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Albemarle County Board of Supervisors Regular First Meeting, Wednesday, March 6, 2024

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[00:00:02] Good afternoon. I'm going to call to order this, pleased to call to order this regular meeting of the Albemarle County Board of Supervisors on the 6th of March at 1 p.m. in Lane Auditorium. I'd like to note at the dais, we have Supervisor Ann Malick of the Whitehall District, Supervisor Ned Galloway of the Ryo District, Supervisor Diantha McKeel of the Jack Jewett District, Supervisor B. Lapisto-Kirtley of the Ravana District, Supervisor Mike Pruitt of the Scottsville District, and myself, Jim Andrews, representing the Samuel Miller District. A quorum is present.

[00:00:31] We're also joined here by our County Executive, Mr. Jeff Richardson, our County Attorney, Mr. Steve Rosenberg, and our Clerk, Ms. Claudette Borgerson, and Senior Deputy Clerk, Mr. Travis Morris. Please also let me welcome Albemarle County Police Officers present, Lieutenant Angela Jamerson, and Officer Matt Middleton.

[00:00:56] And we thank you for your service here and across the county every day. Thank you for our safety and security. If all present could now stand as you were able and join us in the Pledge of Allegiance.

[00:01:22] Thank you. If you would now please join us in a moment of silence.

[00:01:55] Thank you. Board, we'll now move to adoption of the final agenda for today. I have not heard of any suggested amendments, so if there's a, if not, if there's a motion to adopt the final agenda. So moved.

Second.

[00:02:10] So we have a motion from Supervisor Malik, a second from Supervisor Lupisto Kirtley. without objection if the clerk will call the roll. Ms. Lopista-Curtley? Aye. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Thank you. Board, we'll now move to brief announcements by board members. And our order today will start with Supervisor Malik. Thank you very much. Someone else may be going to speak to, but I know in April there will be the IVMUC materials utilization center will be all sorts of dates for hazardous household waste appliances

[00:02:49] tires and electronics so please consult the ravana.org website to learn about those and also we know that april is the day for plant sales and garden tours and there'll be more information about that in the first april meeting thank you thank you uh supervisor pruit yes so i've become the guy who talks about election days every time uh we go around the horn so i will uh say Congratulations, Virginia, on your participation in yesterday's Super Tuesday presidential election.

[00:03:18] This is not the last primary election that we have this year. There's another one coming up in June 18th. And, of course, polls will open for early voting in-person functions exactly the same, except it's much, much easier 45 days before that.

[00:03:34] So get out and vote. Thank you. Thank you. Supervisor Lupita. I would just remind everyone that the Citizens Police Academy is taking place over the next three Saturdays. However, I understand the class is full, which is a good thing, and there will possibly be more classes, additional classes added in the fall.

[00:03:57] Thank you. Thank you. Supervisor McKeel? Just a couple of quick items. The Charlottesville Area Alliance, working for an age-friendly community, is hosting an event. They're calling it One Stop Shop for those 50 plus, which certainly includes me. They are highlighting programs and resources around Central Virginia, such as care for the caregiver, health care, insurance, safety, social connections, transportation, wills,

[00:04:34] and much more. You can join the event on April the 27th from 11 o'clock till 2 o'clock in the afternoon at Carver Rec Center. And I will note that it says refreshments are provided. Maybe that's because it's for 50 and over, right? But anyway, that sounds like a great event.

[00:04:52] The other item, I just want to take a minute and thank the Albemarle County Police Department. We have two folks here with us for their efforts at stopping our reckless driving and speeding in this community.

[00:05:14] The Elmar County Police stopped 113 vehicles for speeding and rode 119 tickets in one day last week. And it's just really, really important that people drive carefully, obey the laws.

[00:05:31] we are really a dangerous community right now for pedestrians and for folks that are driving vehicles. So I want to thank our officers and appreciate their work. Thank you. Supervisor Galloway. I don't think I have any announcements today. Thank you. Okay, thank you. I only would second the appreciation for our officers and in terms of traffic enforcement also know that there was a crash on Friday on 64 that involved a stop patrol car. And of course, the law is that

[00:06:09] people should move over, if possible, when there are stop patrol cars. So fortunate no one was injured in that accident. I also want to remind people that we're coming up on budget town halls, and I

believe we have one scheduled for BF Yancey in the Samuel Miller District on March 28th.

[00:06:27] And I believe there'll also be one in connection with the 5th and Avon CAC in March, and I'm sure others will have them scheduled as we as we proceed into the month does anyone have anything they'd like to add otherwise then thank you board we'll move on to our next item proclamations and recognitions we have two today first turning to supervisor malik for resolution celebrating women's history month thank you very much proclamation recognizing women's history month whereas women's history week originated in the united states in 1978 launched in california during the week of

[00:07:02] International Women's Day and the movement spread across the country. And whereas a consortium of women's groups and historians successfully lobbied for national recognition of the week, honoring women's contributions to American history, until the first presidential proclamation was issued by Jimmy Carter in 1980. And whereas subsequent presidents continued to proclaim a National Women's History Week until Congress passed a law in 1987, designating March of each year as Women's History Month and authorized each president thereafter to issue an annual proclamation. Whereas Amara County honors all the women past and present from our country,

[00:07:38] Commonwealth, county, country, so sorry, from our county, Commonwealth, and country whose invaluable contributions are often not recognized or recorded and whose determination and leadership positively impacts our lives every day. Now therefore be it proclaimed that we the Amara County Board of supervisors to hereby acknowledge and commemorate the month of March 2024 as Women's History Month with special recognition of the women who diligently lead our county to a brighter future for all. Signed this sixth day of March 2024, Jim Andrews, Chair. And I believe that's a form of a

[00:08:15] motion. Yes, second. I'm going to second. So motion from Supervisor Malik, second from Supervisor McKeel. Without objection, the clerk will call the roll. Ms. Lapista-Curtley. Aye. Ms. Malik. Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. And I believe we have someone here to accept the motion. Bree Reed, Director of the Charlottesville Chapter of the National Organization of Women. Welcome. Hello. Can everyone hear me? You can adjust that as you

[00:08:54] need. Thank you. Hello. I'm Rajana Reed, and I bring thanks from the Charlottesville Chapter of the National Organization for Women for recognizing Women's History Month. Throughout history, women's leadership and achievements have been unrecognized, unreported, or erased, with their accomplishments often ignored or credited to men.

[00:09:19] Studies confirm that women are vastly underrepresented in U.S. history and social studies classrooms. The National Women's History Museum analyzed the K-12 social studies standards for each state, reviewing all standards referring to a woman or a topic associated with women. The report revealed how few women are required reading, just 178 individual women. That's one woman for every

[00:09:49] three men in the 2017 standards. Their analysis of the way women's history is characterized in the standards suggests that women are excluded because of the framework of the standards preference male-oriented exceptional leadership while overemphasizing women's domestic roles.

[00:10:12] Often, references to women seem an afterthought, an addendum to the main storyline. Coinciding with the 1960s rights movements, many states add marginalized groups to the history

standards, including women as a marginalized group. This despite the fact that women comprise more than half of the U.S. population and approaching all women as a group usually resulted in the experiences [00:10:42] of elite white women being showcased as the norm. The lack of representation and diminished portrayal of women sends powerful messages to our young people about women in history and contemporary society. From what they're learning in school, students fail to see the broader impacts women overall have made in U.S. history, and they're even less likely to learn about the positive impacts of women of color. Today, there is an increasing public interest in motivating girls to embrace

[00:11:21] science, technology, engineering, and math, but learning standards provide few historic examples of women or their achievements in these fields. The lack of positive images of women leaders and women's inventions, discoveries, contributions, and achievements across every discipline is especially damaging for young girls. They can't aspire to be what they haven't seen. We at Seville now release chances to highlight women's history. We urge all to learn and teach children about the

[00:12:00] unsung women of Albemarle County, our state and country, and to insist that women be appropriately included in what our children learn at school. We commend the supervisors of Albemarle for bringing women's history to the attention of the community. Warmest gratitude for presenting this women's history proclamation to Charlottesville now today, and I thank you. Thank you. Thank you. We'll have an opportunity for all the supervisors to speak, but really appreciate that. We'll start with Supervisor Mount. Thank you very much. As a Girl Scout leader in the 80s, I referred with both

[00:12:39] the troops to a book written during Linda Robb's leadership here in Virginia, Women of Impact, over 400 years in Virginia's history it stops in 1945 and it definitely needs to be updated but it was a great resource and opened a lot of eyes about all the different people at different levels of society who were impactful from myself from being the descendant of a 13th century female Irish pirate to my grandmother who was an early Robert Rodale convert and argued for environmental protection and chemical pollution stopping at the dinner table every night to my

[00:13:17] mom and her generation's work on water protection here in Admiral County and trying to be an inspiring person to my granddaughters and daughters who are definitely eager to take their role. I appreciate all the work that you are doing. Thank you. Thank you. Supervisor Pruitt. Thank you so much for being here. On days where we talk about history, I always try and think about what's the forward-looking element of this, and I want to connect just very briefly to what we're doing here today, I think it's really extraordinary that how Morrill County has, you know, leadership that is

[00:13:51] at parity. We are represented by 50% women. That's not something that every community in America can say, and that's certainly not what we can say when we look toward our national government. Local rural governments in India, Panchayati Raj institutions, the things that are equivalent to us over there have required gender parity in all their local councils and there have been a wealth of studies that have gone into this to show that when you have gender parity in local government what you see is people investing more in clean water, people investing more in transportation, people investing more in the communities and figuring out how to serve them. You also see

[00:14:31] women in the community when the leadership resembles them getting more involved in the political process so I am so thrilled that we have a community where we have such profound women leadership and I hope that is something we can see more of as we move forward and have more women's

history. Supervisor Lupista Kirkman. Thank you very much. What an honor for all of us for you all to be here. This is something those of us of a certain age really appreciate the fact that now

[00:15:03] has done so much work for all women and as an educator that's something I certainly we certainly made sure that girls young women were all encouraged to do whatever they could and you're continuing that you've been doing that you're continuing that and that is something very important for all of us thank you very much. Supervisor McKeel. Thank you for the comments from my fellow supervisors, I certainly agree, and thank you for bringing the presentation

[00:15:38] forward. I just, as well as my, the other supervisors, I want to thank all the women leaders that we have in Elmar County Government. They are doing a great job for us, and we really appreciate their work, and I see some of them in the audience right now. Not all of them, but I see some of them in the audience. And I think because I was married to a bridge engineer, I want to add a name for folks to think about if you're not aware of.

[00:16:09] Emily Warren Roebling, who was, back in the 1800s, she was responsible for guiding construction of the Brooklyn Bridge because her husband became ill, was debilitated, and couldn't do the work.

[00:16:29] and she took over as the engineer for that project, ran the design and the work out of her home, and could never really admit she was doing it because it was the 1800s.

[00:16:45] She's worth looking up, if some of you have not heard of her, the Brooklyn Bridge, which was built from 1869 to 1883. Just to add another name to the list, pretty cool. Thank you.

[00:17:01] Thank you. Supervisor Galloway. Yeah, thank you. As Supervisor Pruitt was remarking about women leadership, I was recalling my days as the lone male. You survived just fine. I was nervous there. You know, in past years when this has come up, I often think of women in my life and what influence they've had.

[00:17:23] I've remarked before at previous board meetings that the main influences in my personal life have always been women. It just, there weren't that many male role models around in my family to look to, but my grandmother was who raised me. But it will be three years this month that my great aunt, Sister Mary Florence Burke, who was a Roman Catholic nun, which happens to be a rather male-dominated organization, passed away.

[00:17:48] And in her funeral, she had chosen Corinthians 9.24 to be read. and that quote is do you not know that in a race all the runners run but only one receives the prize run in such a way that you may seize the prize and make it yours she was an educator for years and not only did she live her life and for her it was faith but she passed on to all her students that same sentiment and I've been obviously reflecting on her and her influence and passing along and thinking about that wisdom that she has still sent on even after she was gone

[00:18:28] for me to reflect on. So I thought that would be a nice thing to share. She was what I would call a rock star in the Wheeling Catholic Diocese. And I still, when I returned to my hometown, have former students of hers, even though they say she was strict in every stereotypical way you could think of a Roman Catholic nautiler.

[00:18:48] But they came to appreciate beyond that stereotypical or that superficial stuff what she was teaching them as an educator. So thank you for being here today. As a father of two daughters myself, I am certainly enjoying watching my two daughters come into their own and know that they will be doing right by the things to advance and show folks why we shouldn't be worried about men's history or women's history today.

[00:19:15] It's history, and we're all in this together. Thank you. Thank you. And I share the comments of my fellow supervisors. Well, I actually didn't know my mother, but I knew my mother-in-law, who has a very strong presence here in Albemarle County. Jane Hayward was an environmentalist from the get-go, and I think I'm inspired to be here because of her.

[00:19:37] We have a strong group here of women. I noticed that Monticello is celebrating Women's History Month with the women of Monticello. But I expect that when the history of this era is written, we're going to see some of the people here featured as particularly strong, prominent women of our time.

[00:19:56] So thank you for your being here on behalf of now. And I believe Ms. Malik has a proclamation to hand to you, so I'm going to make sure that happens.

[00:20:31] On board, we have another proclamation for today. It's a celebration of March as Red Cross Month. I believe Supervisor Lupista Kirtley has a motion. I do. Thank you very much, Chair Andrews. Proclamation recognizing March as Red Cross Month.

[00:20:48] Whereas during American Red Cross Month in March, we recognize the compassion of people in Avamore County and reaffirm our commitment to care for one another in times of crisis. And whereas this generous spirit is woven into the fabric of our community and advances the humanitarian legacy of American Red Cross founder Clara Barton, one of the most honored women in our county's history who nobly dedicated herself to alleviating suffering.

[00:21:21] And whereas today, kind-hearted individuals in our community exemplify Barton's commitment as they step up through your American Red Cross Central Virginia chapter to promote a beacon of hope for our neighbors in need and whereas through their voluntary and selfless contributions they make a life-saving difference in people's darkest hours. More than 250 Red Cross volunteers provided 134 Central Virginia families with shelter, food, and comfort

[00:21:55] after a home fire, helped collect and process more than 18,000 blood donations for hospital patients, supported hundreds of military families, veterans, and caregivers through the unique challenges of service, and helped save lives through providing nearly 14,000 residents with first aid, CPR, and other skills training. Now, therefore, be it proclaimed that we, the Albemarle County Board of Supervisors, do hereby recognize the month of March 2024 as Red Cross Month and

[00:22:31] encourage all residents of Albemarle County to reach out and support their humanitarian mission and be it therefore proclaimed that during this month of March, in honor of all those who lead with their hearts to serve people in need, we ask everyone to join in this commitment to strengthen our community. Signed this sixth day of March 2024, Jim Andrews, Chair, Albemarle County Board of supervisors. Second. Thank you. We have a motion from Supervisor Lupisto-Curtley, a second from Supervisor McKeel. Without objection, if the clerk will call the roll. Ms. Lupisto-Curtley? Aye. Ms.

[00:23:08] Mallett? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Thank you, and I believe we have Mr. Bill Brent here to accept this on behalf as the Executive Director I have a

Red Cross Central Virginia chapter.

[00:23:27] And are you, okay, welcome. Thrilled to have you. Thank you. It's a pleasure to be with you. Okay, I've moved the whole thing here. It's a pleasure to be with you this afternoon, and it's a special pleasure to be here on Women's History Month and that acknowledgement.

[00:23:47] And as you heard, our founder, Clara Barton, began this organization out of the humanitarian desire to take care of the wounded on the battlefield over 140 years ago, and we continue that mission today in our services to the armed forces and all of the other programs, whether it's disaster responses or taking care of our international folks, helping reunite families across the world, being there when someone has a fire the night before. And that's all part of the mission of the American Red Cross which is to prevent and alleviate human suffering in the face of emergencies

[00:24:26] by mobilizing the power of volunteers and the generosity of donors our communities individuals 95 of the workforce of the American Red Cross are volunteers we can't do it without the support and partnership 106 years ago folks like you sat around this room and decided that it was worth investing in the American Red Cross. We are thankful for the commitment then. We're thankful for your commitment and support now. It truly is a partnership, and we couldn't do it without you.

[00:24:59] So thank you. Thank you. And wait there while we each allow comments here. Supervisor Malik. Thank you. As we were conversing out in the hall, it's been many, many years. I took my senior life-saving in 1965, so that was a long time ago. Those football players almost drowned me when we had to haul them along.

[00:25:21] But also, I mean, my three grandchildren have also done the same thing within the last five years, so I appreciate all that aspect of your work as well as all of the supplying blood for the hospitals and emergencies. Thank you very much. Supervisor Pruitt. Yes, thank you so much for being here.

[00:25:38] You know, I think we need only turn on the television for these last few months to remember the kind of critical role that the Red Cross and its sister organizations play in our world. And it is not just these, you know, flashy, dire conflicts that the Red Cross is providing these vital services.

[00:25:57] You know, I deployed with the United States Navy twice, and the Red Cross is an essential lifeline for deployed sailors. That's how we know when people back home, when our families are in trouble. It's not them getting on the secret, you know, computer to tell us what's going on.

[00:26:12] It's a liaison through the American Red Cross that actually gives those people the connection back to home when it's most important. So thank you so much for the work you all did. Thank you. Supervisor Lupisto Kirkland. It's such an honor to be able to recognize you because of all the work you've done.

[00:26:28] As Supervisor Pruitt said, you've helped everybody. And I would say millions and millions of people since the beginning. And this is such a small tribute to say thank you. You're deserving of so much more.

[00:26:44] And I do hope that more people will volunteer and will be there for the Red Cross, and especially not only helping families, but also your blood drive. That saves lives every single time, so we thank you very much. Thank you. Supervisor McKeel.

[00:27:02] Thank you very much. We really appreciate the work from the Red Cross as a retired nurse from UVA. I had lots of experience with working with the Red Cross and calling you all, and whether it was an event for staff a training for staff or blood donations so again thank you so much in this time of climate change events we're going to need your services i fear even more but locally too you are just a wonderful resource for our community so thank you thank you supervisor galloway yeah thank

[00:27:41] you for being with us today i remain in absolute awe of everything the american red cross has done And in particular, the symbology. I mean, that symbol, when people see it, commands a respect that not many other organizations have achieved, frankly.

[00:27:56] I enjoyed reading some of the history coming in today. Did not know this, and it's right there on the American Red Cross website, that it says this speaks to, you know, you think of volunteers. A lot of times you think of adults. You've got a heck of a young volunteer organization going that I didn't really know about.

[00:28:15] And in kind of learning about that, the first statement on your website says in 1884, six children put on a play that raised \$50 that they donated to the then three-year-old American Red Cross. Red Cross founder Clara Barton used that money to aid a family affected by severe Midwestern floods.

[00:28:32] So reading that about children, even within the first few years of the organization and then what it has turned into, that's been fascinating for me to read and learn about. So just wanted to share that with you today as well. Thank you, sir. Thank you. Thank you. And I just want to add my gratitude for all that the Red Cross does and I hope that everyone will recognize the needs and support them, whether it's giving money, time, or blood.

[00:28:57] We'll take it all. Take it all. All right. Thank you very much. And Supervisor Lupista Cridley has a signed copy of the proclamation. I was just going to say, Ned, that was a lot of money back then. A lot of money.

[00:29:13] And they did it with a play, theater. thank you thank you board uh thank you uh that brings us to item seven from public matters on the agenda but not listed for public hearing or matters previously considered by the board or matters that are pending before the board do we have anyone signed up we do not we do not all right so board that takes us to item eight the consent agenda is there any item that anyone would like to pull or change on the consent agenda if not do we have a motion to adopt the consent agenda

[00:29:53] So moved. Second. We have a motion from Supervisor McKeel, second from Supervisor Malek. Without objection, if the clerk will call the roll. We may be moving back to the lettering. We're figuring it out. It works. Apologize. All right. Ms. Lapista-Kirtley? Aye. Ms. Malek? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. All right. Mr. Chair, we do have some individuals in the audience who are signed up. Oh, okay. Great. Well, if that's all right, we'll jump back on item seven.

[00:30:50] matters from the public, and then come back if Vice Chair McKeel will read the rules. How many sign-ups? All in person, I think is what she's saying. They're all in person? Yes.

[00:31:06] Okay. During the time set aside for matters on the agenda but not listed for public hearing, individuals may address the Board of Supervisors concerning matters previously considered by the Board or matters that are pending before the Board other than items listed on the agenda for public hearing.

Individuals are allowed one opportunity of up to three minutes to speak at each board meeting during matters from the public. A sign-up sheet is managed by the clerk's office.

[00:31:35] Timekeeping is conducted through a timer and a light system at the podium. The green light will go on when you begin speaking, which begins your allotted time. The yellow light indicates you have one minute to finish speaking. The red light indicates your time has expired and you will be asked to end your comments. To give all speakers equal treatment and courtesy, the board requests that speakers adhere to the following guidelines. When addressing the board, state your name and if you live in Almar County, your magisterial district. Address comments directly to the board as a whole. Any written statements or other supporting materials may be given to the clerk.

[00:32:09] If representing a group or organization, you may ask others present to raise their hand in recognition. Speakers may not share any unused time with another speaker. Back and forth debate is not permitted. Do not speak from your seat or out of turn. All comments are live streamed, recorded, and published on the Almarra County website. George Stevens. There you go. Come on up

[00:32:43] and adjust the mic as you need to so that we can hear you. Welcome, Chief. Okay, thank you. Chairman Andrews, Honorable Board of Supervisors, my name is George Stevens, Samuel Miller District.

[00:32:59] I have been the chief of the North Garden Volunteer Fire Company for 23 years out of the 42 I've been a volunteer firefighter. I stand before you today deeply concerned about the safety of our community. The North Garden Volunteer Fire Company, which has served Albemarle County for over 53 years, is facing a critical staffing shortage, and we need county support to continue to serve effectively to keep our community safe. As you know, the county has recently denied our request for 24-7 career staffing of the North Garden Fire Station. As background, the North

[00:33:36] Garden Fire Station responds to over 800 calls per year, the majority which happens outside the current weekday career staffing hours of 6 a.m. to 6 p.m. Monday through Friday. Acknowledging the increased challenges of appropriately staffing and covering those calls with shrinking an aging volunteer base, our membership voted unanimously in June of 2023 to request 24-7 career staffing.

[00:34:04] We made the tough decision that best serves our community, swallowing any pride that was required to take that step. Knowing this is a multi-year process, just as it was when we requested our initial weekday staffing, reflecting on the long lead time to implement and increase career staffing due to funding, training, and deployment, the request was submitted to Chief Eggleston in July of 2023 with the hope that staffing could be in place sometime in 2025. We recognize that the requested 24-7 staffing of three may in many cases

[00:34:43] still need volunteer augmentation. Our community deserves a stable minimum level of emergency services. Residents of the North Garden area should not get lesser response than other areas because of the shrinkage and aging volunteer base and being the first volunteer department in the county to admit its limitations of services going forward.

[00:35:05] We formally request the Board of Supervisors, one, determine the financial impact of our requests so the board can evaluate the public safety matter and weigh against other funds. Two, request ACFR to evaluate the impact of meeting our staffing requests with the current recommended FY25 FTE count by redistributing of resources if necessary.

[00:35:30] Three, inquire from staff what the deployment plan is with or without our request provided coverage of Albemarle residents, assuming we are not able to cover our calls, and in particular, increase 24-7 staffing of Station 17, which is anticipated to respond outside of Albemarle County, given its non-central location.

[00:35:52] Four, given our volume of centrally located and membership dynamics, consider reversing staffing recommendations and funding for 2025 budget and include 24-7 funding for staffing for North Garden Fire Station.

[00:36:10] I appreciate this. Thank you. But if you have comments to give, you can answer the clerk and we'll have them. But thank you. Thank you. I don't believe we have any other people signed up. That was always on the list. Board, at this time, we will move into our budget work session.

[00:36:29] Item 9, County Executives 2025 Recommended Budget, Operating and Capital Budget. We'll be led off by, I think, Mr. Andy Bowman, Assistant Chief Financial Officer with Mr. Sumner, Jacob Sumner, as Chief Financial Officer, to start.

[00:36:46] Good afternoon. Welcome. Good afternoon, and thank you, Chair Andrews, for the introduction. While I'm pulling up the presentation, I just want to take a moment and recognize, as well, I'll be doing the first half of today's presentation.

[00:37:07] Just publicly recognize the team at OMB and particularly the analysts in our department who do so much of this 300-page document, the presentation materials, all the Q&A that comes back to the board. They are here today on the far end of the auditorium, Thomas Unsworth, Lauren Van Zandt, Tia Mitchell, Robert Wilson, and certainly our Deputy Chief, Ryan Davidson, and the other staff in finance budget who support this work.

[00:37:34] So with that said, I'm going to take a look at today's agenda. Really looking ahead first for the months ahead and the remainder of the budget process. I'd like to start with this ahead, and I want to clarify.

[00:37:50] During today's board meeting, there is no action that is planned. This is just the first introduction for discussion and dialogue in the recommended budget. There is one item towards the end of the meeting in public works under Ravana Solid Waste Authority where we're going to ask for some board consensus that will then come back to a later date.

[00:38:07] that will not be final action. That'll just be consensus. I'll note that that's going to be the tenor of the first few work sessions we have scheduled, but I want to point out a very important milestone on March 25th. On that day, the Board of Supervisors will be asked to take action to propose a budget for public hearing and to propose tax rates for advertisement. That date is important because when the Board of Supervisors advertises a tax rate, the Board will only be able to adopt tax rates that are at that amount advertised or less. So this theoretically puts a cap on the

[00:38:39] at that point in time of what the revenues may be in the upcoming fiscal year. Looking ahead at how these work sessions are intended to work, this is really building upon the feedback we've received from the board in the past, where we want to present a summary level of information. It'll be more detailed than the county executive's presentation, but it will be not as detailed as the budget document. We're going to have many breaks for board discussion, given this is a work session, and we want to help facilitate as much dialogue as we can. During these breaks, really

[00:39:15] after every chapter, staff will be available for any general information questions the board may have. Anything we can't answer on the spot, we will take as a follow-up. We will send that to the board and post on the website so we have all those responses out there for public transparency. The second item that we'll be listening for is any item that we'll kind of informally refer to as the list, which is really any potential adjustments the board may desire. One of the items that staff has a follow-up that will be coming to the board and posted on the website tomorrow is a list of what is not included in the budget. This was something the board asked for the very first presentation. So staff is going to prepare a list of those items that were

[00:39:55] really strongly considered but unable to be included as part of budget balancing, and that's going to be organized by a strategic goal. So we'll send that full list out tomorrow morning, and really the intent of staff's comments today is about what is in the budget and how does that align to the strategic plan. But certainly, if there's any items for adjustment, the board, you know, at any point can raise those. Our approach, which has worked well in the past, if a discussion were to come up for an eventual amendment to the budget, is not to resolve it at that moment in the work session, but begin to collect all of these potential adjustments and bring that back to the board to look at as one package and what the board may want to consider.

[00:40:36] So one more comment of a process. Here is the agenda of what we were planning to cover today. We'll begin with an overview of the budget in total, and then we'll spend some time going through general fund revenues. We'll then talk about general fund expenditures as a summary.

[00:40:53] And then from there, that would be a good time to take a break on the agenda if the board desires to. We'll then continue through general fund expenditures. We have, from the original agenda, we have swapped public works and public safety because there is that one item in public works and Ravanna Solid Waste Authority that we want to ensure we get board directional.

[00:41:11] We certainly want to cover as much of this material as we can. but we also want to make sure that we give the board the time they need to work through this. So if there's anything we do not cover today, because I know there's a hard stop at 445 on the agenda, we can continue that on Monday after we hear from the school board. So with those just introductory comments, I'll pause just for a moment in case one of many pauses. If there's any questions about process or others, I'll look to the board that we can clarify before we dive into content. I would just look to the board to see if anyone has anything at this time. I think

[00:41:44] we can proceed. Thank you, Mr. Bowman. Thank you. So I'm going to start at really the 30,000 foot level of how we put together the total budget. This is the strategic plan that the board of supervisors approved in the fall of 2022. The board spent time focusing on the goals and the objectives of that strategic plan. And then staff followed up with what are the work plans and projects that will achieve the outcomes of those six goals. A year ago in fiscal year 24, a lot of the work the board had was about really aligning our resources in the county to move forward

[00:42:22] these objectives. Fiscal year 25 is going to be continuing to build the momentum of what the board has set in motion continuing into the following fiscal year. The strategic plan is a critical piece, but it's not the only one that we look at when balancing. The board of supervisors has a strong commitment to financial planning and financial stewardship. There have actually been 10 occasions that the department of finance and budget has been before the board since the adoption of the last budget, whether that be the

economic output report, looking at our long-term revenues, whether it be the bond issuances that was completed last fall, or a normal five-year

[00:42:57] financial planning process, where we look at our revenue projections, our obligations, available revenues, and begin to put together. So all these examples on the slide are woven together through these two goals, and this will be actually getting to some of the content of the budget now.

[00:43:15] Here is our total all-funds budget. This represents both the general fund, which is our largest primary fund, as well as the capital program, our county's debt service, any other grant funding, and, of course, the public schools operating fund. This total all funds budget is an increase of about \$74 million or 13%.

[00:43:35] I want to walk through the math of why that is the way it is. So this is a little narrative to these charts on page 50 and 51. The county executive, in his initial comments, talked about when we look at the total budget, one of the biggest variables is the capital budget.

[00:43:51] By nature, capital projects will stop and start and change year to year based on what may be programmed. And so that is one of the reasons when we look at the total all funds budget, we have a lot of revenue and expenditure growth in that area. But to walk through the math behind that concept, if we look at our county's local revenues, those are primarily taxed revenues and primarily received into the general fund.

[00:44:13] and then they fund other funds from there. Those are about \$19 million or 5%. And that is really based on the changes in the overall local economy. When we look at other fund drivers, we have an increase of 62 million or more than 260%.

[00:44:30] That is really what is happening in the capital program where next year's budget, we have the construction of the Southern Theater Pattern Elementary. We have other project cost increases that were not part of the budget because they were not being constructed at that time. And this may, year to year, when we look at the total budget, this is a common trend where what's happening in the capital can skew where that number goes based on the projects being constructed in that year.

[00:44:54] The final notable change is really where we are in state revenues, decreasing \$6 million. That is largely due to the impact in the public schools draft budget. Their revenue number is actually down around \$8 million based on the governor's budget, and they are continuing to monitor that as that works through the General Assembly.

[00:45:12] So if anyone is following along, doing some quick math, the 19 million plus 62 minus 6 gives us to a \$75 million increase. Any other change there is really due to rounding or small changes in other revenues. So this is a slide I wanted to walk through because certainly it is very notable to have that dollar change, but it really doesn't tell the whole story of what is happening in ongoing day-to-day operations versus what is happening in the capital budget.

[00:45:40] So with that explanation now, unless there's, I'll just pause very briefly if there's any question on this before I go into general fund revenues. Yeah, we're still the first over. We're going into the budget revenues general fund. Yes. So I do want to go through the orders. Supervisor Malik. No questions right now. Thank you. Supervisor Pruitt. I don't believe I have any questions right now. Thank you. Supervisor Lopisto-Curdon. Not at this time. Supervisor Galloway. And I have no questions at this point. So we can proceed. Thank you. Thank you. I should say to manage expectations, we want to provide a lot of breaks,

but this portion of the presentation will be the longest from staff so that's why i wanted to take that extra pause just in case

[00:46:22] so revenues of course are half the equation of a balanced budget and our budget and our expenditures needs to be grounded in what revenues are available so again after this chapter i'll walk through uh any questions the board has the rest of the content today is going to be focused on the county's general fund we focus on the general fund rather than the total county budget for three reasons. First, that is essentially where all local tax revenue is received. Second, it is the primary funding source for school operations, the capital program, and the county's

[00:46:57] debt service applications. And third, this is the fund where the Board of Supervisors has the maximum amount of policy discretion. Two things at a high level I'd like to point out is, first, general property taxes continue to make up the primary source of general fund revenues at about two-thirds. That is primarily real estate and personal property, and we'll take a closer look at those in just a moment. The other item that I'd like to just point out, as it surprises some when I'm in community meetings, people's reaction to this is that state and federal revenue only makes up 9% of the general fund. That's certainly an important part of our funding, but it is relatively

[00:47:33] small sometimes to what people expect, so just to share that. So taking a look at the budget is balanced on the current tax rates of real property, personal property, food and beverage, and transit occupancy. I will point out that food and beverage is at the statutory cap at 6%. The county does not have enabling authority to increase that one further. As we take a look to our revenue projection, the board hears every fall from an economic outlook report where county staff

[00:48:08] contacts with a team of academics, practitioners, and economists at Virginia Tech to really take a look at Albemarle's economy, how that compares to the national, state, and the global trends, to really understand not only what's happening locally, but how does that connect overall. So really the conclusions from that presentation are that we know that our economy is overall healthy and strong, and we know that we follow state and national trends. What was also foreshadowed and shown on the quote on the slide is that it was prudent for us to anticipate a slowdown compared to where we have been in the last few years, emerging from the bounce back and revenues

[00:48:46] from the pandemic. So this slide is a good summary of where we've actually ended up. The advice we got in the fall has tracked pretty closely, but to illustrate it a kind of long-term historical comparison, I want to show you all what this looks like. This walls would be the busiest slide that I talk about today, though it's one the board has seen before. Really to go back over the last 16 years and how have the county's revenues changed to give us a ground in where are we today versus where have we been. So this slide shows on the blue bars what has the county's actual general fund revenue changed from year to year from fiscal year seven to the present. Fiscal year seven is a

[00:49:25] starting point because that is when the county began annual real estate reassessments. Prior to then the history gets a little choppier. So looking left to right we can see there's a few trends that you know kind of go above and below that long-term average in orange. We see starting to the left prior to the Great Recession, there was some very strong revenue growth. We can then see beginning in fiscal year 9 to fiscal year 14, that growth was much more muted. We actually had a decline in revenues one year in fiscal year 10, and for the most part, those were at 2% or below approximately. We then entered a period in the post-initial recovery from the Great Recession

[00:50:04] to the pandemic, where revenues were really at or above that long-term average. We can see the average of that period in yellow. And that was leading all the way up into fiscal year 20, really in particular the fourth quarter of fiscal year '20 with the onset of the pandemic, where the county and really the nation experienced another recession. It was very deep and very brief in terms of the impact of the initial pandemic. What happened then was another different trend where we can see in fiscal year '21 to '23, we saw a very strong rebound in real estate and commercial activity and business activity across the board. What we have seen then, what was already

[00:50:42] adopted in fiscal year 24 was still strong revenue growth, very close to the average. As a matter of fact, if we look at the second quarter financial report that went to the board in February, the current projection in our 24 revenues is just about a percent or so above what has been appropriated.

[00:51:00] So if you looked at government financial forecasting standards, that's well within the margin of good work, and so we are really tracking. So this is not to say a slowdown is coming. That slowdown is where it's already here, and that's a slowdown compared to historic growth over the last few years. So we see in fiscal year 25 that continuing, there is healthy revenue growth, but this is something we're watching very closely, because as we heard in the Economic Outlook Court, there are mixed signals in the economy, but to date it has been resilient overall.

[00:51:30] So with framing that at a high level, let's look at a couple of the large revenues in depth, the first of which is real estate tax revenue, which is the majority of county revenues. The recommended budget is calculated at the current rate of 85.4 cents per 100 assessed value.

[00:51:48] If the Board of Supervisors desired a change in that rate, whether it be plus or minus, the impact would be \$2.9 million to the budget. Based on the funding formula and the Board of Supervisors' financial management policies, that would be allocated as follows on the screen, based on the 10%, 54%, and 36% allocation.

[00:52:08] The last two bullets I want to point out are important because they're going to be part of the tax rate add. The board heard before from our county assessor in January that we had a real estate assessment of just over 4% for calendar year 2023. As part of the legal advertisement, there's a term in the Virginia Code called the lowered or effective tax rate.

[00:52:28] What this tax rate is essentially to say that if the board were to adopt a tax rate that essentially offset that growth of 4.07% reassessments, what would that tax rate be? In this case, that is 82.1 cents per \$100 of assessed value.

[00:52:45] So next, moving into the second largest tax revenue we have, those are personal property taxes. This applies to vehicles, motorcycles, boats, airplanes, and so on, as well as machinery and tools and other personal property. This rate is also at \$3.42, and every penny on that personal property tax rate is about \$100,000. A little more history on this one, because there's been a lot of unusual changes in the car market in recent years. In calendar year 22, car values increased very significantly in excess of 20%. At that time, not to fully offset, but to partially

[00:53:23] offset that very unique change, the Board of Supervisors decreased that rate 86 cents from 428 down to the current rate of 342. In calendar year 23, as car values fell, that rate remained at 342. And in calendar year 24, we are projecting another decline in those values, where budget to budget from fiscal year 24 adopted to the 25 recommended, there's a drop of 1.2 million.

[00:53:47] So as a reference, just as we talked about, kind of the effective or rate, if that change was offset by a change in the rate, in personal property, there would need to be an increase of \$0.13 up to \$0.355 per 100 valuation, where you would have revenues that would be equivalent to what was adopted last year.

[00:54:05] So moving beyond property taxes, I want to take a moment on other local taxes, highlighting really the major ones. our category of local taxes, which is, again, the second largest category, these four revenues make up 80% of that category. So just a few words about how this reflects an economic cooling.

[00:54:27] I'll talk about the first two, sales tax and food and beverage together. If we were to look a year to 24 months ago, we would see something very historic happening, where every month we would look at year-over-year changes, and it would be a double-digit percentage change. Very high, very unusual. What we have seen that has taken place in this year is those revenues are growing, but it's much more closer to average than historical is growing. I'll say this is one as we've looked at other communities, we watched the state, we watched other economic trends. This is not unique to Albemarle County. This is something that we are seeing elsewhere. So the fiscal year 25 budget expects that really the trend we're in right now is going to continue

[00:55:05] into fiscal year 25. Not a slowdown into a recession, not a rebound, really just kind of staying where we are. The third revenue, not as sizable but still significant in terms of how it's impacted by consumer activity, is the transit occupancy tax. That one is growing very dramatically.

[00:55:22] We have 18 percent growth forecast for next year. Much of that growth is actually what is currently taking place in the current year. This is a revenue that was probably the most impacted during the pandemic recession, and it was the slowest one to come back following sales, real estate, food and beverage, and others. So based on looking at economic trends, looking at the data with rates, occupancy, availability, everything else locally, staff's projection is that this revenue will also begin to moderate in the coming year and not keep up the historic base just because that is what we've seen in our other consumer taxes. And then finally, we have our

[00:56:01] business professional and occupational licenses, also known as BPOL. That's forecast to grow about 1.5%. What we've done studying this revenue, thanks with our analysts and our team in revenue administration, is this typically trails sales tax in its growth, which is why we had that a little bit less than sales tax. While a lot of these taxes above come in on a monthly basis, BPOL is a little bit differently, where it's based on the prior year gross receipts for business, rather than one that comes in every month that we're able to track. So with that, there are two more categories of

[00:56:36] revenues that I'm going to refer to. And as I do so, I want to hit this slide, which is a cleaned up version of what's on page 61 in the budget, just to make it a little easier to follow, about revenue diversification. This is really showing what are the results of what the board's action was two years ago to, in part, when the transit occupancy tax, the food and beverage tax, and the cigarette tax was implemented. Part of the strategy was to fund board priorities. Part of that was also to diversify, along with the board's economic development effort, diversify that tax base so we're not as reliant on that. We can see going back 20 years in history, the blue line

[00:57:12] at the top, property taxes have been an increasingly part of the budget. And those first few lines are in five-year increments. The last ones are last three annual. What we have seen for the last three budgets is that strategy is working where we have not decreased reliance, but it has certainly flattened out over the last three years in that approximately 66 to 67 percent range.

[00:57:35] And then we can see some of the other changes have happened over time in the other sources. Just noting that 20-some years ago, state and federal was a larger part of the budget, and that is what it is today. So with that segue, moving into the state budget, this is something that totals \$30 million and is 7% of our budget.

[00:57:54] Just like we have every year, the General Assembly has not finalized a budget, and we continue to watch this very closely. But I want to walk through this to give the board some comfort in what our risk profile may look like. About half of this revenue comes in from the personal property tax relief program. There was discussion from the governor about potentially doing something different with personal property taxes, but nothing is included in anyone's budget at this time to do so.

[00:58:17] So that \$15 million has come in at a fixed amount for the last 15 years. We're watching, but we feel confident in that. The next largest category is money that is reimbursed for programs from the Department of Human and Social Services. That is money that is then spent and reimbursed by the state.

[00:58:34] There is \$3.2 million in public safety support. The public may hear this commonly referred to as House Bill 599 funding to support the police department. We have included what's included in the governor's budget, and we'll continue to watch that. There's a telecommunications tax that continues to decline, but that's not about the state.

[00:58:53] That's about consumer trends in telecommunications. We also have support from the Compensation Board for our elected constitutional officers and the registrar, and then about another million in other sources, which is mostly our vehicle rental tax that flows through the state. So the main takeaway is here of kind of what makes up this, and staff will continue to watch this as we do with the General Assembly should anything change.

[00:59:15] Finally, in my revenue presentation, I'm going to touch on the county's use of general fund fund balance. This is, if you were looking at the audit or if you were looking to our adopted budget, you would see at the end of fiscal year 23, there is an unassigned fund balance of \$91.3 million.

[00:59:32] To give a breakdown of what that funding is, most of that balance is committed in fiscal year 24 based on the board's financial management policies. First and most notably, we have a 10% undesigned fund balance policy that really exists to ensure the county's cash flow, ensure our county's operations, and to give us some resiliency in the case if there was a disruption to that.

[00:59:54] Some people talk about a rainy day fund. I think of that 10% more of a hurricane fund if something truly catastrophic happened. So the county does not need to engage in any short-term borrowing to make our ends meet. And that is a metric that is in the board's financial management policies, and we review annually as part of our AAA, AAA bond rating.

[01:00:12] We also have a 2% budget stabilization reserve that is a little more flexible, and the board has some guardrails around that in our policies. There's a 2% reserve in education that totals \$9.1 million. And then there's also \$15.6 million for funding that either was included in the adopted budget or was appropriated from last year to this year in continued projects that cross fiscal years.

[01:00:34] So after those buckets, there's about \$8.8 million programmed for one-time expenses. \$1.3 million is going to be a transfer to the health fund, and I'll talk about that more later in today's presentation. There's also a \$2 million one-time transfer to the housing fund to support the board's efforts and the housing at Elmore Plan.

[01:00:51] We have some other one-time costs in the general fund that I won't speak through in detail, but I can certainly go to if there are board questions. So at this time, I will turn it back over to the chair for any questions we have on the revenue chapter. Thank you. We'll go through our order. Supervisor Mallon.

[01:01:07] Well, thank you. I'm appreciative on slide 15 of you going back to the fiscal year 07, because that perspective is so important when people think back to the recession in 09, And there was no federal intervention, which is why that monster dip happened as compared to the most recent one where the ARPA funds and the CARES funds came in and helped us to not have a repeat in 22 and 23.

[01:01:36] So I always appreciate some stability, and this seems to have gotten it there, but this is a really informative sign, and I appreciate it. And then I will hold off on everything else. Thank you. Thank you. Supervisor Pruitt? Yes, I have a few questions.

[01:01:55] Do we have any data or insight on how our peer localities have been responding to volatility in both the used car market and in real estate prices? Like how many did the stabilization measures that we did and how many of them still have those measures in place?

[01:02:21] That is not something that staff has researched really in the last two years, but we could do some research to see what happened to people's rates and everywhere. I would say that it was probably all over the place, but we can take that as a follow-up and bring that summary back to the board. Sure. And I know when we look at Supergalloway, did you have something to add? Yeah, I just share from the TJPDC what was shared from those member jurisdictions. Green County ended up giving a rebate back in lieu of what we did. Most localities actually looked to what we did and said they wish they had done it that way. There were some that I think did, and I don't know the exacts, but there were some others that I think did lower it.

[01:02:58] They may have delayed past our action. But I know that's been discussed at the TJPDC, so I'm just sharing that kind of anecdotally. And a rebate, just sorry to, I'll put the crosstalk, but the rebate would be a one-year provision.

[01:03:16] They were kind of stuck in that they didn't think to do what we did. Well, they've been authorized by the state to be allowed to do that. to just continue to kind of make sure i'm teasing out and understanding where we are with personal property um do we have any uh data available on um where car values used car values sit now um and how that might compare like not just to where they were previously like how much have they stabilized but how much that compares to say like a 20-year running average so we can compare that to like where would we have expected to be sans pandemic yeah i'll ask this question back this

[01:03:55] is something we'll bring back to the board but i think in the really if we were look over just a longer period of time of how car values have changed in the same way where we see that real estate trend that we would see every year i know the for a few reasons personal property is a little more complicated but we can put something together that will show that trend of just you know car values how that's fluctuated over time um if that's responsive to your question very responsive that's what i was thinking of um this was not one of my questions i wrote down but i'm looking at the the graph. And I'm just curious if this is adjusted for our changes to real property tax. I know we've

[01:04:33] had two of them this time, if I'm correct. Yeah, so this chart really reflects all activity. It's the both the reassessments that happened, any tax rate decisions the board made, any new taxes the board put

in place, any revenues the state took away. Now, I will clarify this is general fund revenue only, so it does not include CARES and ARPA funding, but certainly there's a benefit there that is theirs.

[01:04:56] But this is really the true story of everything. Okay. Now I have one question that makes me sound, I think, much dumber than the others, which is I would really like some help understanding the unassigned fund balance and how it differs.

[01:05:12] I know I've talked to you about this before, and I just struggle with this, and how that differs from our reserve fund. Because I know the reserve fund is what we've recently increased allocation to, but not the... unassigned fund, if I'm correct. Is that correct? So I guess I'm, is this like a, an operating slush fund for like overruns and unexpecteds that we have in a given year? Like how should I interpret what this is doing? Is it carried over year to year? Is that used to pencil out the next year's budget? It really is a kind of a one-time bucket of funding. So if it were to be used, the expectation

[01:05:50] of the financial management policy is that it would be replenished immediately. Or I'm sorry, not immediately, as soon as reasonably possible is what the policy language is. I'll clarify, and we'll get to this in the non-departmental chapter in the future work session. There's about a reserve of about \$500,000 for just things that may come up in the year that are just, it's a budget management item where perhaps, I'm trying to think of a good example right now, maybe an opportunity comes up at a relatively small term, and we just manage that throughout the year.

[01:06:20] Since it's been put in place, which I believe was in 2017, that budget stabilization reserve has not been needed to use. But the examples we have, if you don't mind, one second while I pull this up in the budget document. So the conditions the board spoke to was that it's intended to be among the strategies available in a difficult budget year or unanticipated situation.

[01:06:49] This reserve may be used from time to time as necessary to meet unanticipated one-time emergencies and unanticipated expenditures required to pay costs necessary to maintain the quality of level of current services or smooth offset revenue fluctuations occurring within a fiscal year. It's not meant to be an ongoing source of funding and balances should be uh replenished as quickly as reasonably possible. I left out a few words that's the general essence of what it is so I would say uh you know should there be a desired use of that of the board of supervisors it would really be the board's policy interpretation in that situation and staff can offer a recommendation

[01:07:23] if needed how does this fit into the context of where we are um just so okay that's I'm kind of imagining a process that hasn't happened yet but this would certainly have to come back to the of the Board of Supervisors for deliberation. I also just want to make sure I'm not unfairly articulating this point, but it looks like we have a full 14% of our budget that we have set aside to not engage with or with varying levels of willingness.

[01:07:52] But that's including the stabilization reserve, the school reserve, and the unassigned fund balance. Yes. Mr. Sumner, our CFO, would you like to add anything? Sure. I would like to add a little bit of context also to the unassigned fund balance and what it's there and how our credit rating agencies view that.

[01:08:14] As you all know, the county is a triple AAA rating county. And this is one of the key metrics the rating agencies and the financial markets look at to see what is our stability, our fiscal stability. The dollar amount that you see there is an accumulation over years and years and years and years of solid budget

planning and fiscal stewardship. And so that is not materialized in just one year. It is accumulation of years. That is a hallmark metric that our rating agencies

[01:08:48] in the market looks at when they're looking for security and borrowings and of debt issuers. So for us to, as a locality, to maintain and focus that 10% as unassigned and really as an area that we keep and maintain our fiscal stewardship around that part of the fund balance.

[01:09:14] Thank you. I do appreciate that. I am, and again, going to pure localities. So in this case, pure localities being other triple AAA, which I realize is a very finite universe. and I want to appreciate that and the work that's gone into making that true.

[01:09:31] We were previously doing this with 13%. I imagine there are other localities that have done this with 10%. I am curious if we look at what other localities are able to accomplish with their various reserve funds and also what the credit agencies actually look for if we need to be as cautious as we are with how we're leveraging public funding.

[01:09:57] I've said this in confidence, but I think it's worth saying out loud But I do think the purpose of government and government money is to react to needs that are before us. And while I appreciate that stability and fiscal stability and proper planning are important considerations and things, I don't think it is a guiding goal of government.

[01:10:22] A goal of government is to deliver on citizen needs, and stability is a side constraint on that. And I do worry if the size of this is consistent and consonant with our needs and our goals, or if we've let a side constraint become a principal goal.

[01:10:42] That's the end of my questions, Chair. Thank you. So I will suggest as a follow-up, we can take some of our AAA peers, as few as they may be, and we'll take a look at their financial policies and how ours compare to that, if that would be responsive to what you all are looking for.

[01:10:58] It would be. Thank you. Supervisor Lupisto-Kirk. Yes. Thank you very much, and thank you, Andy, Mr. Bowman, for the presentation. I did want to, just a point of clarification, our state revenues have decreased \$6 million.

[01:11:20] I'm looking at page 10, or slide 10, and that's largely due to state budget and the impacts to public schools. Do we know if, in fact, that is going to be replenished by the state, or we have no hope for that?

[01:11:43] Yeah, I will ask on Monday when the public schools are here to present their budget. They'll be able to give a more thorough update of where they are, and I'll give them a heads up. I'm sure they're already preparing to discuss that, but I'll make sure they're prepared to speak to it. Okay, that would be helpful. Thank you very much. Let's hope that that turns out to be something positive for our schools.

[01:12:04] I do understand Supervisor Pruitt's questions regarding on the previous slide. And my understanding, and this is a point of clarification for me, is that the 10 million there that helps us with our AAA AAA, the 2 million is in fact there if something happens and we can use that 2 million for various emergencies without going into the 10 million if necessary.

[01:12:36] Is that correct? That is correct. Okay. And I did want to ask, I thought you said that the food and beverage tax, we can't increase that anymore. I'm not saying to increase it, but I thought you said that we don't have the power to increase that?

[01:12:57] That is correct. At 6% tax, we are at the maximum allowed by the state right now for Albemarle County. Other localities may have different authority, but now Albemarle 6% is where we're capped at. Okay, and that's what I thought I heard you say. Okay. And the TOT? Can that increase?

[01:13:13] Unless there's been a change in state law, my understanding is we do have the ability to increase that one. Okay. I will share the intent of the board with these updates a couple years ago, which matched the city of Charlottesville's rates as they were at that time. Yes, and I understand that the city of Charlottesville may be perhaps raising their rates.

[01:13:31] I think it was brought up but not voted on yet. And the TOT was the fastest growing, and that's due to post-pandemic people coming into the area.

[01:13:50] Yes, it's really just people coming and choosing to stay in our community. That's all my questions for now. Thank you. Thank you. Supervisor McHugh. Thank you very much for the presentation. I appreciate it. I really appreciate slide 19. I think Anne mentioned this one as well, but I'm looking at the state and federal revenues, and it is, it really, and all I'm bringing out here is because I think it's important for our public to understand that particular graph shows, and correct me if I'm wrong now, Andy,

[01:14:30] if I say something wrong, but having said that, this looks like to me, in 2003, we were receiving, our revenues were about 17.6% from the state, and I guess that state and federal together or is that? Yes, that is state and federal together. And we know the federal has just always been tiny. So the largest percent would probably be for the state. And then when you look at where we are right now, we're looking at 9.2%. That is a tremendous drop. It's just one of the

[01:15:05] challenges that we've been facing, I would say, over the last decade. And it's just good for the public to remember that we've not been level funded for those people who aren't paying attention to what's going on in the General Assembly or keeping up with it. It's a pretty dramatic drop for our, while our bills are going up, we're getting less money from the state. That is, and I'll give one example if it helps the board or the public who may be listening. I believe it was about fiscal year 20 or 21, the county used to receive every year about \$600,000 in a portion of the recordation tax that was collected by the state. The General Assembly made a change where that

[01:15:42] funding was redirected for transportation needs in the Hampton Roads area. It's not a comment on the worthiness of that cause, but that was revenue that was available to fund county operations that was no longer available at the time of the pandemic. And it's a lot of examples like that that have taken place over the last 20 years. And I just think it's easy as we go through the years for the public to not understand that decrease. The other thing that I would like, again, if you will just go over one more time because I think this is really important. I think we understand it, to be honest with you, but I think it's really important for everybody to understand,

[01:16:17] including the school division, each penny on the tax rate and how that divides out between the school system and county government. Yes. So we have a funding formula that is really set in our financial management policies that are approved by the board. There's really a starting point. Now, the board may choose to change that if they want to, but it's really been our guidepost over the many, many years and how we allocate our funding. So it's a calculation that we show in full, but the idea is that every penny or every, you know, growth in revenues, we would allocate 10% of that growth and dedicate that toward the capital program and our debt service. Of that

[01:16:56] remaining 90%, we would split that 60-40, which, you know, without going into the math exactly, it's 54-36 for the public school operations and county government operations. So if the board wanted to either add or take away a penny from the tax rate, we would then need to make adjustments to those budgets by those amounts. And I just wanted to recognize the fact, and I'm not suggesting this, but it's easy sometimes for people to think, oh, well, each penny gets the county government 2.9 million. Not so much because we have a funding formula with the schools, and that changes the

[01:17:29] dynamic significantly. Yes. That's all. Thank you very much. Thank you. Supervisor Galloway. Thank you. Put the pages on me again. What pages are we dealing with right now? My questions are all by pages, not slides page, the actual budget book page number. The page number for the funding split? Like right now, what I'm asking questions on, can you just... How's the page 74? 74, is that where? 57 to 74. I did all my questions based on page numbers in the budget. This is 57 to 74.

[01:18:03] That's fine. I don't want to start asking questions on the wrong page number. I'm following along. So I understand the, so relative to the personal property tax and what's happening with the used car values, so I understand, is it the same rationale for the machinery and tools that the value is depreciating and since our rates lower, we're collecting less?

[01:18:27] That is correct. And also just knowing that because there are a relatively small group of payers of that tax, any changes in equipment or where those businesses are in the region, that can have a very big impact on that tax compared to, you know, a vehicle coming in and out.

[01:18:43] Company leaves and they take their... Yes. Got it. Just as a... since it... since used car values came up, it was put out at the start of this year that at March of 22, the spike that happened was about 63%. Since then, about half of that has been recovered. So the decline has only been about half. So values are still up. They're just not up as far as the initial hit or the peak.

[01:19:14] and this year the turnover from year to year you usually would see a decline and it's with stable prices and wholesale values but that's probably an inventory situation the on page 64 and i think we've asked this in the past i didn't have time to go back but we always talk about net of land use deferral and we always say net of and this isn't a question that you don't necessarily have answer right now but I'm interested in what is it prior like what's the gross versus the net

[01:19:51] I feel like we can provide that as a follow-up yeah thank you on 67 and 68 you've got under revenue for the use of money and property and under miscellaneous sale of surplus property primarily due to or listed as rationale for you know what's changing is that is there two different categories of surplus property that merits them being in two categories or why are they in both categories? As a rationale. And if you need to get back on that, that's fine as well.

[01:20:31] I'm following along in case we use the wrong word, but I'll share that surplus property because I received another question that will be in the next round. That is not referring to real property. That would be examples where if we have vehicles that reach the end of their useful life, we would then sell those. If you look at page 67, it says revenue from the use of money in property is earned by the county from the investment of funds, the sale of surplus property, and the rental of county facilities.

[01:20:57] Then on page 68, under miscellaneous, it says adopted budget primarily due to the sale of surplus property. So I'm just questioning why it's in both spots. We'll get that clarified. Thank you. I'm going to flag this now, but I'll bring it back up.

[01:21:16] and we're going to go through judicial today as a department? Yes. So the decline in the clerk of court fees, is that connected to the same clerk fees that's in the judicial department or are those two different areas? Because if they're two different areas, then I'll ask the question here. Just to clarify the page number because there's a few categories.

[01:21:35] 68, you've got, I just flagged judicial there, but then there was a rationale given, I'll bring it up in judicial, Andy, because it'll make more sense there. And then remind me on page, it was actually page 74, The salary and benefits reserve, the purpose of that is the mid-year bonus, is that right?

[01:21:57] That is correct, and I'll actually, in the next section, I'll speak about it in more detail, but that is the funding source for that kind of mid-year look at compensation. So I got ahead of that page number. The gross sales receipts taxed, so I think this was coming under BPAL.

[01:22:14] What's the history of the rate that's changed there, or what that rate has been over the years? I don't know that I've asked that before. But this is a set, you know, I know being in the car business that this gets passed along to the consumer and then it gets paid to the county.

[01:22:30] So it's the local county collects, you know, \$40. We can provide as a follow-up the depot schedule and rates because it's more than just one rate. And so we can get that clarified for the board as a follow-up. Thank you. I'll just make some commentary since the, I mean, the 10% versus the 2% stabilizations.

[01:22:49] Supervisor Pruitt made some commentary there. The 2% stabilization reserve isn't so much a requirement as a choice this board made, and I support that choice. I think the pandemic is probably the closest lesson we got, and we were able to maneuver that. Thank you to Mr. Richardson's leadership and the staff of getting through that without having to touch the 10%.

[01:23:09] But that 10% is exactly what that was there for. The 2%, and correct me if I'm wrong, but one rationale could have been in that very real situation, Before we knew ARPA money was coming, we locked away money for cash needs that we did not know we would need. But then once the ARPA became that we were going to get, we could start spending some money out of that stabilization reserve without taking away from other places.

[01:23:33] Then when the ARPA money funds came in, we could replenish the stabilization reserve. So that would be an example of how that could actually play out in real time. I'm happy to have the information, but I'm not, unless the board wants to have a separate conversation about the purpose and rationale behind that as a policy, it is a choice and it's one that I will continue to support as a choice.

[01:24:00] And then I had asked this in the past. I don't know if this was sent out. I apologize if I missed it. We last raised our tax rate for the 2019 year, correct? Looking that up right now, so I don't mistake it.

[01:24:16] It's on one of these pages. didn't flag the page number but back then I forget when I asked this question it might have been around when we had the economic report we would have had a five-year plan which the first step was raising the rate in 2019 and back then I know it theorized raising taxes over the next hand you know over the next five years then we hit the pandemic and things have changed but we have not changed the tax rate since then what i'm interested in though still knowing is back then and i couldn't

[01:24:52] find it and i didn't spend a ton of time did it say what the revenues oh it's on page what page 63 63 that's where the chart of the tax rate is so in 19 what were we thinking we needed revenues to be in 2024 yes we're preparing a response right now to look at where where are we i'll say this back to make sure we're being responsive it really the really fiscal year 20 we had a five-year plan right before the pandemic that anticipated some amount of revenue in fiscal year 25. we now actually know where we are what is the difference and why and that's what we'll be prepared to provide i mean i know the values went up we didn't need to raise the rate but what i'm

[01:25:32] looking to compare is what we were thinking we needed now we're there and we're looking at a different we think we need and i'm interested in that as a as an analysis to look at something to to see what we're doing. All right. Thank you. Thank you. I also want to express my support for the 10%, the 2% that we have adopted. And I want to say that I see this not as, you know, we're suddenly grabbing this money and saying we're putting it aside. We put it aside a long time ago, most of it. I mean, we're just putting it aside a little bit more each time because it's a percentage. But the point is that this is a piece of the budget we keep in reserve for

[01:26:11] stabilization it's and it rolls over from each year so when people look at the end of the year and say well what did you do with all that money well that that money has been there and will be there as that as that hurricane fund as you said and i think that's really prudent um i i don't want to get ahead of myself here but there was a mention of the possibility that our neighbors might change their tot um and i think that was on the order of one percent or something like that one cent. I would like to know at some point what that, if we were to go along with that,

[01:26:49] what revenue impact that would have. I believe that we'd get about \$4.4 million off of the whole thing. So, you know, I can sort of guess from that, but I thought that would be something that would be good for us to look at as we understand what our options are going forward.

[01:27:09] Supervisor Galloway also looked at the table of assessed values. And I think I've made this sort of point every year is that we have our increase in assessments, but we also have the activity and things that cause the total assessed value of property in the county to go up separate and apart from just based on building activity.

[01:27:33] But I think that it would help sometimes to get some sort of a benchmark so people could understand that, you know, when the board might approve a project that would, by being built, increase the valuation of a property, not by just market forces but because of this construction, what that does in terms of our budget.

[01:27:57] And I think, you know, it's actually a pretty small number unless we looked at some pretty massive construction projects. But it would be nice to have some sort of a benchmark number that we understood, You know, if somebody builds a \$10 million building somewhere in the county, this is the impact it has.

[01:28:15] And I guess, you know, straight off of, I guess that's the tax rate. So you can get it straight from that. Just to clarify, again, so we can be responsive, is that more of a property specific in the future? Or is that just a sense of historically, when we look at our total tax base, how much of growth is for assessment changes versus new construction?

[01:28:32] Right. Well, I guess, and I'm trying to say that I would say if we looked at a 4.07% increase in assessed values, but we have about a 5.4%, I believe, increased in our total property assessed values from last year, that that represents that difference. That is correct. And just to clarify, the increase in real estate taxes is 5.6%. So back in the envelope, about a percent and a half is the difference in new construction, any land divisions, or just any other changes that may happen in terms of people that may go in and out of the land use program, all of that would be factored into that

[01:29:05] total 5.6% growth. Thank you. Thank you. I didn't have any other questions. This one last one though that I'll bring up just because I'm not trying to make a point just, but I wanted to understand it on page 69 of the budget book, the payment in lieu of taxes, which is charges incurred by the University of Virginia in lieu of property taxes. It's a whopping \$133,000, but it's dropped by 33%. And I was curious as to how that amount gets determined and estimated. I really don't understand it. And it's not a big impact. There's a formula that we can provide to the board as a

[01:29:43] follow-up in terms of how that works. Okay. Thank you. I have no other questions. Supervisor Lupisto. Yes, I just have one question, point of clarification, actually, on page slide 17, pardon me, that if the personal property tax was to increase, then it said 13 cents.

[01:30:11] Is that subject also to the three categories, like we get a portion, schools get a portion? Yes, that is shared as well. Okay, sure. Okay, thank you very much. No other questions? Thank you. Supervisor McKeel? Just one thing to piggyback on to what Jim said.

[01:30:28] I do know that the city has been having some discussion and is very interested in the payments in lieu of taxes as far as the University of Virginia. Just making that comment, it might be something that we would like to investigate further. I think the city is having some of those discussions as well.

[01:30:46] Yes, we can read back more information on that. I don't know if that's an item for our joint meeting or what, but just throwing that out there. The other thing I do want to say is that I agree with our, I do agree with the rationale.

[01:31:02] We were talking about our hurricane fund. I would add that, you know, that we're putting aside, we might call that the earthquake fund, because I can remember, I've been around long enough that when we had a small earthquake here, we had a school that had serious damage and had to have a complete front wall replaced.

[01:31:21] So, and I'm saying that was in the school division. But these things happen. And while it could be a hurricane, it could be an earthquake, there are lots of natural disasters, including pandemics, that can happen. But I was thinking, not hurricane, earthquake.

[01:31:38] Supervisor Malin. Yes, piling on the earthquake fund. Louisa County, that earthquake a number of years ago on the fault, demolished at elementary school, 50 million bucks. And they had to really struggle.

[01:31:53] So that's, oh, whenever anybody starts to talk about the unassigned fund balance, I say yes. And when this kind of terrible thing happens, we will not have to go to the short-term market to stay alive here. Ray Jones, who was our county treasurer for decades, and when I first joined the board, he was in his 90s, and he summoned me to his kitchen, and he said, okay, here's some things you need to know and never forget them.

[01:32:16] Never, ever borrow money to make payroll. And to me, this 10% tides the county over for cash flow between December and June. to make sure that we are managing well, and I have no interest in changing this.

[01:32:33] I remember when that Greer wall was damaged by the earthquake, and it was not expected. Thank you. I think it's safe to proceed into expenditures.

[01:32:49] I'll say one thing. We'll get the exact amount, but just to clarify one of Mr. Andrews' questions, the total transit occupancy tax that comes in the general fund of \$4.4 million, That is 5% of the 8% tax, so every 1% on that TOT is about \$800,000 to \$900,000, but we'll get the exact amount as part of the follow-ups.

[01:33:08] That transient occupancy tax also would be shared and split with the public schools, the capital and debt programs. Right. Go us through the same formula. Yes. Yeah. Tell me the number again. I'm sorry. It'll be about between \$800,000 and \$900,000, but we'll get the exact one as a follow-up. Yeah. Thank you.

[01:33:28] Proceed. All right. So this is just a transition slide. We're going to talk about general fund expenditures in summary. After this chapter, we'll go through some of the department and the connections to strategic plan in detail.

[01:33:44] This is going to be just a high-level overview of some items. We can see our general fund expenditures are balanced at \$432 million with our revenues. So I'll say what the board understands well is that any adjustment to expenditures is going to require a corresponding change into the budget, either to another expenditure that would need to be removed or added, depending on the change made, or on the revenue side.

[01:34:07] We can see that the general fund expenditures, the largest expense is the transfer to the schools. The second largest expense is public safety, which is common in many communities, as well as followed by our transfer to the capital and debt program. This slide, really just on one page, is really what summarizes what the budget does in terms of where all the county's revenues go to.

[01:34:32] I want to focus my comments next on the upper right in terms of workforce stabilization and a lot of that \$9.3 million. Where are some of the cost drivers and what that looks like? Because this is one category that impacts every department and looks at everything. And this is also an item that is part of the board's strategic plan and where the board has spent considerable time in recent years.

[01:34:53] So again, this is part of our goal six in the strategic plan. What's included in the budget? I'll start with salaries and related benefits. There's a total full-year cost of \$4.3 million for the full-year implementation of the classification and compensation study that the board approved mid-year this year, as well as the 2% cost of living increase that was approved mid-year this year as well.

[01:35:14] And I'll speak a little more of that in detail in a second. The other item we've included is part of the public safety pay plan. As public safety officers and staff move through that pay plan, with every year experience, they would go up a level. that is funded in this budget. That's an impact of about \$600,000. We've included mid-year a potential for a market review and consideration of what happens with compensation. That is included in the budget to Supervisor Galloway's point a few slides ago. We've also included \$400,000. This is a mandated requirement as the county is a member of the Virginia Retirement System.

[01:35:53] Every two years they make adjustments to their rates. A few rates change with the net result of that this year is a \$400,000 increase in our expenditures. And that is above and beyond, I should clarify, that \$4.3 million. That includes the benefits. That's not just salaries because as those rises, certainly FICA, retirement, and those connected are tied to that.

[01:36:15] Looking at the health fund, back on December 6th, the board heard an update about where we are with the school board. We are a self-insured fund. And we looked at where we stood because we'd had seen some experience of higher than typical claims in recent years. We've had some experience what we call stop loss coverage. And so to really meet our health fund obligations and keep that planned sound, we would have a 1.5 million increase in the general fund for the employer contribution. This is a health fund has many partners such as the public schools and our partner agencies. All of those partners will also be paying for their shares of their employer

[01:36:51] contributions as well. That is an ongoing cost. We also talked about the board on December 6th that is included in the budget. We would actually make these transfers in fiscal year 24, our two one-time infusions. The first one is an infusion to ensure that we're meeting our minimum reserve fund balance to just have a, as the board may understand, health care is a very volatile cost. We are self-insured, and so this helps us keep that minimum standing for where we are. Secondly, one thing we've been looking as part of our efforts in goal six is an employee startup clinic, I'm sorry, the startup cost for an employee clinic. This is about looking at for a

[01:37:27] cost that is, you know, medical inflation is common to grow in the 8 to 10 percent range, much higher than the normal rate of inflation. We look at our experience, we look at access, we look at all the areas there. This is an opportunity to take a part of our budget that is very volatile, look how we can do something differently, support our workforce, and help manage those costs. And so that is the intent of that one-time infusion that, again, the partners will be having their shares of as well.

[01:37:54] So I want to take a closer look at where we've been on salaries. I have a few slides to not only where we've been, but look at some preliminary results of what the board has we've seen from the board's support to implement these programs. So this is a slide that takes a look at the classified employee scale. I'll have one separate for the public safety plan next. And this shows for the past several years, as we emerged from the pandemic, the county has been providing regular salary adjustments through the budget process. The board approved a few years ago and we've implemented and completed a little over a year ago a classification and compensation study.

[01:38:32] That was then implemented in two phases in calendar year 23, I'm sorry, May 2023 and then completed in January 2024. The intent of that noted on the slide was to move all employees to market, I'm sorry, the midpoint of market and also to mitigate compression where that may happen. Compression is where you may have two employees with very different experience, and if you're not adjusting there, you may find just they are very close together in the scale, which can create some recruitment and retention challenges. So we're able to address that in both phases, and we can see kind of some of the funding that has gone into that and some of the impact. And that

[01:39:10] really where we got to in January 2024, we can say that we had met that goal. We really closed the implementation of the compensation and classification study. I think the one thing I'll point out too is that 2% fiscal year 24. That was another one that we were able to front load in the budget to make sure we were keeping pace with the county's competitive market instead of wading into the fiscal year 25 budget.

And that is also part of the rationale of taking a look at mid-year as we begin to understand where the market has moved. Very similar slide for the public safety program.

[01:39:45] Because this is a different pay scale, some of the percentages are different, some of the timing is different. And also as we implemented class and compensation, this pay scale was prioritized first, and it was implemented fully, and it had some phases, but fully implemented by January 2023. So that's sort of the history of where we've been in the funding slide. Let's take a moment and look at the actual results of where we are. So this is really talking about both employee recruitment and employee retention. The employee retention really speaks to the turnover rate of data.

[01:40:19] Where we look in fiscal year 23, the turnover rate was 13.4%. Based on our partnership with HR, our staff in performance and strategic planning. Tracking where we are, we'd have a turnover rate from the seven months of the fiscal year we know, where we project. We would have a decrease in that of 11.3%. Again, that's speaking to where we are, and that's very positive news because we've seen the impact of the full year of the public safety pay scale and just the now only two to three months of being in the new pay plan for where we are. That's really about the retention side. When we look at the recruitment measure, that's really looking at where our total vacancies were. We had

[01:40:58] 80 vacancies at the peak in fiscal year 23. That number is 35 today. And we could, you know, just talking with other staff in the organization, there's a lot of organizational wins where we've had positions that we were unable to fill have since been filled. Anecdotally, people have shared with me, you know, very, just an increased satisfaction with the job applicant pool. So those are just some anecdotal stories around just kind of some of the data on the slide that looks both on the recruitment and the retention side. So this is one, again, we've just implemented the class and confidence pool this year, we'll track this and to see where we are, as well as the other, just any other data that may track how are we performing based on the investments that the

[01:41:36] board has made to date. So with that, I have one more slide to cover general fund expenditures, and this really speaks to all of the changes that have taken place from the fiscal year 24 revised to the fiscal year 25 recommended budget. I will discuss the specifics about these positions and what they do, but this is just very high level observations. You know, we look in total, there's only 6.6 FTEs that are being added into the 25 recommended budget. Three of those are cost neutral. And I'm sorry, that's a typo. 3.6 is cost neutral, excluding cost neutral is three. I'm

[01:42:14] sorry, I misspoke. So to explain what cost neutral means, these are opportunities, mainly in our public safety departments, but also in our Office of Equity and Inclusion, where we've taken a look at the contract services, temporary wages, and said, you know, we can provide that service at essentially the same cost and better if we turn that into a full-time employee. This has been a strategy that the county is engaged in in recent years and continues in this budget.

[01:42:37] The other changes we have are the CIP operating impact and then just a compliance-related position to the state-mandated program for the Children's Services Act. So this is 6.6 FTEs, which is a pretty significant departure from where we were. I have a couple references here. We're on fiscal year 20 to 24. There were an average of 31 FTEs that were added annually.

[01:42:58] That is for a whole host of reasons in terms of increasing service levels, responding to demands. But this is one where a lot of the funding has gone into getting caught up to market, meeting

other obligations. We have just a very different budget in our more constrained revenue growth this year compared to where we've been in recent years.

[01:43:17] The final point on the slide was among the balancing strategies we had to take a look at. Among the hard choices was looking at some unfunded FTEs and remaining them funded in fiscal year 25. I'll say every one of those, and we can provide this as part of the list in terms of what's not in the budget, what those are.

[01:43:33] They all have their own story. That was one of the balancing strategies where it was really taking a look at not only just positions may have just become vacant, but somewhere perhaps we had an opportunity to do something differently, or perhaps there had been a while where we were looking to fill that. But more to come on that and the information that we share with the board.

[01:43:50] So at that point, that'll really cover the general fund expenditure summary chapter, and I'll be happy to turn it over to the board for any questions. Thank you. We'll go through order. Supervisor Malek. Okay. So I'm jumping ahead to page 85. Is that in this chunk or not? Because I'm a little confused. I think I'm still in expenditures. Can you talk a little bit about the change, the PDC person? This is the change from the, sorry, Soil and Water Conservation District into CDD. That is strictly a bookkeeping thing. The person is still going to be doing the job that they have been doing.

[01:44:26] That is correct. We had a really unique situation where there was a county employee who worked at that agency. And so we worked through with the Soil and Water Conservation District to say that we're not going to impact the services, we're not going to impact the employee, but we're going to transition to be a state employee and the county will continue to fund its share for those same services. So it's really just an FTE coming off the books and the service impact is untouched.

[01:44:50] Great, because they have \$5 million to get out the door this year and we want to make sure they have the staff to be able to get that money into people's hands here in the county. That's the only question I have in this chapter, I think. Thank you. Supervisor Pruitt. Thank you very much. I actually don't think I have any questions on this, because most questions I would have on expenditures I can address in a specific chapter. Thank you. Supervisor Lupisto Kirtley. Yes, thank you. If you go to slide 25, the only question I have, and I brought this up before, is regarding the employee clinics,

[01:45:26] the startup costs, but are we also involving either UVA or Martha Jefferson to partner with us on this employee clinic? It could, you know, save us money. I would be glad to answer that question. We are currently in the middle of the RFP process to procure the services for the employee clinic. So I can't speak to any specifics about who may or may not have applied as response to that RFP, but we are in the middle of that process. So hopefully here soon we can

[01:46:04] continue moving through that process and we'll keep the board updated as we move through that procurement effort. Okay, so I guess if we have the clinic here, it's a lot less expensive than for whatever entity to come in and provide those services because we have something here. Yes?

[01:46:23] So, yeah, so the employee health clinic focused on two things. One is there's a cost-saving measures that having an employee clinic that we can help save costs to the health care fund.

[01:46:38] So, for instance, it gives access to folks who may go to the emergency room out of convenience. What we're trying to do is also provide access to a clinic setting that would be less costly than an emergency room visit, particularly to the employee, but also to the health care fund.

[01:47:00] The clinic also is a way to provide access to health care for employees. So many times we've heard from employees that it is difficult to get into primary care positions or specialists, and this is another way for us to help employees have access.

[01:47:16] and particularly as we're looking for from a wellness perspective and maintaining the overall health and well-being of our employees. And this would be for all county employees, including schools? Yes, ma'am. Okay. And next question, I just have a commendation on slide 28, is that we've gone from 80 vacancies down to 35 vacancies, and I think that's, I just want to say thank you to, frankly,

[01:47:47] the staff, the board, everybody, because I think that's phenomenal. And at this time when a lot of places cannot get enough employees, then we're reducing the amount we needed because I think of our policies really showed that. Thank you very much. No other questions. Thank you. Supervisor McKill. Just to tag on what Bea said, I am really excited about the employee clinic. And not only is it's a way to reduce our health care costs possibly, and I think it really will, but it's

[01:48:22] also something that would make us an employer of choice, which is really a great thing for our employees, both on the school and government side. And we'll be hearing more about that, I hope, in the near future. Do you know when the RFP, I'm just curious, what's the timeline?

[01:48:39] Sure. So right now the RFP has closed, and we've gone through the process of reviewing those that have applied and we also have completed the oral interviews of those top candidates. So now we're moving towards our negotiation phase and that could take a month or two depending on how we progress in the negotiation phase. So once we get past that and we move towards the notice of intent to award that's when we can talk a little more publicly about the partner we engage with on the employee health clinic.

[01:49:13] Yeah, that's great. We're moving. That's perfect. I appreciate the timeline. Thank you. I would just like to make sure that when we say the public safety pay plan, just want to make sure that everybody that's watching this or looking at this document knows exactly who is included in the public safety pay plan.

[01:49:34] So that's police, fire and rescue, ECC, sheriffs. Yes. I mean, you can help me if I'm missing anybody. That is correct. And it is not all of those employees. If there are either non-sworn or civilian or some of their other staff, they would be part of the class five scale. But by and large, for police officers, firefighters, just other kind of emergency responders, they are part of that public safety plan.

[01:49:58] To include our ECC, which I think is. Yes, including the ECC. Yeah, so that's great. I just wanted to make sure everybody understood that. Help me, and the only real question I guess I had was, I just want to understand better. On slide 29, I think the CIP operating impact, general district court operational staffing, three months, and that's two FTEs. Just help me understand exactly what that is.

[01:50:23] Sure. So this will be opening an additional facility, and so with the increase in square footage. These are staff who are in the Office of Facilities and Environmental Services. So it's been a part of the plan and the courts to just, you know, keep all of the extra square footage moving. The systems are working. All the other things that come with the expanded square footage, those are part of that. And it's only three months based on the time when that project is anticipated to actually open and be operational. Okay, so this is really just until it's operational.

[01:50:52] This funding covers it until it's operational. No, it's really when it becomes operational. Oh, it's for three months after that. Yeah, we'll move from constructing the building to maintaining the building.

Ah, got you. That makes sense now. Now I understand. I was twisting myself too much around that. Thank you very much. Thank you, Supervisor Calloway.

[01:51:10] Thank you. I think I've asked, and you've answered this before. Can you just, what's the actual amount if it was a 1% COLA increase? It's approximately \$916,000. Thank you. That's all I have. Thank you.

[01:51:28] And I actually have no additional questions at this time, which is just a warning because I put them all into the different categories as we proceed into the next level of detail. Are there more questions at this point?

[01:51:44] If there's nothing you need before going to the next section, this is almost the right time for our recess. And so I propose that we take a, what did we schedule for this, 15-minute recess and come back and work on pages 87 and forward.

[01:52:05] Thank you. That's great.

[02:10:12] We're ready? Okay. Welcome back. We will continue with our work session on the budget, operating in capital budget, general fund expenditures, starting with administration. And I believe, Mr. Bowman, you're also now joined by Mr. Ryan Davidson, Deputy Chief of the Office of Management and Budget.

[02:10:33] Yes, sir. Thank you for the introduction, and I will turn it over to him. Thanks, Andy. Good afternoon, Board. As Chair Pantry said, I'm Ryan Davidson, the Deputy Chief of Budget. Mr. Bowman discussed with the Board some of the expenditure items that had more of an organization-wide focus, and I'm going to start walking you all through the general fund expenditures at a more departmental and functional area level of focus.

[02:10:59] We're going to start with administration, which begins on page 87 of the FY25 recommended document. And as you can see, this area represents approximately \$28.5 million in the FY25 recommended budget. I want to take just one minute to explain this slide.

[02:11:15] As we walk through each section of the budget, we'll start off with these two charts that are shown here. The chart on the left illustrates what percentage of the total general fund budget we are talking about for each area. As you can see here, administration, for this case, represents approximately 7% of the overall general fund budget.

[02:11:33] The chart on the right-hand side shows how much of that percentage is dedicated to each of the individual areas within this larger functional area. As you can see, finance and budget makes up approximately 34% of the administration budget, information technology, 30%, human resources, 7%, and so on.

[02:11:55] Back when we discussed the five-year plan with the board in November, we highlighted those areas within the plan that were included that it had new or additional funding, and also those areas where it was more about the continuation of the efforts we had started in previous fiscal years and more about continuing those work plans and not necessarily the new funding. As we move through the functional areas of the budget and the departmental budgets, we'll take some time in that same approach and highlight those areas where additional funding is being included, but also point out where we're continuing with those ongoing efforts and where it's more about the work plans and the continuing of the efforts that we had put in place previously.

[02:12:32] Looking more closely at administration, we'll start walking through the boxes on this slide. Voter registrar, the FY25 recommended budget fully funds the voter registration and elections requests. Development and training. I wanted to point this out. This is one of those areas where this is not noting new funding, but doing things slightly differently. There was a reallocation of a portion of the departmental training budgets to an organizational training pool within our performance and strategic planning budget in the administration area.

[02:13:03] This reallocation was for those more organizational-wide training efforts such as management training. They're still training dollars in the specific departmental budget to address their specific required training needs and certifications that are required for each individual department and each individual position as we move through.

[02:13:20] But this reallocation represents a coordinated organization-wide effort to approach certain types of training slightly differently and more. cohesion. Core systems modernization, which includes the 432 in additional funding for the new enterprise permitting and licensing system. And these funds were part of the planned CIP operating expenses. You'll hear more about CSM on the following slide by Mr. Sumner. And so we'll go on to the board meeting minutes, which is an additional \$16,000 for additional support to help

[02:13:54] for the preparation of the board meeting minutes. This I will turn it over to Mr. Sumner. Thank you. We're going to take just a minute to talk about the core systems modernization. The core systems modernization strategy was established to balance the needs of many system modernization efforts and to support our business operating principles such as maximizing integration and alignment, consideration of lifecycle resource needs for new business systems, to provide training, tools, communication, and change management support. We also have launched a new program to collect and evaluate performance measures. We affectionately call this SPEAR. This is our

[02:14:32] strategic plan, execution, analysis, and reporting. In order to provide this level of process improvement and adoption of new efficiencies, it requires expertise and capacity from performance and strategic planning, information technology, and the sponsoring departments. These projects are far more than launching a new technology. They require staff to retool and rethink current processes and look for efficiencies while remaining compliant to our local, state, and federal policies. All the related departments must dedicate subject matter experts to fulfill the roles on the project. Our organization has improved our end-to-end understanding of services

[02:15:09] we provide through this work and often can remove duplication and provide clarity to our customers and our staff. The community development system will launch in fiscal year 25 after months of process mapping and re-engineering to ensure we're leveraging the new system's capabilities.

[02:15:27] This builds on the success of the digital application system that was launched last year and will allow application tracking in real-time and on-demand for applicants. We expect this to reduce calls and emails to the front desk and to create smoother handoffs as plans are reviewed by external partners.

[02:15:44] We'll go into much more detail on the community development system at the next work session when we talk about the community development functional area. The financial management system replacement, which will be developed and configured throughout fiscal year 25, will put near real-time information at staff's fingertips on budgets, procurement, and various accounting transactions. It will substantially streamline the annual audit process, which currently requires staff time over an extended

period. The financial system and the community development system projects are about providing better customer service with modern interfaces,

[02:16:20] more transparency in the status of items, and streamlining processes. But it's also about having data that we can use to drive process improvements, decision making, and resource management. So that is just a brief update of where we're focusing our efforts this year in fiscal year 25 on our core systems modernization. As mentioned, we have focusing on the community development system, and then also we're kicking off the project for the financial management system.

[02:16:47] So this wraps up the slides that we have for the administration section of the budget document. And so Chair Andrews, we'll turn this back over to you, and Ryan and I will be happy to field any questions that you and the rest of the board may have on this section. Thank you. We'll go through our order. Supervisor Malik?

[02:17:04] No questions. Thank you. Supervisor Proop. Are we reviewing questions on the entire administrative section of the budget currently? Yes. I do take note that the Office of Voter Registration and Elections does fall within administration.

[02:17:21] And I know there has been some interest amongst members of the board over a possible transition toward adopting ranked choice voting in the future. I also know that the next applicable time that could be would be next election, as in next year's election cycle, not current year.

[02:17:38] I am not noticing any outlays that would be necessary for doing voter education. Of course, there's not been any kind of agreement from the board on this. But am I correct in thinking that if we do not prepare in this budget document for voter education, then it might be out of reach in time for us to execute next year?

[02:18:00] so i would say the the biggest um budgetary impact on that would be the the capital component so then so the the technology that'd be required to do uh rank choice voting that is part of our capital improvement project and our capital improvement plan excuse me and so the the the funding to replace our voting machines is currently in the in the first year of the cip cip excuse me and that that would allow the technology that that would be there in place should the board decide to go the route. Thank you. I was tracking on the capital improvement piece. That was something that we discussed at a recent meeting of concerned advocates. I'm just thinking there's a much

[02:18:40] small, admittedly a much smaller expense. I think it's something like typically a dollar to voter piece that normally goes into things like mailer, community engagement, that kind of thing. Maybe that could be folded into the CAIT budget, but it is something that raises a red flag to me, that if we're saying that a major component of this has to be voter education, I'm not sure we budgeted to do that actually in time for the election cycle, although perhaps that could be done with existing resources and just how we allocate staff hours.

[02:19:11] I just wanted to raise that here. I also do recognize that this comes up occasionally, and this is, I know for many people, a third rail, but I'm just going to say it because I've already touched one third rail, So let's get a fourth rail, right? I'm the youngest member of the board.

[02:19:32] I also have probably significantly less personal wealth than most members of the board. And I don't mean to start naming names, but it's true, right? I'm young. I've worked for less time. I've not had any inheritance that has accumulated to me because everyone in my immediate family is still alive.

[02:19:49] We pay our board remarkably little, in my opinion. I have significantly more personal wealth than another 32-year-old on average would. I am uniquely able amongst people in my age range to take on this job because of that.

[02:20:07] I think we should recognize that that is not a typical situation. And there are significant portions of our community that do not have the ability to step into this position. And I apologize for this taking not this shape of a question.

[02:20:23] But I do just want to note, you know, one of the single largest neighborhoods in my jurisdiction that is not represented on the board is going to be Southwood, right? We've talked about Southwood a lot recently because they came to speak to us. We cannot have members of the board from Southwood functionally because the salary of the board alone would barely cover their heating and cooling costs per year, as we have learned recently.

[02:20:49] I just want to put that in everyone's mind, that if we do want diversity, like we were just talking about diversity as far as gender parity on the board, I'm not sure that we are fully executing that in how we are funding members of the board. And I say this again, I am able to serve on this board because of my personal financial situation.

[02:21:10] I planned for it. I have the savings that are necessary for it. But that is not a common thing. And I would hope that we would recognize that moving forward, perhaps with changes in how we do board compensation. Thank you. Supervisor Lupita Kirtley.

[02:21:30] Yes. Thank you very much. Regarding Supervisor Pruitt's discussion of ranked choice voting, we have nothing in the budget for that, yet we need to educate our community. I'm wondering whether or not the board would want to start that process vis-a-vis our CACs because they're basically the eyes and ears of our community. They advise us, but maybe that is a way of introducing it. You know, if people are interested, frankly, that would be through the

[02:22:06] CACs and that wouldn't cost anything. The other thing is one of my little pet peeves is since we're doing core systems modernization, would that include an update? I think I mentioned this many times before regarding our web page on a phone to be able to access things on our phone vis-a-vis or website vis-a-vis the phone I think we can do it better on a computer but on the phone

[02:22:41] is this does not we don't navigate very well on the phone to find things I've tried it recently doesn't work and that's something i would like to see because i think most people do use their phone for many things so i'm just putting that out there and you can throw it right back at me that's it thank you supervisor mckee um yes thank you thank you all for this as well um

[02:23:14] i'm really um pleased to see the highlight for administration and the reason i say that is that I have heard occasionally while I've been a supervisor, but certainly a lot more when I was on the school board, that administration was bloated and heavy. And so it's good to show people exactly what is included in that number of 7% for administration, as well as I would just make the comment that most businesses would die for an administration overhead of 7%.

[02:23:53] I'm just saying, that is very, very lean. And I'll be asking the school board, making sure that the school board clarifies their administration budget as well, because that is usually where we get a lot of the pushback is that the school system's administration is bloated and which it is not.

[02:24:14] Having said that, I appreciate this slide very much. I also appreciate the discussion about ranked choice voting. me with, because I didn't realize, help me a little bit with the CIP piece that you were telling me. You might just say that for me again. So we have something in the CIP for the machines, and I get that, I think. So, yeah, so part of our regular replacement cycle for the election machines and the technology is due for replacement in this upcoming fiscal year. And so the technology that is out there and available now that we would be replacing

[02:24:51] the voting machines with would provide a platform for that. And so this is not that it's an additional request, but this is part of our normal replacement cycle for our voting machines, and that's included in our capital improvement plan.

[02:25:07] So those voting machines would be of a style that would allow for the ranked choice voting to happen? That is my understanding. Yeah. Okay. So that's a start. All right. Thank you. I appreciate that. And I don't think I have any other...

[02:25:22] Oh, board compensation. Yes, you are exactly right. I will say, though, this board has had that discussion numerous times. And how we get at it is challenging. But I agree, if we expect people other than wealthy or retired folks to sit at the dice, we're going to have to increase our compensation.

[02:25:52] And I would be amenable to somehow or another thinking about how we just suggest suggestions on how we get at that. I don't know what that exactly means, a study or whatever, but I don't want to take us down into a hole right here this afternoon.

[02:26:07] But I do agree with you. We need diversity on this board. And I say that as a retired white lady, but you are exactly right. Thank you very much. Thank you. Supervisor Calloway. I'm just thrilled to know I'm going to be walking out of here wealthy and retired today.

[02:26:30] If this was noted, and I missed it earlier, I apologize, but I want to commend the efficiency behind getting Andy a new title. Not just on your, I'm sure that comes with other things, but you just have a shorter title to say, Andy, and I just caught that.

[02:26:46] I was like, oh, geezer. Assistant Chief Financial Officer, that's a much more efficient thing to say. So congrats on that. Page 93. I just want to make sure, and I think I caught it, because my initial question, this was under fiscal year 24 projected, was the reappropriation of the \$3.7 million to performance and strategic planning.

[02:27:12] And I couldn't track it in the table, but is that the \$1.9 under operating and then the \$1.7 under the BPO reserve? Oh, I see a head nodding out there. That's it. All right. I caught that as you guys were presenting. And then the money that's in the recommended is the, did I, somewhere it said reappropriate, it's over here, or any monies left over would be reappropriated.

[02:27:40] Is that spelled out? I'm just trying to track it on the document. It looks like the 1.7 is done, so none of that's being reappropriated. There's a big drop from the projected 1.9 down to the 79.8.

[02:27:59] That is correct, and to follow along, under the fiscal year 24 projected, the last statement in there and last bullet point is the balances at the end of fiscal year 24 are recommended. A lot of what those expenses are is to Mr. Sumner's comments when it comes to implementing these systems, there's a lot of expenses that are not appropriate for the capital budget. So a lot of the process improvement, the other

things that we were doing there are appropriate to be paid for the operating budget and the performance and strategic planning offices is where those costs are budgeted.

[02:28:28] Got it. Tie this together. Page. So on page 94, and again on page 100, we've got the, I'm seeing an operating increase under CAPE software subscriptions.

[02:28:58] Okay, I get that. And then under the performance of strategic planning budget, an operating increase, nope, I think I'm on the right page. Oh, I cited the wrong page numbers, I'm sorry.

[02:29:18] Page 100, we've got the net decrease of 121 grand and other operating costs due to primarily to a reduction in contract services, internal audit, grant writing support, and lockbox services.

[02:29:35] So that was a savings because of, is that, we didn't have the need for the, we got rid of some contract services we no longer needed? Yes, sir. So that's a combination of a couple things. So some of it is efficiencies that are within the Department of Finance and Budget that we particularly have noticed within the lockbox services, as an example.

[02:29:56] And the other items that are related to some of the contract services, the past couple of years, we've had some transition in our personnel that helped support the financial staff. And so now we have moved past that need for the support, and our staff is working through all those work efforts right now.

[02:30:18] Is that the grant writing support? Is that just the contract? is the grant writing support that's because we've got grant monies in we're not cutting our ability to go get grants no that's correct let me clarify please the grant writing services there is funding in the recommended budget um there was just a lower amount of funding in the recommended for 25 versus what was in there for 24. all right and then on 102 under department of information and technology it has removes funding for two vacant positions but then those functions are filled

[02:30:58] through specialized contract services and recommended the same to continue into fiscal year 25. The next bullet point then states that there's an increase due to software maintenance costs associated with the new enterprise permitting licensing system, cybersecurity, et cetera.

[02:31:16] But these are not necessarily connected, right? We don't have a, we're not funding two positions because we're finding those through another means, which I'm assuming is more affordable. But then we're not seeing that as an increase under that \$653,000 amount.

[02:31:33] Is it tracking what I'm asking? Yes, we're tracking. Mr. Bowman is going to add some more details to that for you. To clarify, that \$600,000 in operating increases is separate from those two vacant positions. That \$650,000 is a combination of what we have for the community development system coming online, as well as the other costs that we have in just our regular IT operations.

[02:31:58] The approach on those two vacant positions, because IT is such a critical part of all of our core systems modernization projects, is in fiscal year 25, the funding and performance strategic planning that would be reappropriated, a portion of that 1.7 million or balance would be funding those two positions in fiscal year 25.

[02:32:15] Then we evaluate in the upcoming budget and see where we go from there. Okay. Thank you for that. I think that's all I have right now.

[02:32:33] Thank you. thank you and most of what i have has been discussed uh i since we're on this slide 32 i will reiterate as i've i think i said several times in the past is that it will always be helpful if as we go

through uh updating community development system re-engineering replacement financial management systems that we look for ways to explain to the public how this has saved time uh increased efficiencies um and saved us money and it would be great to see that so

[02:33:06] Thank you. From there, I think we're ready to move on to judicial. Okay. So moving on to judicial, before we get into this, as you can see, judicial is about 2% of the total general fund budget.

[02:33:24] The bulk of the funding is for our constitutional officers between the sheriff, commonwealth's attorney, and clerk of the circuit court. The other court functions making up about 6% of the judicial area. Before we move forward, I did want to recognize a couple of our constitutional officers that are in the audience today, Sheriff Chan Bryant, and our Commonwealth Attorney Jim Hingeley, who have come to support and answer questions should they be needed. And I want to make sure I pointed them out since they're here today.

[02:33:52] So moving into the specifics, this area of the FY25 recommended budget fully funds the operational requests of the Commonwealth Attorney and the Clerk of the Circuit Court. As for the public defender, we have a \$61,000 increase related to pay adjustments. The recommendation, this recommendation is contingent upon an updated memorandum of understanding with the public defender's office, which is required due to the previous public defender's retirement at the end of calendar year 2023. The intent of this update is to continue the board of supervisors previous

[02:34:28] direction on creating pay equity for the employees in that office and to streamline the administration of that agreement. Staff has had their initial conversations with the public defender and this work will soon be underway. For the Office of the County Sheriff, the majority of the request was funded, but there were a couple of items that were not included or recommended for funding in the FY25 budget, which included six deputy positions for courthouse security once the newly renovated courts complex is fully opened and operational. This item was adjusted due to the

[02:35:05] timing of when these buildings would come online and when they would be fully occupied by both the city and the county as we open up that facility fully. Also not included were 4.5 FTEs to help with the temporary detention orders. Additional information on both of these requests from the sheriff will be provided to the board with dollar amounts and more specifics on the request.

[02:35:31] And we can bring these back to you at a future work session for further discussion the board desires. And with that, I will open it back up to questions for this area. Board will go through order again. Supervisor Malek.

[02:35:47] Thank you. So in other categories, we've talked about planning ahead for bringing the course online, the three-month, whatever. So how are we addressing the extra staff that's going to be required for an extra court set, which we don't have in operation right now, when the court's open? The six, I guess, is what that's for.

[02:36:08] Correct. We looked at the timing of when these courts are going to be coming online, and it would not be... Currently, we would be moving from one building to another building and not opening a second building right now, so there would still be just one building in operation while we move to renovate the second building after the first one. It's kind of moving one place to another, and so once that second building comes online, we're looking at future... This is, as we always look at our capital

improvement program, our future operating impacts, and make sure we're accounting for those. And this request is definitely in those future operating impacts

[02:36:44] for bringing the courts online as they come fully online. And we open up the additional facility with the additional square footages, the additional courtrooms that will require those extra deputies and that extra support. But that's beyond fiscal year 25, which is a postponement rather than a denial in a way, because we understand it's got to come. We can't go from one to three without having more people to keep everybody safe there and I will look forward to learning more about the TDOs because that is a concern all across the commonwealth of the how to

[02:37:17] how do people manage safely the folks who have detention orders so we'll look forward to getting more about that thank you very much thank you supervisor Pruitt thank you I know there's at least some at least one bill making its way through the general assembly that would impact fines and fees that courts are able to collect against defendants. I'm thinking specifically on one that I was involved in before I served on this board that is poised to abolish fines and fees

[02:37:51] facing juveniles in JDR. I have kind of two tailed questions on this. First, would that gap even accumulate to us or is that going to fall on the office of the executive secretary at the state level to fill that funding gap created by the lack of collections on fines and fees? I recognize that this may be better suited for our clerk of court but I recognize he's the one constitutional officer we're missing. Is that something that you know offhand? Not something I know offhand. We'll have to get that data and get back to you. Kind of with that RFI then I would also be curious if it does

[02:38:31] accumulate to us, which I suspect it does rather than the Office of the Executive Secretary, although I'm not sure. If it does accumulate to us, I am curious if that is actually poised to take effect and be relevant within this budget here, in which case it would be potentially unaccounted for as an unexpected just revenue drop that we get through fees extorted from children. But I'm also curious, and maybe this is something that Vice Chair McKeel might also just

[02:39:06] know offhand, because I admit I've not been as dialed into this as I would like. Do we have any projected operating impact from the ongoing jail renovations? And does our path forward on that actually change current year's operating impacts? We do have operating impacts. We'll be discussing that when we get to the public safety section is when we talk about our jails and our regional partners. Interesting. I would have thought that would have fallen under Sheriff. Okay, sorry.

[02:39:37] Okay. Interesting. That's all I have. Thank you. Supervisor Lupisto-Kirtley. Thank you. I don't have any questions at this time. Supervisor McHugh. I think I am okay right now, although I am looking forward to the additional discussions that my fellow supervisors mentioned. Yeah, I think those are important discussions.

[02:40:04] So with that, I can just let it go. I don't have any specific questions right now. Thank you. Supervisor Calloway. So Supervisor Pruitt's comments about clerk of court's fees makes me realize maybe I don't quite understand what these are.

[02:40:22] So on page 68 in the overview, charges for services, it mentions decrease in judicial for the clerk of court's fees to align with current trends. Then on the department level, on 109, it says excess fees, noting that Mr. Zugg is not in attendance, that maybe that's just a follow-up.

[02:40:44] So I understand, I'm assuming, I don't know if excess fees and fees are the same thing. If excess fees is a separate category, that's just me not knowing what the heck that, what those are. We can follow up with specifics on exactly what are included in those, in those fees. but it is the general licensing and fees for everything that comes through the clerk of courts, and it really was just looking at the trends on what we were seeing come through.

[02:41:10] Some of that is related to sales of property and transferences of property, and so there's several different pieces that go into that one line, and we can break out, try to get more information, break out the specifics for you. Thank you for that, because I thought fees were along those lines, things that they had stuff walking through the door and there were fees they needed to pay to get whatever they walked through the door to receive is then my question i had was that well if operating expenses are up i'm assuming that the ex the well i'm not assuming it looks like that's mainly because of

[02:41:43] the salary increase to keep pace with the salaries but if they're if the operating goes up and the fees aren't keeping pace with whatever we've tried historically to for those to offset then i'm i'm I guess I'd be looking at fee structure if it were under my control.

[02:42:04] But maybe I just need to see it and learn a little bit more about it before I ask any more. And I appreciate Mr. Hingley being here. I don't think it's such a small amount that I don't know. Well, I don't know where it is.

[02:42:23] Oh, yeah, the overall is a small amount. There's a civil forfeiture piece in there where there's a decrease. The 9337 or 1% increase in related revenues, including a decrease in transfers from civil forfeiture and an increase in funding from the State Compensation Board.

[02:42:44] I was just curious if the decrease in transfers from civil forfeiture was just they're down or we have a difference in approach to property that's been, maybe I don't know what this is either. He's coming.

[02:42:59] I can admit it. I admit that I was wealthy and retired. Angeli is approaching. Welcome. And I'm sorry, you know, for so much there, but I would like to understand that a little more. Thank you very much for the opportunity to be here and answer questions.

[02:43:15] I'm happy to answer that question. The civil forfeitures is a very small item in comparison to the entire Commonwealth's Attorney's budget. But there has been a significant change in the civil forfeiture law.

[02:43:32] Previously, civil forfeitures were allowed in cases where charges were made that fit the requirements for civil forfeitures without having to have a conviction. The law was changed, which I think was an appropriate change in the law to require that civil forfeitures only can be obtained if a person is convicted.

[02:44:02] So that accounts, I think, I mean, I haven't tracked everything specifically, but I think in a general sense, you can see how that would affect the decline in the revenues from civil forfeitures, a decline which I expect to be, you know, ongoing.

[02:44:21] Now, while I have the floor, if I could just take one more minute to outline a point relating to revenues, and it's the line above the forfeiture line, and that's the state.

[02:44:37] And you will see in fiscal 23, 731, fiscal 24, 753, fiscal 25, 799. So unlike what Supervisor McKeel mentioned earlier in this presentation today, the overall trend for state support of local functions has been

under decline

[02:45:01] In respect to the Commonwealth's Attorney's Office, we have seen some increases in state support, which I think is notable, and I think it's obviously very helpful to the county to receive more rather than less support from the state for the Commonwealth's Attorney's function.

[02:45:18] And then just in conclusion, I have been working this year with other prosecutors across the state to try to increase even further the amount of state support that our localities will be getting from the State Compensation Board, which is the agency that administers the state funds that go to support constitutional officers.

[02:45:45] And in particular, in the Commonwealth's attorney's offices, we have concluded a staffing and workload standards study that was funded by the legislature.

[02:46:01] So I'm mildly optimistic that they might pay attention to it. And so this is an ongoing effort to increase the amount of support coming to the state for your local Commonwealth's attorney's office. And I hope that next year you'll see another increase and perhaps a more generous increase in the state support for our office.

[02:46:23] Thank you. When did that change in the forfeiture law happen? Was that the last couple years or was that longer? It's been, I think, two years. Okay. But changes like that take a little while until they get into the system because cases that were pending prior to that change are still going forward.

[02:46:40] And, you know, it is a transition period. But I think we're seeing now the effects of that that will be ongoing, which is basically a reduced collection of civil forfeitures. Thank you, sir. Thank you.

[02:46:56] Thank you again. Thank you very much. Appreciate that. And I don't have any additional questions or comments on this section. If there aren't any additional questions, then we can, I think, move. We're going to public works next. So for Supervisor Galloway's sake, he has to understand we're jumping ahead to pages 129, 136.

[02:47:16] No, we'll come back to public safety. Thank you. Got it. Thank you. Thank you. So, yes, we're going to move on to the public works area and functions of that 525 recommended budget. As you can see, this represents about \$11.9 million, or roughly 3% of the general fund budget.

[02:47:35] This area mainly consists of the Department of Facilities and Environmental Services, as well as some of our other regional partners. Court operations. This was discussed earlier.

[02:47:51] The facilities budget, facilities environmental services budget, does include roughly \$96,000 in operational costs related to the new general district court facility, the first of the two buildings being renovated, which is anticipated to open for operations in the last quarter of FY25, so the last two to three months of FY25.

[02:48:12] The funding includes some utility and maintenance costs as well as partial yield funding for the two FTEs that Mr. Bowman discussed earlier. Climate action. This is one of those, another one of those areas where there's no newer additional operational funding, but it's rather more about executing the work plan and using the existing resources to accomplish and advance those goals.

[02:48:34] But we wanted to continue to say that we're using those current resources to continue to push forward with those goals. Within that, this continues the funding for the operations of the street sweeper and the right-of-way management program, which so far, and I will admit my numbers are dated, had

resulted in over 170 tons of debris being picked up in the roadways. And so this continues that operations for both of that and the right-of-way management program. And along those same lines of the other two areas I just spoke of, we have the roadway litter pickup. In FY25, we're going to direct the plastic bag tax

[02:49:11] funds, which are estimated to be at over \$100,000 for this FY25, to contract services for a keep Albemarle beautiful roadway litter cleanup campaign. We believe this could impact more than 60 roadway miles on a regular pickup cycle. And while this is not general fund dollars, we wanted to point out this new initiative anticipated to begin within the fiscal year as a place of where we looked at the resources available to us and looked at how we can do things differently and how we can

[02:49:40] use those resources to advance our goals. So I want to take a few minutes to focus on an item related to one of our regional public works partners, the Rivanna Solid Waste Authority.

[02:49:58] Before I turn this over to their executive director, Bill Moyer, I wanted to make sure that I provided some clarity on why we're bringing this item before you today and exactly what we're asking of the board today as we go through this item. Prior to Rivanna Solid Waste Authority raising any fees, the agreement we have with them states that RSWA has to get approval from the board of supervisors first.

[02:50:21] We're not asking for any formal action being requested of the board today. We're simply bringing this before you to provide a general awareness of the ask, to allow for questions the board may have of RSWA or staff on this item, and to get a general consensus on the fee increases that Mr. Moyer is going to discuss here in just a moment.

[02:50:40] So that what we will do is we'll then bring this item back to the board as a consent agenda item, excuse me, on March 20th. And that's where we'll take the formal action to vote to move forward with this. And so I will now turn this over to the Ravana Solid Waste Authority Executive Director, Bill Moyer, to walk through the fee increase proposal.

[02:51:04] Thank you, Ryan. Welcome, Mr. Ward. Yes, sir. So thank you for a few minutes. A quick summary. The services that Ravana Solid Waste Authority provides to county residents includes our transfer station, where we transfer refuse out of the county.

[02:51:21] Currently, it goes to Henrico, a landfill in Henrico County at our contractor's option. Last year, we transferred about 92 million pounds of refuse through our transfer station. And this is a station that this board asked Ravana to construct in 2018, and we did.

[02:51:41] And that's the agreement that Mr. Davidson referred to, that we need to come back to you if we want to change any of the fees for the transfer operation. We also manage the recycling program for residents of Albemarle through the McIntyre Recycling Center, the new Southern Albemarle Convenience Center that this board sponsored last year.

[02:52:04] And we also have the Ivy Convenience Center. And we're planning the Northern Area Convenience Center with you. So we're a growing group in that regard. We also manage the post-closure landfill care and vegetative debris disposal. And we turn it into mulch and make that available to residents.

[02:52:22] Last year, we recycled 20 million pounds of product through our recycling and reuse program. So we're real pleased with that. But today, we wanted to propose that we increase the vegetative yard waste tip fee from \$50 to \$54 per ton.

[02:52:43] and also the domestic waste and construction debris fee from \$54 to \$58. We came last year with a similar request, and we increased both of these fees \$2, and we told you then we were trying to find the sweet spot of what the market would bear and what we could collect for these fees.

[02:53:07] In vegetative waste, even though we raised the fee \$2 from \$48 to \$50, We've gotten 17% more waste this year, and on the MSW CDD, we've gotten 22% more than last year. So apparently the \$2 did not make a significant impact.

[02:53:25] In fact, our increase in tonnage continues to grow. When we completed the transfer station in 2018, we received about 40,000 tons per day.

[02:53:41] Now we receive 212 tons per day, not 1,000. We receive 40 tons per day. Now we receive 212 tons per day, five times increase. So the board's initiative to build a new transfer station and have the use of that facility increase has certainly worked.

[02:54:03] So we've looked at our surrounding counties. Green has a fee of \$60. Fluvanna, \$60. Louisa has \$54. Nelson, \$55. So we believe that this is a fee increase that the market can bear. And if the board is supportive of that, we would propose that to our board of directors later this month.

[02:54:28] That revenue would increase the revenue that we take in, about \$290,000, which decreases the allocation from this board for the services we provide. Because our transfer and recycling services. Both do not fund themselves. We estimated that we had a deficit of about \$16 per ton on refuse disposal last year and about \$600 per ton on recycling. So the county and the city

[02:55:02] support us where our revenues do not meet our expenses. So this just reflects the proposed change of the vegetation yard waste fee being increased four dollars as well the domestic and the construction debris fees. So in summary we've had inflation that has affected us through the years. The yard waste as I said was raised two dollars last year. It was 2011 when it was raised last before that time. So that's had a pretty lengthy period at the same price and we believe

[02:55:41] that the market will bear the increase that we've suggested. Any questions? I'm going to go through our order at this point with this issue, I think. Supervisor Malik? Thank you, and thank you, Bill. So I remember before the new facility when our tonnage was so low and the charges were 60-something or other.

[02:56:04] 66. We were pricing ourselves out of the market. Yes, ma'am. Anticipated. But do these new fees that are proposed actually cover the cost to haul the stuff away to Henrico? No, ma'am. is it close close well as i said we lost we had a deficit of about 16 a ton last year and our contract with the contract hauler he provides the truck and we push the trash in the hole of the transfer station goes down in his truck and he takes it away and disposes of it um are 53 a ton right now we collect 54 so we have one dollar there to support our staff who works in there

[02:56:44] And his costs are going to go up about \$1.60 in the coming year. It's indexed to a CPI, so he gets an increase. So his fees are going to be about \$55, and this would give us \$58. So it would be a \$3 delta to fund our staff, our equipment, all of our expenses.

[02:57:05] And no, it will not cover the full cost. Okay, but a smaller deficit. But the deficit would be smaller. Yes, ma'am. And I, if it's anything like my sawdust that I buy, which went up 30% this time, I mean, I feel your pain.

[02:57:21] So anyway, that's the information I needed on that. And, oh, I forgot to ask that one. And so the savings, the increased revenue that you're looking at could be used to offset that deficit.

[02:57:41] That's right. And or you may have on your list still about increasing the frequency of the HHW amnesty days. that stuff, because they're wildly popular, and twice a year is certainly better than once a year, but so would be sometimes. Yes, ma'am. So anyway, thank you very much. More services or reduced allocation. Right. Thank you. Thank you. Supervisor Pruitt. Thank you so much. This is an area that I'm still trying to get spun up on, so my apologies if my questions are a little fundamental. I want to first make sure I'm correctly understanding just how the TIP fees are realized and who is, at the

[02:58:19] end of the day paying the bill. I think my guess would be this is primarily private collection services who then deposit through you, which means the bill is either being taken from their profits realized or from the people who opt into paid services. Yes, sir. 75% of the debris that we received are received from two firms, Waste Management and GFL. They bring 75% of the waste that we receive and and it would be prudent it would be probably a correct assessment that this

[02:58:55] will probably see a few dollars increase on people who do opt into private waste collection on their like monthly subscription most likely unless they can absorb it or optimize somehow reduce it that would be up to them um thank you uh i i am still very broadly supportive of your proposal i just want to say that up front less less my comments be misconstrued additionally I did have a question we talked at some length about a very impactful source of revenue for y'all but I do know that you also take in probably a pretty de minimis revenue at the new convenience center out in Keene for the I think it's

[02:59:34] two dollars a tag right yes sir do we have us I did not see it leap out at me in the document before me but I'm curious if we have a sense of just what that revenue's volume is. I don't have that number. I can get it for you of what the revenue is for the \$2 tickets that we sell at the green top store. And I don't know that number, but you're right. It's probably not very much. Sure. I bring this up because I'm just, I'm very excited that we have this service down in Southern Albemarle. And I also recognize that we have pockets of really

[03:00:09] extreme poverty in that same region where, frankly, a \$2 tag is just an extra inconvenience on something that's already inconvenient. So I am trying to just be thoughtful about how we impose that and maybe if it is very minimal, see what we can do moving forward as a board to maybe fill in that gap in other ways. And we're not proposing to increase those \$2 tag costs, only the scale cost if it comes to the transfer station.

[03:00:38] Thank you. I understand that. I'm just saying, like, if it turns out it's, you know, we got \$20,000 from it this year, I might wonder if the board might be able to be in a position to step in and fill that in order to alleviate some of those burdens that are facing. I'll get that information for you. Thank you. I appreciate that.

[03:00:55] Supervisor LeFiest Kirby. Thank you very much, Bill, and I'm really looking forward to the Northern Convenience Center when that comes in. I just have one question regarding paint, and this has nothing to do with the budget, but is that collected year-round?

[03:01:12] Daily. Every day we're open, we will collect paint. And that's at the Ivy? Yes, ma'am, just at the Ivy facility. Okay, that's it. Thank you. Supervisor McKeel. Yes, thanks, Bill. I do, if I could just ask for a quick, the Northern Convenience Center, did I see that that had been postponed?

[03:01:33] I just wanted in my head to have an update on that in case people ask. We still have the design funding in fiscal year 25. However, we have moved the construction funding out to fiscal year 27.

[03:01:50] I had a conversation with Mr. Stewart earlier about potentially what that could mean. I didn't know if you had additional information you wanted to provide on that. And I'm sorry to take us down into this, but when we were talking about convenience centers, I just remembered seeing that it had been postponed, and I wanted to just have some clarity.

[03:02:10] Welcome, Mr. Stewart. It's good to see you. Hello, everybody. Lance Stewart, Director of Facilities and Environmental Services. I can say I've got questions about this myself and not answers entirely yet. I think the way that we have executed projects with Ravana in the past is that we reimbursed them for expenses they incurred.

[03:02:30] so it could perhaps not result in an effective delay entirely, but I need to work through those details with Mr. Moyer and his team before I could answer that question definitively. Okay. And I will say we have a capital improvement work session scheduled for next week on the 13th, and we can come back and hope to have some answers to some of this at that time when we discuss the capital funding for this project.

[03:02:59] That's great. Thank you. And it's just because we have folks in that corridor that are asking about it. So I just wanted to have the information to be able to answer. And I'm not, and I understand delays sometimes happen, but, so that's great. I appreciate it, Lance. Thank you very much. You're welcome, ma'am.

[03:03:14] Okay. Bill, while you're here, can I ask you a question about paint? Sure. This is probably, and I don't even know if you can answer this or not. i am i am constantly seeing now and this is new paint spills all over our roads i don't know that you have any answers for that or not right but i'm we do advertise and you know what i'm talking about yes ma'am and i counted i drove probably well we were driving up to richmond the other day

[03:03:51] But anyway, and I counted six paint spills in a matter of just what I thought were a few miles, you know, just all over the road, mostly white paint, but different colors. Do we advertise, I guess I'm just trying to get at, people know that they can paint to the facility.

[03:04:11] What's happening out here? I'm not sure what's happening, but I know with Mr. Andrews' encouragement at our Solid Waste Board, we've increased our advertising for everyone to cover their load so nothing falls off. We've posted signs at Ivy.

[03:04:29] We've gotten some literature. We have a radio ad that goes on periodically on one of the stations. And we're really trying to increase our advertising of cover your load and those type things to keep all the litter off the roads of the county.

[03:04:45] But paint specifically, I'm not sure, but I'll keep that in mind as we do our marketing to make sure people understand they can bring paint any day that we're open. It's not just at the household hazardous waste days. We took, and it used to be just on those two event days, the spring and fall, but we had such a line of cars bringing paint that we opted to get a container and we keep it open, available every day.

[03:05:15] Well, and I don't know if it's the contractors or the public. It used to be that the trash cans, if people threw paint in their trash cans. Yes, ma'am. They'd go into the, and then when they smashed it. But that looked different. You could see when the trash can smashed the can, and then it would leak it.

[03:05:35] But this is like a spill where the paint cans have been dropped, and they're just spilled like that. It's a very different look. Okay. Again, I don't know the reason for that, but we'll try to address it in our marketing. Well, I know you can't send a letter to every painting contractor, but it seems to be increasing.

[03:05:55] Enough said about that. We'll be aware of that. Thank you. All right. And you don't need us to do anything on this right now. I just wanted to clarify. Yes, ma'am, we do not. It's going to come back to us later. It will come back to you, as Mr. Davidson said. Okay. All right. Thank you. Supervisor Calloway. Thank you, Bill. I have no questions.

[03:06:10] And I have no questions. I appreciate the balancing act between setting the fee and making sure that people just don't go elsewhere, which would actually increase our costs and all that. So I appreciate that. I wish in life this was the case, that when we raised the cost, the usage went up.

[03:06:30] If we could model that, it wouldn't be. Yeah. One follow-up when you have time. Supervisor Malek? So, flipping back to the increase from 40 tons a day to 212, what is the permit max on our... 450. Oh, okay. I was worried that it was 250 or something.

[03:06:47] So, we have some cushion. I think it's 450. Okay. I think. All right. But we got that increased recently. But we have had some days, particularly on Monday, where we're hitting 350 and 400. And we've tried to call, we have called some of the haulers and say, hey, can you shift some of that to Tuesday and Wednesday?

[03:07:05] Because we're really getting overwhelmed on Mondays. We've had a little bit of luck with that, but we're monitoring the Mondays as the peak days. No, I know there will be that balance of damping down the demand a little with some increased costs to have people find some other places. Yeah, we've worked very hard to increase the volume, and so it is unusual to call people and say, can you slow down a little bit?

[03:07:26] And that's the case. And just one follow-up that perhaps is for Mr. Rosenberg, and we'll catch him later. If we have the authority, no, sorry, Steve, regarding the bag fee, if there is local authority, that there could be a sliding scale.

[03:07:41] So if people bought their passes or whatever, the booklets through the county or somewhere, that there could be in different prices for low income or whatever. So that's just a question for another day. Okay. Thank you. Thank you very much.

[03:07:57] I actually do have a very quick clarification question. Sorry. Yes, sir. I just want to, this is a foundational kind of governance question. You presented the tip change as an ask that is not reflected in our budget.

[03:08:13] You are also an independent authority. Do you actually need anything from us on this? We will eventually. Officially, the agreement says you need to approve a request to our board asking that our board change the tip fees. It's a little bit twisted, but that's what it says.

[03:08:31] So I think Ryan's going to have that before you at a later date. And that is not something we can just or would want to just do today with a collective nodding exercise? No. We'll need to bring back formal

action for the board.

[03:08:49] We don't have that prepared for today. The intent of today was to get the direction from the board to see if there was consensus so then staff could prepare the executive summary and the formal action. Ryan, what day did you say you were going to bring that?

[03:09:05] That's going to be at your next meeting on March 20th. We'll have a consent agenda item for consideration. That'll be good. Our board meets on March the 26th, so if you should approve it on the 20th, that'll be plenty of time before our board meeting. Yes. Yes, sir.

[03:09:22] Thank you. So this was a discussion of all public works pages, not just the Rivanna Solid Waste Authority. Are there any other? That's what I was going to say, is I realized that I did not finish, allow for a time for the rest of the public works.

[03:09:37] I just, because Mr. Moyer was here, I jumped into this Rivanna area, but wanted to open it up for just the questions with that. Exactly what I was hoping to do, just to see if there are any additional questions on other public works matters. Thank you. Yes. Supervisor Mount. I have one regarding climate action, your slide 36. Is there somewhere that I have missed in the budget about how we're working, continuing to work with partners who's funded partially leveraging grants and things with other partners who are doing weatherization and that kind of thing?

[03:10:06] I'll have to get back to you with the exacts on how that works. There is the continuation of some funding that we've done in the past, but I'll have to see at what level that is and exactly where that's okay if I can get back to you on that. Because I did not see it in here.

[03:10:22] Thank you very much. Thank you. Supervisor McHugh. I just have one, actually two things. Climate Action, just to let you know that I attended a meeting recently with the school division around there, Climate Action. And they're looking, they have so many buildings.

[03:10:39] And they're looking at their lighting and all around on the outside of all of their buildings. I just want to make sure that we connect with our lighting and our lighting ordinance and the work we're doing with climate change and lighting with the schools. because we want to get out of those silos so that we are all working together.

[03:10:58] Second thing, I'm thrilled about the Roadway Litter Pickup Program. Just a question, and maybe this is for Jeff, maybe a better question for Jeff. Are we connecting at all with the University of Virginia?

[03:11:16] We have a large presence of students, especially in the urban range. And I'm just wondering if being able to connect with the university around a program there on anti-literary, just a thought.

[03:11:39] I would just take your feedback as guidance for us to consider as we move forward with the development of the program. As was discussed, and I want to make a couple of clarifying comments.

[03:11:55] first of all, and the board knows this, I know, that the revenue that is generated from the plastic bag tax has strict restrictions related to how can that money be used. It's got to be earmarked for environmental cleanup and related types of programs. And so that is the justification for taking the revenue and turning it around and looking at something like what we've talked about today. I think the staff, and it's our Deputy County Executive, Ms. Ann Wall, along with Lance

[03:12:31] Stewart in Facilities and Environmental Services, I think they are in the early stages of working through what that program next year will encompass. I think you've heard the staff estimate that we could be looking at somewhere between 60 and 70 road miles. But in addition to that, we could be also considering education programs and things related to that that would be tied back into CAPE or partnerships with other organizations. We'll have to see how that shapes up as we go into next year. \$100,000 plus sounds like a significant amount of money. We want to be able to contract

[03:13:11] that so that we can scale as we continue to move through this. And the board knows this as well, that when we estimated year one, what will that plastic bag tax generate? I'm sure Ryan can say more about this, but we were really trying to get just a general ballpark idea of what it may be generating, and as we move into year two, we're beginning to really get our arms around this.

[03:13:37] Ryan, did you have anything to add? No, I think you covered that very well. We looked at some of the, there was very little peer localities that we could look at that had enacted this when we first brought this on, and so it was our best ballpark estimate based on what some other localities were seeing, but they weren't necessarily fully comparable.

[03:13:56] And now that we've got roughly 10 months worth of, 11 months worth of collection data, we're able to have a better idea of what we will be bringing in on an annual basis. And it was just a thought because if we're doing a marketing campaign that's anti-litter to include the university or the students there or somehow or another, I don't know, it's just a thought, right?

[03:14:17] trying to reach all the populations that are participating in our litter problem all right that that was all I had to thank you thank you I'm just well I just wanted to follow up with that just with one quick question because I actually saw this back in the section on other funds but um since it's here I know that the plastic bag tax revenues are earmarked for environmental cleanup, but can those funds at all be used for a street sweeper type of operations or

[03:14:50] even right-of-way management? They could, but we had earmarked specifically for the street sweeper some funding coming in from, if you remember, the cigarette tax. We had enacted some of that revenue to cover the operational costs for that. Thank you. Thank you. Thank you for the reminder.

[03:15:09] Supervisor Lupita Kirtle. Yes, I just have one question regarding the public works. The right-of-way management program. I know that involves street sweeping, but I'm also wondering, does that include Supervisor Galloway's pet peeve regarding things growing out of the median? Actually, my pet peeve also, but would that include things growing out of the median that get as tall as I am?

[03:15:35] Trees growing out of the storm drain. Oh, and that one, too. Oh, let's be real. They get taller than you, Bea. That's a really good question, and actually the bulk of that program, other than the Street Sweeper, is geared at eliminating that kind of thing, and I hope you'll notice, I think it's most noticeable in the Rio, East and West Rio, and Burkmar Extended, and the older

[03:16:09] concrete sections just look remarkably different today than they did a year ago there are also a lot of less evident places where median grassy medians were in bad shape and it became difficult to see guardrails and impossible to walk on there that we've picked up a little bit more mowing frequency so that program is still growing and expanding at some point at this point we haven't done a lot to repair the cracks that the weeds are growing out of. That is a mission, particularly

[03:16:43] in places where there's, say, concrete median in Rio, where in order to just weed eat, you have to do road closures, which is night work. So we would rather repair problems in those areas that are expensive to maintain, whereas other places where we can just weed eat much more efficiently on some basis to keep those from growing to the point where you can't see pedestrians, that we spend those funds efficiently. Thank you. Okay. We need to move on soon. Let me just do one minute. Thank

[03:17:19] you very much because I drove down Georgetown Road the other day and it occurred to me that that median strip looked better and the sidewalk was clean and people could actually walk on the sidewalk. So thank you. Yes, ma'am. Just a quick thank you. Thank you. Okay. This season when it seems that everything that was settling for nine months under the leaves and whatever is now violently obvious. And I mean, it's every rural road coming into the county from other places as well. It's as if a trash truck or somebody just lured or something every 10 feet all the way along. And citizens are out there with their vests on picking up what they can. But the miles

[03:17:58] are so great we're just going to have to figure it out we're going to move on to public safety let's hope we can yes i know i know you're trying to manage time sir i do want to make one clarifying question that the board talked about for a minute and i want to i want to clarify something and it's specific to the northern convenience center and i know that we we spoke about the cip but when we look at out your obligations for the northern convenience center there there's the capital cost that it uh that's one-time cost specific to us working with ravana just like the southern convenience center on building the center and then there's the operating

[03:18:34] cost and we pushed we have intentionally pushed that out a year and that had to do with us uh not just balancing in 25 with recommended budget but also looking at fy26 obligated uh expensive that will carry forward. So with the full year operating cost of a convenience center, the board can look at our budget and you can see that it's about \$400,000 a year. So we have looked at that and we said we've got control. The design cost is one time as well and we can go ahead and get that done.

[03:19:11] But in pushing it out a year, we're being purposeful at this point in spacing our obligations beyond FY26 when we look at out-year cost. That doesn't mean the board can't revisit that in the budget process and say, hey, let's look for an opportunity to try to move this back where we had it.

[03:19:30] And that would be staff's work with the board to try to consider your interest in doing that. But I wanted to clarify that. And I know you need to move on, sir, but I just want to say that. Thanks. I appreciate that. But I do want to remind people we have a hard stop at 445 with another matter that must start at that time.

[03:19:48] So we're going to proceed into public safety. If we don't finish, we'll pick it up at a later work session. Okay. So moving on to public safety, this represents roughly 15% of the total FY25 recommended budget and roughly \$65.5 million.

[03:20:06] As you can see here, both police and fire make up about 42% each of the overall public safety budget with our regional and community partners, making up the remaining 16%. This budget continues funding for the Human Services Alternative Response Team, which in just the first six months of operation provided support for 149 calls and helped, as you've heard before, help reduce the amount of time our officers are spending responding to mental health calls for service.

[03:20:39] Public Safety Technology. The Public Safety Budget, and specifically our Police Department, has a focus on how technology can continue to enhance how we work and how we do things differently. budget supports the the photo speed camera pilot on hydraulic road besides the beside the lambs lane campus the drone program to support critical incidents and search and rescue efforts and the continued work of the cyber crimes lab to continue to leverage technology to aid in investigations i also wanted to mention that while the fy25 recommended budget does not include additional police officers or firefighters we did include the addition of three budget neutral public safety

[03:21:18] related positions, a digital forensic examiner in the police department, a fire mechanic, and a fire instructor in our fire rescue department. Continuing with public safety, looking at emergency management, the recommended budget provides operational funding for our maturing emergency management functions to continue to expand upon the efforts that are already happening in this area and that we have started in the current fiscal year.

[03:21:43] Looking at the volunteer fire rescue, the FY25 recommended budget contains an overall increase and the contributions for the operational support, as well as some funding in the CIP through the community nonprofit capital process, which we'll hear more about at our work session on March 13th. And then finally, the FEMA Safer Grants. In the past several years, we have added 50 firefighters through the FEMA Safer Grants. The recommended budget begins to pick up more of the costs related to FEMA Safer 1 and Safer 2 for the first 20 firefighters in this. FY24 included the local costs to bring on the additional 30 firefighters for the newest FEMA SAFER grant,

[03:22:22] and those costs will begin to be picked up at a greater rate by the county as we move into future fiscal years. We have mentioned briefly some of our investments in the fire rescue system, and on the next couple of slides, we will talk a little bit more detail about those recent strategic investments in our fire rescue services. Since fiscal year 2020, we have added 67 firefighters.

[03:22:48] Fifty of those were funded initially through the FEMA Safer Grants, as was referenced on the previous slide. And as this illustrates, these investments have been throughout the county, from Crozet in the western part to Pantops in East Rivanna in the east, as well as several areas in the south of the county.

[03:23:03] These investments were designed to increase our system capacity, improve response times, and reduce service level reductions at our various stations. So now let's look at the return we have seen on these strategic investments.

[03:23:20] We've seen improvements in recruitment and retention with larger applicant pools and decreased turnover. These investments have aided us with the ability to enter into a no-cost reciprocal mutual aid contract with the city. And we've also seen a decrease in the response times on both the fire and the rescue side, ensuring higher levels of service to our community.

[03:23:42] Finally, today we're going to talk about the contributions to our regional public safety agency partners. The contributions to the agencies listed here on this slide are based upon the county share of the cost for each entity's regional agreement. These amounts are based on upon the agency's draft budgets and will be updated accordingly should there be changes as their respective boards review these budgets as we move through the budget process. ECC is based upon the county's portion of the overall calls for service. The jail and the juvenile detention center are based upon the rolling averages of the center resident, county center resident populations. And SPCA is based upon a contractual funding formula that takes into account county

[03:24:20] population and inflation. That is all I have on public safety, and I will turn this over to questions. Mr. Professor Bell. Okay, let's see. Well, the one I have right now, and I may come back. The turnout gear, this is a thought for Dan and Puckett to write down. We've talked for four or five years about the new availability of PFAS free gear. And we've also talked about

[03:24:57] the fact that firefighters all over the country are having huge health consequences from where they wear. So I'll just leave that burden with you to figure out something and let us know what you thought. Thank you very much. Thank you. Supervisor Pruitt. So I'm going to begin by re-asking the question I reserved from the previous section, which is I know there's a potential for branching paths with how the jail renovation proceeds. And I'm curious if there's ongoing operational costs or any other costs that are captured in this budget that actually might be

[03:25:31] under flux based on which of those pathways is selected. So what I will say is our contribution does include the county's portion of some debt service. I'm not aware of all of the ins and outs of those conversations, so I'd have to get back to you on what effect that may have moving forward.

[03:25:54] But based on what we knew at the time when the jail submitted this, this doesn't-- - Which would be option three, which is the option that we reported to the Department of Corrections and was approved by the Department of Corrections. - Excellent, all right, thank you. - I think that answers the question because that's what staff would have had at that time.

[03:26:13] - Okay. - If that's the question you're asking. - I think so. I just wanna make clear that, so we are proceeding And the ACRJ board is basically taking our current fixed funding as the planning consideration and not something that is potentially going to change if there's any, based on community feedback, changes to, like, how the jail renovation proceeds.

[03:26:37] I just know that's been a hot conversation. I want to make sure it's not one that actually impacts how we're funding in this year. Okay. I also did have, and this is, again, relatively minor, Shortly before the turnover in my position between Supervisor Price and myself, we both received constituent feedback from a constituent of ours who had responded as a first responder to someone who went down in a race, I think, and was surprised to learn that our police do not have AEDs,

[03:27:13] and our fire rescue does, but our police do not. And it was suggested, oh, what would be the cost of implementing that? Because it's the norm in some localities. It's not the norm in all localities. And sometimes it's state-funded, sometimes it's locally-funded. I'm curious if we could get a handle on what that looks like, because I recognize that that is not in here.

[03:27:34] I do see additional funding for new AEDs, probably for the new equipment that is being acquired for fire and rescue. But I'm curious if we could get a sense of what that would look like for if our patrol police officers also had AEDs and were trained to use them because there's value there.

[03:27:56] We can gather that information and come back to you with those numbers. Excellent. I also do recognize AEDs aren't cheap. I think that's all I have, actually. Thank you. Supervisor Lupito Kirtley. Just to tag along, I would like to know the response time Because usually when a fire vehicle, ambulance or, well, not, no, when a police, when police respond to a crash or something like that, shortly thereafter, maybe even before the fire department responds.

[03:28:30] So I wanted to know if there's a lag between police and fire personnel arriving at that same location, to your point for the AEDs. because that may or may not be a moot point.

[03:28:47] I mean, I do agree that anything we can do to save lives, like AEDs, and I also don't know the police department, if they have the training, what kind of cost that would be. So those are things I would want to know along with this.

[03:29:05] I mean, maybe it's a valid point, maybe it's not. But once again, I'm all for complete safety. Everything comes with a cost, so just wondering. But those are all the questions I have. Thank you. Oh, no, I will say one other thing. Best thing we ever did to get ambulances to all of our fire, I think all of our fire departments have ambulances.

[03:29:28] Fantastic. Best thing we could ever do. Probably even more important than fire trucks. Just guessing. Thank you. Supervisor McKeel. Just one quick question because I know we're short on time. The HARTs program, the budget, the current budget maintains the current Monday through Friday, 8 o'clock to 5 o'clock or what.

[03:29:51] So there's not any additional time added to this program in the budget. That is correct. Just wanted to make sure. Okay. So that can be on some of our lists. Thank you. That's it.

[03:30:06] Supervisor Galloway. Will there be, I appreciate the table being sent out about the 50 fire positions that was sent out earlier, but I've not really had the time to really absorb that. So I'm going to have questions. Is the conversation around fire one that's going to be a parking lot item or an additional work session time other than just today?

[03:30:28] Do we have that theorized or by possibility? We do have some additional time set aside at the November 11th work session for additional general fund items. November? Excuse me, March 11th for just additional general fund.

[03:30:46] items as well as some other work sessions that we could have this potential discussion at should the board desire to bring bring that back great we can work on the timing the best fits to be able to have that conversation great because then that'll i'll be prepared better prepared i think then and i'll reserve all my questions on fire for them um the and these i'm happy to have these come back given the time situation we're under here today i do want to to know more about the Blue Ridge Detention Center. Obviously, it's just an increase in who's

[03:31:22] being served there. As I said, was it based on population or average population over three years? But is that cost avoidance elsewhere due to programming or changes or just an increase in total? So I just, that's a tell me more, please, because that's a big, that's a big jump. Yeah, but if it's cost avoidance in another part of the criminal justice system, then we should understand that. Like, I don't know if they're being diverted there because they're not being processed somewhere else or if it's just an overall increase. You know, that's what I'm

[03:31:53] getting at. In the police section, page 121 removes funding for a vacant position that is recommended to be unfunded in fiscal year 25. What is that position? We're going to be including in our follow-ups of what was not in the budget request, some more details on those positions.

[03:32:17] Gotcha. So that'll be in there. And then 122, the decrease of 322,897 in the capital outlay expenditure category due to the removal of the one-time equipment and vehicle costs added in fiscal year 24 for the addition of three new police officer positions. Is that that we're not adding three new police officers this year that we were anticipating? No. In FY24, we added those three new police officers. And

with that comes vehicle expenses, uniform expenses, and other equipment expenses. And so since we're not adding additional, you're right, this is year over year.

[03:32:52] So since we're not adding additional officers, we don't have those additional one-time costs. Perfect. Thank you for that. All right. That's all I have. Thank you. Yeah, there couldn't, I don't know if there's a more important section than this one. So I know that we'll have some of this that we'll come back to. I did hear Chief Stevens, you know, warning us that we have a situation, perhaps in North Garden, where if we're covering fire services with volunteers and the volunteers aren't there, and we have a very dire situation, and I hope that we can discuss how we

[03:33:27] can fix that, and that that's going to be part of the future discussions. Very important. Otherwise, You know, obviously I've relished every moment of hearing about where we're putting this hearts team together and how much success they've had.

[03:33:43] And I certainly would like to understand whether, if we added to that, whether it would enable us to serve a lot more people, because this is, again, I think a great way to proceed to combine these skills.

[03:34:00] Otherwise, of course, we'll all hear from constituents that traffic is terrible and people are on their cell phones, and I hope that, you know, we're not, that we're putting appropriate resources to traffic safety, because that's on people's minds. I guess the only question I have in the section is, in looking at the different decrease in operating expenditures, I wonder if you could speak to whether the JCPenney facility that has been approved, has that had any impact on our budgeting for different things associated

[03:34:34] was operating? So it is, I'll call up the chief as well, because I think he can answer that a little bit more thoroughly, but there's not been direct savings related to that at the moment. It's more about efficiencies and doing things differently and being able to provide better levels of service.

[03:34:55] For example, we've been able to, part of the budget neutral fire mechanic costs we were discussing is related to being able to do that in-house at that facility and not have to contract all of those out. And so that's one area where it's not necessarily a cost savings, but it's doing something differently because we've opened that facility. Okay. Thank you. I think that's important. Mr. Henry. Chair Andrews, members of the board, Trevor Henry, Deputy County Executive, work with fire and rescue as part of the portfolio. I wanted to follow up on that question,

[03:35:32] sir, but also a comment Supervisor Pruitt mentioned about police and AEDs and vehicles. We will get a report out to the board through the budget office, but many of the vehicles do have AEDs in them.

[03:35:48] It's not 100%, so I don't have that number that I can articulate, but just for kind of public record, there is a percentage of our vehicles on all shifts that do have AEDs. And so we'll get that information to the budget office. And then related to the PISOC, the Public Safety Operations Center, love acronyms, the areas where I think we will see improvements is it affords us on both fire and now police, when we get a vehicle in off this procured vehicle, we have to kit it out.

[03:36:25] We have to, you know, add all of the features and enhancements to make it that a public safety vehicle police now outsource all that work. And some of the savings that we're going to see in FY25 for police is based on the supply chain and limited resources on kind of the funnel of the limited number of contractors that can do that work.

[03:36:46] So, why am I, I'm using that as an example of savings in 25 with an opportunity with us having our facility to actually bring in a contractor that can do that work for us. So, I think we'll gain efficiencies and I hope savings out of that.

[03:37:02] But just, I think that's how that facility will play out over the next year as we use it. Great. Thank you. Thank you. Board, do we have any other questions? And staff, are you satisfied at this point?

[03:37:19] So just to wrap up, I might invite Mr. Bowman back to the podium, and he's going to briefly just hit the budget calendar where we're going in the next couple weeks, and then to summarize the takeaways from the work session today.

[03:37:35] Thank you. So we'll be back on Monday in room 241. We'll hear from the public schools for their budget. We will then continue the rest of the general fund chapters, you know, kind of on the schedule provided to the board. We'll then on the 13th have a discussion around the capital improvements program, the debt fund, and if needed, we can continue anything at the general fund.

[03:37:57] We have a long list of questions that we'll be following up with the board, but what I've heard from the board in terms of specific more information in the board's deliberations were those topics around fire rescue and the sheriff's TDO staffing. Now let's not say those are the only questions, but in terms of the amendments of the budget, that is what I've heard.

[03:38:13] But if there's something else out there, obviously, this is not the only chance. The board may see the list with items like the Harts team, others that we've discussed today, and we'll have other things. But as the staff begins to think of how we use our time after the CIP on the 13th and going to the 25th of the proposed budget, and if needed to extend it in those to-be-determined work sessions.

[03:38:32] But if I've missed anything and all these follow-ups, please now let me know and we can follow up with that direction. I think I heard them all. You did say, Cheryl. Correct, yes. Yeah, so I heard that. That's good. Yeah, so we'll be in touch with Sheriff Bryant to make sure she's available for when we do that as well.

[03:38:50] Thank you. Seeing no further follow-up. I really want to say thank you to the staff for what I thought was exemplary, masterful presentation. You have this stuff so well done. I never cease to be amazed and impressed by the work you do and how well you do it.

[03:39:11] Thank you. And thank you to the board for their attention through a lot of dense information that will continue next week. Thank you. Thank you. All right. On board, we have another item that I think they've been waiting patiently for.

[03:39:29] Our next item is the S.L. Williamson Company, Inc. Presentation of Claim, which I understand is being introduced by Mr. Anthony Bisette, Senior Assistant County Attorney. Good evening, Chair Andrews, members of the board.

[03:39:49] In a moment, you'll be hearing a presentation from Mr. Lemmer's counsel to S.L. Williamson Company. Just a little brief background before Mr. Lemmers takes the lectern. Between November of 2022 and July of 2023, S.L. Williamson performed milling and paving work on contract with the county.

[03:40:13] We're here today because S.L. Williamson has made a claim under Virginia Code 15.2-1245 that it is owed additional compensation under that contract. Staff asks that the Board hear the claim presented

by S.L. Williamson's counsel now, then go into closed session for the advice of counsel and briefing of staff members.

[03:40:40] Finally, staff requests that the Board consider S.L. Williamson's claim and render a decision in its meeting scheduled for April 3rd. Thank you. Thank you. And as you come forward, please introduce yourself.

[03:40:57] I am Eric Lammers. I'm an attorney for S.L. Williamson Company, Inc. I'll be doing most of the talking in the short time we have, but also with me today, I have Mr. Eppert Jr. You may want to move the mic just a little bit over so we can hear. Thank you.

[03:41:13] I have Mr. Eppert Jr. who's the vice president of the company, and we'll be turning to him for a couple of points. And then also, Ms. Williamson is also here. She is the president of the company. If we could go to the next slide, please. Or maybe, oh, I'm sorry, I can do that here.

[03:41:29] So some of you may already be familiar with S.L. Williamson company. It's a long-standing member of this community. It's a family business and of the third generation at this point, a local business that produces asphalt and three plants located in this area. It's contributed over 200 pro bono projects to this community over the course of its existence. And lastly, it is an experienced contractor. It has a long standing experience with both public and private entities, including the Virginia Department of Transportation, transportation, and providing the type of services that were involved in this project.

[03:42:07] Now, this project was the Ivy Road sidewalk improvements project. Some of you may also be familiar with this. It included crosswalks and pedestrian signals at the old Ivy Road railroad underpass and the Ivy Road intersection, as well as bike lane facilities, curb and gutter and storage drainage system improvements. This was initially bid, my understanding is at least a couple of times until it was basically separated in component parts. So I think there were three component parts. SL Williamson only bid on item two, which was the asphalt part. And it was a

[03:42:44] successful bidder with a base bid of \$303,000 on March 15, 2021. There are basically two components to the contractor's claim. The first and the smaller one has to do with delay. SL Williamson wasn't the first contractor that had to perform on this project. There was work that had to be done before my client could come in and do the milling and paving work. For whatever reason,

[03:43:16] that work was delayed. And as a result, my client signed a contract in March, sorry, July 2021. Under the contract, the work was supposed to be completed by June 2022. As it turned out, the county did not permit my client to even begin the work until December 2022. So about six months after the paving was scheduled to be completed and 19 months after the work was priced. As you are no doubt aware, time does have an issue, have an impact on the cost of work, particularly in these

[03:43:54] inflationary times. As you may also be aware, if you've had any work done on your home, those inflationary impacts have been particularly evident in the construction industry. So here the delay really had two impacts on my client. The first was that there were increased labor and material costs from the time that the project was bid until when the work was actually permitted to proceed. And also secondarily, paving is work that's better done in the summer. It's better done

[03:44:27] in the warmer climate in this case my client was directed to proceed in winter at the very very tail end of the season that also increased costs and so here before performing the work my client did

identify these increased escalated costs to the county and documented about 91 000 of increased costs as you'll see here most of the increases were in material costs so fuel asphalt tack and

[03:44:59] aggregates and then a smaller portion in increased labor. The county did not agree to that cost escalation or to agree to compensate for my client for those increased costs. Nonetheless, my client mobilized as directed to perform the asphalt paving work in December of 2022.

[03:45:24] The work was performed on a portion of Route 250. There was very poor drainage in the eastern section which is near the light at ivy provisions as you'll see the cross slopes were much less than than what would be vdot standard um and let me why don't i turn it over to uh mr effort here we can briefly talk to you the work that they did and why they did it the way they did good afternoon good afternoon um yeah when we mobilized on uh the project you know the plan the county had the that we agreed to you know called for a mill and overlay of the entire section of roadway and then

[03:46:03] build up some new areas to help improve drainage. And so when we got out there looking at the road in the existing condition, it had no crown in it. So when it rained, the water just run down the hill and the tire tracks get low and leads to hydroplaning and all that. So we elected to just edge mill the roadway so we could tie the asphalt into the existing concrete curbs and then overlay it with the inch and a half of asphalt, which kind of builds the middle up more and gives you more drainage. And, you know, the county had an inspection staff there and they watched us do it.

[03:46:40] You know, nobody said we couldn't do it. Nobody disagreed. And we proceeded. And that's what we've done the first time we've done the job. So Mr. Eppert stole a bit of my thunder, but, but basically they did the work the way they did in order to improve existing poor drainage, particularly at the bottom of that hill where they had a pretty significant problem. And then also to raise the road centerline grade so that they can meet the project requirements. So you had a proper slope to that road and that's the proper grade. Again, this was not a job that they were doing on their

[03:47:17] own. Inspectors were present for the entire job and raised no issue with the work. At the end of the day, my client went home believing that that was that and they would get paid. After my client completed the work. The county had a couple of issues, one to do with my client and one to do with another contractor. I am not entirely certain of who has the right of it between the county and the other contractor, but I know that the county wasn't satisfied with the placements of the line

[03:47:54] markings on this job. The county also raised a new issue with my client's work, and basically the county's contention was that instead of doing what it did in order to basically improve drainage and meet the grade requirements, instead my client should have milled down a full 1.5 inches before placing another 1.5 inches of asphalt on the road. That would have essentially left the

[03:48:23] road as it was before with its other problems. Okay. There were a number of discussions. I've attached numerous letters and notices. There were also meetings, and I haven't attached everything there was, but exhibits four to seven through our claim include a pretty good flavor of what the discussions were. I think we also attempted to bring this to the board's attention at 1.2,

[03:48:56] but at the end of the day, what we were told by the county, my client was told that what they had to do was they had to remove all of the asphalt that they had put on the new asphalt, mill down 1.5 inches over the what would have been the the old road or what was left of it and then put everything back

on. So among the issues that my client raised as to why this work shouldn't have been done, one was a contract dispute. So it was my client's position that the plans and the contract

[03:49:34] did not clearly require 1.5 inch full depth milling, but instead the contract, which took precedence over anything else described the work as asphalt milling build-up and or overlay along ivy road with our belief that the and or there indicated that our that sl williamson would use the best method to achieve the best results secondarily we also raised the fact that the county was present as well as i believe vdot during the entirety of this work and never raised any issues obviously if this was really the county's position it would have behooved everyone

[03:50:11] to have noted it before all of this work was done it would have saved hundreds of thousands of dollars and next was the performance issue what we which we've already alluded to uh as ms ever said you know this we my client believes continues to believe that what they did in this job was appropriate and that in fact was necessary to not have a safety hazard on this road through water pounding and a potential risk particularly given the fact that there was a bike lane being

[03:50:46] put on here and also the you know increasing the risk of asphalt deterioration from allowing water to remain on the roadway and then also improving the grade in order to meet the tolerance required here and then the last issue we that my client raised was the cost of the work s.l williamson was only was only being paid \$303,000 for this the cost escalation that we'd already experienced combined with the cost of this corrective work would essentially be a complete loss for

[03:51:21] the contractor the county's response essentially rejected my client's position in my view the county really didn't provide much reason as to why other than their belief that full depth milling to 1.5 inches was required.

[03:51:43] I'm not aware that we ever got much of an explanation as to why the county had erased it earlier or what substantive performance improvement would be, how the road would be improved by basically requiring the 1.5-inch full-depth milling, much less requiring the contractor to go back and redo this thing at such a great expense.

[03:52:17] Nonetheless, as directed by the county, my client did proceed to go back and do the work that the county directed. In this case, however, it was not what the county had said needed to be done. And I think I'll turn it over to Mr. Apart again here.

[03:52:33] When we went back and done the work, I think it was August of last year, we'd met with the county numerous times and, you know, discussed and ironed out a corrective action plan which you know basically we had to remove the asphalt we had put there mill down the existing road an inch and a half and just put an inch and a half back. We got a survey of the existing road after we had done our work initially and it was pretty close to the finish grade on the plans in the middle of the road and you know so no agreement

[03:53:13] we go back out there and we start and when we start the corrective action work the county and all the inspectors, we basically edge mill the road again and overlay an inch and a half over everything again. And, you know, it turned out a great job because now the road's got a couple inches more crown than the plans even called for. You know, it's higher than the plan elevation should have been. And, you know, it was just a direct cost to us to do that place.

[03:53:41] I should note another part of this, of the work being done, had to do with the striping. So another thing that impacted this was that the county also wanted the striping redone. And we don't know what the relationship is in terms of why they had S.L. Williamson come back and do this work, but we do wonder whether that would have been the case if there hadn't been the issue with the markings.

[03:54:11] This is the pre-construction CAP, the corrective action plan. I think it's probably too detailed at this point to go through these sheets and compare them, But I did put them in the PowerPoint, and I'll send them again later as well.

[03:54:28] But I think Mr. Eppert would stand that what we were told to do and the reason why we were told to do it is different from what we actually were directed to perform during the corrective action. And again, there's several pages of this.

[03:54:47] This is the post-construction corrective action plan. Some differences. This indicates as well, I think, areas that were to be paid for by the striping contractor. There's no way for us to effectuate that. We don't have a contract with the striping contractor.

[03:55:04] And my understanding is we haven't been compensated for those portions other than some curbs. So all total, the total costs of the corrective action to my client was \$238,207.29.

[03:55:27] The costs, we provided those to the county after the corrective work was completed. We tracked them during the course of the job. We've included them in this claim as Exhibit 8. The county refused to pay any portion of those costs. So again, we can't know precisely what the rationale was for this work or why the county deemed it necessary.

[03:55:50] But we were forced to incur excess costs of nearly \$250,000, as well as the additional escalation that we had incurred due to delay that my client had no part in. There's really no argument that my client delayed this job.

[03:56:08] The job was delayed by the county or its other contractors. Either way, we're not at fault. We shouldn't have to bear that cost. But that's over \$300,000 on a job on which the lump sum bid was just \$303,000. Again, we believe that the county's position of full depth milling was appropriate, was incorrect.

[03:56:30] But moreover, there is a legal doctrine called economic waste, which basically states that where a contractor reasonably complies with specifications, but perhaps there's a technical defect and the cost of correcting that defect is out of line with any real improvement to be gained that the government should not go ahead and order that work.

[03:56:56] We believe that applies here. And so, and just in summary, we do believe the contractor was treated unfairly. In this case, we've had the increased material and labor costs due to the delay. We've had the increased costs of paving in the winter. We've had the increased costs of mobilizing twice to perform the same work and corrective work that we feel is of no real benefit to the public. And we don't think that this treatment benefits either the public or the county because it makes it, frankly, harder for contractors to bid or more expensive if they do

[03:57:36] bid on county work. So we're requesting reimbursement from the county of the \$238,000 incurred during the corrective work that have performed under the county's direction, as well as the increased cost of performance and attorney's fees that we've had to incur in connection with this claim. Any questions? Thank you for the presentation. We will ask staff to follow up with questions at a later date.

Great. And on behalf of the contractor, thank you so much for your time. I really do appreciate it. Thank you. Board, we will move on to item 11, which is a closed meeting. Supervisor Pruitt, you have a motion? I do,

[03:58:15] and I just minimized it. I would like to move that the Board of Supervisors convene a closed meeting pursuant to Section 2, Decimal 2, TAC 3711, Perrins A, of the Code of Virginia, under Subsection 1, to discuss and consider appointments to various boards and commissions, including, without limitation, Fifth and Avon Community Advisory Committee, Citizens Transportation Advisory Committee, Crozet Community Advisory Committee, Places 29, Perrins North, Community Advisory Committee, Police Department, Citizens Advisory Committee, Social Services Advisory Board, and Solid Waste Alternatives Board Committee.

[03:58:48] Bully my last, Solid Waste Alternatives Advisory Committee. Under subsection parent 7-2, consult with legal counsel and receive briefings by staff members pertaining to, first, actual litigation concerning the Ragged Mountain Natural Area and the case styled Board of Supervisors of the County of Albemarle, Virginia, versus City Council of the City of Charlottesville, Virginia, and second, probable litigation concerning a claim by S.L. Williamson Incorporated related to a construction project undertaken by the county where consultation or briefing in an open meeting would adversely affect the negotiating or litigating posture of the county and the board

[03:59:25] and under subsection parents 8 to consult with legal counsel regarding specific legal matters requiring legal advice related to the foregoing claim of S.L. Williamson Incorporated. Second. We have a motion from Supervisor Pruitt, a second from Supervisor Malek, without objection if the clerk will call the roll. Ms. Lapisto-Kirtley? Aye. Ms. Mallett? Yes. Ms. McKeel?

[03:59:49] Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. The board will convene in closed session.

[04:38:33] Thank you. Sorry for the delay getting started folks but we'll come back to order now and I

[05:04:27] believe Supervisor Pruitt has a motion certified to close me. Yes I would like to move that the Board of Supervisors certify by a recorded vote that to the best of each supervisor's knowledge only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed meeting were heard, discussed, or considered in the closed meeting. Second. We have a motion. Second from Supervisor Pruitt. Second from Supervisor Malek. Without objection, if the clerk will call the roll. Ms.

[05:04:54] Lupisto-Kirtley? Aye. Ms. Malek? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Board, we have some motions coming out of closed meetings. Vice Chair McKeel? We do. The first motion, I move that the Board of Supervisors, one, approve the proposed agreement with the City of Charlottesville concerning the case-style Board of Supervisors of the County of Alamo, Virginia versus City Council of the City of Charlottesville, Virginia, case number CL17203, pending in Charlottesville Circuit Court in the form presented in today's meeting of the Board of Supervisors,

[05:05:33] and two, authorizing the county executive to execute and deliver the agreement substantially in such form containing such completions, omissions, insertions, and changes consistent with this motion as are approved by the county executive and the county attorney whose approval shall be evidenced conclusively by their execution and delivery of the agreement.

[05:05:56] Second. We have a motion from Supervisor McKeel, a second by Supervisor Malek. Without objection, the clerk will call the roll. Ms. Lapista-Kurtley. Aye. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Another motion? I have other motions. These are a list of appointees to boards and commissions, so I will read through them, and it'll be all one motion. Fifth and Avon Community Advisory Committee, Matthew Siebert, Citizens Transportation Advisory Committee, or CTAC,

[05:06:34] jose gomez peter thompson frose community advisory committee costas albertus and solid waste alternatives advisory committee or swack christine hirsch putnam and kaylee reno second we have a motion from supervisor mckeel and second from supervisor malik without objection if the clerk will call the roll miss lapista currently hi miss malik yes miss mckeel yes Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes.

[05:07:09] All right. Moving on. We are now at item 14 from the county executive. Mr. Richardson, is there anything for tonight? No, sir. Not this evening. Thank you. Thank you. That brings us to item 15 from the public. Matters on the agenda but not listed for public hearing are matters previously considered by the board or matters that are pending before the board. Do we have anyone signed up? We do not. Okay. Well, that brings us forward to the three public hearings

[05:07:40] we have for this evening. The first of the three, this is SP 2023-00006, Arbor Life Professional Tree Care, presented by planner, Mr. Kevin McCollum. Welcome. Evening, Chair Andrews, members of the board. My name is Kevin McCollum. I'm a senior planner with the planning division of Almar County Community Development. Tonight, I'll be giving staff's presentation for application SP-2023-6, Arbor Life Professional Tree Care. This is a special use permit application for a

[05:08:13] landscape contractor in the rural area zoning district. First, to provide some background, landscape contractors were added to the rural area zoning district as a use permitted by special use permit in September of 2020. I believe the application we have before us tonight is the first Board of Supervisors public hearing for this use type. What that zoning text amendment did is add landscape services and storage of landscape materials in the rural areas on parcels of three acres or more by special use permit. Landscape contractor is defined as an establishment

[05:08:49] providing landscaping services. For the purposes of this definition, landscaping means the modification of the landscape for an aesthetic or functional purposement. Establishment is also defined in the zoning ordinance as a public or private institution or place of business. So a landscape contractor is essentially a business providing landscape services. Previously, landscape contractors who were too large for a home occupation permit were simply not permitted

[05:09:24] in the rural areas and would have to try to find a commercial or industrial space in the development area. The staff report for the ZTA also included a list of items to consider when reviewing new landscape contractor SPs. These included things such as the storage of materials on the site, the number of buildings, the proposed setbacks, access, the amount of anticipated traffic, the hours of operation, and any information on noise and smell. The subject property for this

[05:10:00] special use permit application is located at 163 Patterson Mill Lane. It's just outside the Crozet Development Area. The property is on the southern side of Interstate 64. Across Patterson Mill Lane, labeled 71-39 on the map there, is a VDOT-owned maintenance and storage facility.

[05:10:20] To the south and east along Patterson Mill Lane, there are some existing residential properties. On the screen here is the existing condition sheet from the application materials. The subject property includes an existing metal farm building with a surrounding gravel parking area. There's a fence along the front edge of Patterson Mill Lane and then to the rear is Interstate 64. Here's a Google Street View to show the existing conditions from along Patterson Mill Lane. You can see

[05:10:57] that existing fence, the building, the parking area that surrounds the building, and just beyond that tree line in the rear there is Interstate 64. Here is the conceptual plan for the property. The proposal is a landscape contractor business that would use the existing building on the site for equipment and would have on-site storage areas for vehicles, equipment, wood chips, mulch, and other large wood material.

[05:11:28] The existing building will remain, and they have added parking spaces and identified the specific storage areas. The applicant's narrative describes daily use of the property as a location where employees will arrive and park their personal vehicles before leaving the site in company equipment to utilize during the day.

[05:11:48] The associated equipment and storage materials will be kept on site, but a large majority of the work is actually done off-site. So the special use permit application was reviewed under the factors for consideration in the zoning ordinance and generally staff believes that the proposed landscape contractor will not be detrimental to adjacent parcels. It will not change the character of the nearby area. It will be in harmony with the zoning district and is consistent with the comprehensive plan. Staff has proposed a few conditions to ensure that these factors will be met so there are

[05:12:25] a total of four conditions that we are proposing, and I'll just run through them one by one quickly. The first is a standard condition we use so that development of the property will be in general accord with the conceptual plan that they have provided. This condition ensures that the buildings, the parking areas, and the storage areas will be in the same general location as they are shown on the plan. The second condition is to ensure the proposed use will not have negative impacts on the surrounding property, specifically the abutting property to

[05:13:00] the south. So staff believes that the proposed use has industrial characteristics and believes the industrial use buffer requirements found in the zoning ordinance should apply. This means a 50-foot building setback, a 30-foot buffer, and any additional screening necessary along that property line of TMP 71-37J. The proposed concept plan demonstrates that compliance with these regulations is feasible. As staff discuss in the transmittal summary and in the staff report, there is an

[05:13:34] existing farm building on this property. To be used as part of a landscape contractor business, a change in use permit to a commercial building is required. The building will be changing from a farm building to a utility or storage building under the building code. And so the building code requires a restroom with potable water. Staff is willing to work with the applicant on providing alternatives, but condition three kind of goes beyond those requirements to address some of staff's additional concerns, and we're prohibiting the use of portable toilets and pump and haul

[05:14:11] systems. And then the last condition, condition four, is based on recommendations by our engineering department, and that's to require a VSMP application that addresses all prior site disturbance that had been done on this site incrementally. So to conclude, staff has found the following positive aspects. The proposed use is consistent with the comprehensive plan and no detrimental impacts to

adjoining properties are anticipated. Staff has no additional concerns that aren't addressed by the proposed conditions. So staff recommends that the board adopt the

[05:14:48] attached resolution to approve this application as P2023-6 Arbor Life Professional Tree Care Landscape Contractor with the conditions. That concludes my presentation. Happy to answer any questions i do have a motion slide on my last slide thank you thank you and the board will go through order but before that i want to remind the audience for all three public hearings that desire to speak on the matter this matter there are sign-up sheets under the window to my left and your right and they should be labeled for each of the public hearings so

[05:15:22] if you're interested uh please do that um do anyone have questions supervisor malik oh thank you all have a couple just for clarification um back to the beginning of my list so i guess one of the questions i'll say for the applicant about what you mentioned about storage of wood chips and mulch and so my question for them will be are these permanent or are these in transition and come and go but for you you mentioned the majority this is people bring their car they get in the machine and they go but then someone you mentioned majority of work to go on off-site is it really

[05:16:02] all the work that's going to go on off-site in your understanding because they're not digging and cutting up trees or anything on site yeah my understanding is no mulching or or grinding will be going on on site it'll just be a location for storage of that type of material storage only all right good and the buffers to the properties to the south does it make a difference in interpretation if the there's common ownership with the properties to the south no we've

[05:16:36] discuss that even if the property owner is the same owner we would like to see screening and a use buffer that property may be sold down the line and we want to ensure that there's no impacts to that adjacent property the surrounding area on the rear i can flip back to the concept plan or the map sorry let me get yeah the map's a better one a majority of the abutting property line is actually Interstate 64 right-of-way, so we're not as concerned with impacts to that

[05:17:12] right-of-way. It's basically that entire property line with 71-37J, so where that red arrow is pointing, it's basically just that property line. Okay, I think that's all I have for now. Thank you. Supervisor Pruitt. I don't believe I actually have any questions. Thank you. Supervisor LaPista Kirby. If you could go to screen seven, please. Sure. You listed things that would be their wood chips equipment and things like that but you didn't mention logs and i'm seeing here

[05:17:46] storage area for logs so if this is a landscaping business i mean will they be storing a lot of logs like there's a lumber yard um today with a lumber yard in your barns yes lumber yeah where they have yeah my understanding is that they do do tree work um tree work is fits under our definition of landscape contractor they're providing a landscaping service they're altering trees that impact the you know the landscape and they've identified a specific area on their plan for log

[05:18:21] storage so with the conditions that we've provided they would be required to store those any logs that they do bring to site in that area in the rear okay all right and my only comment is that I like the proposal being near 64, being away from a rural area, because I know we have had some problems with a landscaping business going right through the middle of a totally rural, totally neighborhood area, and yet they're allowed to do the landscaping business, and that's been causing a lot of problems.

[05:19:00] But anyway, thank you very much. Those are all the questions I have. Supervisor McHugh. Yes. Excuse me. Just clarification. I'm assuming that they're using well water. They'll be using well water. Well, they have a well.

[05:19:16] They'll be required to provide potable water. I believe they'll need a new well. There's an existing agricultural well that building officials commented on that that would not be suitable for potable water. But we will be required to have VDH will review this project moving forward. So they'll need to review any proposed well and also any proposed bathroom facilities.

[05:19:39] Okay. And a septic system? That is one option. We are willing to work with the applicant. The only two that we're, I guess, prohibiting by our proposed conditions are the portable toilets and the pump and haul system. But we're willing to work with the applicant on alternatives that could meet the same intent and purpose.

[05:20:00] Okay. All right. Thanks. That's all I have. Supervisor Calloway. Yeah, that was really the only question I had, but my understanding is that there won't be many people. here so they better do their business before they get down to the business i mean it's that was my i had the i had the uh this i i had the pleasure of seeing this at the planning commission meeting on the night that i went so that seemed to be an interesting point of discussion the whole yeah the usage there but that's that's all i had um my uh probably only question at this

[05:20:40] point or other questions maybe for the applicant but uh this shows a pretty i know it's pretty pretty steep drop-off once you get sort of passed to the east there a little bit. And you mentioned a VSMP review process.

[05:20:57] Could you just tell me a little bit more about why that's required? Yeah, so you can kind of see that, you know, there's an existing gravel area that surrounds that building. My understanding is that they did disturbance activities, clearing that they did incrementally less than 10,000 square feet at a time, so they weren't required to do permits, VSMP permits.

[05:21:20] And because this is a legislative review item, engineering was basically saying that we would like to request a VSMP to account for that previous disturbance that they had done without needing a permit, essentially. Thank you.

[05:21:38] Follow-up. At that, if there aren't any additional questions at this time, we'll open the public hearing, and Supervisor McKeel will read the rules. have one sign up. Of course, the applicant will be first, but no one online. The following rules apply to all public hearings this evening. These rules are also included on the published agenda for the meeting, which can be found online and on the sign-up table to the audience right. During public hearings, the board will acknowledge speakers addressing the item listed for public

[05:22:16] hearing. Speakers are limited to one appearance of three minutes per public hearing item. Applicants are limited to a 10-minute presentation of their proposal and are allowed a five-minute rebuttal at the close of the public hearing. Timekeeping is conducted through a timer and light system at the podium. The green light will go on when you begin speaking, which begins your allotted time.

[05:22:37] The yellow light indicates you have one minute to finish speaking. The red light indicates your time has expired and you'll be asked to end your comments. To give speakers all equal treatment and

courtesy, the board requests that speakers adhere to the following guidelines. When addressing the board, state your name, and if you live in Albemarle County, your magisterial district.

[05:22:58] Address comments directly to the board as a whole. Any written statements or other supporting material may be given to the clerk. If representing a group or organization, you may ask others present to raise their hands in recognition. Speakers may not share any unused time with another speaker. Back and forth debate is not permitted. Do not speak from your seat or out of turn. All comments are live streamed, recorded, and published on the Almar County website.

[05:23:26] Okay, and I believe Ms. Monica Madison, representing Arbor Life Professional Tree Service, is presenting for the applicant. Okay, welcome. So I'll just start with the PowerPoint so you can get an overall context of the neighborhood as you approach the site.

[05:23:46] So this just shows you the context.

[05:24:19] Obviously, Kevin had shown you some, so these were taken. As you approach 163 Patterson Mill, you'll see that it's right next to the 250 where you enter onto the 64. Another overview of where else site is. The red dot represents the future park and ride. So that also lets you know what is coming to that neighborhood or that street, if you will. So there'll be a park or ride before you get to the lot that Arbor Life would like to utilize. Again, it's across from the VDOT. I think that's a maintenance facility park and ride so that you know what that looks like. That sits right on the entrance ramp, it looks like, as you approach.

[05:24:58] When you turn onto Patterson Mill off the 250, the first building that you'll see was this community church. Here's an aerial view. VDOT is on the right of the screen, and you'll see Arbor Life on the left. These are some of the responses in working with the health department on figuring out our restroom issues that we're trying to solve because it's an unusual lot.

[05:25:23] Just to give you a little context of that lot, it was previously a permitted borrow and spoil site or a fill site. so that altered the soil of that particular lot in comparison to the rest of the neighborhood because they brought in things from everywhere so this is a little bit of a reclamation project so it does make it slightly different we're not calling it that because it was already done before we arrived but it does propose some interesting issues in working with the sanitation department but vdh has been really helpful so we're going to work on that and this was one of the recommendations so i just wanted to show you if you're not familiar what you have in the almore county parks

[05:26:00] this is one of the restrooms at the park and it's kind of like a composting toilet it has their hand sanitizing station this is the outside um just so you're cognizant of what is at the park if you have a bed any questions uh ward goes through our order supervisor malik thank you so you very quickly zoomed through the the various alternatives that you have and you have some definition from staff, I assume, about the kinds of alternatives that they

[05:26:34] are offering for you. Yes. For the plumbing, I guess. For the plumbing. So what we're looking at, one of the options, they have those composting toilets that could be utilized. VDH feels that that's probably the most usable option for that site. Obviously, we've taken off the plate portable toilets. Their first opinion really was portable toilets, which they would prefer because they had a different kind of solution that you could place it in walls etc and it could be a good thing but since that's off the table composting is it and then what is being utilized at a park and that's slightly different than composting but still the same thing and i'm still in

[05:27:13] the process of discussing that with vdh good okay so that's a definite option yes you have been told by staff and by somebody yes i met with kevin bart and rebecca um and betty slough from the building inspection, so we do have options and we're working on that. And the, actually I forgot to ask staff about this, but perhaps you know as well, the VSMP permit, it said to account for work that had been done, but some of that was before you bought it, or is that all since you

[05:27:48] bought the property that the disturbance has happened on the property? So the disturbance was under 10 000 square feet so that okay that was approved okay yeah um i'll i'll come back to step later then about this the vsmp is for storm water that to make sure that's done correctly i want to make sure i say that correctly um and then the um so the park image that you took we don't know what that's officially called yet but that's not yet the um those are used by 50 or 100 people a day, I guess. If that's at Mint Springs, there are a lot of people available using those.

[05:28:28] And I guess that's all the questions I have right now. Thank you. Supervisor Proulx. I think I have only one question. So I know you're going to be using the composting style toilet. There's quite a lot of information in here already about the composting style toilet. I guess the one thing, this is going to be such a squeaky question.

[05:28:51] they have an action speed right like it can only compose as fast as it can compose um in the event that it is filling faster than it's acting does that compel you into a position where you are going to be in violation of your own agreement not to use a pump and haul i would say no being that we're such a small business the likelihood of it filling up is very slim um we have like six employees that actually show up to the site and their limited time there is 30 minutes

[05:29:26] and I'm sure they could speak on this more as they're the workers but most of them do their personal business if you will before they arrive and usually for most people this occurs when they're in transit because they are mobile workers nothing actually happens at this site they do dump the mulch there that gets recycled and used but other than that the employees are there less than 30 minutes. 45 would be the max. I'm mostly just trying to be looking out for your interest that you don't find yourself put in a position where, despite your best intentions, you are actually in a position where you might have to violate one of your own warranties on

[05:30:05] this. So if you're confident that it will not arise, then I am satisfied. Thank you so much. Okay, thank you. So from what I understand, you have the composting toilet and then a sanitizer but there's no running water there's no water um we're working on that issue because we do have an agricultural well which according to bdh can be brought up to be a potable water source and then there's some options there that we'll be able to work through but we're still looking at that so if you do have a water source that's my goes to my second question

[05:30:41] um what about i've seen trailers with a you know maybe they use out in a rural area at wedding events you know trailer where they have water they have you know toilets and everything is that something that's allowed i don't know we would love that solution um that would be up to the county if they said yes we'd be very happy with a solution similar to that um but i think that might constitute portable toilets but that's really a definition for the county okay so i will ask them. Thank you, Kay. Supervisor McHugh. No questions, thank you. Professor Galloway. No

[05:31:18] questions. Okay. I will want to ask, and I can hold off until we hear somebody, but that slope there, you're putting materials next to that downhill, and I want to know whether there's any restriction or

expectation as to how far materials will be away from the slope. So currently, if you see the site, we don't actually, the chips, if you noticed in the one photo, the chips are all in the front they're not near the slope the slope there's actually nothing near the slope currently I don't remember if you remembered your last visit to the site since you've been there we don't have

[05:31:53] anything of material wise the logs are above that deep slope that you're noticing the logs are there and for the logs they they come in and then they leave almost within a week less than a week they're just there because when you're on a big job we don't have the capacity to haul them straightaway to where they need to go so they have to make a little pit stop if you will at that site and then they're gone thank you um i think we'll now hear from public i'm going to um i'm going to call up from the public we have one person who's asked to speak okay and i'm going we'll call you

[05:32:31] back i'm going to attempt to read the name and i think since we only have one speaker you probably know if you signed up. Is this R.B. Withrow? I'm sure I'm off. I'm apologize. I'm Roger Willett.

[05:32:47] Willett. Yes, ma'am. For the record, we just want to make sure. All right, Willett. Actually, I'm in the Samuel Miller District in Afton on Old Turnpike Road. So the only reason I signed up is just for context. I think it is important to note that Mr. Baber, His business location is in Crozet, where they own the property.

[05:33:14] So all the actual operation of the business is not at this site. It's not going to be moved there. And I thought that was kind of an important thing. In other words, they do all their billing. Any meetings with the public, that kind of thing has been for years in Crozet.

[05:33:35] And what we had talked about, obviously where we are now is right on 250, just before the school zone, and it's really a bad location to be pulling commercial trucks out during the school day, just when the school children are coming in or driving in, that sort of thing.

[05:33:59] So as we discussed it, as we all know, Crozet's gone for a couple of thousand to 10,000, and which is good, but it also has a traffic problem. So this gets us off the road. And really, it is simply a location for the equipment.

[05:34:19] And the operators come in, and they're there to pick the equipment up and get on the job. And the no lounge, no anything to slow them down from getting to work. So it's not going to grow into a location where the public would even begin to come to.

[05:34:43] And I thought that was kind of an important thing. And so the building itself is simply going to be used to enclose the equipment that's sitting on the side of the road at the lot there off of 250. Thank you.

[05:34:59] So that's it. Thank you. Thank you very much. Board, I think it's actually your opportunity to five minutes additional rebuttal, but also for the board to ask additional questions. So just to let you know for the slope, I was just informed by the owner, Mr. Baber, who's sitting here, that he's already contracted with a contractor to fix the slope. It's a plan that they've been working on. So that will be dealt with. I know that was a big concern of yours. So we're in that process. I was unaware. So just wanted to let you know about that. Before you go, if there's anything, if there's nothing further, we'll go through our

[05:35:36] order one more time. Supervisor Malik? I don't think I have any more questions. I have one for Kevin when we're done. Well, no, I think we should ask all of them now. Okay, very good. Because we'll

close the public hearing after this. Do I understand correctly that the VSMP requirement is to deal with the stormwater, any implications of stormwater on the site? Correct. Got it. Okay, Thank you very much.

[05:36:01] And I think I've learned all about the alternatives that I'm glad to know about. So thank you. Thank you. Supervisor Pruitt. I have no additional questions. Thank you. Supervisor Lapisto-Curley. So may I ask a question? Yes. Okay.

[05:36:17] So why wouldn't the trailer type, you know, would they have two for use for, they have water, they have, that's a toilet.

[05:36:34] Those are very nice, actually. lot of them are really nice why wouldn't that be something that we would allow it also usually has a storage tank that's why i asked about water and then they you know they would have to have it pumped out of course yeah i would need to confirm with vdh uh again you know we're mainly just concerned about like a port-a-john and that pump and haul system my understanding is that a pump and haul system is an agreement a landowner has i think with the county so those are just two very specific things that we wanted to not permit, but we're willing to work with the applicant and VDH

[05:37:09] to consider all possibilities and find a solution. Okay. That works for me. The water issue is important. Supervisor McKeown. Supervisor Galloway. No additional questions. And I have no additional questions. Thank you very much. Supervisor Malek. Could you give a definition of what part pump and haul means, because in my brain, I thought that was a failing septic system that you had to go and pump it out every week. Thank you, Bart. Oh, here comes Bart. Good. Thank you. I want to make sure that I'm approving the right thing here. I thought you were coming up,

[05:37:48] and then you... Well, it sounded like we were almost there. Bart Swoboda, Deputy Director, Community Development. So there's a couple different types of pump and hauls, two specifically. Okay. One is the emergency repair that you're speaking of, which is a agreement between the landowner and the department of health and that's specific usually it's limited to about a year for repair of the system okay the other is one that's permanent and the county assumes the contract between the health department for the pump and haul so it operates more more or less as if it was hooked to a public sewer system because the county's

[05:38:28] involved in a permanent facility that way there is no temporary my understanding is there is no temporary or excuse me a permanent pump and haul that's allowed by an individual so places the county on the hook so a port-a-john or a portable trailer that i have to come in and pump stuff out of and haul away rings of a permanent pump and haul situation so pit privies like we do at the parks that's what that's called yep so the example of excuse me a composting toilet or composting facility. There's some interchangeable names within the Virginia administrative code, not in

[05:39:06] the straight code, that talks about those kinds of things. But generally, Port-a-John, which is the fancy version, is the trailered version. Those are for temporary uses. Right. This not being a temporary use, a permanent use. We want something that's more durable, that holds up to the environment, make sure that it's going to last the life of the use. Okay. So the picture of the from the park. That would be something that you all are in agreement would suffice for a very small number of employees and be okay. Yes, yeah, that operates similarly to a conventional system

[05:39:44] if the similarly for those of us who live in the rural area, we have our septic tanks pumped every now and then. There's actually a recommended amount of time for that on a conventional system,

so a composting facility works the same way. And somewhere would that be recorded in more detail with today's decision so that there's no confusion going forward about what's actually being approved and would be alternative would be okay from staff's perspective? Yeah, we would have the Virginia Department of Health both when the well upgrade is complete and the what we would

[05:40:24] call the septic system, whether that's a composting or conventional, that we would need approvals from the health department to proceed. So it follows the normal channels. So if Josh currently says it's okay, that you're okay. Thank you very much. With that, board, I will close the public hearing, and the matter is back before the board for any final comments before a motion is made.

[05:40:49] Supervisor Malek? I think it's an ideal spot in the overall county and certainly for the western half for someone who has, does lots of work on farms and, you know, takes fallen trees off my barn and other places, and the other, when storm, the ratio came through, I mean, they were just constantly cleaning up for all the landowners in Crozet for months and months and months after all those trees fell down. So it's an important use, and I hope that they will have a place to go and park their machinery. Supervisor Pruitt. I think it's, again, an abundantly sensible use for the

[05:41:25] location. I'm always supportive of finding non-intrusive but meaningful economic uses in the rural area so that we can fully use the land that we have. So yes, I'm in support. Supervisor Lupisto-Kartner. I'm in favor of this project because I think it's the right place for your business, and I think it's a very good location. It makes sense. Thank you. Supervisor McHugh. I agree. I have no problems with the proposal. Supervisor Galloway.

[05:41:55] Yeah, I'll only note in addition to what's been said that, as I mentioned, I was able to attend the Planning Commission. There were several neighbors who came out very supportive of the owner what the owner's done it sounds like a lot has been improved since ownership's been taken on kind of hoping that maybe next door vdot takes some aesthetic cues from this owner so it is well situated and happy to support all right and as i for the reasons that have previously been stated and as the property is in the samuel miller district i would like to move the resolution to approve sp2023 0006 arbor life professional treat care in the form of

[05:42:31] Attachment D? Second. We have a motion and a second from Supervisor Malik. Without objection, the clerk will call the roll. Ms. Lapista-Kirtley? Aye. Ms. Malik? Yes. Ms. McKeel? Aye. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Thank you. Thank you. That matter is completed.

[05:42:54] Next, the board, item 17, we have ZMA 2023-00011, 4102 Dickerson Road, and I believe this is being presented by Mr. Shof, Senior Planner. Welcome. Good. All right. Good evening, everyone. My name

[05:43:30] is Sid Shof, and I'm a Senior Planner with the Planned Division of Albemarle County's Community Development Department. Tonight, I'll be giving staff's presentation on Zoning Map Amendment Application ZMA 2023-11-4102 Dickerson Road. This is a proposed rezoning of a 2.22 acre lot from rural areas to light industry. The subject property of this rezoning is located north of the city of Charlottesville, near the Charlottesville Albemarle Airport. It is located at 4102 Dickerson Road, which is north of Airport Road, south of Chris Green Lake Park, west of US-29 North,

[05:44:07] and east of the airport. The tax map parcel is 32-9H, and the entire parcel is approximately 2.22 acres. It contains an existing one-story single-family dwelling unit and an existing detached garage. The property is zoned rural areas, and it's shown as white on the map.

[05:44:28] The parcels to the north and northwest are also zoned rural areas, where the properties to the north are single-family residential, while the property to the west is the Charlottesville-Albemarle Airport. To the south and southeast, a majority of the properties are zoned light industry. The parcel to the east across Dickerson Road is zoned planned development industrial park, and it is owned by the University of Virginia Foundation.

[05:44:51] Lastly, due to its proximity to the airport, the airport impact area overlay district affects this property. The subject property is located within the community of Hollymead in the PLACES 29 Master Plan. The future land use designates light industrial, which calls for manufacturing from prepared materials, processing, fabrication, assembly, and distribution of products.

[05:45:17] For this application, the applicant is requesting to rezone the entire 2.22 acre property from rural areas to light industry. If the rezoning were to be approved, this is a concept plan of what the future site could look like. The applicant is proposing for the existing home and garage to be utilized as office and storage space.

[05:45:37] Both structures currently meet the light industry setback requirements for a front minimum setback of 10 feet and the side rear setback of 50 feet if an adjacent parcel is zoned to rural areas. The ordinance also requires a 30-foot use buffer if it is adjacent to a district that is not commercial or industrial.

[05:45:55] The applicant will be required to provide a 30-foot use buffer that consists of landscape screening along its northern and western property line to meet this requirement. Additionally, the concept plan illustrates a proposed parking area and a proposed one-story warehouse. These would be subject to a site plan reviewed by internal and external staff to ensure all codes and regulations are being met.

[05:46:17] Currently, this site is one of six parcels located in the development area that are not connected to the Albemarle County Service Authority's jurisdictional area for water and sewer. The site is currently served by well and septic systems. This is a map provided by the Albemarle County Service Authority that illustrates the existing water and sewer connections in the area.

[05:46:37] The subject property is highlighted as yellow in the northwest corner of this map, and the closest connections to water and sewer are approximately 700 feet away. Per County Code Subsection 18-26.2, a special use permit could be necessary if the site is not served by public water or sewer, and it consumes more than 400 gallons of water per side acre per day.

[05:46:57] In sum, there are two factors that are favorable. One, the request is consistent with the county's growth management policy and their recommendations in the place's 29 master plan. And the second, impacts to neighboring properties are not expected. There is one factor that's unfavorable, and that is the property is not connected to Albemarle County Service Authority water and sewer facilities. Staff recommends approval of zoning map amendment request ZMA 2023-00011-4102 Dickerson Road. And with that, I'll open up questions. We'll go through our order.

[05:47:34] Supervisor Malek. I have no questions. Thank you. Supervisor Pruitt. I was going to ask something, but I think I just discovered it, so I'm just going to say it out loud because I don't think I caught it in here.

[05:47:50] But the master plan overlay has this as light industrial. So this is in one-for-one accordance with, and it's, again, a zoning map discordance with the master plan. And so we're actually bringing it into conformity with the master plan.

[05:48:06] Is that a fair character? Yes, that's correct. That's the comprehensive plan, and the comprehensive master plan is recommending light industry, which is what this rezoning request is. And the applicant has no request currently before the board to request any kind of connection.

[05:48:22] They're going to continue to use their existing law and septic. Well, that's the determination that would need to be made. Like I mentioned in the slide before, if it's – let me go back to that slide just so I have the language correct. A special use permit could be necessary if the site is not served by public sewer water, and it consumes more than 400 gallons of water per site acre per day.

[05:48:46] I believe this could be something that would be looked at at the site plan process. I might ask Rebecca Ragsdale to come up and provide specific answers for this right here. I guess maybe just to fill the time while you're walking up, I think my assumption might have been that if that special use request comes before us, that would be after they already have this in hand and they have a better understanding of what that looks like, and it's not going to be entertained today.

[05:49:17] That's correct. So they have a well and septic on the property now, which may be adequate for their proposed use. We don't anticipate the 400 gallons per site acre per day being an issue yet. It could in the future and they may speak to this more in terms of the ultimate build-out or redevelopment of the site we may come to that point down the road where water and sewer is more accessible maybe they connect to it or if there's a water use that is the special use permit is necessary that's not before you this evening we just want to provide that information

[05:49:55] um so you are aware of that thank you so much thanks rebecca so those are my questions also regarding the special use permit for water and sewer but i i i understand that the applicant does not know at this time and that may be something in the future that they apply for correct that's correct okay thank you no more thank you supervisor mckee no questions i think i'm i had a similar question but i think i'm okay now thank you supervisor callaway yes i'd like this one i got to see it at the planning commission meeting the the owners owns the property just south

[05:50:33] correct that is correct because i don't remember this the gravel parking are they just going to connect from that lot to that gravel that gravel on this lot are you referring to this um gravel parking area on the bottom left yeah so that's a proposed gravel parking area if this were to be approved um this is just the applicant's conceptual plan of where they would locate a gravel parking area. Well, as the applicant, it seems like it would make sense to just connect to the property they currently own to access them. Thank you. Thank you. Thank you. Oh, and good day as

[05:51:08] presentation voice, Mr. Shoaff. Thanks. Extra points for a stout voice. Good. I have no questions as well. So with that, I think we will open the public hearing and we've had the rules have been read. We have no one signed up to speak, but the applicant is here, I believe. And Thomas Martin and Darren Giacalone, property owners, will have 10 minutes to speak. Welcome. Hello, my name is

[05:51:45] Darren Giacalone, and I'm part owner of 4102 Dickerson Road. So I also own rooftop services, which is right next door. And basically what we're looking to do is, just like you said, we're outgrowing where we're at next door, so we're looking to connect our parking lot to that gravel parking lot as well, and

then also coming in from next to the garage, we would just continue that straight to connect in there as well.

[05:52:18] So right now there's a three-bedroom, two-bath house that like three to four people have been living in there, taking showers, bathrooms, living full-time. We're looking to just convert that house into, it's kind of weird because it has two front doors on each section as it has a front door.

[05:52:35] So we're basically looking to just, we're looking to use our, we're getting into solar shingles and gutter division. So we're looking to kind of take off to the left side for our showroom and those divisions. And then possibly lease out or rent out the right side to a contractor home improvement, things of that nature.

[05:52:55] and then potentially build the building in the back to have warehousing just for storage of equipment and materials and stuff of that nature. We're not looking to manufacture anything there. We're not looking to, we're basically, so I will have offices, so we will have running water and sewer that's in place.

[05:53:15] But at this particular point, we're not looking to, I mean, we might consider hooking up to sewer and water later, But when I talked to the authority, they kind of said, look, I have to hire engineers to design how it's going to get there, 600, 700 feet.

[05:53:35] And then I have to pay to have it done. And then I have to pay to have it tapped in. So you're probably \$100,000, \$150,000 to get to water and sewer. I'd be glad if the county wants to help fund some of that.

[05:53:51] But that's a different subject. But at this particular point, it's just a matter of us using it as more of expanding our business and keeping the money locally in Albemarle County. Thank you. Thank you.

[05:54:07] Board, if we have questions, Supervisor Malek? No, you answered all my questions already. Thank you. Supervisor Prood. No, I think I'm sad. Thank you. Supervisor Lupisto Hurdle. You had me at solar shingles.

[05:54:25] I have no questions. Thank you. Supervisor McKeel. I'm fine, thanks. Supervisor Galloway. So just to clarify, the one-story warehouse, I mean, you're for certain are doing that, or are you going to kind of wait? That's a wait-and-see kind of thing. I mean, it's kind of wait-and-see. I mean, you know, at this particular point, you know, we have the garage.

[05:54:44] We have that. We're just going to kind of see how it goes and evolves. But the intent would be that one-story building would be something that down the road to possibly do that first. That would be storage. The house at this point would be mainly just offices.

[05:55:00] yeah yeah thank you thank you and i have no additional questions um you have five minutes for rebuttal based on anything you've heard no i'll save that for later okay no thank you um we have no one signed up so with that if there are no questions of staff and i've closed the public hearing matters back before the board supervisor malik if you have any comments or if anyone has I'm very happy to make a motion whenever people have had a chance to discuss.

[05:55:32] Supervisor Pruitt? I have no discussion to have. Okay. I think it's just important to notice that any of the vehicular traffic is staying on the neighboring property. So to the residents to the north, it looks

like this application and the concept plan is being very respectful of the buffer up to that property to the north with the gravel parking lot being accessed by the southern property or south of the garage.

[05:56:01] So I appreciate that the design is trying, it looks like, to continue to be a good neighbor where they're already located. Great. Thank you. And I'm especially appreciative of light industry land being used for LI, not changed to something else.

[05:56:18] So if there are no further discussions, I'll be happy to move adoption of the attached ordinance attachment E to the approved Zoning Map Amendment ZMA 2023-11. Second. We have a motion from Supervisor Malek, second from Supervisor Galloway.

[05:56:36] Without objection, if the clerk will call the roll. Ms. LaPiesto-Kirtley. Aye. Ms. Malek. Yes. Ms. McKeel. Yes. Mr. Pruitt. Aye. Mr. Andrews. Yes. Mr. Galloway. Yes. Thank you. And, board, that brings us to a third and final public hearing for tonight.

[05:56:56] public hearing to consider a proposed siting agreement for Woodridge Solar Project, and I believe this is being led by and presented by Andy Herrick, the Deputy County Attorney. Welcome, Mr. Herrick. Good evening. So good evening, Mr. Chair, members of the board, Andy Herrick, I'm the Deputy County Attorney. It's a pleasure to be with you this evening. I'm here for a

[05:57:32] presentation about the Woodridge Solar Siting Agreement and to present a proposed agreement, also available this evening, although I don't think that they have any planned remarks, but available for questions are Jacob Sumner, the chief financial officer, Jamie Powers, who is the climate protection project manager, and Ms. Lori Schweller, who's the attorney for Woodridge Solar, as well as a couple of representatives who might be able to better answer some of the questions that you all may have. Just to provide some background, I presented here an aerial view of the property. It's approximately 2,000 acres in the Scottsville district. You can see towards

[05:58:11] the center of the screen is the community of Woodridge. This is a property that's made up of nine parcels. And as the board may recall, the board granted special use permits and critical slopes, special exceptions on April 5th of 2023. So this project has already been approved from a land use perspective by the board. And the prior approvals are independent of the current proposed solar siting agreement. State law was recently amended to provide for solar siting agreements.

[05:58:41] And it's an interesting state law in that applicants are required to give notice to localities, they're required to request a meeting of localities, and then they're required to meet and discuss and negotiate a siting agreement with host localities, but they're not actually required to meet and to reach an agreement.

[05:58:58] I'm pleased that in this case, we did have a conversation with counsel for the applicant, and we have come to a tentative agreement subject to review and approval of the board. And as the code notes, the failure of an applicant and the governing body to enter a siting agreement may be a factor in the decision of the governing body in the consideration of any land use approvals, but shall not be the sole reason for a denial of such land use approvals.

[05:59:22] Again, that provision of state law isn't entirely applicable in the sense that the board has already approved the land use parts of this project. That what's before the board tonight is simply a question of whether or not to approve a siting agreement. So what are the possible objectives of a siting agreement?

[05:59:39] There are two. One is land use regulations. Many smaller jurisdictions will use a siting agreement to put land use restrictions in place to ensure that there's proper buffering, proper traffic improvements, those sorts of things. Albemarle has addressed those through the special use permit conditions.

[05:59:58] As you may recall, we had, I believe, 20 conditions on the special use permit. So we had an extensive list of conditions. And the land use implications of this project have already been addressed through the conditions to the special use permit. So the other remaining potential use of a solar siting agreement would be to address the financial or tax implications of the project.

[06:00:19] And that's what's being done here. Localities may typically and must typically choose between two potential revenue streams for solar facilities. One is the traditional machinery and tools tax, which is what the county would do by default. but there's also a new provision of state law that allows for what's called a solar revenue share so localities can opt out of the traditional machinery and tools tax for solar facilities and instead have a solar revenue share program the only problem is that the revenue implications are not always clear and they may change over time or between facilities unfortunately it's an all or

[06:00:56] nothing approach where once you make the leap you you can't you have to go all all one way or all the other and so that's that's a dilemma that many localities are facing when deciding if and when to shift over from the traditional machinery and tools tax approach to the solar revenue share. Fortunately that the main advantage of the proposed solar siting agreement as we have it right now is that it relieves the county of having to choose because under the proposed agreement the project would pay the greater of the traditional M&T tax or the new solar revenue share and how it would work is that the owner operator would continue

[06:01:32] paying the county's current M&T tax for the foreseeable future. But if the solar revenue share would also result in higher revenue, the owner-operator would also pay the difference as a supplemental payment. If the solar revenue share would result in lower revenue, the county would simply retain the higher M&T tax that it's currently assessing. But either way, the county would collect the greater of the two alternatives without having to choose. We put here on this This slide, the potential uses of the supplemental payments, these are uses that are spelled out both in the proposed agreement as well as in state law to mitigate any impacts of

[06:02:10] the project, to fund capital and the improvement plan of the county, to meet the current needs of the fiscal budget of the county, to supplement or establish any fund for which the county maintains a balanced policy, to support broadband funding. Again, these are the permissible uses that are spelled out in state law and in the proposed agreement.

[06:02:27] There's been some discussion, perhaps, of dedicating a revenue stream for green initiatives. I know that's been an idea that's been floated and proposed. I know that Mr. Sumner has some thoughts about the logistical problems of maintaining or managing a dedicated stream.

[06:02:43] So this agreement, as it currently stands, does not commit the county to do anything in particular. That may be a subject for further conversation at some point, but at least it's not Mr. Sumner's recommendation that there be a dedicated stream at this point or that the additional revenue from this agreement be dedicated to any particular stream at this point.

[06:03:06] So staff does recommend that following a public hearing, the board approve the proposed solar siting agreement for the Woodward Solar Project. I have on the screen there a proposed motion. Before I close, I will point out that Ms. Schweller from the applicant had sent me today a correction to the materials that appear in the board package.

[06:03:27] Specifically, attachment B in the board package is a memo that her firm prepared estimating some of the positive fiscal impacts both of the project and the agreement. And she corrected me to note that the total assessed value of improvements and equipments that would be subject to M&T tax is \$132,500,000.

[06:03:50] So it's a significant amount regardless of what the correct amount is it's a significant amount and again the important takeaway point of the agreement is regardless of whether the M&T tax or the solar revenue share produces the higher revenue that the applicant under this agreement would pay the greater of the two so with that I'm happy to answer any questions that you all might have before we go through our order I just want to make sure I understand that there wasn't an actual resolution in our materials

[06:04:24] but there's one that we've each received and this is uh just a reference to yeah that's correct so the language i have on the screen if the board is inclined to uh to approve of the agreement uh staff has prepared a proposed resolution and the motion that i have there would be for approval of the resolution that's before you right now on the color paper yes sir okay thank you we'll go through order with questions uh supervisor mallet thank you um i read every one of the hundred pages of the homework. And there were some really discouraging things about all the things the

[06:05:00] General Assembly has done to localities regarding these. But I see so many positives in what's being proposed here. Do you have any, there may not be an answer to this, but I'm hopeful that if this agreement is approved, it would provide some kind of stop protection from future changes that the General Assembly might drop off. Because I know there are many localities who approved solar things before the exemptions were then passed and then lost 99% of all the revenue they were anticipating getting because of General Assembly action.

[06:05:39] So is there any feedback or experience or stipulations when this siting agreement was put forth that can help me with my fear? Right. Unfortunately, I can't predict what the General Assembly might do in the future. It's entirely possible that they could make a law in the future that might repeal the agreements that have been adopted previously or they may not, again, that would be subject to General Assembly action of the future, which, as you know, is unpredictable.

[06:06:06] So I guess the takeaway is we do the best we can today. That's correct. And not knowing what the future will bring. And there was also a very large packet about vegetative management. And so I guess the question, perhaps one of the applicants can answer this, what is regionally adapted mean?

[06:06:27] so if someone could write that down and when you come back because there are a lot of really invasive plants that are regionally adapted to this area so that's just something that i would like to know about if there's any information and the discussion also today about the shifting attribution to an llc that meets your standard as far as predictability and accountability and It does, and thank you for that question.

[06:06:58] The agreement needs to be with the applicant. And upon a closer review, the applicant for purposes of the special use permit was Woodridge Solar LLC, which is apparently a wholly owned

subsidiary of Hexagon Energy LLC. But there was clarification of that point today.

[06:07:15] And in addition, I have verified that Woodridge Solar LLC does have active status with the State Corporation Commission, they'll be operating this project, they'll be the taxpayer on this project, and so whatever revenues are generated will be paid by Woodridge Solar LLC, and I'm sure the applicant can correct me if that's not correct. Thank you. I will wait for answers as they come up. Thank you very much. Well, let me just clarify that there is no applicant presentation today, so as questions come up... That's correct. So for purposes of the board's rules. There is not an applicant, there's not a land use applicant today, but the term applicant

[06:07:51] is the term that the code uses to describe the party with whom. I understand. Okay. But in terms of answering questions today, there won't be a presentation. My understanding is that the applicant doesn't have prepared remarks, but that they're prepared to answer any questions that the board might have. Exactly. Okay. Whenever the time is for that to happen, I'll go. Okay. It's fine.

[06:08:11] Thank you. Supervisor Prove. Yes. So I should begin by just saying while I was involved during the previous stages of this as just an attentive member of the public, often sitting in one of those seats, I was not pouring through the documents with maybe the rigor I might as a supervisor.

[06:08:27] So you'll forgive me if I ask some questions that I know have been addressed in some capacity previously. But I do just want to go really directly. I know myself and all our peers received a letter from the Piedmont Environmental Council expressing some concern over the the ability to return soils and conditions to the pre-siting.

[06:08:52] Namely they mentioned that the process of making it ready for the installation is going to involve grading soil mixing and compacting of soils which do render it according to them not consistent with it and potentially not usable still as prime forestal land like it currently is. I do want to to just get the sense from staff, maybe from Mr. Powers, as to whether or not that is consistent with the county's own analysis, and also if the remedy that PEC suggests is even possible at law.

[06:09:28] So there are concerns whenever a solar facility is cited, there are concerns about potentially impermeable surfaces. Those were concerns that were addressed, I think, during the land use approval process with the conditions that were entered. So to the extent that those are conditions that have been of concern, again, that would have been addressed during the special use permit process. That's why I had the elaborate caveat at the beginning. Okay, so Mr. Powers can, I think, address this further. Good evening, board. Jamie Powers, climate protection project manager with

[06:10:03] the county. I think the only thing I would briefly say in response is that there are lots of things, even in agriculture that cause soils to be compacted and to be impacted in one way or another and i don't think that there's anything related to a solar facility that would impact it for any longer a period of time than certain agricultural practices so i think you know there are lots of points in history like the dust bowl that show us that you can come back from soils can come back from a lot of different types of management sure so i i don't want to i want to make sure i'm not

[06:10:42] misinterpreting what you're saying so day two after we've pulled chocks and there's no more solar panels on the ground maybe we can't plant a tree there but day 500 maybe we can and that's kind of the point you're making correct all right i appreciate that and also just to the first point Mr. Herrick, I do want to make, they had proposed, and this is just adding for my own mental toolkit, they had proposed,

that is to say, the Piedmont Environmental Council had suggested additional just lump sum environmental impact payments would be warranted in this circumstance.

[06:11:19] I am not clear whether or not that's actually permissible under the law as is created for siting agreements specifically. I know that could be a proffer during other parts of it, but is that something that can be included at this stage? It could be. Of course, it would be subject to the agreement of the applicant, and I think that the package that the applicant has proposed is fair and reasonable.

[06:11:39] Again, one of the proposals that I understood PEC to be proposing was to make this a dedicated stream for environmental purposes, which, again, as Mr. Sumner has indicated, might be difficult to administer. Thank you. I appreciate that. And our preference at this point would not be to tie the hands of the board, but to maybe make that something that the board would consider in future budgetary discussions.

[06:12:02] I do see now that I misread their own statement. Thank you. Supervisor Lapisto-Curtley. Thank you very much. I have no questions. Supervisor McKeel. Thank you, Amy. I think I'm fine. Supervisor Galloway.

[06:12:18] So there was a place there where the supplemental payment could be used for specific things. You're saying the whole amount or just the piece over and beyond the M&T tax? So that would be the supplemental payments because they'd be required by law to pay the M&T tax.

[06:12:34] The supplemental payments is what they wouldn't be required by law to pay, but would they be required by this agreement to pay? And so therefore, that's the amount technically that's due under this agreement that would be subject to one of these five purposes. And you probably said this, and I don't know if I misread or what, but is that required by the state then?

[06:12:56] Or is that what you're suggesting, the supplemental, that the county's recommending? It's a permissible purpose that's both articulated in state law and then repeated in the agreement. This is, as you can see, very broad. Yeah, so the supplemental payments and the bullets are suggested by the state.

[06:13:14] This isn't something we created. Correct. This list. Correct. All right, I had it right. All right, thank you. Thank you, and that's how I understood this. It looks awfully broad to me, capital improvement plan, current fiscal budget. Basically, this does not really constrain the board to any significant degree.

[06:13:30] No, sir. I appreciate that. Okay, with that, I would officially open the public hearing. Do we have anyone signed up to speak? We do. And we've previously read the rules.

[06:13:52] I hope they were undergrads. And we have one person signed up to speak in person. We did read the rules a few minutes ago. I see a nodding of the head there. So Patricia Mada? Welcome. And when you come up, I see that the mic is tall for you.

[06:14:11] Please adjust the microphone. Thank you. There you go. I am Patricia Mada. I live at 1945 Secretaries Road. My major question to the board is, why did you present the solar industry consultant after you already approved the Hexagon solar plan?

[06:14:42] Why was the consultant at a public meeting after the fact? I was at that meeting. I was at every meeting, town board meetings, planning board meetings, And I did listen twice to the consultant, although the second time at the supervisor's meeting afterwards, it was kind of put at the end and kind of hushed.

[06:15:07] But basically what this consultant said, once this property is used for solar panels, it can never go back to agricultural. It will never be returned. And the distance right now from my house, where my house sits, will be 800 feet from where the solar panels will be.

[06:15:39] Originally, we thought they were stationary, and then I heard they'll go rotate with the sun, which at the hottest time of the day, at 3 in the afternoon, it will all be focused right at my house. By your solar panels expert, they said exactly 1.2 miles away should be residents, not 800 feet.

[06:16:08] And there are streams behind us in the Turkey Run area that will be affected. The current use of the property is timberland, which is agricultural. It's not mining property.

[06:16:25] It can go back to timber, which we do need and we use, and that's environmentally sound. Solar panels are great, but not when you change the topography of all the land to accommodate those Chinese solar panels.

[06:16:47] I'd rather them be American-made and more thought out on grounds that is more conducive to solar panels. and this is not timber will constantly grow on this property solar panels will destroy it completely especially especially if you start taking down some of those slopes and it's a shame we didn't hear the consultant prior to your ruling thank you thank you we have any other

[06:17:21] we have no other speakers signed up so we have any additional questions of the applicant to our staff then if not i will close the public hearing the matters back before the board for comments before motion supervisor malik i was part of the original application and i thought that that what was written down i mean i have faith that all of us will work together to make sure that those

[06:17:58] conditions are upheld and we should have a good product there so i'm ready thank you supervisor Mr. Brouwer. Yep. So just to remind the public what we were just informed maybe 15 minutes ago, this is today. You know, we're only looking at the discussion of how we are going to be paid, how we are going to be compensated for the use that has already been authorized.

[06:18:28] With that in mind, I think what we're really looking at is truly the best practices that are currently legal in Virginia. It is truly the highest amount that the county can receive absent if Hexagon is interested in just delivering us additional money for no particular reason, which we'd be open to. But as far as any kind of percentage-based scheme, this is the best we can possibly get. It is a thoughtful and very generous proposal that I am excited to support.

[06:18:57] Supervisor Lupisto-Kirtland. I, too, am supportive, but I agree with Supervisor Malik in that I hope that this is going to be a good project that perhaps can be replicated if it is a good project. So that's going to be with the applicant. And as to whether or not this is for the future, we don't know yet. So we'll see what happens. Thank you.

[06:19:25] Thank you. Supervisor McKeel. Separately, speaking separately from the first time we saw this for the approval, we had a robust conversation. I think all of us were out there touring, and we knew very well what the property was like and made a decision, and now we're at another decision point.

[06:19:50] So I am supportive of what staff has recommended based on their recommendations and what they have told us. Thank you. Supervisor Calloway. Yep, I'm supportive of the siting agreement, just to speak to the remarks. While I do not remember all of that meeting, I do remember Supervisor Price, the

then supervisor of that district, specifically taking the lead on asking questions about current state of the land versus future state of the land.

[06:20:19] But, I mean, for the reasons stated that evening, I stand by my vote. And, again, I believe that what we're dealing with here is the siting agreement and compensation associated with that. I think this, Woodridge has shown in their previous applications to be a sort of setting a standard for us that I think is very high for these kinds of projects, and I look forward to working with them further on this as well.

[06:20:46] So I am supportive. I believe this is in the Scottsville District, so we'll see if we have a motion. Yes. Do we actually have a motion on the screen? I know there was some. Yeah, exactly. Yeah, we do. Oh, yeah, it's much simpler than the normal ones.

[06:21:02] appreciate that. Sorry. Yes, I would like to move to adopt the revised resolution approving a proposed solar siting agreement regarding Woodridge Solar Project. Second. We have a motion from Supervisor Pruitt. Second from Supervisor Malik. Without objection, the clerk will call the roll.

[06:21:19] Ms. Lapista-Kirtley. Aye. Ms. Malik. Yes. Ms. McKeel. Yes. Mr. Pruitt. Aye. Mr. Andrews. Yes. Mr. Gowden. Yes. Thank you. Thank you. Board, we're to item 19. From the board, committee reports and matters not listed on the agenda, starting with Supervisor Malik. I don't have any. Okay, Supervisor Pruitt. I have no reports from other commissions or committees, but I do just want to say

[06:21:53] for the public that might be listening remotely that it is very important as we do have these additional solar fields come online. We really do rely on the public to be our eyes and ears about what best practices actually look like. We can say all up and down the street all day long as we review these, it's important for us to, oh, Woodridge is executing best practices based on what we see before us. But the lived experience on the ground often might identify new and important discoveries.

[06:22:23] I know we have already had that emerge in the Scottsville District with older, it's funny to think that older means it's literally maybe 10 years old, but with older solar facilities, We've already identified new best practices and ways that we can improve. So I would encourage anyone who is in neighboring parcels, who is in the Secretary Road community, who is in this part of Scottsville, to continue to just be vocal with the board as issues are identified so that we can always make sure that we're improving this as we move forward.

[06:22:53] Thank you. Thank you. Supervisor Lupista Kirtley? Nothing. Thank you. Supervisor McHugh? I'm fine. Thank you. Supervisor Callaway? The two of our last meeting, we had the presentation on the Fontaine Avenue interchange.

[06:23:10] So the MPO did vote on what we agreed to that evening. So that got expressed to VDOT, and they will continue to work on that. And then I just wanted to know, this came up earlier today during budget at one point.

[06:23:28] There was some conversation about individual developments and how the fiscal impact, I forget who brought that point up, and somebody had said, like, oh, well, one project, and there was a formula I think Jacob or someone had presented, but that reminded me, or I wrote the note down, that at the Regional Housing Partnership, we have started a discussion if that body could be not specific to that point, but do a broader fiscal impact analysis of how housing development impacts the region. I guess Virginia Housing did this back in 2011. Mr. Smith

[06:24:06] had provided that. I think, and he mentioned in Greene County that when development projects come forward, they require the applicant to provide a fiscal impact analysis. So you see that. But it could be something that at the regional level, knowing and understanding in similar fashion to the defense industry that Weldon Cooper did to say, here's what the impact of local economy is of the of the defense industry that's something along the lines of housing and development and what that means to us so i'm just bringing it up here uh as kind of an fyi that this may be something that the regional housing partnership could take on for the six

[06:24:45] counties and provide that and could could be of benefit to us to understand as we talk about affordable housing and as rezonings come before us what these mean beyond just the impacts of the the development itself, but what it could mean to the different employees and the money, not just the revenue that the project brings, but as an employment type of thing, or looking at it from an economic development standpoint.

[06:25:09] So I thought I'd share. Thank you. Thank you. And I have really nothing to add. Supervisor Malek? Sorry, I spoke too soon. Adding to the proposal which was just made about the housing impacts, Perhaps as part of that could be an update on the impact to the taxpayer of every new unit because it was in the \$600 or \$700 per unit per year a number of years ago, like 10 years ago here, and it was \$1,000 a unit 25 years ago when we were in Massachusetts, or 40 years ago when we were in Massachusetts.

[06:25:46] So people, I think, are beginning to understand now that there are unmet costs that are beyond the cost of what is provided in the taxes for a particular unit. But that's all part of that same discussion that I hope will come along.

[06:26:03] You had sent us with questions to the MPO, which I forgot to report earlier, that one of them was if there is extra revenue beyond, because we are looking at a simpler, we hope, project now, And we were hopeful that perhaps extra money in the bucket could be used for a pedestrian crossover.

[06:26:22] But we learned unequivocally that the money will go back to the pot. So we will not be able to follow through on that. But we're still very hopeful to get a much better result and pretty quickly. And actually, it's interesting, after 20 years of the locals requesting stoplights at those two intersections now, the engineers have decided this is a good thing to do.

[06:26:46] Maybe we'll get there. Thank you. I will stop now. Thank you. I'm looking to Mr. Richardson, County Executive, if you have anything else for us tonight. Okay, thank you. Board, if that's it, then we will adjourn our next meeting, which is a work session on the proposed fiscal year 25 budget on Monday, March 11th at 3 p.m. in room 241.

[06:27:08] Opportunities for the public to access and participate in this meeting are posted on the Albemarle County website on the Board of Supervisors homepage and on the Albemarle County calendar. Participation will include the opportunity to comment on those matters for which comments from the public will be received thank you and good night



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