Pfizer and Moderna are a two-shot regimen, with Pfizer being three weeks apart and Moderna being four weeks apart. She said they are based on an mRNA platform, which is a very new platform with lots of research history, but with this being the first time they have used vaccine that has been manufactured on that platform.

Dr. Bonds said BRHD is vaccinating out of several locations, with the first being the Hydraulic Road tent, where they have vaccinated a large number of Phase 1a. She said there are still a few stragglers they were trying to finish off that week, but they would hopefully be through the vast majority of 1a healthcare.

Dr. Bonds said in Phase 1b frontline, they have focused on teachers to make sure the kids can go back to school and that teachers and staff feel safe teaching in the classroom. She said BRHD wanted to make sure they gave all of the schoolteachers the opportunity to be vaccinated, and for the most part, this has been done.

Dr. Bonds said BRHD is working with a few chain pharmacies. She said for those working directly with BRHD, BRHD started by asking them to vaccinate their employees. She said most of these were grocery store based pharmacies, and grocery workers are in Phase 1b. She said they are giving lifts as well to those individuals.

Dr. Bonds said more recently, the federal government has started programs that are independent of BRHD's effort with chain pharmacies. She said the only one in BRHD is the CVS on 5th Street that is vaccinating people with doses from a federal stockpile, and so it comes from the federal allotment rather than from that of BRHD. She said there are a number of other pharmacies that are also participating in this, though none in BRHD.

Dr. Bonds said BRHD vaccines in each locality, generally at fixed locations, although at some, they rotate to ensure good geographic coverage. She said they have partnered with both healthcare systems, noting that UVA has vaccinated all of their healthcare personnel and have worked very closely with BRHD to make sure that individuals over the age of 65 who preregistered have had an opportunity for vaccination. She said BRHD is still trying to work through that list, but they have made good inroads into that.

Dr. Bonds said UVA has been a great partner in terms of specialty vaccination clinics with vulnerable populations. She said these populations include individuals who might live in congregate care settings, in subsidized or public housing situations, or who are at high risk due to other issues. She said these clinics are small and are often done in the individual's living situation so that people do not have to travel.

Dr. Bonds said Sentara Martha Jefferson did a lot of vaccinations early on of their healthcare personnel, and they assisted with other Phase 1 healthcare personnel as well. She said they ran out of vaccine and took a bit of a break, but they have been back in touch and are willing to help BRHD with vaccination. She said BRHD looks forward to continuing to partner with Sentara Martha Jefferson.

Dr. Bonds said Johnson & Johnson vaccines would be given that weekend, and this is being run by the Emergency Operations group, with EMTs providing the vast majority of the vaccination. She said more of the logistics organization frontend work is being done by the Health Department. She said BRHD was excited that 2,000 people will be able to be vaccinated with Johnson & Johnson that weekend.

Dr. Bonds said with regard to vaccination, the box on the slide showed the state statistics, which noted that over 2 million doses have been administered. She said there have been at least 1.3 million people that have received one dose, and another 700,000 people or more who are fully vaccinated. She said this is about 16% of the population having been vaccinated with at least one dose of a COVID vaccine. She said this was not herd immunity, but they are making inroads.

Dr. Bonds said in Albemarle County, roughly 40,000 doses have been administered. She said there are about 14,000 people who are fully vaccinated now in the County of Albemarle. She said 24,000 per 100,000 have received one dose, with 13,000 per 100,000 fully vaccinated, looking at the rates.

Dr. Bonds said for those who are watching the webpage very closely, they would have noticed a change in those numbers. She said the state is moving from mapping by address to a more correct geocoding address, which meant that some individuals who have been coded to Charlottesville were actually moved to Albemarle, which was their correct physical location. She said this resulted in a jump over the last week or so in these numbers.

Dr. Bonds said looking at BRHD in comparison to other parts of the state, they are doing well in the district in getting vaccine out. She said they have some great partnerships, which has resulted in some rapid vaccination. She said overall, she believes they are doing reasonably well. She said obviously, BRHD wants everyone to get a vaccine, and they are working as quickly as they can to do that.

Dr. Bonds said one can now look on the state's website at demographics by locality. She said the statistics on the slide showed the vaccine absolute numbers and rate per 100,000 by age group, gender, and race/ethnicity.

Dr. Bonds noted that the numbers are spread out over all of the different age groups, and she reminded everyone that people are eligible either because of their age (i.e., those over age 65) or because of their jobs. She said many of the people who work in those professions are quite young, and so there were individuals who are 18 or 19 who serve as EMTs in either volunteer or paid crews, which made them eligible for vaccinations despite being in a very young age group. She said many of the healthcare personnel who work in the area will be in younger age groups.

Dr. Bonds said this also accounts for some of the disparity seen by sex. She said there are a lot of nursing personnel and other support staff who work in healthcare, and those individuals tend to predominantly (though not exclusively) be women.

Dr. Bonds said they have seen individuals at all different race and ethnicity groups, and BRHD is making focused areas to try to do very targeted vaccination events for community of color. She said they have an equity planning group that meets on a regular basis that has representatives from both City and County government, both the healthcare systems, and the Health Department. She said there are also community groups that interface with that planning group in all localities so that they can bring special events that are targeted at the individuals that they see are overrepresented in hospitalizations and deaths, which are communities of color.

Dr. Bonds said these special events have been ongoing and have been done in the City of Charlottesville at Carver Recreation Center, at Yancey Community Center (to target the Black and African American population), and in the City of Louisa. She said they will be targeted groups in other localities as they go on.

Dr. Bonds said vaccination is great, but COVID is still in the community, so they continue to offer testing every Monday and Tuesday, hosted by UVA. She said testing takes place Mondays at the Church of the Incarnation and Tuesdays at Mt. Zion First African Baptist Church. She said the Health Department does testing at Charlottesville High School every Friday in the late afternoon.

Dr. Bonds said there is a new state hotline – 1-877-VAX-IN-VA. She said the state hotline is manned by hundreds of operators who will answer from 8:00 a.m. to 8:00 p.m. She said BRHD continues to have its local hotline because there are a number of questions that are very local and require local expertise.

Dr. Bonds said the one thing the state hotline can really assist in is helping people get into the [vaccinate.virginia.gov](http://vaccinate.virginia.gov) preregistration system. She said one can visit the site to register oneself as being interested in obtaining the vaccine, which will put them on the list, which is how they draw individuals to invite to the vaccination events. She said if one does not have internet access or does not want to go through the internet process, they can call 1-877-VAX-IN-VA and they will help them get registered over the phone.

Dr. Bonds encouraged everyone to get preregistered into the system. She said if one has already registered in one of BRHD's surveys, their information is there, and it has all been transferred over. She said soon, one should be able to go in and edit their information to make sure the state has all the relevant data needed. She said this has been tweaked to make sure it can be done in a safe manner to preserve privacy, and she believed this was very close to being rolled out.

Dr. Bonds said unfortunately, COVID is not gone. She said it is better than it was during the earlier surge, but if looking at the numbers, they are still high. She said people need to continue to keep their distance from each other (6 feet) and wear masks. She encouraged everyone to install COVID Wise on their phones, as it is a way to get a notification if one is a close contact of someone who is infected. She asked people to stay home if they are sick and if they do not feel well, to get tested.

Dr. Bonds concluded her presentation and noted that Mr. McKay could answer questions from the Board.

Ms. LaPisto-Kirtley said she appreciated learning even more about the process and everything BRHD is doing.

Ms. Palmer said she was bringing her 92-year-old father-in-law over to UVA to get his second vaccine last week, and as he was the only person there getting a vaccine, they had a chance to talk to the people administering the vaccines for quite a while. She said she was told that they were only doing second vaccines and were closing down the clinic very soon after that. She said apparently, this was just one clinic, and they are opening up others. She asked how they are continuing to do that.

Dr. Bonds asked Ms. Palmer if this was at the hospital.

Ms. Palmer replied yes.

Dr. Bonds said UVA has moved all of their vaccination efforts to the old Big Lots store at Seminole Square. She said this provided much better parking access and accessibility.

Ms. McKeel said she had a couple of questions. She said she was hearing from constituents that they keep looking at all of the chain pharmacy websites and are very frustrated. She said they feel like they have so many places to look now that it is like a needle in a haystack. She said what she is seeing is that the chain pharmacies are really not the place for people to be looking quite yet.

Dr. Bonds agreed this is challenging for people. She said the chain pharmacies are operating under a different vaccination program. She said there is CVS, Walgreens, now Walmart, and a whole host of other chain pharmacies getting vaccine through the federal program. She said this is great because it is much more vaccine coming into the state than they had before. She said the problem with this is that they each have their own individual registration system, and it is very frustrating because there is not a centralized system.

Dr. Bonds said there was an effort with CVS to have them come under the state's umbrella, adding that she gives the state a lot of credit for trying to make that happen, but it just could not. She said there were too many barriers.

Dr. Bonds said that with Vaccinate in Virginia, at some point when there is unlimited vaccine, one should be able to go into the website and find an appointment themselves anywhere in the state that is a Health Department affiliated clinic. She said they are not there yet, and so one cannot do that today, but it is the long-term goal. She said she does not believe the chain pharmacies will ever be tied into that, however, because of lots of privacy and IT issues, which is unfortunate.

Ms. McKeel asked if someone managed to get a vaccination appointment at a chain pharmacy because there were vaccines they did not want to go to waste, if they need to go into the Vaccinate in Virginia site and edit their information. She asked what they need to do to get the second dose.

Dr. Bonds replied that if they got their vaccine at a chain pharmacy, the pharmacy should have made a second appointment. She said she knows that at CVS, one has to register for both appointments. She said if one happens to be at CVS wandering through the store at the very end of the day and there were three doses left, and the person qualified, CVS should have made their second dose appointment at that point in time.

Dr. Bonds said the second dose follows the person wherever they went, so if they went to an event in Buckingham, their second dose is in Buckingham and not with her right now. She said there are some workarounds, such as if a person got vaccinated out of state and then came back to Virginia (e.g., a snowbird), there are some ways BRHD can help them get their second dose. She said generally, however, wherever one gets their first dose is where they need to go back to get their second dose.

Ms. McKeel asked if the person would be told to go in under the edit to update their information about having their first dose.

Dr. Bonds replied no. She said if they went into the system and registered, the only time they would want to edit is if their contact information changes (e.g., phone number or address change), or if there is more health information in the state system than was collected locally. She said if one wants BRHD to know about their other health conditions, they can edit this. She said if a person got one dose at CVS, however, they do not need to go in and edit their information. She said if one is invited and has already been vaccinated, it is nice if they tell the BRHD, but they simply do not sign up for an appointment time.

Ms. McKeel said this was helpful because at one point, when people initially went in, some of the systems were asking a lot more questions about health than some of the other systems. She said this would be a way to go in and update their medical situation, specifically.

Ms. Mallek asked Dr. Bonds if she had any information about the turnaround time when someone fills out the state registration on the state vaccination website, which was pages of questions, different health risks, etc. She said nothing was heard from that ever since, and not even a confirmation thanking the person for registering. She said she tried recently on the County email to click to indicate if she had received a response. She conveyed that she did not understand what was happening with that.

Ms. Mallek asked how one would sign up for the 2,000 vaccination spaces that weekend, or if those were already all full.

Mr. McKay replied that for that weekend, they were pulling names from the list of age 65 and above, and they will communicate to those individuals that there are appointments available for the Johnson & Johnson vaccine. He said they will work through that list until they have 2,000 appointments filled, 1,000 for Friday and 1,000 for Saturday.

Mr. McKay said in terms of the communication back from the state system about the preregistration survey, he was not sure if there was supposed to be a confirmation email that one registered or not. He said when BRHD was doing it locally, there was supposed to be a confirmation email sent back to individuals from their surveys and forms, and these sometimes went to spam or junk folders, but he was not sure about the state system.

Dr. Bonds said she thought the state was sending a confirmation email back. She encouraged Ms. Mallek to look in her spam and junk folders, as these often get diverted off depending on the internet provider.

Dr. Bonds said with regard to the time between when one preregisters and when one may get a vaccine, this is very dependent upon individual circumstances. She said if one is a grocery store worker, for example, and they register, this is a group BRHD will be targeting very quickly. She said they have already vaccinated some grocery store workers, and they are working to get the remainder vaccinated.

Dr. Bonds said if one is a college professor at PVCC, for example, they may not hear from BRHD for a while because they are not vaccinating that group.

Ms. Mallek said as far as Mr. McKay's list for that Saturday, she wanted to know how one gets on the list they will draw from for the 2,000 spots.

Mr. McKay replied that they likely would have registered or completed one of the surveys that were sent out back in January. He said they have a large list they are working from that is the same list of names they provide UVA Health to invite for vaccination, and they are continuing to chip away at that list. He said these are names they already collected and eventually, when they get deeper into Phase 1b, they will be pulling from the state preregistration database to invite others as they expand into the other subgroups.

Ms. Mallek asked if as citizens call to say their circumstances have changed (e.g., they had not been in a hurry to get a vaccination before, but are now scared), they can amend their original survey with BRHD from January.

Mr. McKay replied that if they filled out something in January with BRHD, hopefully that day, the state will be able to provide them the opportunity to edit their profile in the state system.

Ms. Mallek said she would pass that information along.

Ms. Price said she appreciated the additional information. She said the complexities of these multiple systems for obtaining vaccinations is something that is very difficult, but BRHD's explanations that day will help constituents understand how they can best get registered and get their vaccine.

Dr. Bonds agreed it is a very confusing system. She said if people have questions, calling the state hotline about the best way to get registered is likely the go-to source. She said as more commercial pharmacies come on board in the area, BRHD will try to make that information known so that people can register. She said this is challenging and takes a lot of work.

Ms. Price said she was expressing her appreciation for Dr. Bonds and Mr. McKay helping explain that to community members.

Dr. Bonds said BRHD appreciates the support the Board has given them.

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Mr. Gallaway asked Mr. Richardson to complete his County Executive report.

Mr. Richardson said he would call on Mr. Trevor Henry to report one remaining item.

Mr. Trevor Henry, Assistant County Executive, said he would give an update regarding a request that came to the Board on December 30 from the Electoral Board. He said the Board may recall a request came to the Board asking for a joint meeting to discuss concerns around logistics for voting for the 2021 election season, as well as some budgetary concerns.

Mr. Henry said the Board directed to Chair to pen a letter that went back to the Electoral Board on January 6, which pushed the work back to the staff level. He said with great work by Mr. Lance Stewart, Facilities and Environmental Services (FES) Director, working in collaboration with Mr. Jake Washburne around the logistics, FES drafted a logistics plan that will take them through the 2021 voting season. He said he was a part of a few of the meetings where the plan was reviewed, and Mr. Washburne presented the plan to the Electoral Board, who responded approving the logistics plan recommendation on February 16.

Mr. Henry said the logistics side seems to be in good shape. He said they will continue to use the County Office Building at 5th Street, much like they did last fall. He said he would share the email from Mr. Washburne that has the endorsement from the Electoral Board and the plan with the Board of Supervisors that evening.

Mr. Henry said additionally in that email, Mr. Washburne noted that the Electoral Board is still interested in meeting with the Supervisors regarding some concerns around budget. He said in talking with Mr. Richardson, he would suggest that this be an invitation to one of the upcoming Board of Supervisors budget work sessions for FY 22. He said he knows the County's Finance and Budget Office has been working closely with the Registrar's Office in trying to understand their request and meet their needs, but it would be an opportunity to bring in the Electoral Board Chair. He said he was not suggesting a joint meeting necessarily, but at least to have the Electoral Board Chair and Mr. Washburne there to answer questions and express their concerns.

Mr. Henry asked the Supervisors if they had questions.

Ms. Mallek said there may be some financial help coming from the state, but she does not know what the final things are in the budget at a detailed level. She said she knows they approved salary things, but she hopes they also approved operational things for the Boards of Elections.

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Agenda Item No. 16. From the Board: Committee Reports and Matters Not Listed on the Agenda.

Mr. Gallaway said the first item the Board had parked here was a conversation on subcommittee meetings on non-County Zoom platforms, which Ms. Palmer had asked about.

Ms. Palmer said this came up because the SWAAC committee (Solid Waste Alternatives Advisory Committee), which is very active, operates with an education subcommittee, operations subcommittee, and vision and planning subcommittee. She said how they have always done this is because there is only 1.5 hours in the general meetings, they have always had these subcommittees, then brought back recommendations to the whole committee.

Ms. Palmer said SWAAC has been trying during COVID to work around this situation where there has been limited staff time to be at the subcommittee meetings and to run them on County Zoom. She said the committee members have been asking if they can use their own work Zoom (usually UVA or another company) or personal Zoom account as long as they follow all the FOIA (Freedom of Information Act) requirements.

Ms. Palmer said Mr. Greg Kamptner has gone over the requirements with members, and the members have agreed they can follow all the recommendations in noticing the meeting, recording the meeting, sending it into staff to be put up on the website, and also to not run chats. She noted that most of the subcommittees consist of three people.

Ms. Palmer said she has talked to Mr. Richardson about this, and the County staff has an SOP to keep things consistent to run these on the County Zoom. She said because there is simply not the staff time to be able to do that, however, this has been a request of committee members.

Ms. Palmer said Ms. Teddy Hamilton, who serves on the SWAAC Committee, asked her that morning if she should speak to this. She said she asked Ms. Hamilton to write her a short email she would read to the Board to give them understanding.

Ms. Palmer read the email aloud: "The SWAAC Committee maintains three subcommittees, each of which work on separate segment of sustainable materials management in Albemarle County. Planning and Vision looks at our long-term plan and evaluates what policies and programs are most relevant and necessary to incorporate in the near term. Operations helps to implement policies and programs, working with RSWA (Rivanna Solid Waste Authority). Education and Community Outreach provides the education component to the community with regards to policy and programs.

"These three subcommittees work separately but are unified in the committee mission. They do the real work, and then report back in monthly committee meetings. When the committees cannot meet, it makes it hard to impossible to get work done. COVID need not further slow or stop progress we need to make in addressing core government services and related climate action policies. It is incumbent on the subcommittees to meet FOIA requirements, which everyone is happy to do in order to continue our work."

Ms. Palmer said she knew that Ms. Mallek had a few things to say about this, as she is working with the Natural Heritage Preservation Committee and is running into similar issues with trying to accommodate these committee meetings.

Ms. Palmer said Mr. Richardson requested she bring up her request with the Board for Board discussion.

Ms. McKeel asked if they could hear from Ms. Mallek as well.

Ms. Mallek added that she believed they were in the process of getting clarity so that each committee has the same rules, as this is very important. She said her experience last week was in the middle of the rollout of this clarity. She said on Monday, the Community Development Department had one set of operating rules and Tuesday, Historic Preservation had a different set because the message had not quite been received.

Ms. Mallek said separate from all of that (which she believed would work itself out) is the ability for people to have these small meetings on Zoom who are just getting together to hash out different suggestions that they would take to their larger group.

Ms. Mallek said it is not possible for the Historic Preservation Committee to have a five-hour meeting at which all the work of the people who have been working on the historic markers (which was an assignment given to them by the Board of Supervisors and the County Executive to work out the wording, recommend different markers to apply for, and determine which should be state and which should be local). She said they would not be able to accomplish anything else because they have 3-4 people who have taken different tasks and have worked on that for the last six months.

Ms. Mallek said when this all started to unravel last week, the committee was told that they could not even talk to each other. She said they must find a way to keep people working and to be able to take the benefit of all the work that the citizens are happy to do. She said five or six committees over the past month or so have told her that they are not voting on anything, nor even the position to do so, but are in the position to do their best to make a recommendation to the bigger community, who will then perhaps decide to take it to the Board or not. She said she hopes they will find a way to accomplish that.

Ms. Mallek said secondly, to remind those who may not be involved, there used to be County Planners (one for each Development Area) before the recession. She said when 2010 hit, the committees were told that there was not a staff person to help them, so they would have to stop meeting. She said quite a few of the organizations said this was fine, and they would carry on themselves if they were told exactly what to do. She said Mr. Kamptner and his predecessor wrote out a list of rules of exactly what to do and how to notify, advertise, and take the minutes.

Ms. Mallek said the only committee she attended every month for the entire seven years in between was the Crozet Community Advisory Committee, who luckily had an attorney who took minutes, but anyone could take the minutes and put them together to be approved by those who were present at the following meeting, then have them recorded by staff.

Ms. Mallek said she thinks an effective and fair way to go forward is to say they have rules, and if the committees abide by those rules extra carefully, they are permitted to do this and if they mess up, they cannot do it anymore. She said with this kind of preparation, she thinks it should be simple to allow the committees to continue working along.

Ms. Mallek said the committees can be very effective on Zoom and as she has personally found, her own productivity is tremendous to be able to do a Workforce meeting in Richmond 9:00-11:00, then five minutes later have a meeting via Zoom in Crozet. She said she never could accomplish that if she physically had to be in all those places physically. She said she does hope they will loosen the leash just a little, but only according to having very good rules laid out ahead of time so that people can follow them and continue to work.

Ms. Palmer clarified that she was not talking about the entire committee meetings and CAC meetings, but instead she was referring to subcommittee meetings. She said all the general committees and CACs are still occurring with staff on County Zoom, going about doing that. She said she was talking about the smaller meetings of three people wanting to get together. She said they got together before COVID all the time, announced and noticed their meetings, came to the County Office Buildings and held the meeting. She said they took minutes and went back to the larger committee, where then those minutes were taken care of.

Ms. Palmer said she is only talking about the smaller, three-person subcommittees getting together to discuss individual smaller items to bring back to the whole committee. She said she wanted to make sure the Board is clear that this is a subcommittee issue.

Ms. Mallek said she agreed, and she was only giving her previous example to show how well it worked for seven years prior. She said she agrees it is a subcommittee issue, whether it is the CDB or any of the other committees that need people spending an extra amount of time to prepare something for the larger group.

Mr. Gallaway asked Mr. Kamptner if he should weigh in, and if subcommittees had staff meeting with them pre-COVID.

Mr. Kamptner replied that he would have to defer to someone else. He said he assumed they were staffed up to this point, but he did not have any first-hand knowledge of this.

Ms. Palmer said the SWAAC was not staffed for subcommittee meetings.

Mr. Gallaway said he did not think that subcommittees would be staffed. He asked if the requirement is that staff is needed for the Zoom capacity.

Ms. Emily Kilroy, Director of Communications and Public Engagement, said in the virtual environment they are working in, the requirement to have a video recording link that is posted in a publicly accessible manner makes it more complicated if they have public meetings being operated outside of the County's Zoom account. She said this is where the subcommittee issue came to bear, as they are operating in the virtual environment.

Ms. Palmer said for the people doing this now, one of the qualifications is that they have to be able to post that publicly available Zoom video recording. She said a requirement of doing a subcommittee meeting is to meet all the County and FOIA requirements. She said when giving this information to the subcommittees, they have expressed they do not have a problem with meeting all those requirements.

Ms. Mallek echoed Ms. Palmer's statement.

Mr. Richardson said he believed the Board needed to contemplate whether they would be comfortable allowing the two outlined subcommittees to move ahead on private Zoom. He said Mr. Kamptner spoke to that and said there were no legal issues with that. He said Ms. Palmer's request is to

allow this to move forward, meeting all the requirements that were laid out, and to give this a try.

Mr. Richardson said they are in a challenging world of virtual meetings, and the staff continues to do what he thinks is an admirable job in trying to support all of the meetings. He said Ms. Kilroy had noted in the end-of-year report that County staff had supported 255 virtual meetings in 2020, which was quite a gear-up. He said their focus had been public Zoom and all of the 'how-to's of how to go through that process and meet the requirements.

Mr. Richardson said if this moves to the subcommittee format and they take on this responsibility, he wanted the Board to give guidance that it was okay to proceed as Ms. Palmer laid it out.

Ms. LaPisto-Kirtley said she thinks this is a good way to do it and shows that they are moving forward. She said as long as they follow the Zoom and FOIA requirements as well as the recording, she did not have a problem with the subcommittees doing this.

Ms. McKeel said she was surprised that there are any subcommittees meeting. She said a few people from her CAC wanted to get together for a quick meeting at some point and were told no. She said she was not complaining but that she was surprised there are even subcommittees, which she was not aware of.

Ms. McKeel said she was hearing the reason was Zoom, but at the end of the day, when COVID is under control, they are still going to be using Zoom because of its ease and that people like it. She said she was trying to sort out whether or not this was really about COVID and Zoom. She said she understands the Zoom capacity, but she thinks this is about staff capacity as well. She said they have been hearing for a good while about staff capacity issues.

Ms. McKeel noted that having said that, there is currently boards and commissions work happening, and she is uncomfortable with taking something outside of that work because it almost seems as if this is a workaround for the hard work they need to do about boards and commissions work. She said the Board has talked about how many committees they have, which gets to staff being able to support all these committees. She said no one is trying to throw out all the committees, but they do have a number of committees – more so than many communities do – and the Board had agreed it was time to look at those committees. She said to have this happen outside of this work is something she finds concerning.

Ms. McKeel said that at one point, she heard there were three subcommittees they were going to do this for and now, she was hearing two. She said she was not even sure if it was two or three. She said she heard about the Historic group, then about two SWAAC groups.

Ms. McKeel said if they go back and say they are doing the boards and commissions work, her question is if they want to pilot this idea, perhaps, through that work, but first establish what their Standard Operating Procedures (SOPs) would be (which Ms. Palmer and Ms. Mallek mentioned). She said they would all agree and know what is happening, and it seems to her this process may work with what Ms. Palmer and Ms. Mallek were seeking.

Ms. McKeel asked if these subcommittees have an elected official. She said she was hearing Ms. Mallek mention this, but that it was also a three-person meeting.

Ms. Palmer said she would clarify on her situation. She said a SWAAC Committee member looked at all the minutes and determined they simply could not get everything done in a 1.5-hour meeting once a month. She said there was never a formal vote, but the committees decided they would have three people work on education, three people work on operations, and three others work on visioning. She said she goes to all the Operations Subcommittee meetings because she is on the RSWA Board, as well as Mr. Phil McKalips from RSWA and often, someone from TJPDC often, depending on what they are working with. She said this has been a productive use of County residents who are professionals in these areas.

Ms. Palmer explained that any group of three people cannot meet because this is against the FOIA requirements. She said in the past, when three people in a committee have decided to get together, they have noticed they were doing so and come to the County Office Building to meet. She said they have the SOPs because Ms. Kilroy actually provided them, and the Emergency Management Team developed these at the very beginning of COVID for Zoom.

Ms. Palmer said she is trying to get a very productive committee with people who know a lot about solid waste management and let them continue to go. She said the Operations subcommittee is currently working on getting glass at wineries recycled, and she has gone out on a Saturday morning to King Family Vineyard to look at their dumpsters. She said they are trying to look at this glass recycling going (at no cost) to the County, which is good for both wineries and the environment, and Strategic Materials down south needs this.

Ms. Palmer said these are groups that are trying to get things done, and they are trying to make sure that they meet all the FOIA requirements and follow the County's SOPs. She said if they cannot do that, they cannot have the meetings, and so she was trying not to make this too complicated. She said she does not think this is a committee they are going to try to eliminate, and Ms. Price serves on the committee with her and could speak to that.

Ms. McKeel asked Ms. Palmer not to frame this as if she was trying to keep them from doing the work, as this was not the point.

Ms. Palmer said she was not framing it this way but was trying to explain.

Ms. McKeel said she was trying to think about the process. She said she understands the committee is doing great work, and she wants them to continue to do so. She said she simply has concerns about doing it this way. She said she did not hear an answer about the committee of three, but she was hearing that at times, this committee of three includes an elected official. She said her question would be whether two people cannot do sub-work, which still falls within the existing FOIA laws. She said she is concerned that they are taking this outside of the work that the Board already said they were going to do.

Ms. McKeel said she feels like the request has been sprung on the Board rather quickly, though this was not a reason not to agree to it. She said perhaps they establish one as a pilot. She reiterated her concern about taking this outside of their work and this change to their practice, and she did not even know that subcommittees were happening.

Ms. Price said she believed there were several issues, but what she wanted to focus on in particular was the use of a non-County platform for a meeting. She said for the moment, this was the principal issue, while she also acknowledged that there were collateral concerns, some of which do fall under the work that the Board will be undertaking on committees and commissions.

Ms. Price said she accepts the limitations of County staff hours and does not question that in any way. She said to her, the question is about how to allow these subcommittees, which have been meeting, to facilitate their work in this virtual world. She said her thought was a pilot program, and she would ask they identify the existing subcommittees and not allow additional ones to be formed. She said they can allow a pilot program for subcommittees that are in existence and identified to utilize a non-County platform, provided that they meet all of the legal requirements as the County Attorney and County Executive are experientially able to ensure, and that they provide the guidance to the subcommittees.

Ms. Price said they could decide on a timeframe (e.g., six months) to allow for the work to continue to meet the legal requirements and for the Board to continue the work they will be undertaking on the overall committees and commissions.

Ms. McKeel said she was also getting a pilot that would be happening while the boards and commissions work would be happening. She said they need to decide if they will have two or three pilots, or what they will do.

Ms. Mallek said she wanted to provide clarity from the bit of information she knows. She said the Natural Heritage Committee and Historic Preservation Committee have been in the business for 20 years, and they have had committees of themselves established for that period of time because of the tasks they were taking on.

Ms. Mallek said the Historic Preservation has a group of people who focus on documentation of buildings that are about to be torn down, and another group sends letters to new owners of properties to help them get informed. She said there is another group that is working on historic markers, which has been a very challenging task to research so many different nominations, get the right wording, and get them ready to go. She said they were assigned to hurry to get this done by last December, so they are working hard to do this.

Ms. Mallek said the Natural Heritage Committee spent five years or more working on the biodiversity report, and there were different people who took different areas of expertise because of their background to prepare that. She said this was all work that was done by citizen committees that she has personally found to be incredibly valuable.

Ms. Mallek said there may be other boards for which she has no idea as to whether or not they have had long-standing committees, but she thinks the suggestion of these that have been operating for a long time, including the SWAAC, would be the ones to use for the continuing pilot to make sure they have worked out the bugs. She said she thinks everyone is willing to be the guinea pigs on this to make sure that it works.

Mr. Gallaway said it did not sound as if there would be objections to allowing a couple of these subcommittees to work through a pilot. She said the way that Ms. Price framed it, specifically, the Zoom portion of this was the question at hand, and he thinks a pilot would help them work through that. He said the other elements could seem reasonable to go to the bigger conversation about the committees. He said it sounded as if the procedure and process had already been drawn up, and it was just a matter of allowing the subcommittees to do this and report back, for which he would imagine the procedure would spell out how to do that.

Mr. Kamptner said the SOPs that were referenced are very comprehensive, with a step-by-step how-to. He said there are one-page memos on FOIA, groups of three, groups of two, and when it is a meeting still need to be disseminated to all the committee members.

Ms. McKeel asked who would disseminate this to all the committee members and how it would happen.

Mr. Kamptner replied that if someone has the email addresses of all of those committees, it needs to go out to every member of every County public body. He said this particular issue of three getting together to discuss business is probably one of the most perplexing issues under FOIA and becomes only more complex in the context of virtual meetings, which adds that additional technology issue in having to make sure they are doing all of that correctly as well.

Ms. LaPisto-Kirtley said she thinks they are hopefully in agreement that they simply have a pilot program for the two committees (SWACC and Natural Heritage) that have three-member subcommittees. She encouraged the Board to go forward with a pilot program of six months to a year to see how it goes. She reminded the Board that this was only during COVID and asked Mr. Kamptner if her understanding was correct.

Mr. Kamptner replied that it is certainly much more complicated. He said once the Continuity of Government Ordinance is lifted, the members of the body, most likely, will have to start physically assembling again, although there is nothing that would limit members of the public from watching and participating through Zoom or Microsoft Teams.

Ms. Palmer added that the Historic Preservation Committee makes three committees.

Ms. McKeel said there would be two subcommittees for SWAAC and one for Historic Preservation.

Ms. Mallek said no. She said the committees are SWAAC, Natural Heritage, and Historic Preservation. She said Natural Heritage works on invasive species and other things that are part of the climate program, and they have different people of expertise working on those different elements as well.

Ms. McKeel apologized and said she thought she had read something that was sent from Ms. Palmer saying that SWAAC had two committees.

Ms. Palmer apologized and said she somehow had forgotten the Education Committee when she wrote it, so she corrected it verbally that day to say there are three subcommittees. She said she was not sure if all three of those would even need to do this. She said the Vision and Planning Committee is the one that has been pushing this request, and the Operations Committee was also pushing but left someone out each time to make sure they met the requirements.

Ms. McKeel asked if they were now talking about five committees.

Ms. Palmer said they were talking about three different committees with different subcommittees. She said not all of the subcommittees will have to do this, but probably just a few. She said it is three committees that want the ability to do this, only if they can follow all the directions that have been put out by the County Attorney's Office and the County Executive's Office, per CAPE.

Ms. McKeel asked if this was three committees with five subcommittees.

Ms. Palmer said she did not know how many subcommittees the other committees had, nor did she think this was important. She said what is important is following the rules and the members being able to say they can or cannot follow them. She said perhaps they do not even meet and that she did not know about the other ones. She encouraged the Board to allow this for the three committees for six months, or whatever timeframe they decide, while the Board is doing the review of the committees to let the committees get their work done, if the committees follow all the rules. She said they will probably want to meet at some point for a variety of reasons. She said the Board could see if this works and if it does not, they could pull the plug on it.

Mr. Gallaway said he was not seeing much objection to this thought. He suggested that as opposed to a six-month timeframe, it should be until the Continuity of Governance ordinance ceases in case that ordinance ceases before the six months.

Ms. LaPisto-Kirtley agreed.

Ms. Mallek suggested a single sanction, as she believed it would make everyone more comfortable, that the committees have to follow the rules and if they do not follow them once, they are done. She said this raises the performance bar, and she thinks everyone is very willing to step up to this. She said this should not be done haphazardly for six months because it is very important. She said if they want to have a second meeting, they have to do the first meeting perfectly.

Mr. Gallaway asked Mr. Kamptner if the Board needed to take any formal action or if they needed to report this out.

Mr. Kamptner replied that no action was needed and that staff had their direction.

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Mr. Gallaway said the other item the Board had parked was the Lewis & Clark Exploratory Center receiving the Lewis & Clark statue from the City.

Ms. Mallek said there was no action required, and this was strictly for information so that the

Board knows what she learned a few days ago. She said she missed a couple of Lewis & Clark board meetings, so she was behind, but the board had decided to apply to be the recipient of the Lewis & Clark statue at 5th Street and Ridge/McIntire because they think it is an important element of education. She said the board has been addressing the depictions of all of the various people on the statue for ten years, and that having it there at Darden Towe in their museum leasehold would be a tremendous asset for them and for the learning public who currently cannot get to the statue to look at the smaller depictions around the base, which tell a magnificent story.

Ms. Mallek said Lewis & Clark Exploratory Center has many original documents from the 19th century in the museum that visitors get to see and work with, and so having the statue on hand there would be an important benefit to them from their perspective.

Ms. Mallek said the process is still to be developed. She said there is funding being sought elsewhere in the form of large grants, to cover if they are awarded the recipientship by the City during the RFI (request for information) process, to make sure that this can happen. She said the center is very appreciative of advice from County staff in learning about what was done to prepare for the "At Ready" move, which is the baseline as far as the categories of activities that need to be addressed, which they can then use in their grants to say they need engineers and to make decisions in order to ensure this is a success.

Ms. Mallek said she did not know whether this would go to the Darden Towe Committee, as this includes some City and County people, but she wanted the Board to be the first to hear this. She said that morning, she was surprised to see a letter in the Daily Progress encouraging the statue to go to the center, which was news to her. She said she was glad to collect any questions from the Board.

Ms. McKeel said Ms. Mallek is on the Lewis & Clark board, which was great as this gives the Supervisors an idea of what the board is thinking. She said she has had several emails from constituents suggesting that the statue go there, which may be a good opportunity for the Lewis & Clark board to fundraise. She said she knows there have been some struggles around that in the past, but this would give an opportunity to elevate it.

Ms. Mallek said she also wanted Ms. LaPisto-Kirtley to be on the board as well because past Rivanna Supervisors have been on the board, and they have been negligent to get Ms. LaPisto-Kirtley on. She said they will need to get this squared away quickly.

Ms. LaPisto-Kirtley said she would be happy to be on the board and loves the idea of the statue going to Darden Towe to the Lewis & Clark Exploratory Center. She said she has been there and since they have so many wonderful artifacts, she thinks it is the perfect place.

Ms. McKeel asked if there would then be two Supervisors on the Lewis & Clark board, or if Ms. Mallek was stepping off so that Ms. LaPisto-Kirtley could take her place.

Ms. Mallek said historically, there have been two Supervisors. She said perhaps these were old rules and may have to change, in which case she would step off the board and have Ms. LaPisto-Kirtley go on. She said Mr. Kamptner would have to give them input on that because in the old days, the Supervisors were able to do things in two, and she assumed they still were.

Ms. Palmer asked Ms. Mallek if this was not appointed by the Board.

Ms. Mallek replied that it is not.

Ms. Palmer said this is totally separate from that.

Ms. Mallek said the Darden Towe Committee is appointed by the Board, but the Lewis & Clark board is by invitation from their members.

Mr. Gallaway opened the floor for other items from the Board members.

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Ms. McKeel said she has received complaints about and has seen a great deal of litter. She said she did not know if it was because it was nearly spring, or because people are coming out of lockdown, but it is horrific. She said her understanding is that part of the problem was that during COVID, the VDOT crews, which pick up litter as well, slowed down. She said VDOT could not put people in vehicles, and so they stopped picking up.

Ms. McKeel added that the population was reduced at the Charlottesville-Albemarle Regional Jail. She said it was wonderful that people were sent home and that the jail has the lowest population it's had in decades. She said the crews, however, are now not available to pick up litter as they had before. She said from the perspective of people who are in home confinement, there will be a look into a way to have some of those individuals who are interested working again.

Ms. McKeel reiterated her concerns about what the County now looks like with litter. She said it is trying to be addressed somehow, however, and she will update the Board if there is a solution.

Ms. Mallek noted that Mr. Doug Walker had made a comment via email earlier.

Mr. Doug Walker, Deputy County Executive, said Ms. McKeel was correct in how she was characterizing the limitations on the jail's litter cleanup program. He said he was recently made aware that there is at least some capability, though it is very limited. He said he was not sure how this would play out and how they would be able to provide help, but he would suggest that the Board members bring these issues to his attention so that he can get those to the jail, and the jail will do the best they can. He said they will be very limited in what they are able to do.

Ms. Palmer said she usually does receive more emails this time of year, and she thinks much of it is because the grass has completely died down, things are rotting, and the litter shows up. She agreed with Ms. McKeel that there is a lot of litter, which is terrible, but pointed out that it shows up more this time of year.

Ms. McKeel said she did not disagree, and that it almost seemed as if it was a springtime matter.

Ms. Mallek agreed, adding that it is especially hard in the areas where they did have cleanup crews that adopted highway sections. She said the main road the citizen was complaining about that day is horrible litter-wise, but GNC Nutrition had covered that road for 15 years, two or three times per year. She said since GNC moved away or stopped operating, it has been a real hardship, and the neighbors along the way have a harder time fending off traffic to go out and clean it up. She said they tried to get a small cleanup together last fall, but it was difficult with COVID to do so. She said she looks forward to this changing.

Ms. McKeel said her 24-year-old group has not been out. She said she thought that perhaps in May, they could get the group back together to go out, but it has been hard for the highway groups.

Ms. Mallek said as an example of how eager people are to see things happen, there was a VDOT and County Transportation scheduled that she was invited to attend with some neighbors on Crozet Avenue. She said as other neighbors saw the group collected, within five minutes, they had probably 30 people who came to participate. She said they were segmented into small groups, and Mr. Kevin McDermott and one of the police officers directed them to break the groups down into 10 people on one side of the road to talk about things, with the rest waiting in small groups on the other side to get the information relayed. She said it went very well, and everyone was eager.

Ms. Mallek said a child was hit on the road last week, and this brought forward a long pent-up and ongoing discussion. She said as she described to Ms. Carrie Shepheard that day, Ms. Shepheard is the fourth VDOT Administrator with whom she has worked on this single stretch of street. She said this shows how long the neighbors have been fussing to try to get something to control speed on these streets. She said every one of the Board members has places in their highly developed areas where people floor it on a straight stretch and go 60 mph when they should be going 25 mph.

Ms. Mallek said she said to Delegate Runion, who has also been attending these meetings, that she will be back to him again next fall to ask him to carry a bill to allow the County to have photo cameras to send tickets in the mail, as she thinks this is the only way they are ever going to get control of speeding. She said this is what Washington, D.C., Maryland, and 25 other states in the United States do. She said though Delegate Runion sort of laughed, she thinks he may help with this.

Mr. Gallaway said he and Ms. Price are on the Thomas Jefferson Planning District Commission (TJPDC), and the former Executive Director, Mr. Chip Boyles, is now the City Manager for the City of Charlottesville. He said Ms. Christine Jacobs, who was the Chief Operating Officer, is now the Interim Executive Director of the TJPDC. He said if the Board members need any assistance from the TJPDC, Ms. Jacobs is the point of contact in the meantime. He said at some point, the TJPDC will be game planning its search for a permanent Executive Director.

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Agenda Item No. 11. Closed Meeting.

At 4:26 p.m., Ms. LaPisto-Kirtley **moved** that the Board went into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:

- Under Subsection (1), to discuss and consider appointments to the Board of Equalization, the Jefferson Area Board for Aging, and seven advisory committees; and
- Under Subsection (6), to discuss the investment of public funds where bargaining is involved related to proposed amendments to an existing performance agreement where, if made public initially, the financial interest of the County would be adversely affected; and
- Under Subsection (8), to consult with and be briefed by legal counsel regarding specific legal matters requiring legal advice relating to the County's rights under the terms of an agreement.

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

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price  
NAYS: None.

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Agenda Item No. 12. Certify Closed Meeting.

At 6:00 p.m., Ms. LaPisto-Kirtley **moved** that the Board 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. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price  
NAYS: None.

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Agenda Item No. 13. Boards and Commissions.

Item No. 13. a. Vacancies and Appointments.

Ms. Price **moved** to appoint the following individuals to County Boards and Commissions:

- **REAPPOINT**, Ms. Alice Pesch, Mr. Douglas Bates and Ms. Sandra Hausman to the Crozet Community Advisory Committee with said terms to expire March 31, 2023.
- **APPOINT**, Mr. Marc McKenney to the Crozet Community Advisory Committee with said term to expire March 31, 2023.
- **APPOINT**, Mr. Waki Wynn to the Equalization Board as the Rio District representative, with said term to expire December 31, 2021.
- **REAPPOINT**, Mr. David Ferrall to the Equalization Board as the White Hall District representative with said term to expire December 31, 2021.
- **REAPPOINT**, Mr. Richard Lindsay and Ms. Susan Friedman, to the Jefferson Area Board for Aging with said term to expire March 31, 2023.
- **APPOINT**, Mr. Jerrod Smith to the Jefferson Area Board for Aging with said term to expire March 31, 2023.
- **APPOINT**, Mr. James Clemenko to the Places 29 (Hydraulic) Community Advisory Committee to fill an unexpired term ending August 5, 2021.
- **APPOINT**, Ms. Betsy Baten and Mr. Dennis Odinov to the Village of Rivanna Community Advisory Committee to fill partial terms ending March 31, 2022.
- **APPOINT**, Ms. Lynda White, and Mr. Neil Means to the Village of Rivanna Community Advisory Committee with said terms to expire March 31, 2023.

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

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price  
NAYS: None.

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Agenda Item No. 14. From the Public: Matters Not Listed for Public Hearing on the Agenda or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.

Mr. Kent Schlussel (Rio District) said that two weeks ago, he spoke to the Board about what he thought was a bait and switch by County Government on the Rio Road Corridor Study. He said four weeks ago, it was announced that the study would only cover the section from John Warner Parkway to Mall Drive. He said despite a previous statement made by County staff and the Board for the need for a Rio Road Corridor Study from the City line to the Rio/29 intersection, the presentation four weeks ago by County staff announced that the study would not cover the two-lane portion of Rio Road.

Mr. Schlussel said that toward the end of the Board's meeting two weeks ago, based on comments made by some of the Supervisors, he was led to believe that he needed to attend the Rio Road area CAC meeting for information about the corridor study, and that the study would include the road between the City line and John Warner Parkway. He said he was disappointed that it was the same presentation from four weeks ago. He said the only difference in the two presentations was that the latter presentation had excuses of why the two-lane section of Rio Road was not included.

Mr. Schlussel said the only new thing (besides excuses) was that some of the two-lane portion of Rio Road would get a cursory look, as it was a feeder to the main study. He said this was highly disappointing, since he (along with much of the public) was led to believe that the corridor study would include the entire East Rio Road.

Mr. Schlussel said he knows there are problems with the multilane part of Rio Road such as crosswalks, traffic signals, and poorly designed intersections. He said the two-lane portion is still problematic, however, especially since new developments are yet to be built on that section of Rio Road. He said there is a real opportunity to determine what that part of Rio Road could be before developers dictate how it will be.

Mr. Schlussel said one of the excuses given at the CAC meeting was money. He said the consultant on the project thought it would be best to only examine in detail the multilane portion of Rio Road. He said the County would be spending money (of which he would like to know how much) on pop-

up kiosks. He said instead of these pop-ups which, in his opinion, will have minimum utilization, he would ask why they would not spend that money on the corridor study. He said it seems to him that County Government is not interested in any data on this portion of Rio Road.

Mr. Schlussel asked if the outcome of the Comprehensive Plan review had been predetermined. He said data from the corridor study may show the Comprehensive Plan is out of date, even before it is published. He said he may disagree with the final plan, even with the data necessary that he would like to see, but he trusts that the Board would take the right course of action by urging the County staff to examine the entirety of East Rio Road to determine its future and the impacts that any potential developments and improvements will have on the citizens in this part of the County.

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Ms. Judy Schlussel (Rio District) said she is a member of the Rio-29 CAC. She said at last week's Rio-29 CAC meeting, Mr. David Benish gave a Rio Road Corridor Study update, which appears to be limited in scope, forgetting about all of the development north of the Rio-29 intersection, along with traffic implications.

Ms. Schlussel said what is being proposed for the Rio Road Corridor Study and what Mr. Kevin McDermott and Mr. Cameron Langille stated to the Board in June 2020 appear to be completely different. She said Daily Progress reporter Ms. Alison Wrabel reports, "The reason why we want to move forward with this corridor study is to really look at the entire context of Rio Road from the City boundary all the way to where the small area plan boundary at Rio/US-29 started," McDermott said. 'If we look at the whole corridor, we could really get a better idea as to how we expect traffic to move through the corridor and what needs we may have, and how different intersections might work best together.'"

Ms. Schlussel said that although the corridor study is warranted, Mr. Benish indicated that the Board felt timing, contractor, and available money were the driving forces to move forward. She said the report will also need to continuously factor in the data as the Board continues to approve development proposals.

Ms. Schlussel said that on February 25, Ms. Rachel Falkenstein indicated that the Growth Management Report from 2019 will be undergoing the updated process.

Ms. Schlussel said that at the last Board meeting, she stated that the Comprehensive Plan, master plan, Rio Corridor Study, Growth Management Report, etc. are, in essence, building blocks to help the Board make educated decisions about the growth of Albemarle County. She said if any one of these building blocks is eschewed, however, it invalidates the data. She asked the Board if all of the pieces to the decision puzzle would be completed at the same time.

Ms. Schlussel said she is also concerned about the John Warner Parkway and the Dunlora intersection. She said she understands there has been some activity regarding the Wetzel property. She asked how, if the new Wetzel developer goes forward with the previous proposal requesting rezoning, the Rio Road Corridor Study will be impacted. She asked if construction would move forward after the Board accepts the corridor study, this will disrupt the residents' lives for a while, and where this will put the road improvement proposals around the Wetzel property. She said in other words, "Who's on first?"

Ms. Schlussel said she understands that the continuation of sidewalks on Rio Road have gone out for bid. She said she asked Mr. Benish how it is anticipated that people get from one side to the other. She said Mr. Benish indicated that there would be crosswalk markings at the intersections. She said this must be a safety red-flag concern because traffic will be traveling at 35-40 mph on Rio, and she wondered if they would really be expected to stop to allow pedestrians to cross safely. She said she thinks this needs some additional evaluation.

Ms. Schlussel said she is certainly not anti-growth or anti-change, but she does want to continue to see Albemarle County as a wonderful place to live.

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**Agenda Item No. 15. Public Hearing: County Executive's Recommended Budget.** To receive public comment on the County Executive's Fiscal Year 2021/2022 Recommended Budget. The Recommended Budget contains summary information on the total County budget, organized into several funds to provide appropriate accounting and budgeting control, including: the General Fund (expenditures for general operations of the County), Special Revenue Funds (expenditures restricted for specific governmental purposes such as state and federal grant funds), the School Fund (expenditures for general operations of the County school system), Other School Funds (expenditures restricted for specific school purposes such as the Food Services Fund), Capital Improvement Funds (expenditures for acquiring, constructing, or maintaining capital facilities), and Debt Service Funds (expenditures for paying principal, interest, and charges on general long-term debt). The Recommended Budget contains a complete itemized and classified plan of all contemplated expenditures and estimated revenues and borrowings for the Fiscal Year. The Recommended Budget is balanced and will include a recommended real estate tax rate of 85.4 cents per \$100 of assessed value for Calendar Year 2021, which is the same as the real estate tax rate in Calendar Year 2020.

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Mr. Jeff Richardson, County Executive, said before getting started, he would remind the Board that he had introduced the recommended budget last Wednesday, February 24, with about 32 presentation slides. He said it took approximately one hour to walk through the recommended budget.

Mr. Richardson said the evening's focus would be the public hearing. He said he had about 16 slides, with the goal of his comments being brief, then turning it back over to the Chair and Board to hear initial comments from the public. He said that as part of his closing remarks, he would talk about next steps.

Mr. Richardson said revenue recommendations every year, as well as the present year, are guided by the Strategic Plan, including the initiatives shown on the slide. He said in 2020, the County expanded the organization's core values to include community. He said this means they expect diversity, equity, and inclusion to be integrated into how the County lives its mission. He said the work ahead is realized with this value, to develop the tools and training to empower staff to integrate equity into all work. He said this thread runs through this budget.

Mr. Richardson said last week, there was discussion about establishing a broadband affordability and access program using strategic reserve funding. He said this office is recommended to have two full-time staff that will report to the County Executive's Office, with the goal of expanding access for broadband, both in the urban and rural communities.

Mr. Richardson said other programs that are supported in this budget include the one-time housing contribution of \$600,000. He said the housing policy work continues to move through final editing, with adoption expected later in 2021. He said funding has been identified to help support the implementation. He said the \$600,000 one-time contribution recommended in FY 22 would add to the Affordable Housing Fund to support the housing needs of the community. He said \$1.7 million of that fund was previously committed to supporting Habitat for Humanity and the Southwood project, and \$1.94 million remains available for other opportunities yet to be identified.

Mr. Richardson said in 2020, the Board adopted a Climate Action Plan, and the recommended budget identifies one-time funding for implementation projects. He said additionally, there is an amount of money that is earmarked for transit, which would help support a regional vision plan.

Mr. Richardson said the community continues to grow. He said keeping up with mandates and community priorities requires investment in the County's built environment. He said they did this in FY 21, and they continue to do this into FY 22. He said in the capital budget, they have been able to keep strategic investments to keep moving forward and ensure they have the capacity and equipment to maintain the community's quality of life. He said the slide on the screen showed the areas and what is being recommended to move forward into the next fiscal year.

Mr. Richardson said the recommended budget continues to support the cornerstones of public service. He said this includes elections, which are providing greater in-person early voting access due to state mandates and ask the Registrar's Office to support sustained high volumes of customers over longer periods of time. He said the budget also takes advantage of the state budget that is currently supporting the full cost of two full-time positions focused in Social Services on family preservation.

Mr. Richardson said the budget supports the needs of regional partners, nonprofits, and arts and cultural institutions, which meet so many of the human service needs in the community.

Mr. Richardson said this budget recommends staffing and apparatus investments in the Albemarle County Fire Rescue and Police Departments.

Mr. Richardson said the budget supports the implementation of a \$15-per-hour minimum wage, a 2% market adjustment for all County staff, and continued stabilized investment in the County's self-funded health insurance program (at no increase to County employees next year).

Mr. Richardson said the budget continues to support strategic infrastructure investments to support the County's IT needs as well as scoping a new enterprise resource planning effort. He said this would include scoping the replacement of the County View system, which Ms. Jodie Filardo spoke earlier to the Board about. He said if adopted, the upcoming year's budget would include some initial funding to start that process.

Mr. Richardson said he also thinks the budget puts an appropriate amount of tension on the County's finance and business systems modernization as they redesign and look at system integration that helps the organization to work smarter, reserve capacity, lower costs, and ultimately be able to serve the taxpayer more efficiently.

Mr. Richardson said the County still very much finds itself in the throes of a pandemic. He said FY 21 and FY 22 are linked much more tightly together than perhaps they have seen in recent years. He said he would take some time to walk through the fiscal drivers behind the budget.

Mr. Richardson said it is believed that during the course of FY 22, the economy will continue to stabilize, and they will know much more about the long-term impacts of the pandemic on the economy, customer service expectations of the public, and the way the County works. He said the approach for FY 22 is that it is a year of transition. He said he believes there are investments the County can make now that will allow them to be more resilient in the future.

Mr. Richardson said every budget is started with a check on their diagnostics, which is a look into how the County is doing with some of their key economic, financial, and performance indicators. He said

for the past several years, most of the diagnostics have been predominantly good news, with increases largely across the board in assessments and in business, consumer spending, and building activities.

Mr. Richardson said this year has been very different, however. He said some areas are fine while others are very concerning. He said one can look across the board and see that overall, there is a 2.8% growth in residential assessment, but commercial assessment is down by 5.5%. He said they look further across the board and see that there is continued strong building activity, as evidenced by the County's continued permit growth.

Mr. Richardson said there has also been an increase in SNAP applications year over year, up by 34%. He said this is a federal program for food assistance that is based on income eligibility.

Mr. Richardson said the tourism economy continues to struggle, but he would say that most importantly, the County continues to guard its financial condition. He said the County's bond rating is AAA, which continues to serve them well as they build off a strong financial platform.

Mr. Richardson presented the recommended budget framework. He said looking across the top of the slide, these are the key issues that are being addressed. He said the left box included urgent needs, and the center box included workforce stabilization. He pointed out that the strategic priorities that are trying to be moved forward were also listed.

Mr. Richardson said the bottom of the slide outlined how this was done and what the County's finances look like. He said they have been frugal in trying to increase fund balance, reducing spending, and creating strategic reserves. He said they have forwarded much of the Board's areas with one-time funding. He said the Healthcare Fund continues to perform better than market average, and they have adjusted their capital transfer. He said these are just some of the areas the County is working with in order to be able to strategically move the Board's initiatives forward and continue to invest their money where they think they can make the biggest impact in the community they serve.

Mr. Richardson said the recommended FY 22 budget is balanced at just a little over \$466 million. He said it is balanced at a tax rate of 85.4 cents per assessed \$100, which is the same tax rate as last year. He said the slide showed an overview of the budget's revenues and expenditures.

Mr. Richardson said the chart on the screen provided an overview of where the revenues are coming from. He said the large \$203 million portion of it is from general property taxes.

Mr. Richardson said the next chart showed where the expenditures go. He said one of the significant areas is the transfer to public schools due to the County's commitment to and partnership with public schools for high-quality public education in the community.

Mr. Richardson said the new positions support needs in Fire Rescue as well as advancing broadband. He said the DSS positions will greatly enhance the County's family support programs and will be funded fully by the state, provided the state budget remains unchanged.

Mr. Richardson said the next chart was one that tends to be looked at on a year-to-year basis, and he wanted to highlight for the Board and community that while there is a net increase of 10 positions listed, it comes at the same time that the County has continued to freeze 19 vacant positions in the organization, which is an approximate 39,000 hours of work that was frozen in an effort to save money and reserve reengineering and restructuring later, as the economy stabilizes and as the County continues to assess its customer service needs and other needs that may otherwise be unmet.

Mr. Richardson said the Board had before them the budget development process, and that evening was the March 3 recommended budget public hearing. He said there were a number of work sessions, followed by the proposed budget public hearing on April 28. He said finally, they hope to adopt this year's budget on May 5. He said there is much work that lies ahead for the Board and staff with these scheduled work sessions, where they will divide the budget up into bite-sized portions, allow the Board to dive in, ask questions and understand what the funding recommendations were tied to.

Mr. Richardson said in closing, the County's FY 22 recommended budget has a theme of "Resilient Albemarle." He said the recommended budget is designed to make strategic investments to transform the organization and help transform the community it serves. He said it focuses on supporting public schools, addressing public safety needs, and making investments in the community's quality of life. He said it also helps to address the needs of the organization, which includes a commitment to help stabilize the workforce and invest in process and systems alignment so that they are prepared to serve the community as the community adapts.

Mr. Richardson said as of next week, they will find themselves one year into the pandemic. He said the economy continues to stabilize, but it is not yet stable. He said this budget builds in flexibility and builds a bridge for the next 12 months so as they learn more about the long-term impact that COVID-19 will have on the community, they can adjust accordingly. He said financial management and reserves remain strong, which allows this budget to make strategic investments for the future.

Mr. Richardson thanked County staff, Finance and Budget team, Support team, Community and Public Engagement, and all departments for all of their hard work to get the County to where they are today. He turned the public hearing over to the Board and offered to answer questions.

Ms. Palmer asked a clarifying question for the public. She said regarding the new Broadband Office, there was a figure shown of \$536,000, and Mr. Richardson mentioned two positions. She asked him if he could state what, other than the two positions, the \$536,000 would be used for.

Mr. Richardson said he would call on Mr. Trevor Henry to provide details on that.

Mr. Trevor Henry, Assistant County Executive, said the split between the two FTEs are approximately \$253,000, and all the pieces would go with the office. He said another \$250,000 is tied to the affordability and connectivity program that is being built. He said there will be a more in-depth discussion at the work session the following Tuesday.

Ms. McKeel said she had a comment for the public, which was about the two grants for transit in the community. She said there was mention of the regional grant in the budget, and the Albemarle County centric grant is included in this year's budget. She said she wanted people to know this because as she has pointed out before, if they see this, they may wonder.

Mr. Gallaway opened the public hearing. He said he had been told there was no one signed up to speak and asked Ms. Borgersen to confirm.

Ms. Borgersen said this was correct.

Mr. Gallaway closed the public hearing and brought the matter back before the Board for any additional discussion. He noted there would be additional times for the public to chime in as the Board moves through the budget process, adding he was surprised there was no one signed up to speak that evening.

Ms. Palmer asked if one of the 19 frozen County positions was the position assigned to dealing with the Climate Action Plan. She said she knew there were other people in the organization that were addressing this, but this might be something the public would be interested in.

Mr. Henry replied that this position has been released for hire and advertised. He said he believed there were 8-10 candidates in the process for that specific position.

Ms. Palmer expressed that she was pleased about this news.

Ms. McKeel agreed this was excellent news. She said in all her years on the Board of Supervisors and School Board, this was the third time she could recall there being no public comment for the budget public hearing between the two bodies. She said it is both unusual and sad, as she wished the public would comment with their thoughts. She said she hoped they would do so in other ways, such as email and other opportunities.

Ms. Mallek said she expects that, like herself, most people are overwhelmed at this stage in the game and that hopefully, more clarity will come forward with the news about the upcoming budget work sessions. She said she hoped people would listen in on the sessions and home in on the things they are interested in commenting on. She said the budget is a lot of "zeroes," and in the 13 years she has been on the Board, the increases are astonishing. She said yet, it seems like the Board is always trying to chisel everything down to the last penny. She said she knows there has not been any profligacy, but the needs and expenses keep going up as more people live in the County. She noted this was a result of growing by 30,000 people in that length of time.

Ms. Price expressed her appreciation to Mr. Richardson, County staff, and the rest of the Executive Team. She said the way the County was able to get through last year in the middle of the pandemic was incredible, and to start off the budget season as strong as they are – with no tax increase proposed, the ability to now increase the minimum wage to provide a cost of living increase to County employees and providing stability in all the work they do – is truly a testament. She said she did not have questions that evening, but she was sure there would be many questions during the work sessions.

Ms. McKeel asked if the Board was to send all budget questions to Mr. Andy Bowman.

Mr. Bowman replied yes.

Mr. Gallaway added that they were copying the County Executive and fellow Supervisors on those emails so that they could all be on the same page.

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Agenda Item No. 16. From the Board: Committee Reports and Matters Not Listed on the Agenda.

Mr. Gallaway asked if there was action needed on him signing a letter and sending it to the postmaster. He said he did not recall taking action on the item.

Ms. LaPisto-Kirtley said she believed they discussed it, but they did not take action. She said the Board had been receiving emails and phone calls from constituents.

Ms. McKeel said she believed they had consensus.

Mr. Gallaway asked Mr. Kamptner if they should take a vote.

Mr. Kamptner replied yes.

Ms. Palmer asked if Mr. Gallaway should explain what the letter to clarify for the public.

Ms. McKeel suggested that Mr. Gallaway could read the letter if it was not long.

Mr. Gallaway said he would read the opening portion of the letter. He read the following aloud: "The Albemarle County Board of Supervisors is writing to express its growing concern over continued delays in mail delivery by the U.S. Postal Service. These delays are negatively impacting constituents in Albemarle County, similar to other localities around the country."

He said the letter goes on to state that over the past few weeks, the Board has received comments from constituents about the impacts, and especially in light of the pandemic.

Mr. Gallaway said that in connection to delayed mail delivery, the Board learned that at times, outgoing mail is not postmarked in a timely manner and/or at the same location. He said it is therefore not just about receiving mail, but also about outgoing mail, especially with time-sensitive mail such as tax payments and the like.

Ms. Palmer **moved** that the Board direct the Chair to sign the letter and send it to the Postmaster General. Ms. LaPisto-Kirtley **seconded** the motion.

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

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price  
NAYS: None.

Ms. LaPisto-Kirtley asked if the Board members could all get a copy of the letter.

Mr. Gallaway replied yes.

Ms. Mallek asked if a copy could be sent to Senator Tim Kaine, as he has been leading the effort in Congress to do something about this mismanagement and needs to know the Board is on this.

Mr. Gallaway noted that the letter was CC'ed to Senators Mark Warner and Tim Kaine, and to Congressman Good.

Ms. McKeel commented for the public that she did not think that the Board of Supervisors, through the County Executive's Office, can even identify a contact name in their own postal office.

Mr. Richardson said this was a great point, and that the letter was addressed to the local postmaster, not the Postmaster General. He said the letter invites the local postmaster to reach out to the County to make an appointment, as the County would love to speak to the postmaster to understand what the local stresses are and what they are doing to try to address these issues. He said it is a welcome to the post office to speak to the County directly if they will do so.

Mr. Gallaway apologized, as it was not the Postmaster General but the local postmaster.

Ms. McKeel commented that they had not been able to reach a person at the post office or get a phone number.

Ms. Mallek suggested that someone be assigned to hand-deliver a copy of the letter. She recalled someone had said previously that one had to go to the post office, at the end of the hall, and speak to someone there. She said that no one will admit they are the one in charge, so it may take some face-to-face effort to get this delivered.

Ms. McKeel said she circulated this information which she received from Cheryl Skeen (Executive Assistant, County Executive's Office), who talked to the person in the County Office Building that handles their mail.

Mr. Gallaway agreed it was a good point that they may not want to send a letter about the delays in the mail via the mail. He asked Ms. Mallek if she was volunteering to hand-deliver the letter.

Ms. Mallek said she was happy to.

Mr. Gallaway said his understanding was that the letter was ready and that he would be able to sign it that evening.

Ms. Palmer asked Mr. Richardson if he could let the Board know when staff would be coming back with changes to the scheduled for the Comprehensive Plan review to have Board interaction with that. She said she also did not quite understand from the presentation what the Planning Commission was going to do in this process, so she was interested in finding out that information as soon as possible.

Mr. Richardson asked Ms. Palmer if she was asking when staff would be coming back on the Comprehensive Plan.

Ms. Palmer replied yes.

Mr. Richardson asked Mr. Walker if this would be in two weeks.

Mr. Walker confirmed that it would be on March 17.

Ms. McKeel noted the news had just reported that UVA was again canceling their formal May graduation in 2021. She said the County had determined a May date to come back to (in terms of reopening the building), which matches what UVA is doing as well.

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Agenda Item No. 18. Adjourn.

At 6:41 p.m., the Board adjourned its meeting to March 10, 2021 at 3:00 p.m., which would be an electronic meeting held pursuant to Ordinance No. 20-A(16), "An Ordinance to Ensure the Continuity of Government During the COVID-19 Disaster."

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Chair

Approved by Board
Date 03/01/2023
Initials CKB