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Albemarle County Board of Supervisors Regular First Meeting, Wednesday, August 7, 2024

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[00:06:37] I'm getting the thumbs up from our clerk, and I believe I've already announced the remote participation by Supervisor Andrews.

[00:07:13] Supervisor Andrews, are you able to hear us, and could you please state your location and reason for attending remotely? Yes, thank you. I can hear you now. That's great. I believe you're muted for us. um i'm not muted on my end mr andrews are you muted on your end no i am not hold one please

[00:07:35] can you hear me now am i still muted hello can you hear me now oh hello is audio getting to him

[00:12:57] he can hear us i just heard that so he can hear us we just can't hear we can't hear him can you i only just heard mike the first person i heard here uh just to turn up the volume we're already i don't know who that means okay uh go ahead and make him big screen mr andrews if you could test your audio now please well i'm hoping you can hear me at this

[00:13:32] point oh he's not coming in a lip reader i hear you um i'm not sure what to say you should proceed

[00:13:50] without me joining until I can join effectively hello thank you our next agenda item is adoption

[00:20:57] of the final agenda I'm not aware of any changes to the agenda if not I would entertain a motion to adopt the final agenda so move motion from a supervisor Malloy second second from supervisor Lepisto-Kirtley. Would you please call the roll? Mr. Galloway? Yes. Ms. Lepisto-Kirtley? Aye. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruiss? Aye. All right. Going to

[00:21:30] item number five, brief announcements by board members. Brief screenings and information, health

[00:27:03] screenings, health and wellness resources, immunizations, community resources, fitness information, financial health resources. UVA and Centera will be present for all this. And it's Saturday, September 28th, and maybe we can put this also on one of our newsletters, but Saturday, September 28th, from 10 a.m. to 2 p.m. at the St. John Family Life and Fitness Center. Thank you.

[00:27:32] All right. Supervisor Malik. Thank you very much. I really appreciate the comments of earlier speakers calling out all the work that our volunteers do all across our community, whether it's trails or serving their neighbors through storms and helping veterans transition back to civilian life, all sorts of stressors that are made better by our fellow citizens along the way.

[00:28:05] This gives me a great reminder to thank the Crozet Trails crew who has for 15 years been building trails in the growth area in Crozet, and who are now raising donation funds for a significant bridge over Lickin Hole Creek, which will connect neighborhoods south of the creek to the downtown without having to go on the street, which would be wonderful. I was fortunate to attend the National Night Out and Putt-Putt event with the police department last night.

[00:28:31] It was a wonderful success. It was very hot, but there were loads of families and small children, or children of all ages, I say, lots of teenagers too, with food and all sorts of different branches of local government to meet with. I had a great conversation with Mason Walsh, our animal protection officer, to learn what they were up to. So I really appreciate all the staff effort to bring that event to happen. Last week, the CACVB hosted their anniversary open house at their new location off of Greenbrier on Remsen Court. And they have greatly expanded their offerings in

[00:29:11] outdoor recreation on their website, which I was really thrilled to be able to see have the staff person who's developed it running through what the offerings were, which I probably can't get at my house, but people with better broadband certainly could. And talking about their development of an online trail map, similar to what Harrisonburg-Rockingham has available, where they have access through QR codes and things to be able to get people out on the trail safely and have them feel comfortable about where they are. From Virginia Cooperative Extension and the U.S.

[00:29:45] Department of Agriculture, we know that Albemarle has been having a drought. It's the driest June on record for the state since 1895, the fourth driest in Albemarle County. Albemarle County has officially received primary natural disaster designation status from the USDA, And I will put all the details of this for the clerk so she can have it available.

[00:30:09] But people who have livestock and pasture forage losses can contact the Farm Service Agency in Louisa. And the people who have crop losses can contact the Verona Office of FSA to find help for helping to offset those costs for people.

[00:30:30] farmers who have to buy hay who saw their 12 inches of beautiful forage in may disappear to bear dirt doesn't matter how many acres you have it's all gone even if no one's eating it it's all gone because

of the wind and the heat that has just shriveled everything up so i'm hoping that we have several days of very gentle rain here right now but that is not going to bring it back unfortunately for the crop losses for corn and soybeans which are already being filled so i'll get all those details into the clerk's records so that people can access it that way. Thank you.

[00:31:05] And I appreciate all the comments that were made, and especially about the drought and thanking our volunteers and everyone. That was really lovely. I want to send a shout out to VDOT, who have completed the work at the roundabout that's going in on Hydraulic Road, completed it a week early, which is a real positive for our community so a big shout out to VDOT we'll have them here this afternoon and we'll be able to thank thank them in person I have not driven that area myself

[00:31:40] been open yesterday have not gotten over there yet but I'm looking forward to to trying that for the first time supervisor Malik says it works so that's great all right is there anything else from anyone yes yes i just wanted to say that i went there also yesterday it is fantastic it is easy and the other thing that was after the going to putt-putt which i neglected to say also with supervisor malik the putt-putt event which also included fire but it was a wonderful night out for the police department and they really did a great job and it was packed so it

[00:32:20] was really nice seeing all the kids, the long lines, and it was really nice to get the snow cones. It was so hot. Thank you. Sure. All right. Our next item, and I don't see any proclamations or recognitions on our agenda, so we'll move on to matters from the public not listed for public hearing or matters previously considered by the board or matters that are pending before the board. And I believe I see that we do have some signups. So I will turn this over to Supervisor Lapisto-Curtley, who's going to read the rules and announce the speakers. Thank you. During the time

[00:32:59] 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. Up to 10 persons may speak during each matters from the public session. Timekeeping is conducted through a timer and light system at the

[00:33:33] 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 Albemarle County, your magisterial district. 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

[00:34:12] 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 Albemarle County website. And our first speaker today is Janie Holbrook. Welcome. And if you'll adjust the mic. There you go. Thank you. Sure.

[00:34:44] Does that work? Janie Holbrook-Whitehall, I need your help because I really want to believe that Eastern will be extended to 250 in Crozet, but I can't shake the feeling that the proposed partnership is really about checking the box to justify the development of Oak Bluff at maximum density. The Kemley-

Horn risk assessment in May seems to have overlooked the community concerns that make this a very high-risk project. First, what's the expected cost under a PPTA?

[00:35:13] Lance Stewart is quoted in a July Crozet Gazette article saying that a year ago, the county was comfortable with a \$23 million estimate. The only way to get to \$23 million is to strip out all of the contingency and all of the inflation from the VDOT estimate of \$39.5 million.

[00:35:31] The cost of the \$250,000, \$240,000 roundabout in Crozet went up 53% between fiscal year 24 and 25. And the exit 107 park and ride went up 25%. Even with a shorter construction time frame, there will be inflation.

[00:35:47] But let's ignore that. There is a \$5.7 million gap between Mr. Stewart's number and the \$17.3 million in identified funding. There's no ongoing revenue stream to fill that gap or to repay financing. No rational road construction company will bid on a project requiring a huge subsidy.

[00:36:05] So we're back to Riverbend, the only potential partner with something to gain. Can Riverbend increase the cost of market-rate homes at Oak Bluff by an average of \$50,000 to cover the funding gap? Of course not. So there was no offer of cash under Project Heron, just project management and a lot of dirt.

[00:36:25] Enough dirt, in fact, to pose a very serious regulatory problem in a floodplain. Here's what residents of East Crozet worry about. After green space from three surrounding neighborhood HOAs has been taken away and the entrances to Oak Bluff have been built, the county will let Riverbend walk away with a choice of reasons that the bridge can't be completed.

[00:36:46] VDOT, FEMA, Rivanna Water, DEQ, and funding risk? I was advised that the \$17.3 million in county funds comes from the Transportation Leveraging Program. Eastern is one of six listed projects and the only unranked Tier 2 priority.

[00:37:02] can each of you put your hand on heart and say that you will vote to allocate the majority of program funds to Eastern for the next two years? The finding of public interest doesn't address the reality that project risk is really borne by the residents of East Crozet. Will the county mitigate some of the risk by getting required approvals on the bridge design before approving Oak Bluff? Isn't that the right thing to do? Imagine Old Trail without Old Trail Drive, because that is what the county has allowed to happen in East Crozet.

[00:37:34] Development is not supported by infrastructure and realistically never will be. So please ask questions tonight, this afternoon, and thank you. And if you want to share your written remarks with our board clerk, you may leave them with her. Thank you. Thank you. Thank you, Ms. Holberg.

[00:37:50] Next, we have Carol Fairborn. If you adjust the microphone so we can hear you. Thank you. Hi, my name is Carol Fairbourn, and I live in Crozet. My comments relate to the upcoming presentation on the finding of public interest on the Eastern Avenue connector from the PPTA.

[00:38:15] Since I live within the geographical area which would benefit from this connector, the potential for a PPTA initially gave me hope that the county is now going to address Crozet's severe infrastructure problems. However, I worry that the connector may remain more of an empty promise rather than a reality, because many questions exist regarding its cost estimates, funding, and environmental issues.

[00:38:41] As a tax-paying constituent, I now share with you my questions on this project with the hope they will resonate with you, and you will ask them of Mr. Stewart today on my behalf. My first question is

on cost estimates. Last year, VDOT's cost estimate for the connector rose to \$39.5 million, with the unfunded portion at \$23.3 million.

[00:39:03] And earlier this year, a county rep said the county does not have the funds to complete the Eastern Avenue Bridge over Licking Hole Creek. So, where do things stand today on the latest cost estimates for the connector and the unfunded portion of the connector? My second question is, how much funding does the county have available for this connector?

[00:39:24] Is it \$17 million, and how will that be funded? My third question is, will the plan rely upon an estimated \$8 million from VDOT revenue sharing? What are the criteria for securing those VDOT funds under this PPTA? Is full project funding required, including the county's matching funds?

[00:39:44] My fourth question is about the fact that building the bridge over Licking Hole Creek will involve highly sensitive environmental issues as it will be located within a 100-year FEMA floodplain. What will happen if the plan is not accepted by FEMA, the Virginia DEQ, the Rivanna Water and Sewer Authorities, and or by VDOT? And what will happen to this entire project if the bridge does not get approved? And my last question is for all of you. Will enough of you supervisors actually vote in favor of using county funds for this connector, knowing it may possibly defer projects from within each of your own districts.

[00:40:23] In closing, Crozet's existing road systems are unsafe, inadequate, and not designed for our current population. Can the Crozet community please get honest answers to reassure us that this project is not simply a ploy to justify future high-density developments in Crozet?

[00:40:42] We are firm believers that necessary infrastructure like this connector must come first before additional high-density developments are approved. I would hope each of you would agree that this belief is logical and valid, and that your future votes will responsibly reflect this necessity for adequate infrastructure to come first in Crozet.

[00:41:02] Thank you. Thank you. And if you want to leave your written comments with the clerk, that would be fine. She's right over there. Thank you. Next or last, we have Bill O'Malley. Good afternoon.

[00:41:24] I'm Bill O'Malley. I'm also from the Whitehall District. And I sent this question over earlier. Didn't know whether I'd be able to make the meeting, but I shot over here. And that question should be asked today. How are you and the rest of the board?

[00:41:40] This is to Ann. I sent it to her. She's already responded. But I want to make sure, how are you going to mitigate the risk in the event that FEMA does not approve the bridge connector design. I think some of you have used hope is not a plan in the past.

[00:41:59] And so otherwise, this just looks like a hope-filled plan signed off by Mr. Richardson. And the community is going to be left with more homes approved, more density, more traffic without a connector, and more safety issues.

[00:42:18] There are safety issues every day. The public will be watching, along with the details of the RFP, Crozet citizens, we want the Eastern Avenue connector. We badly need that connector. We just don't need it at all costs.

[00:42:35] And when is the county going to address the appearance of a quid pro quo, issues related to Project Heron with the Crozet community, also the site plan issues? We await your reply.

[00:42:51] How many more times do we need to write you? Thank you. Thank you. that's all of our speakers all right we can move on to item number eight the consent agenda are there any items that need to be pulled i'm looking does it look like there any so if the floor is open for a motion to adopt the consent agenda i moved second all right so we have a motion by uh supervisor malik and a second by supervisor lapisto kirtley um could we have a

[00:43:23] roll call, please. Mr. Galloway? Yes. Ms. Lapista-Curtley? Aye. Ms. Mallett? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. All right. We'll now move on to item nine, which is an action item, the Public-Private Transportation Act Finding of Public Interest, Eastern Avenue. This item will be presented by Mr. Lance Stewart, Director of Facilities and Environmental Services. Welcome, Mr. Stewart. Thank you, Supervisor McKeel. Board, Lance Stewart, Director of Facilities and Environmental Services.

[00:43:57] environmental services. Glad to have the opportunity to brief you today.

[00:44:12] Great. Hopefully that all shows up on your screens. Again, thank you. It's been since March that I was last in front of you about this project. At that time, we asked you to adopt a set of guidelines. I'll be walking through some history. Thank you.

[00:44:32] And I'll be sharing the podium today with consultant Brian McPeters, who's been helping us with the county with this project for a number of years to advance the work. And we're really lucky to have him here with us today. So this project has been a very important piece of our transportation plans for the development of the Crozet area since we began planning for the growth of that area.

[00:45:03] So as early as 2004, it was in the initial Crozet master plan and also the extension of Eastern Avenue, included in 2010 and 2021's versions. Also in 2020, shortly before the last master plan, we went to Kimley Horn to do an exercise to determine the most efficient alignment of the road.

[00:45:34] and bridge. So that was presented here to the board at that time with a recommendation that one of the three options looked at was the most appropriate in terms of both alignment, environmental impact, and lowest cost. That was followed later by a basis of design report that basically summarized the findings of preliminary design that was being done,

[00:46:05] Talked about the environmental compliance requirements that we would need to meet, whether no matter how we go about procuring this design and construction, we'll still face the same requirements.

[00:46:22] Also assessed the structure of the bridge, outlined in high-level detail some of the risks associated with it, and provided us a cost estimate of, at that time, \$17.4 million and a very high-level schedule. And subsequently after that, VDOT did allocate in out years, in FY25 and FY26, I believe, a little over \$8.1 million towards a revenue sharing project.

[00:46:52] And since that time, since 2000, 2001, you know, we've experienced a pretty significant uptick in costs of construction for this kind of work. It has quietened, that slowdown in some of the individual things like steel and concrete are less expensive now than they were during the peak of the pandemic.

[00:47:17] Nevertheless, VDOT's updated their estimates based on trends that they were seeing statewide and last year officially increased their estimate to 39.5 million, meaning that we needed to cover a larger match than we had expected.

[00:47:37] Previously, we've been working with a \$23 million figure. But we came to you in March, having spent some time looking at alternative means to approach this project to help with its affordability. And we prepared a Albemarle County-specific set of guidelines for the Virginia Public-Private Transportation Act, which, as I noted earlier, you authorized in April.

[00:48:06] That's a very complex process, the PPTA, not just the finding of public interest, which we're here to talk about today, but the entire effort is going to be something we haven't done before. Luckily, Kim Lee Horne has done this before. They've worked on a number of VDOT PPTA projects, both as the owner's rep for VDOT, where they're assisting them like they're assisting us now in developing the finding public interest, helping us develop an RFP, and in future helping us throughout the project.

[00:48:45] And Brian McPeters has been one of the project for a good while. Brian is here with us today. I'm extremely happy to have him on board the team. His participation and leadership in the drafting of the finding of public interests was essential.

[00:49:05] So Brian will do most of the speaking for a while. And then I'll return towards the end and collectively we'll try to answer any questions you have. And again, this is just a briefing. It's actually not an action item. Um, that was, uh, an error in our process that we didn't catch until the very end.

[00:49:23] Uh, so, um, but, but thank you for, um, for your interest and attention. Thank you, Lance. Members of the board, uh, those of you who've had the pleasure of presenting to you before, good to see you again. Thank you for the opportunity to talk to you today. As Lance mentioned, my role, uh, for the next few minutes is just to give a kind of build some common ground on where the project is, uh, what the project history is.

[00:49:46] And then I'm going to walk you through each section of the finding of public interest. The draft of that was in your packet previously that you probably had a chance to review. Just to be sure we're all familiar with the project, we are talking about the extension, call it that gap, of the end of Eastern Avenue on the north side of Licking Hole Creek in Crozet.

[00:50:07] The preferred alignment that Lance alluded to that was selected in 2020 by the board, endorsed by the board, I guess I should say, does cross Licking Hole and corrects the Quarry Farm Road, which then connects to Route 250. The project's about 3,000 linear feet long.

[00:50:24] It does include a bridge across Licking Hole Creek, which we'll talk more about in a minute. It is more than just a line on this map. This map makes you think maybe a planner or perhaps a county staff had just drawn a line and said we need to connect from A to B. That's not the case. The county, as part of that basis design report, invested preliminary engineering funds with the help of Kimley Horn, and also reviews by the Virginia Department of Transportation.

[00:50:48] We've established the typical section. We established what the alignment looks like. We had estimates of quantities. We even conducted environmental analyses, including wetland and stream delineations. We know where the jurisdictional wetland and streams are, which means we know what the jurisdictional and wetland impacts are likely to be.

[00:51:05] And we actually did conduct a floodplain analysis. Whenever you cross a floodplain on a bridge, you have to deal with the floodplain. The question becomes, is the bridge X hundred feet long that's run through an analysis that ultimately would result in a process through a if you impact the floodplain and can't avoid impacts through a certified letter of map revision.

[00:51:25] That's covered both by Albemarle County, but also by FEMA that you work through. It's a fairly normal thing in the process for us not to have completed the Clomar, regardless of the delivery methodology of this project. of this project. But we have conducted the analysis that would inform that resulted in a fairly minor increase in the floodplain. A minor increase being something that we'd be accustomed to routing through the FEMA process and being approved. Of course, no one here standing up for the diocese today can tell you FEMA will approve it, but we do understand the process and the impacts that would

[00:52:00] walk through it. So that's the project. Why are we here? We're here because we've identified this project as a potential public-private partnership project, right? The state code then establishes the steps that the Albemarle County Executive's Office has to walk through to be able to procure to the next phase of actually soliciting requests for proposals or requests for information from an actual P3 partner. That Code of Virginia section requires basically that the FOIP do six things. We have to talk about what the benefits of the project are. We have to identify what the

[00:52:37] amount of funds the county, in this case, the public entity, is willing to convey. That does not mean, by the way, that at the end of the day in the RFP, the numbers we'll go over in a second, is what we have to offer the concessionaire, and I'll explain that when we get to the cost section. It just kind of establishes a ceiling of a number that would work through it. We have to document why a P3 would be beneficial to the county, and we have to compare it to other project delivery methodologies. We have to do a risk assessment and understand. This is where you hire engineers, because we like to look at the problems. We like to come up with solutions to problems and understand how they work. And we'll

[00:53:12] go over our process for that. The code establishes us to evaluate and codify the project risk level. And we'll get into that a little bit, whether it's a low, medium, or high risk project. And then lastly, we have to explain if we're not choosing what most folks, if you're familiar with public procurements, low bid or low price, if we want to choose best value, meaning we come up with a We're going to go each of these sections in detail.

[00:53:40] First, we'll start with the proposed project benefits. As part of the alignment study that Lance alluded to prior to 2020, we did a traffic operations analysis and looked at the short-term and long-term impacts of connecting that miscarriage to the minimum wage.

[00:53:56] We're going to start with the proposed project benefits. As part of the alignment study that Lance alluded to prior to 2020, we did a traffic operations analysis that missing connection across Licking Hole Creek on Eastern Avenue. There's some basic things we can say it does, right? It increases access. It provides a secondary emergency access route for EMS services in the county, but it also pulls traffic off of Route 240 on Crozet Avenue, and then that would have some benefits to a safety crash problem that's evidenced both the signal at 240 and 250

[00:54:32] and at the three-notch and 240 project that's already known as a problem and challenges in the area from your conversations with VDOT. So those are the benefits that work throughout. It is important to note that Eastern Avenue's benefits in this concept sketch are localized kind of in the Crozet area, right? We're not making improvements to 250 or the interchange of 64, but we are enabling kind of that sub-area network to have some beneficial improvements based on that missing connection. So we've talked about the benefits. Now we have to talk about how much money the county would be willing to offer maximum, right, to the

[00:55:08] You have 17.3 million dollars identified in the capital improvement plan. That's what the FOIP document says. Now, in case there are folks that would be interested in pursuing a potential RFP, that does not mean that the RFP would say Albemarle County would offer 17.3 million dollars. Why is that? That's because we've got to have, be able to compensate for county costs, permits, consulting fees. We also have to think about risk, right, and contingency and throughout.

[00:55:38] So the actual number offered to the concessionaire could be less, but the FOIP document's kind of that ceiling number that's up there. When we talk about cost estimates, you can see the 2023 VDOT cost estimate. If we bid the project in 2023, VDOT estimated it to be \$28.3 million.

[00:55:57] Now, here's where the hard part comes. We're not bidding a project today, and the transportation market in Virginia is, if you're a contractor or an engineer like myself, you have great job security. It's a great time to be doing what I do. The negative to that comes with there's a lot of work to do, which means the costs are higher. So it's just kind of how the situation works.

[00:56:18] VDOT's current inflation methodology grows that \$28.3 million if we bid the job today, which we're not doing. And we bid it in 2031, we'd beat it 39 and a half. Where does 2031 come from? That's VDOT's process from design two years, buy right away and move utilities for two years and then construct it, right?

[00:56:38] Typically, VDOT would program a project and it would take approximately six years from when it starts in a normal process to work through. All right, third section that FOIP has to talk through. We now have to compare a public-private partnership to other delivery methodologies.

[00:56:55] So Kimley, Horn, and county staff put our heads together. We identified three potential project delivery methodologies, three ways to deliver the job to work through, and then we evaluated what the pros and cons of each of those individual methodologies would be.

[00:57:11] Those three ways to deliver the project. Number one is the one that the estimate was based on originally, right? A design bid build, DBB. That's probably what county staff and your procurement staff are most accustomed to doing. Basically, you hire an engineer or an architect to design the project. They put all the drawings together. They put all the specifications together.

[00:57:33] The county then advertises a bid and contractors submit bid and you take the low bidder, the lowest responsible bidder that comes through. The second methodology would be a design build. This is a slightly innovated delivery methodology. The difference here is instead of hiring Kimley Horn or a firm like Kimley Horn to do all of the design work, you hire a firm like Kimley Horn to do like 30% of the design work to establish the sandbox or the corral in which the contracting team will play in.

[00:58:01] And then you hire a design builder, a contractor and an engineer under one contract. So the engineer now works for the contractor and they compete in a bid best value methodology to give you some value of having the contractor at the table through the design.

[00:58:19] The obvious benefits of that, we now can talk about transferring risks to the contractor. Cost increases from time, schedule, other things that a design bid build would not do, the design builder now kind of incurs on their side. Now, keep in mind, we talk risk transfer, risk is not free, right?

[00:58:36] Risk comes at a cost, right? So that's how that, but we do get that priced up front and have some controls over it. Both options one and two would require the county to have all of the ultimate bid price in

the inflated year, that 2031 number, essentially in the bank.

[00:58:54] Nothing really starts on one or two unless 100% of public funds are present and in the account. Option three, what we're really here to talk about today, the P3, the public-private partnership, right? We now can close that gap potentially with private funds.

[00:59:13] We don't have to have 100% of the public funds available for the total cost of the job. It brings with it the same benefits as a design bid build. We now are hiring the contracting team to do the design work, to do the permitting work, and the contractor to build it.

[00:59:31] They're all working on one team. And that'll be, as Lance will come back up in a little bit, he's going to talk about the request for proposals. That's the document that the county will write that will kind of establish the rules by which the game is played, right? What we're asking for, what the contractor can do, what he can't do, what innovation is allowed, what innovation is not allowed, it works through.

[00:59:51] Because of the cost of escalation and the time it would take for a design bid build, for example, to perverse through the system, the P3 does offer the opportunity to deliver the job sooner. And based on the inflation, right, delivering the job sooner cuts off that inflation. The dollar today buys more than the dollar six years from now.

[01:00:10] The next thing the FOIP asks us to do is go through a risk assessment process, right? This, by the way, is not unique to a design building. We would do some version of this risk methodology practice on any project that we deliver for you from the sidewalk job to a complicated bridge job across a creek. What we're really trying to do is identify, right, and work together to think about what might go wrong. And quite honestly, when you look at a risk matrix on a project like this, or even the simplest project, and you get engineers in a room together, we come up with all kinds of ways for things to go wrong, right? But it's not just about being negative.

[01:00:49] we're looking for ways to understand what might happen in the future so that we can then plan, right, and mitigate and respond. And this process continues throughout the life cycle of the job. So you can see the VDOT methodology that's on the graphic on the right. Basically, we rate a risk based on its impact of occurrence. If the risk were to occur, what is its impact? Some risks that happen have very little impact, right? Other risks have extremely high impacts, right? And then what is the probability of that risk actually occurring? Have we taken steps that have mitigated that risk

[01:01:24] such that it's no longer a tremendous amount of concern? Then the probability might be lower. And that's how we rate and work through. And we worked through that process as a team. You can see the members who were present in that risk assessment workshop. Accounting consultant Kimley Horn, as well as VDOT, participated. VDOT does this same process, by the way, on all of the projects, the hydraulic roundabout that you actually mentioned that Kimley Horn is actually working with the department on, we did the same exact thing on that project as well, right? The same with the design build bundle roundabouts that are under construction as well currently. So it's a pretty normal process. It's a healthy process that works us through. We look at the

[01:02:02] entire project delivery lifestyle. We're not just thinking about construction and what we're going to dig up in the field. We're actually thinking about procurement. We're thinking about public involvement. We're thinking about how the design works. We're thinking about construction risks. At the

end of the day, that resulted in a risk matrix, right, that's going to guide us through the process as we go through the life cycle.

[01:02:23] Most importantly, in the next step, if the county executive signs the finding of public interest and we start writing the RFP, the RFP is informed by that risk matrix. If we had a risk event on that risk matrix, we're going to write something into the RFP, the requirements to establish that sandbox or that corral in which the P3 offerer team is going to have to live and play in the things that they'll have to hold up to throughout.

[01:02:49] And then we'll reassess as we go through. When we get the offers in, we'll reassess the risk. When we sign the contract, we'll reassess the risk. When we're building the job, we'll reassess the risk and re-plan and work through. This is just a sampling of some of the risk events.

[01:03:05] That's what's in the text that you see that we identified as a team. The colors generally correspond with that severity index score that you saw in the previous slide. And certainly in questions, I'd be welcome to discuss any of these. Given this project's uniqueness for Albemarle County, right, when you start something new and you try a different way of doing things, it's going to come with some unfamiliarity and some risk, right?

[01:03:30] That's why the county has partnered with the Department of Transportation, as well as hired outside staff to be able to facilitate that of having a knowledge and experience to go through it. All of that is to say the project team established a medium risk level for the project. Had you done this before, had you done innovative delivery before, and hired design-build teams on lots of other projects, and you were the Virginia Department of Transportation, for example, it's very likely the risk on this would have been deemed to be low.

[01:03:59] This project has all of the same project risks that any transportation project would typically have. It's crossing a stream, building a bridge, having to deal with FEMA. There's really not anything unusual about that. In fact, it's a new alignment project, which from a roadway transportation construction project is actually easier because I don't have to maintain traffic and work alongside of you while you're driving through my work zone.

[01:04:23] Then finally, we have to talk through the procurement methodology and why best value and why a design build. So why would we choose best value and not lowest price?

[01:04:47] Well, if we choose best value, it allows for us to basically establish a way to track, to evaluate the transfer and mitigation of risk, right? If we just get the low bid, the challenge we're working with is that contractor, if he's responsive, if he did everything we asked, then we have no way of scoring his qualifications.

[01:05:06] We have no way of scoring whether he's done a P3 before. We have no way of understanding the financial aspects of the public-private partnership. What are the strings of the finances that are coming alongside on the offerer side? If it's just the lowest cost, we're missing a piece of the puzzle to understand.

[01:05:22] So what we will do in the RFP is we will establish a scoring process that speaks to the procurement risk associated with the P3 that will enable us then to evaluate transparently, by the way, because once we're done, that public record of that is essentially open, and we have to bring that back for you, for you to award the contract, but it's also, after everything's signed becomes a public document that

is available for public review and public consumption. But that best value procurement methodology does that. And the design bills I mentioned in Albemarle County done by the Virginia Department of Transportation, those are all best

[01:06:00] value contracts. They were not lowest price. So filing new ground perhaps for the county, not plowing new ground in the region, in the area. I think Lance is going to come back up and talk us through where we are in the process and what our next steps are. Thank you, Brian. Now you see why I asked him to be here today. Extremely good. So before you on the screen is a, is a flow chart basically. And what that flow chart outlines is the, how our guidelines that were adopted in March

[01:06:34] work and how we work within that process. So there's the little orange, we are here logo. So we certainly are, if you look at where we are in that process, we're very early in it. So we have identified an opportunity. We've developed a finding of public interest for consideration. The next step would be authorization, execution of that document by the county executive.

[01:07:04] And then Brian has laid out the steps at a high level for developing a request for proposals, which will be work both on his side and both on our side, including support from our attorney's office, certainly.

[01:07:21] And then we get to the point where we issue the RFP. There are a lot of individual steps that follow, and I won't go into those. I can just say that it will probably be to manage expectations in minimum of a six-month process between the issuance of the RFP and when we might come back to you and ask you to authorize the county executive to sign an agreement.

[01:07:52] And that would be very, six months would be very quick, particularly considering we're new at this. I think developing the RFP is going to be harder than it sounds. The one VDOT uses is over 300 pages long, the template, and it's very complex.

[01:08:11] So a much simpler chart here is just covering the near-term pieces. So, of course, it came to you earlier on the P3 guidelines. We're here today presenting and explaining the finding of public interest.

[01:08:28] Presuming the county executive has your support, he would then have the option to execute the finding of public interest, and we would be targeting issuing an RFP this fall. And that is the end of our prepared statements.

[01:08:49] At this point, we'd be happy to answer any questions you have. Thank you both for the presentation. While you're there, though, can you just clarify to us, because we were caught a little bit by surprise, that this was advertised as an action item. So what I'm hearing is that we will not actually be taking action, but giving direction.

[01:09:09] I'm just trying to make sure we understand. That's correct. Okay. Move forward or not, but not a formal vote. Yes, that's correct. All right. Thank you very much. With that, then, I'm going to open it up for questions. And Supervisor Pruitt, you're up first.

[01:09:27] Thank you. And thank you for the presentation. I know a lot of my peers on the board have been staring down this issue and this project for a lot longer than I have. So with that being said, and having gotten a lot out of the presentation, I'd actually like to defer any questions or comments I might have and try and learn from some of my peers first.

[01:09:48] Supervisor Galloway. Well, thank you. Thank you both for the presentation. I know that, and I'm sure there may be a few other supervisors that share this sentiment, but we've been pushing for private-public partnerships for a long time, and not just in transportation.

[01:10:04] We have established some P3s in other areas. So the process seems to me, at least from my own observation, to mirror the same process you're talking about here, whether it's economic development, whether it's a project between the school division and a private building where the school division is playing out.

[01:10:27] Southwood, in a lot of ways, kind of started out in that same kind of P3, and I was thrilled months ago to find that we could get into that PPTA for transportation projects, because it's an alternative tool available to us to try to get more done in a county that is behind in trying to get transportation projects done.

[01:10:55] So this is all welcome news to me, and I have been on the record stating that about P3s since my time on the school board, that I'm sure Supervisor McKeel and I were both pushing for those type of projects when we were on the school board, and that was a long time ago.

[01:11:13] And Supervisor McKeel has a longer history of that, not that I'm saying anything, Supervisor McKeel. I won't take it personally. I don't really have any questions. I understand the process. Over the years, we've had plenty of – so I appreciate this, though, because it's specific to a transportation project.

[01:11:33] But, you know, I got educated on it back in April when this came forward, so I've just been watching for this to come forward. I feel like this project is a good one for us to get done, and I'll speak a little bit about that. And I don't know if this will address some of the questions that came up in public comment or not, but it at least provides how I think about it.

[01:11:51] And I say it full well, our VDOT representative is in the audience, so I'll mind my P's and Q's and not just take shots at VDOT. But VDOT contingencies, especially when you're starting to get out of the gate on any project, can really be kind of the black cloud that comes over the parade and rains on everybody.

[01:12:13] And I'll use the pedestrian bridge that we're trying to get done from Pantops over to Woolen Mills. I mean, the contingency on that was huge, huge. I understand they can't just act like not every single, they got to cover all their bases. And there's a lot of different projects in this, in the Commonwealth that have to be, you know, have to be done.

[01:12:33] But the contingency really is a hurdle in almost a lot of projects. So how it played out with the pedestrian bridge and your pedestrian bridge over in Stonefield that we finally got done. The contingency almost blew that out of the water. But the idea is that we went and had to get a raise grant, a planning grant, that we're attempting to get for the pedestrian bridge so that we can really get a better handle because VDOT will look at that and go, all right, the contingency is not what we thought.

[01:13:02] Here's what the real contingency is. So I've learned over the years of working on transportation projects that you really can't say you can. You can identify at a given point in time, oh, we're going to use revenue sharing or, oh, this is going to be a smart scale project.

[01:13:18] But there have been enough things that don't win smart scale or they don't get all the money they need through revenue sharing that you have to find alternative ways and or commit yourself over

multiple years from those pools to get a project done. The Birkmar Drive Extended is another great example of that.

[01:13:34] It has taken us forever to get the funding finalized for that. And it's taken a few iterations of the revenue sharing from that pot to get it done. So, you know, I appreciate any time citizens from a specific locality hone in on one particular project and have questions about, well, what about this? What about this? What about this?

[01:13:57] The answer a lot of times, and I'm happy to share as much as I know being on the MPO with Ann over the years, that you have to look back to the history of how projects have gotten done, especially over the last 10 to 15 years, of how this stuff has to move and you have to be ready to do it.

[01:14:15] And it's usually driven by our transportation priorities list and then what we agree to on a board to say, well, this comes first or this comes second, et cetera. So the contingency funding and whether or not the board's committed, this wouldn't be in front of us if we weren't committed to trying to get the project done.

[01:14:32] I'm on the record back in February when I forgot the name of the development was approved, because one of the things that had folks concerned was that these connector was never going to get done. And I'm sorry, I just remember February. But at that point in time, I made a public statement about trying to find alternative ways to get this done in the face of the new estimate that had skyrocketed the project.

[01:14:58] So, you know, I can't control what people think and feel about what I say or about votes I take. But when I state things up here, I do it in good faith to say I mean it. And then it's up to voters to deal with me whether or not they feel I follow through on what I say I mean or not.

[01:15:18] And I'm comfortable with that. um you know the fact that this is outside of my district um yeah i'm i i we could take votes on this project and trying to get this vote moved forward i'm happy to do that um i do that on a lot of other transportation projects as well so happy to say that this is a this is a project that i'd like to see get done and this is a creative way to try to get there um great that the public

[01:15:53] will be watching. I would just add to that, don't just watch this item. Watch our transportation priorities list conversation. Watch when we're talking to VDOT when they're here giving quarterly reports. Watch when we're doing smart sale applications on everything else. There'll be another project at some point that I hope comes to us under this, under the PPTA. All of that information helps because you can't just say, to understand how transportation projects get done in Virginia, you need that wider context to understand how this stuff occurs and what room

[01:16:31] we have to maneuver in. The unfamiliarity with P3s is a risk assessment. I think we've had some good practice in the county of doing P3s. Our ability or an unfamiliarity with it might be true because we've never done one for a transportation project before. I'll use an affordable housing parallel here. I really see a lot of things that we can get done in affordable housing in the same way we get economic development projects done. And while we may not have done it in affordable

[01:17:07] housing before, okay, we're unfamiliar with that, but we have other good procedure and process to look at that says how it could happen under this area. So I appreciate your point though about it, why it might be considered a risk here, but I'm comfortable to say, all right, and I know full Well, every time a P3 comes up, there sometimes is suspicion about, I think I even heard the phrase quid pro quo thrown out there today.

[01:17:35] I don't know how to get away from that thought because of the way that the negotiations happen. And, you know, if you're working here, you know, it's just how it is. But I know with Southwood that people thought that it was just a quid pro quo to give the rezoning they needed, even though we weren't talking about how we could make the partner and make the project work.

[01:17:55] There's really no way for me to say, oh, you know, I mean, I could speak and say platitudes, I suppose, but the best thing that I can say to that is that, you know, I think, I know, that we operate ethically and legally, and I don't think any of us are willing to step outside of the ethical or legal lane regarding anything related to our elected office.

[01:18:19] And our actions must stand and prove that. And I'm happy to allow that in response to those who feel that it can be a little shady or out of the sunlight, if you would. And I hope I don't see attorneys getting nervous in the room. So I can't control litigation.

[01:18:45] Litigation in this society and at this day and time can come for any reason. And I simply offer my previous response on the view or the presence or if folks think we're doing something improper, I offer the same response here.

[01:19:00] And if folks feel that we've done it and they have to litigate, well then, okay, but I'm going to feel confident going into it that we've done what's legal and ethical. Best value, this conversation has come up in a lot of different areas over whether or not you would, I wish we could always do a best value.

[01:19:21] There have been so many low bid items that you have to take that end up biting you in the butt. I'm sorry, it was derriere. Meaning that you didn't get the bang for your buck, the longevity didn't happen.

[01:19:38] It's the classic thing where whatever you have a warranty on breaks the day after your warranty expires. Low bid stuff has proven and historically have proven to be problematic where best value you really wish that could be the basis on which you could make all decisions on. So and then whether or not, you know, I get it.

[01:20:02] We've had we've certainly have had to deal with projects where other agencies or other authorities or other powers to be have to sign off on the project. And, you know, you work to do your best to get that approval.

[01:20:20] End of the day, whether they do or they don't is really out of our control unless we just punt. We put something forward. We know it's going to get approved. But we don't have the time or the energy with everything that we're trying to do to be putting forth effort on things that we're not trying to get accomplished.

[01:20:37] And it's just the sake. That's just a fact in our county. So happy to have this here today. I'm certainly thrilled that it's here. I'd like to get this one going and moving so that we can really understand how it works so that unfamiliarity piece becomes less of a risk and that we can start seeing what other projects in this county could be on the horizon for us to use this mechanism to get things done.

[01:21:02] Thank you. Thank you. Supervisor Lepisto-Curtley? Okay, thank you. And thank you very much for the presentation. I'm willing to take the risk on the P3 because we've had it in other areas but not in transportation.

[01:21:19] I'm willing to take that risk because our funds are limited without raising taxes a huge amount. And this is a project that needs to get done. I do like the idea of supporting the best value.

[01:21:35] To me, that is extremely important to support the best value, as stated by Supervisor Galloway. Too many times when you go with the lowest bid, that's what you get. And we need to go with best value.

[01:21:54] In projects in the past, we've gone with revenue sharing, smart scale. We need to look at things that are different, which is going with the P3 and doing things that maybe we haven't always done, but that's okay, because that's how we find out what we can do.

[01:22:12] So I am in favor of going with the P3. I'm willing to take the risk. I think the best value is extremely important and I'm going with that also so those are my comments thank you supervisor malik thank you very much and thank you both for your presentation brian it's good to see you here again have he been through he's been through three of our so he's a regular so I have written down a bunch of questions as I as you presented them so they're a little weird out of order but let's run through that and then I will take up the least amount of

[01:22:48] time in that way. You mentioned there will be a decision about an RFP or an RFI. Can you talk about what the criteria between those two is? You know, I'm going to, I think I'll allow him to correct me if I misstate this. I think requests for information is really more of a feeling out thing. If you don't, you're not sure if the market is there or that your model that you're considering will work. So if, for instance, we have a septic to sewer program that we started with ARPA funds,

[01:23:26] and that procurement of services started with a request for information, a relatively simple document saying what you'd like to achieve, what resources you have, and seeing who responds with interest to say, we'd be willing to work with you, this is what it looked like. And then generally that could either move directly to a negotiation or it could lead you to know enough to issue a more articulated request for proposals. Brian, is that approximately right?

[01:23:58] Okay, good. You've accomplished a lot of the elements of the RFI already, it sounds like, because you're very aware of what's out there. All right. One of you said the benefits are localized to Crozet, but I will draw a different parallel because during all from 2000 to 2015 or whenever the ribbon was cut on Berkmar extension, that road was seen as an important element to get traffic off of 29 in the same way that this element will help to reduce traffic on 250, which does then benefit all the through traffic going through. So try not to cut yourself,

[01:24:38] Don't short yourself on that, because I think it has a bigger impact than you might know. Some, speaking about unfamiliarity with the P3, but so many other counties have done this for a long time. And I know that you all have done a lot of research to benefit from what they've learned.

[01:24:57] I won't call them mistakes, but what they have learned to make sure that we don't do the same things that won't help. One of the questions heard was, how do we mitigate the risk in case FEMA denies the design? And my follow-up question to that is, what does that timetable mean? How quickly does the response go to FEMA? How quickly do they respond back? So where does that fit in the overall timetable?

[01:25:20] Yeah, that's a great question. So the decision on FEMA and the crossing of Licking Hole Creek, by the way, common to any bridge you would construct, it pretty much does not exist, right? In this instance, you have a floodplain and a floodway, right? We're not in the floodway. We're in the floodplain where the water would kind of, for lack of a better term, stack to.

[01:25:43] The analysis we ran in 2022, I talked about it being a negligible increase. We're talking 0.24 feet, 0.2 feet, something in that realm. Could you say that again? I didn't hear you. About 0.24, 0.2 feet, right? So

three inches, a little less than three inches, right?

[01:26:00] That's the elevation change of the 100-year flood. Over a certain geography. Over, yeah, and likely, I don't know this answer completely, how far away that we would be able to, we have that in the model, right? It's not anticipated that that impact of the floodplain is going to expand further upstream.

[01:26:19] We do have to document all that. We've done that analysis. If for some reason FEMA is to say, no, an increase to the floodplain is not available, then likely that leads you to a potentially longer and taller bridge. The floodplain controls the elevation of the bridge and it controls the length of the bridge.

[01:26:40] right? The longer the bridge is where you don't have fill in the floodplain, the less impact you have on the floodplain. So now we're getting to a dollars and common sense and benefits discussion, right? The process to walk through that, that we would envision as of right now, we've not drafted the RFP, right? But where we're, where county staff and Kimley Hornstead is, is that we would probably give the Clomar to the concessionaire, to the P3 offer. And that's because if we take our design we have right now and we route it through the clomar process which takes anywhere between eight to 12 months to get a final answer okay if they come back and change anything say they want

[01:27:19] to move the road over significantly or maybe they want to move the road over three feet maybe they want to move the bridge pier line the structure that holds up part of the bridge in a different location because they're worried about the size of crane they need to pick a beam up right they'd have to go through the clomar process all again right so that risk doesn't seem to be worth the bang for the buck for the county being that we already know what the impact of our current design is to the floodplain okay so then you said that would be put into the task bucket of the bid the d3 person the builder person and does that still have the age of 12 months yes they would have the

[01:27:58] same process same same people to walk through and then the way the floodplain works is i can't go into the floodplain and build an obstruction or place fill until i have the clumar approved right right so they won't basically be able to work inside the floodplain of any significance they could work on either side because one thing in the p3 or a design build project does for you right is we get the contractor on the ground able to start work a lot sooner right as soon as he has plans that are to a functional enough stage that in this case the county would review and approve from an ens standpoint they can actually kind of start work on the low risk stuff to save time but But in this case, until the CLOMAR is approved,

[01:28:38] it really can't do much of anything inside the floodplain at all. Right, okay. And you have the very latest elevations. I know within a year or so ago, there was a state presentation at CitySpace about the newest floodplain delineations and some changes in the county that had been done.

[01:29:00] So you have all that. That's a great question, Anne. That was all in development in 2020 and 2021 when the work was done. So we can take that as an action item to verify. Generally speaking, given the surrounding topo and terrain from experience, right, not speaking to this unique location, I find it unlikely that that floodplain is going to be significantly different, right?

[01:29:23] Where we've seen what we call effective model differences is in urbanized areas where perhaps at a different time and a different place many years ago when rules weren't rules, right, things were done and the floodplain was never updated.

[01:29:39] That's where you would typically find more surprising things. But we certainly, from a risk standpoint, can get that effective model verified versus what we have. I would not expect for that elevation

to change significantly from that number. And the topography downstream tends to help that situation because it's not a canyon for a long distance.

[01:30:00] Correct. And to be clear, the upstream side would be where you would see the elevation increase. Because of the obstruction that we would create with the peers. basically that's the size hole we're creating for the water to flow through got it okay um so the three inches sounds pretty good but we'll find out then okay i wrote it down now let's go down here i got more hold on so one of the questions was where will the money come from and i understood from lance's presentation that there already is in the bucket the 17.3 million that is in the cip

[01:30:33] plan. Does that sound right? Yes, that's correct. Okay. And then the gap would be what the possible partner D3 person would contribute. Now, revenue sharing dollars is another question. Did those go away when we did not stick with the VDOT plan? That's a great question. We wrestled with this question with all the participants at the risk assessment workshop. Staff's current position and the consultants would be that if we want to utilize the revenue sharing funds that are there,

[01:31:12] right, number one, we can't yet claim reimbursement for them. So any funds extended through the RFP process wouldn't be eligible for reimbursement. It's also likely, likely, the use of those funds would probably draw out the schedule of this project fairly significantly.

[01:31:30] So as of right now, we're proceeding forward that it is not a VDOT fund funded revenue sharing program. So yes, if that were to be county staffs and the executive's direction, the funds would go away. That said, the agreement is still currently in place, right? And that decision has not been codified in such an executable in that fashion, but that's the conversation. And there was a spirited conversation in the risk workshop over that. But if we wanted to go that route, if we felt it was necessary for the P3 to move forward, the schedule would get lengthened out, right?

[01:32:07] But just from the amount of oversight and steps that would go through, it's probably likely the county's, I'll call it administrative costs, that they would then have to incur. The requirements that would come along would be higher than what we'd have to do without the VDOT funding.

[01:32:24] Because the revenue sharing timetable was like 2029, going forward for that state money to be available anyway, as I remember. So that's the postponement. And the math that you all will have to do is the potential cost increases.

[01:32:41] the concrete, et cetera, greater than what we could possibly get or save. So I understand the process and speeding it along reduces the contingency need, et cetera. I'm all for the best value if you're keeping track of feedback on that, because we have had a really bad experience already. It was many years ago, 2008. Streetscape number one did not have a best value, did not have a completion date. And for four months in the winter, a four foot by four foot by eight foot deep hole was left in the middle of the four-way stop because the developer went and the project

[01:33:18] person went to some other job where they did have a completion date fine. So I'm grateful to know that in the ensuing 13 years, that has never been done again. We've always held people's feet to the fire as far as completing the job to make sure we're not left holding the bag with a little bit of yellow tape around a very, very scary situation. So I absolutely support your effort to do all of the different parameters to make sure that the project that is designed can be enforced and delivered in the way that you all project and we all support that's all the questions i have right

[01:33:51] now thank you all right thank you i'm going to turn back to supervisor um would you like i saw you sort of lean in at one point i i did think of supervisor prove it yes so because you you were first out of the gate. So, so I, I, I appreciate it. So a few comments by my peers got some juices flowing. So supervisor Galloway was talking about, you know, how we do have some existing experience with other types of public private partnerships, which made me, I guess, want just a little bit

[01:34:27] more texture on the, the shape and nature of the risks that you do see when we talk about risks, when we say that they're our highest risk. I imagine the main thing we're talking about is here just like what look what is that standard form term sheet that we come to the table with looks like and it's mostly a question of we don't know the transportation specific terms that we might be expecting basically like who would hold the risk for cost overruns or who would hold the risk for deq denials it is that getting toward what we see as the risk there or am i misinterpreting the problem. So those are on the procurement side, like prior to what I'll call pre-award.

[01:35:08] I think the most discussion we had in the risk workshop on this risk item, we're thinking after reward, right? We're going to publish an RIP just to kind of entertain the idea for a second. Let me kind of paint a picture. We're going to publish an RIP that's going to have a set of written words with it and drawings, right? That are hate percentages because everybody has a different definition, but 30% complete, say, right? Those words in that document are going to tell the design builder what's what's in his camp and it's also going to say what's in the owner's camp right so questions we have to work on in the next few months for example is who's going to own the

[01:35:44] risk of fema approving the flow mark right that three inch raise what if that became a deal killer what would happen we'd need a longer bridge who would pay for that right we're going to have to wrestle through that i think those are to your point are things you're used to doing right one of the challenges we will have and i think you're better suited for this for how you deliver your transportation projects, i.e. lump sum versus some localities that would do unit price where you pay by ton or pay by cubic yard. The biggest challenge I've seen on my other clients, once we sign that contract, we're bound to what that, what we call the technical requirements are, right? So if we

[01:36:21] decide to change something and ask for something, perhaps on a unit price contract or even your typical lump sum job, if we want to add an additional hundred feet of sidewalk to tie to some place that didn't exist when we bid the job, not that that ever happens. But if we did, right, then we have very easy way to get to what the cost of that is, right?

[01:36:43] In the type of game that you're playing or project you're playing or delivery method you're playing with an innovative delivery, design build or P3 in this case, you're now gonna open yourself up to what I've referred to as commercial liability, right? The design builder is gonna go, well, you know, I had a bad week.

[01:36:58] I lost the X thousand dollars because I made a quantification error. And you're going to get a change order for something that should have been, I'm making up numbers, \$1,000 for \$10,000, right? And it will be very difficult to unwind that knot, so to speak, to get to a fair number.

[01:37:16] So that's just one example from an unfamiliarity that it does. I don't want to tell you that signing that contract ties your hands, but you are basically saying, hey, P3 offer, this is the device I want or the end product I want.

[01:37:32] Here's the rules of which your design is going to be governed by. If we go outside those bounds and say, now I want a different type of car or a different type of product, the ability for us to negotiate in a way that is, I won't say reasonable, but it doesn't open us to all of the liabilities the design builder was carrying becomes problematic, right?

[01:37:53] So staff now has the challenge of when a public individual comes forward, right, and maybe is pointing out something or a challenge of how we go about doing that. It doesn't mean it's not doable. It's just not as easy as your normal, typical process, right?

[01:38:10] We lose some flexibility in the contract, right, using VDOT's contract as a template. Again, we hold very fast to what the contract said they had to do. But when he gets into the details of everyday delivery, I've just seen some of my similar clients to Albemarle, right, struggle through how to respond and to organize and keep to what you kind of said you were going to do.

[01:38:33] Whereas, keep in mind, on a design to build, there's just a lot of drawings that are very easy to know what it is we got into, right? In this case, we're going to have some drawings that aren't 100% complete, and we'll have words that we have to talk about interpreting. That's what your staff is going to be working on in the next process, in the next step, right?

[01:38:53] Why we're not advertising an RFP tomorrow, because that's very important, right? Probably the most important thing, except for the attorney's office and the legal parts of the contract. Thank you. The one other thing I did have a question on that occurred to me when Supervisor Malik was talking about the distinction between, you know, RFIs and RFPs and kind of shaking that market opportunity using RFIs, theoretically.

[01:39:21] I might have assumed that we are going to be dealing and receiving bids primarily from repeat players that the county is quite familiar with, but it occurs to me with a more novel funding mechanism that maybe that's not accurate.

[01:39:37] Do we have an expectation of kind of what the market environment looks like that we're preparing to actually work with? I'd say that's one of the areas we're being new to this is a risk factor. You know, we, you know, often these kinds of projects are done, say, as part of a toll road.

[01:40:00] And so there's funding, you know, that will come in that can belong to the, you know, a long-term operator that's other than BDOT. This is really unique for us. We think there are potential partners out there. We hope that there are.

[01:40:16] But, you know, one of the risk factors is whether we'll, you know, if we develop an RFP, whether we'll even get a response or we might have to, you know, revisit that and try again or try another way. So we're, you know, we're optimistic and we're going to do all the work that we can do to make sure that we have a project that is attractive to the private sector and we will have to trust from there.

[01:40:46] I'll add that if you look at VDOT's design bill shortlist and selected, right, not a design bill job, but it's sort of a design bill job from the jobs Kim Lee Thorne has been involved with in the county for my 20 years of working with you, this is a fairly sizable project.

[01:41:05] I would anticipate if folks are going to respond, right, you're going to see some different size contractors, right? And I think if you're wondering who those potentially are, those lists of who plays in

that space, right? it is likely a lot of your normal contractors are not going to be familiar because they're smaller, right?

[01:41:26] It doesn't mean they won't be involved. It just means it won't be their name on the contract. But I think there is space out there. I think Lance alluded to it, right? It's no different than an IFP, right? You could publish an IFP tomorrow for a million dollar project and get no responses. I think the market in Virginia is very interesting.

[01:41:44] I will tell you, there are people outside of Virginia looking at Virginia because our neighbors are not performing like we are on the transportation space. So I think we've, it's a good time, right? In that sense. But yes, I do think it's viable based on this. Just if we were bidding this job in an Albany County project, we would probably see different bidders named on a design bid build. And when we add in the wrinkle of the P3, I think you would expect potentially a different list of folks that would respond.

[01:42:12] OK, thank you. Thank you very much. In an effort to save a little bit of time, I'm just going to sort of cut to the chase for my thoughts. I really am wanting to move forward with this this particular project.

[01:42:29] I want to just commend, number one, you two gentlemen for the presentation. Would you make sure that we have a copy? I always ask that. That's my routine. And I just want to say also that I really appreciate our entire team for being so forward thinking with this. It really is appreciated. I can remember when I first joined this board, the very first thing I believe that I asked for was a work session on PP3s and PPTAs, and I never got it.

[01:43:02] And the reason was because, and this administration was not in place, but the reason was all those years ago, there had been one PPT-3 project that had played out in the state as a disaster. And only one.

[01:43:17] There had been many that were successful, and everybody was running scared. And we couldn't get any momentum. Now I think they're much more proven. People are accepting them better. And there's not one disaster playing out in the news every day. Having said that, I really appreciate the not the lowest bid. If you want to talk about the best value, there was an example you all will remember very recently in my district that was not a transportation, it was an ACSA project where we had to take the lowest bid, and it was a disaster.

[01:43:57] we have got to get away anytime we can get away from just having to take the lowest bid I am hardly in favor of I've seen that just play out very badly in the past and I don't want to keep going on but the project really is very important I think to the community and to us regardless of what magisterial district we live in so with that I guess I just need to make sure does anybody else have any other questions before yes i just want to make a point that i think is important and follow up to the response to supervisor pruit about you said after the award is done and kind

[01:44:37] of the messiness that there are changes well that's the same if it were a different type of project as well so i don't want to make it sound like the situation is unique you explained it spot on for how it would exist in this situation but if we get a smart scale project approved and we want to add 100 feet of sidewalk, there is no way that's going to be an easy process.

[01:45:01] Fontaine Avenue would be your most recent example of what happens when design things have to start changing and what you have to do. So I'm just calling out that parallel. I appreciate that.

Thank you very much. So with that, I'm going to turn back to Lance. What I'm seeing, I think, if my little count is right in my head, we have a unanimous agreement right now on this board that this is a good plan and to move forward with what you're suggesting.

[01:45:27] Do you need anything else? And I'll turn to Mr. Richardson and ask, what do you need from us? Nothing at all. Supervisor McKeel and board members, thank you for your patience, as both Mr. Stewart and Mr. McPeters, our outside consultant, walked through this process today. Ms. Wall and the team, as well as myself, we sat in and we looked at this several weeks ago, as Mr. McPeters mentioned earlier in his presentation.

[01:45:53] And it's compelling that we need to move forward with this. And I appreciate the board's patience today. Several SmartScale discussions ago, Ms. McDermott is sitting there and he will remember that we pulled this project off of SmartScale.

[01:46:09] And I choreographed to the board at that meeting on that day. We're pulling this from SmartScale for cost implications and we've got to find another way to get this done. Ms. Malik was sitting right there. She remembers it because she checks in frequently to ask, where are we with this?

[01:46:28] As she should. So thank you for your patience. We are early in the process on this. And thank you, Lance, for your leadership and Mr. McPeters as well. So we're good to go. Thank you. Thank you, Mr. Richardson. We really appreciate the presentation. It was very informative.

[01:46:44] Thank you all so much. Thank you. Great questions. And I'm appreciative of the support. As always, we learned a lot. All right. Board, the next item is a presentation on wildland fire prevention strategies, and I see Dan Eggleston, our Chief of Fire and Rescue, coming forward.

[01:47:06] Okay, well, good afternoon, Madam Chan, members of the board. My name is Dan Eggleston, Chief of Fire and Rescue. We're here today to discuss our wildland fire prevention strategies. This is a topic that was requested by you to come back to the board, really resulting from the wildland fires we had on March 20th earlier this year.

[01:47:28] During our presentation today, which I'm joined by Chief Policia here, which is going to do the presentation for you, we'll step through a number of things, including our risk assessment that we have conducted, as well as after action report from our March 20th wildland fires that burned hundreds of acres and stressed our fire rescue system.

[01:47:48] We'll talk about enhanced preparedness and mitigation strategies, and then really we're going to conclude with an opportunity, and this is really the only action we require from you, is a consensus on whether or not you're interested in for us to come back with some suggestions to perhaps simplify and enhance our burn ordinance.

[01:48:06] This is something that some of you have been interested in looking at for enhancing, and we have some ideas for that. Before I turn it over to Chief Policio, I just will ask that, you know, as we start stepping through some of these strategies for mitigation, it's really a mindset change.

[01:48:26] And one of the best examples I saw was a day after the wildland fires in the county, I drove up Taylor's Gap Road. And there were charred remnants of that fire that went probably 15 feet in the air on trees.

[01:48:42] But the homes along Taylor's Gap, which they all survived, were mainly there because they had defensible space. They had green grass around those homes. They had yards that were raked and did not have any debris. And that gave our firefighters a fighting chance to save those homes.

[01:49:00] I think because of some of those homes, our loss of property and no injuries or loss of life that day were diminished because of the help. So many of these strategies that we're going to hear today as a result of really asking and helping to educate homeowners on how they can protect their own property.

[01:49:18] So today, as I mentioned, the presentation will be done by Chief Policia, who leads our Community Risk and Resiliency Division, which was formerly known as our Fire Prevention Division. That division has expanded its scope quite greatly here in the past, mainly to focus and work really alongside not only our emergency management division, but human services to really get at some of those risks that we see in our community.

[01:49:45] So there's a strong relationship between community risk reduction, our emergency management, as well as our human services. I will brag a little bit about Chief Policia. She's celebrating her 30th year in the fire service. And I will say that she's considered by many of her peers as a subject matter expert in the fire service.

[01:50:04] So we're so lucky to have her as part of our team, and I'm looking forward to her presentation. Thank you. Thank you, guys. You might adjust your mic so we can hear you clearly. Thank you. Let me go ahead and pull it up.

[01:50:22] And while I'm doing that, thank you all so much for having us here today. Can you hear me? Speak up louder. And just closer. Project. Get closer and project. Okay. Like I said, thanks again for having us here today to talk a little bit about some strategies that we could use in the county to put us in a better posture in terms of our risk with wildland fires.

[01:50:52] One of the things I thought would be important was to sort of set the stage on why there is an increase and why we're seeing that. And the two big drivers of wildfire risk are climate change and urbanization.

[01:51:08] That's nationally the trend, not just here, but that's what we're seeing here locally as well. The reason that climate change impacts wildfire risk is the rising temperatures, the longer dry spells between storms, and the lower air humidity, all of which dry out the soil and dry out the vegetation that acts as fuel when there is a fire or when there is a source of ignition.

[01:51:39] In terms of wildland urban interface is a term, people call it WUI. It's a term that's used in the fire service to describe this migration of building into more rural settings, and it creates for us a couple of challenges.

[01:52:00] Mostly it's a challenge because human behavior tends to be the top cause of fire. So, you know, 85, depends on who you ask, but 85 to 90% of wildfires are caused by human behavior. And so that's typically why that urban interface is challenging.

[01:52:18] It's also because it presents more complexity with land management strategies. So that's the other reason why WUI is a challenging thing for us and why we're seeing more and more increase in wildfire risks and how we manage them.

[01:52:35] Historically, big swaths of rural land, tracks, you could not be as concerned potentially and let things burn in certain ways. The forestry department does that, but it's far more challenging with more urbanization and more building that's taking place.

[01:52:52] So when we look at some of the recent assessments that have been done in this area, the state does a statewide hazard mitigation assessment as part of their planning process. Theirs was concluded in 2023. TJPDC also does a similar plan and process, and theirs was completed in 2023 as well.

[01:53:16] And as you all know, the county's climate vulnerability and risk assessment was done in 2022. And working closely with our climate program staff, we've had conversations, and Gabe Daly and I have worked really closely, and he acknowledged that this plan does fall a little short.

[01:53:37] It maybe underestimates the growing risk, and we certainly saw that on March 20th. And some of that risk planning is based on historical calls, right? So if you haven't had them, that doesn't necessarily mean the risk isn't there, but just because you haven't had them, but that's how the risk gets defined sometimes.

[01:53:58] So yeah, so all of these plans do point to the need for, and all have identified the need for an enhanced wildfire prevention posture. So just to circle back to what Chief Eggleston mentioned, and I know the county executive shared all this information on the April 3rd board meeting, but this was a rare, you know, it was a red flag day, and we have roughly one of those per year.

[01:54:31] I think we've had seven in the last 10 years. Excuse me. Bless you. But this was a red flag day for us, and, you know, those are issued when the drought conditions are, when we have drought conditions, drought conditions with very low humidity and high or erratic winds, and this is just a summary just to recap what we saw on that day. I think it was a bit of a wake-up call for the community. If I, you know, that's really where I think, you know, for us, it was certainly the first time we've ever had every single piece of apparatus that the county owns in use out trying

[01:55:09] to put this out and pulling resources from around the state. But I think for the community, as the chief mentioned, there were, you know, lots of homeowners in the rural parts of the county that were scared and were aware of the risk front and center. An after-action review that we did of the

[01:55:33] event highlighted these main areas of improvement, if you will. The biggest challenge that was identified was really the fact that the concurrency of those three major incidents, those three major fires happened at the same time. And so that caused this massive resource depletion. Pulling in mutual aid resources from around the state was challenging. It took several hours for them to

[01:56:07] respond. And that coordination and communication is challenging. We know that. But in the heat of the moment, it's very frustrating. And so that was something that we evaluated. And then also the evacuation and notification process. We identified some gaps in our notification systems and also the need for more public education, specific public education, targeted public education, which I'll talk more about. So what have we done? What steps have we taken, you might

[01:56:40] ask, to be better prepared since then? Well, one of the things that we've taken huge strides forward with is our analytic capabilities. We hired a performance analyst who has been working very hard at building some products for us that will help us to make more real-time decisions. And one of those is a situational awareness dashboard. And we're sort of building that as we go. In fact, just yesterday, he started working on flooding as one of the layers,

[01:57:16] One of the focus areas. And so on this situational awareness dashboard, we have different topics and different pages, if you will. And so that's giving us the ability to look at in real time what's happening, what are those changing conditions that are contributing to and maybe help us get a little bit further ahead of or upstream of an event.

[01:57:43] I'd like to mention also that the Environmental Services Division, the climate folks have recently purchased a data set that will make a huge difference, risk factor. We're excited about that. And like I said, we're working really closely with the climate team.

[01:57:59] And so that will also be data that we can pull into what we use to make decisions. So those are some of the short-term actions that we're taking. Oh, sorry, we're also doing during peak periods of wildfire risk, our fire marshal has been doing a daily wildfire threat analysis, and that's a daily report to all of us chief officers so that we have a sense every day of what's going on and what kind of conditions are out there.

[01:58:32] Those are some of the short-term efforts that we've made. The longer-term effort, the bigger project, if you will, is to conduct this comprehensive risk assessment across the entire county. And some of that Resilient Together, that initiative has been doing a lot of that work, but it's not targeted specific work around wildfire risk, right?

[01:58:56] Like they're looking at all of the environmental impacts of climate change, but that's working in conjunction with them. This is just a sample of what the situational awareness dashboard looks like. It's pretty tiny, so I know I apologize that you can't probably see it in great detail, but it highlights the historic call data, and it also ties in the precipitation and max temp each day.

[01:59:22] And so we can look at this and see what, you know, this time of year, what we could potentially expect, although, as we saw in March, that was, you know, an outlier. Again, if you just use historical call data, you're going to probably get caught, you know, caught behind the eight ball.

[01:59:39] So this was developed primarily for the Office of Emergency Management, but also our department-wide use to provide kind of a comparative analysis of historical call data. This is just an example of what the daily wildfire threat analysis looks at, the different sources that our fire marshals will check every morning and then provide this.

[02:00:05] So looking forward at some future preparedness that we could do, and that's, as the chief mentioned, I think the biggest area of opportunity is how do we leverage and get the bigger, broader community to be thinking about fire as a problem and how to mitigate the problem that could be a wildfire.

[02:00:34] So we have a great relationship with the Department of Forestry, but they have very limited resources. We know them by name. We're very, you know, we work very closely with them. Some of the strategies that we've identified is there's fire adapted communities is a sort of big umbrella term.

[02:00:55] I'll talk a little more about that on the next slide. but developing and implementing an enhanced wildfire training program for our personnel is one effort that we've identified we need to do, and we're working on that. Evaluate and identify some essential equipment that we might need for wildfire management.

[02:01:14] It's not a lot, but we're working on a plan for that. And then work with the Department of Forestry to develop a fuel management plan for Elmore County. look more comprehensively at the county and how the strategies of land management around fuels, fire fuels. And then, as the chief mentioned, updating our open burn ordinance, Chapter 6, Article 4, to address some of the gaps that he mentioned. Just to mention on this last slide, we were really fortunate to have hired several firefighters from the West Coast, including a national wildland firefighter who we hired in our last class, all of whom have experience in

[02:01:54] and they've all stepped up to assist with some of the training and equipment identification of needs. So what is Fire Adapted Communities? It's a model that has been adopted sort of nationally across a bunch of different organizations. Lots of partners were involved in this plan, and it's not intended to be prescriptive, but rather it serves as an example of some of the most common actions or programs that a community could undertake. Really, you should design your

[02:02:27] programs based on what you find in your risk assessment. To fully achieve this requires a long-term, very collaborative process. And so one area, you see the arrows pointing to one area that we could focus on is the resident mitigation, and that's FireWise USA is a program that's nationally adopted by the National Fire Protection Agency, U.S. Forest Service, all of the key players, key national players. And so Firewise USA, it started in 1985 after a really horrible

[02:03:04] fire season. That one was one of the worst in history. U.S. Department of Agriculture teamed up with NFPA and created this program. And it basically provides this framework to help neighbors or neighborhoods or communities get organized and take action at the community level to reduce wildfire risk. This is a community-driven effort. It's a mitigative effort that comes from the community, typically to us and forestry as a partnership. But we're actually in the process

[02:03:40] of trying to help identify some of those communities and then reach out and solicit some interest. Benefits of firewise communities, they reduce the risk of property damage and loss. They decrease our resource needs because, as the chief mentioned, the Taylor's Gap fire, that the homes, the areas that have that defensible space make it less challenging for us to have to fight those fires. It empowers and educates the community, and it just overall increases community resilience. Some of the principles, I won't go into this with great

[02:04:18] detail, but it's about, like the chief said, creating defensible space. And you physically walk the neighborhoods. When you partner with the community, you go to them and you walk and do these assessments. You look at how to harden the homes, the materials that are used.

[02:04:37] You talk about how to plan for evacuations, and you work through and develop a full plan. How to implement it? Step one is complete this comprehensive community risk assessment.

[02:04:53] We've already begun that work, like I said, and we plan to have that completed by this fall. You identify and prioritize the areas of risk, conduct that outreach to the highest risk neighborhoods to try to seek and solicit participation in Firewise. And then you conduct the Firewise program. In 2019, this was done as a pilot with the Emerald Ridge community. And I have a copy of that plan, what was done at that time. I'll leave a copy for you guys.

[02:05:27] That, you know, then we went into 2020. And so, but it was, it was asked for by them and it was done with Department of Forestry hand in hand. It was very well received. We've got interest from another

community right now. Steps three and four will require resources to complete. And those are a long-term thing, right? Like it's going to require, we can realistically right now handle probably three to four of those a year because they're pretty in-depth. And, you know, they take

[02:06:01] time on the boots on the ground, walking the neighborhoods with the homeowners. And then finally, as the chief mentioned, the burn ordinance. So in the fall of 2023, we began an effort to revise Article 4, the burning of brush ordinance. We identified several areas of confusion within it. And mostly we spent a lot of time researching and conducting this comparative analysis of other localities in Virginia and beyond Virginia, but we also

[02:06:38] have been looking sort of what's coming down the pipe. Like the forest, the fire service is starting to really recognize the impact of climate change and anticipate rather than react to some of the changes that are coming. And so we did this gap analysis of the existing ordinance that's been completed. We've completed the research and the comparative analysis, and we've got a handful of recommendations. We've had lots of conversation about it. These are just a sampling of some of

[02:07:10] the recommendations that we have for revisions. But as the chief said, I guess we're coming to you to say if that's the direction you want us to pursue a full revision, we're ready to take that on. So it still needs legal review, particularly around the air quality authority. That's one area that's been a little bit of a gray area. So we need to work through that. But yeah, that's where

[02:07:41] we are ready to make any moves on that that you guys want us to. So I think that's it. That wraps up what we had. Questions? Thank you very much. Great presentation. And I'm going to use our usual order and go around, see what questions we have or comments. So Supervisor Pruitt, you were again first. Thank you so much for all the information you all brought for us today. My only question actually kind of originates from very, very early in the presentation where Chief Eggleston was

[02:08:19] discussing the recent wildfires that we had and how the availability of defensible land in and around the houses that were most directly encroached on by the fire made them more defensible.

[02:08:36] And that popped in my mind because it occurs to me that that is great, but also potentially at cross purposes with some of our own stated goals in community development around maintenance of tree canopies and trying to preserve as much tree canopy as close into development as possible.

[02:08:53] I can't think of specific provisions of code that might be driving that, but I do wonder if in your work on fire prevention, there have been any friction points or any points of cross purposes that you've identified where maybe the way that we approach zoning and community development might actually be hurting us on the back end with fire prevention.

[02:09:18] There are several areas where they bump up against each other, not just with the tree canopy. Defensible space, though, to pick that apart a little bit, defensible space is about the clearance around the house, the ground clearance, the types of materials that are used around the ground.

[02:09:38] that there isn't specific conflict with trees, you know, in the tree canopy. And quite honestly, thinking holistically about the types of emergencies that we deal with, we're all for more tree canopy. The heat emergencies, you know, not having the tree canopy contributes to heat emergencies for us. So it's, you know, which flavor of emergency do you get? So that piece specifically, not so much. There are several areas where we bump up against some of the

[02:10:13] building. The trends in building and access is more of an issue for us. That's really probably the bigger challenge, I think. Awesome. Thank you so much. That's all I have. All right. Supervisor Galloway. Thank you for the presentation. In terms of the burn ordinance review I would be I mean I yes I think that's favorable provided the resources capacity are appropriate given especially as it impacts other departments in their schedule or their work order

[02:10:49] if you would but but would agree with that my only question is more just understanding so the situational awareness is curiosity situational awareness dashboard so it's clear that it gives you the ability to analyze past events and then theorize future events but did you say also in Just real time, you're using this dashboard to go, okay, here's the given.

[02:11:12] For some of the fields, we have three different fields currently populated in that dashboard. We have heat emergencies, wildfire, and then wildfire risk. And then flooding is the new one that we've built out.

[02:11:27] And the flooding one is probably the best example of real time. It's pulling in actual data from the stream gauges that are in the county, along with satellite data from NASA and some other sources.

[02:11:44] So you're actually looking at the dashboard and going, oh, in an hour, we're going to have an issue out on X road. Whereas without that, you wait till the issue happens and then you're like, oh, we have an issue out on.

[02:11:55] Yeah. And then the heat emergencies, you know, it's, it's for us, it's sometimes, sometimes it's hard to pick your head up and not when you've got multiple calls coming in until you're right. So anticipating, you know, we've had two calls for heat emergencies. You know, is this starting to be a trend? When does it, when does it trigger that threshold of this is actually something to hand off to, not hand off to immersive management, but work more closely with them. This is a bigger, broader community wide event.

[02:12:24] That's fantastic. I didn't really know about that or wasn't aware of that. And then I'm just going to wrap. I'm not going to bog us down here. I just got to wrap my head around your understanding this urbanization and wildfire piece. It sounds like it was more people since most fires start with behavior. Urbanization is connected to more people, more people, increases, blah, blah. That seems to be the train of thought. I just think I tripped up over urbanization as a concept versus.

[02:12:51] No, it's you summed it up. Yeah. Yeah. Originally, it was that term was coined when people were building in these really obscure like mountainside cliffs in Colorado and stuff. They were starting to point that and frame it that way. But it's it's at the end of the day, it's about more people, more behavior, more more events.

[02:13:13] great thank you all right supervisor lapisto kirtley thank you very much for the presentation um i noticed on page five you talked about human causes which then gets us also to page nine changing current rules and i guess that would involve our ordinances for local burn laws um i'm very concerned about the air quality we we do have local burn laws but how does that work

[02:13:46] with our air quality and i know some areas states have actually banned burning and as our climate changes i know we have a lot of humidity which is good i think right but um as our climate changes is that um how much do we want to control control burning and make sure that it is safe and

people aren't because if someone's burning a lot of leaves or trash whatever next door to me that's going to infiltrate in my area, which is going to cause potential problems.

[02:14:23] I will say that air quality is the one area of the code that's still been a bit of a challenge to pick apart and point to where the authority lies. And so that is an area that we will definitely need to work closely with the legal to resolve.

[02:14:41] Because in some counties where the health department's embedded in the organization, It's, you know, that that's a little more clear line, you know, line of authority there. But in the majority of counties in the state of Virginia who have a regional or that's a different entity than air quality technically falls to the health official.

[02:15:06] And so for us, that's that's the challenge, right? We don't have a dedicated, so, but there is parts of the fire code, statewide fire code that point to air quality as a piece that we would be responsible for. And some counties have leveraged that state, the statewide fire code is part of their authority.

[02:15:27] So is that something we can put in our ordinances as we change them potentially and that addresses air quality? Okay. And gives us the authority to make that, that ban, you know, on the fly if we need to, right? Good. I like that. And my last question is regarding communication. The last time with Taylor's Gap fire, there was a communication problem with other entities to get help?

[02:15:56] Not specifically with the notification. The notification piece, what's challenging with notifications is it's a sign up, right? Like it's an opt-in system and you have to get people to engage, get the community engaged. And I'm not sure where it's probably 5% of the community. I'm not, I'm looking at smaller than that. Yeah, we don't have like, that's a, that's a challenge. The notification system that's used in this area is, and we don't have enough people signed up for it. So to make those notifications means going basically door to door in the time of an evacuation or in the time of, oh, okay. Yeah. That's what I

[02:16:32] meant by that. I'm sorry. I'm sorry. I interpreted it to mean notification of other entities that could come out and help you. Well, when we bring in units from another area like the Cumberland County and those other counties, they don't use the same radio system. So there is that piece as well. There were two different challenges that we were presented. So do you need an upgrade of communications systems or something? No, it was just identified as a piece that we have to plan for and navigate and we did anticipate it but it's logistically getting our radios out to

[02:17:09] those units when they get here when you're already spread thin and don't have you know truly any people left to send as runners that was what we ran into was and regarding notification you're talking about notification or communication with people in the area where there's a fire there's only a small people that are signed up you say the notification system that the county uses yeah right and i'm wondering if that's something we could work on to improve maybe through the tell you know news agencies and things like that okay yeah thank you very much yeah sure

[02:17:45] supervisor malik thank you very much and i so appreciate all of the behind the scenes work that you all have been doing for years on this i remember howard coming years ago and talking about or howard legomasino fire marshal talking about the burn barrels and how important it was for air quality to restrict their use because people were burning plastic milk jugs and other things that were absolutely not suitable and poisoning the air in their neighborhoods so you have a lot of history in doing that and i really

appreciate that and also emily in high school was a crackerjack soccer player so i've known this for a long long time

[02:18:21] she kept her teammates safe on the field let's put it that way thank you uh so i spent a lot of time very anxious over the last four months with the drought and trying to understand why we seemed even though it was terribly dry we were 40 inches down in rain over three years in 2004 why we're so much worse off now and so many streams are completely bone dry that never ran dry in 2004 and i'm beginning to think that it's the week after week after week of 95 degrees day after day

[02:18:57] after day, and it never gets below 75 or 80 at night. And then the wind, that is just, even with an occasional one-tenth of an inch, everything is just evaporated before it even gets there. And I know that's made your role incredibly scary. I appreciate all the things that you're recommending. I think that with board members' help and assistance and also the BACs and local neighborhood associations i mean i will volunteer the earliest residence league for you to come and

[02:19:33] practice your presentation whenever you are ready because the piney mountain is the eastern end of our range and we have a lot of people who are very tuned in for that and would like to be able to help out and and do that job i really appreciate the things that you were saying about the after action report and the i will just was remembering the february fire that dan will remember in 2010

[02:19:56] When, in addition to every piece of apparatus, and there were many fewer back then, every house was empty, but there were hundreds of farm tractors and every bulldozer, every contractor could put on a trailer and take out to Free Union and other places that were burning up, pumped out numerous swimming pools into the tankers to get to the fires.

[02:20:15] there were 35 fires burning that afternoon, and it was awful and scary. But the good example is, it was the worst day and the best day, because there was absolute total cooperation throughout the community. And all the private assistance was able to be used in a productive way. And I think that's a challenge that you all have to sort of anticipate that Piney Mountain is going to happen again, pretty quick, probably. And how you prepare your line officer, the person on the gate, you know, to, to explain or deal with, or there's prior education to the community about,

[02:20:55] don't just show up with your four wheel drive tractor, because we're not going to let you in the fire scene. You know, even if you're trying to deliver fuel to the guy at the top of the hill to run his leaf blower, to clear his yard, you're not going to get there because of the risk. I just want to, I know that you all will try to get as much of that organized ahead of time to prepare all of you, because it's really hard to think straight when there's a crisis going on for the community as well and hard for them to respond properly when when they're told no you can't do that sorry so that that is a real concern um something i always am concerned about with the

[02:21:34] statewide rain collection is the total variability i mean dan's place is getting tons of rain where in northwest corner is not getting any but if there's goochland is where the the state is taking their rain measurements. That's just not working. So there may be ways that you can engage the community to have people who do that. I mean, people used to do this. They used to come in and do stream reports, the Tyler Well and Louisa, all these other things where community members were assigned a task to report in. There may be ways to take some of the burden off of yourselves

[02:22:12] and bring the community in. Dan, you're trying to say something. No, I appreciate you bringing that up and you and i've had that discussion before and um i think we understand that relying solely on the department of forestry risk assessment on a daily basis is somewhat challenging that's why um emily and her staff particularly howard has expanded it to a more a broader view but i saw last week a prototype from our analyst in fire rescue that he has a system that he's developing very quickly that'll take in a number of inputs, weather inputs,

[02:22:48] and even some NASA data, as Emily had mentioned, to help augment what the state provides us. And I think that's going to give us a much clearer picture across the 723 square miles than what we may get from the state resources now. So I'm pretty excited about it. I think it's going to be able to, you and I have talked about those points where things may be, you know, wet down here in the Crozet, but they're super dry up in Green or Whitehall. I think we ought to be able to pinpoint those areas and much better and get a much better operational picture through that work.

[02:23:21] That's fabulous. Another suggestion that came from other communities was having citizens involved in groundwater assessments, because I think it was 2010 when the county wells program stopped because of lack of staff to send somebody out to the Meacham's Gage to read it.

[02:23:42] So other places are using agreements with homeowners to permit somebody or them themselves to just do a laser measurement of the depth of the well. And they get very broad across a wide area, for example, with ours.

[02:23:58] We know that our well situations are starting to really tank now. And a lot of people's wells are running dry, in addition to the farmers having no water in their streams for their cows and all the cows going to market that the having programs where we can avail ourselves of willing residents to be able to generate tremendous amounts of data that will benefit everybody and you all with your analysis i think would be really great so if you need it i can get you more information about that i'm absolutely thrilled with updating the ordinance

[02:24:34] That will be no surprise to you all, but particularly in items that you all have already researched about having the year round no burning before 4 p.m. for the residential, the recreational side, because the benefit of that is that it gives neighbors a window of daytime when they can actually be in their yard instead of this six in the morning until heaven knows when.

[02:25:00] that seems to be allowed now by our current rules so i think what you have learned that other counties in virginia are already doing this that is fantastic and there'll be some not having to reinvent the wheel on those approvals will be good and i look forward to hearing more and do you have any kind of timetable i know i always ask you this are we looking at the number of months for something to come back on the are you are you considering a more targeted surgical approach to some changes in the burn ordinance or that could be done in a more swift approach as opposed to

[02:25:39] just redoing the whole thing to be honest i think there's opportunity to redo the entire thing um but we have some some recommendations we could move forward if we didn't if we wanted to do an incremental uh you know improvement to it um so it's it's you know i think it's i don't mean to push it back to you all, but I think it's, it is on a little direction, which, which path we should take. Do we want to do a more comprehensive dive into this and, and, and solicit input from

[02:26:17] the community and from the whole of community, the people that are doing the burning, the developers, everybody, or do we want to, you know, just use the, some of the research that we've done so far and move forward. So. I think tremendous progress was made a number of years ago with the distance increase that the fire marshal suggested for the urban area to protect those where the houses are so close together and absolutely prohibited importation of logs from other places to burn in one neighborhood as they were doing in Glenbrook for a while and got stopped very quickly. But I

[02:26:54] guess I can't give you that answer because I don't know what all the, how many surgicals there are, let's put it that way. But if it's strictly clarifying the categories, what making it really clear on the website which I'm sure to people who work in the system every day it's very clear but to civilians it isn't the differences of commercial versus something else versus something else and if you are going to do this this is what you have to do and you are called x you know it's it's sort of round and round right now and so I think that's a really important thing to get cleaned up yeah

[02:27:28] that's one one piece that we identified as a big gap um it's too confusing yeah I just want to point out, and Emily did a really good job, we're sort of at a point now, we can bring back some minor recommendations to perhaps simplify and clarify the burning ordinance. One of those is perhaps look at a fall burn ban, similar to what we're seeing in Northern Virginia. It won't go as far perhaps as banning all daytime burning. But if you want us to also take a more holistic approach and engage with the community and those who will be affected with maybe more restricted, we can do that too.

[02:28:07] Because one of the things we want to avoid is making a change on one end and creating a problem on the other end. Because, for instance, if we were to move towards a more stringent burn ban, then we could perhaps create a traffic and a noise issue if contractors have to haul all that material off-site or grind it on-site.

[02:28:28] So we want to be careful as we go forward before we bring some of those recommendations just to make you well aware of the potential consequences. So what we can do is, if you would like, we can re-engage with the county executive's office and discuss perhaps those advantages one way or the other and then go forward from there, unless you all have some strong feelings today.

[02:28:52] Well, I think the air quality, the rights of neighbors is something that is not always included in these stakeholders. And they're far and wide with the way the smoke travels. And I know with even Canadian fires and whatever, we've seen a lot of health warnings for our area during the last year.

[02:29:11] And when you're living in a neighborhood with someone who just burns all the time, and it is not as more as with your kids, it's just all day long, then that's different. And so that's something else you all will have to challenge yourselves on of how to define what these things really are.

[02:29:28] Yeah. Or unless it's created by the state, in which case that's a different problem. But anyway, I thank you for your work and charge on. Thank you. And I just have a couple of comments. I'll try and be brief looking at our time. I really am impressed with this work and thank you.

[02:29:49] And thank you for all the hard work you've done in fighting the fires that we've had. I watch very often all the, just the mulch fires you are going to that are caused by cigarette butts. I mean, and I think Jan, you spoke to my CAC not too long ago and said, you're looking at that to try and impact that just with something simple as to say to the businesses, don't use mulch, use stone.

[02:30:16] We could save a lot of responses if we didn't have all the mulch and more pebbles and stones. Really impressive. So thank you for that. Just a couple of things. As you're talking, I certainly am really interested in our conflicts with the development codes. I'm interested in getting this ordinance updated. I agree that we need to include the community as an educational piece. I think we can bring them along a lot better if they're educated.

[02:30:48] having said that we don't have five years just saying we need to move on this because we've already had one bad experience so how you all figure that out i'm not going to go into that but just to say that there's short-term medium and long-term surgical and big big challenges that we can deal with but i would think about what can we do quickly that would help us as well as educate the community. To that end, I would love, for example, just speaking for me, to have a

[02:31:22] presentation to my CAC so they understand. That would be very helpful. I would love for you all to reach out to the Alamore County Public Schools, and I'm sorry, but they have such a convoluted name for this, but I'm the liaison on their environmental and sustainability. Alamore County public schools advisory committee for environmental sustainability connecting with them around this work because the schools have a lot of property and i think they're a great source for education to the community so thinking about reaching out to them um just looking at my notes really

[02:32:01] quickly um i think you're so what i guess i was saying was you're um looking at the materials that we use is really important in building and in in our yardscapes i'm just trying to grab my notes really fast um we have wet and then we have dry and we have wet and we have lots of growth and then we have dieback but we also have are getting a lot of invasives which are very concerning because they are you know we all know the fire in maui was they said was mostly because of invasives that's kept kept the fire going so just thinking about that the only other thing that i would add

[02:32:38] is my district and I know the Samuel Miller district and a few of the other districts have a lot of woods and property owned by the University of Virginia Foundation. I can show you in my district their properties that have lots of fallen timber, deadwood. They're a perfect setup for a fire and many of them are right beside neighborhoods. So all I'm saying is in your work don't leave out the university of virginia and the university of virginia foundation when you're

[02:33:14] talking about this work especially the foundation because the foundation is one that owns all of the the woods so to speak right so i would really appreciate that that outreach i'm sure that they would be interested in working with us in some way or another um and with that oh neighborhood walks i would love to have my community a couple of my communities be able to participate in a neighborhood watch so just to hold those thoughts and get back to us but so in a time effort here

[02:33:47] to get back to our our uh end of our discussion i think i have had heard consensus from everybody that and jeff i'm going to turn mr richardson i'm going to turn to you and say i heard consensus i believe do you not agree yeah you're good so you have what you need thank you i'm gonna leave you a copy of the emerald ridge plan that we did that'd be great yes we'd love to see that and I thank you and I saw lots of your folks in the audience so we appreciate everybody coming and attending. Maybe you could have them just stand up. Yeah stand up and come on guys and girls

[02:34:26] thank you for coming and thank you for your work. This was great. Very appreciative. So board I always say that I'm your official timekeeper and I wear the hat and I'm looking at the clock. We're running a little bit late we were supposed to have vdot um at least we were hoping by three o'clock your

presentation it's a little bit after 3 30. i'm going to ask you all do you feel like you want to take a quick break do we just keep moving everybody okay keep moving all right that sounds great to me too so next up is the virginia department of transportation quarterly report

[02:35:05] Ms. Carrie Shepard, Charlesville Residency Administrator, is on her way up. Good afternoon, Mrs. Shepard. Good afternoon, Madam Chair and members of the Board. Let me pull up my presentation. All right, so again, Carrie Shepard here to provide the VDOT quarterly report.

[02:35:42] So, starting with our preliminary engineering slide, the things that have changed since I last came, we do have a planned public hearing for the Berkmar Drive Connector Road to Airport Road that is tentatively scheduled for October.

[02:35:57] That might get shifted a little bit maybe into early November, but right now we are planning for an October public hearing. We also have a public hearing scheduled for the Route 250, Route 20 intersection improvements. That public hearing is scheduled for September 10th. We also did hold a citizens information meeting for the District Avenue roundabout project that was held just under two months ago in June at the Holiday Inn.

[02:36:25] and then two other things on this slide to note the route 601 old iv bridge it was advertised and the bid came in too high so they decided to go back and re-advertise i expect that to be re-advertised in a couple months late late summer early fall time period and then last but not least the route 680 browns gap turnpike bridge replacement we have we had a public hearing this past month july 10th so we'll be moving forward to putting that transcript together for the comments that we received. And next to talk through our design build bundles. So the hydraulic

[02:37:02] bundle, as you, I'm sure you've all seen the hydraulic intersection was closed, but it was reopened yesterday. So if you haven't had a chance to drive through it, I encourage you to, because it does look, it looks very good. They did a nice job. And then they'll be continuing on next with the pedestrian bridge over at Zand Road. As far as our second Albemarle bundle with the five components. The project was awarded June 18th and geotechnical surveys is underway and right-of-way is under development. So that project is moving forward nicely as well. For our rural rustic

[02:37:38] projects, Old Dominion Road, the construction is complete on that. And right now the crew is on Sutherland Road. The stone, the base stone is being placed. Drove out there yesterday. They're making decent progress, probably a little bit behind with the rain that's coming. So we'll just have to keep an eye on that, but they've made decent progress up to this point. As far as construction activities. So we've been planning a turn lane extension at 240, 250. It's the southbound right turn lane on 240. Trying to get that done this summer, we had some delays. We were trying

[02:38:13] to work with the service authority because they were replacing a water line in the area. So we let them go do their work first. And we were planning to start construction this past Monday. However, with the storm coming in, we pushed it to next Monday so that we don't create a mess out there still trying to get that complete before school starts august 21st that's our that's our goal should be able to do that pending pennyweather delays also the three bridge projects that we have ongoing route 708 red hill road bridge replacement they they finished first half of the bridge so there is one lane open so they've made decent progress there estimated completion is still

[02:38:50] december similar to phrase mill road bridge replacement they're still working on that estimated completion is also in December. And then last but not least, Route 810 bridge replacement that is scheduled to be complete later on this month. As far as our traffic engineering work order updates, the Plank Road through truck restriction went through and passed. Right now we're fabricating signs so we can get those up and installed. Georgetown Road request from Supervisor McKeel to check out the signage. The signage is still under review. However, we did

[02:39:29] clear the brush earlier this week from the, from the sign so that it's enforceable at this point in time. And I did let, um, the police department know about that as well. Um, from supervisor Malik, Sugar Hollow Road and Sugar Ridge Road. I believe I've given you updates on these, but the signage was a little bit, um, a little bit outdated. So we will be removing the N35 mile an hour speed sign from Sugar Hollow Road and Sugar Ridge Road. We will be removing the N30 mile per hour speed to transition to gravel. So the whole road will just be 30 miles an hour.

[02:40:02] It just made logical sense. So I'm glad you pointed that out to us. And then last but not least, we've been requested by the community in Batesville to look at a four-way stop at, or I should say an all-way stop at Plank Road and Craigsdore Road. So that's under review as well.

[02:40:20] And now I am open for your questions and comments. All right. Thank you very much. And I will turn to Supervisor Pruitt. Thank you. I don't think I have any questions, but one very brief comment.

[02:40:38] I'm very excited to see Glendower Road finally populated on here. I think I've jokingly shared with a few folks that shortly after I came into office, there was a gentleman who lives on Glendower Road who said, you know, if they ever get a Scottsville supervisor who manages to get this road paid, we're going to make a statue of him. So I'm very excited to hold him to this promise.

[02:40:58] which means I'm monitoring the implementation of this pretty quickly or pretty closely and just to that point I know currently it's not an issue but there will come a time where we'll be breaking ground and working on Glendower one but Glendower two not yet I'm wondering if it might be prudent in future reports to have those two phases of the project disaggregated because they will be at different phases at different times I'm sorry I'm misunderstanding what you mean do you mean including it as one complete project currently it's listed as one project but my understanding of the project as, as it's being planned is that you're going to do it in phases

[02:41:34] with a break at the, at one of the intersections, um, execute one half and then execute another. That's my understanding. And I'm just curious if it, we, if we could have in future reporting those two parts of the project represented separately, because I could see how when they're not both in preliminary engineering, one's under construction, but one's not that could become confusing if if they're if i remember correctly i believe that they're in sequential order on the secondary six-year plan so really the difference phase one and two is is really kind of tied to the funding piece of it and i imagine if they are in sequential order we will try to get them done

[02:42:12] at the same time oh okay um but let me let me double check on that misunderstanding of that it's good to hear yeah i'll double check though just to make sure i'm not misspeaking um but i'm not sure just for your awareness just based on workload that we've got right now and considering it's already August. I'm not sure if we're going to get to it this year or if it's going to be next spring. Awesome. Thank you. Supervisor Galloway. Good to see you, Carrie. Thank you. When you finish, and I'll use the diverging

diamond interchange because that one's pretty much completed, do you guys go back after it's in place for a time and just say, okay, did the

[02:42:49] impacts improve? Do you do any analysis, post-construction analysis? Yes. I'm not sure if they've done that yet. I know that we had to monitor the speed limit through there. When I say speed limit, the timing of the signal based on the speed of the traffic. So they have made adjustments that was right after it was opened. But they do, they do look at that. I'm not sure if they've, if they've done that yet, or if they wait a certain amount of time, like two or three years. And is that just, is that like information available just to view somewhere? Or is it something you would request? Probably request. I'm not sure that that's publicly available, but I can check into that and see where, see where we're at. And it's really a curiosity, not a lead into any issue

[02:43:26] or anything like that but that those type of big projects that occurs to me that you know other than having some sort of official data from analysis it's just anecdotal whether or not it was worth going um so i'm just that that thought had popped into my head this may be a combo question and if it's for our staff i'm happy to have it come back at a different point um the highway safety improvement program it might understand by the consent agenda report that it got the budget the state cut the budget to that um previous report i was thrilled to see the hillsdale greenbriar

[02:44:05] the modular roundabout it doesn't look like that got forwarded for funding because the other projects did now that um and that's fine but can you give me some sort of sense because i was thrilled to have that at that intersection so from a timing perspective what does this mean do we wait a we have to wait a year is there any sense since the state has come up with a billion dollars in extra revenue that that helps the this particular program i mean any anything there that i can get my optimism back on getting this something done in that intersection yeah you can

[02:44:41] so so once i saw that that was not funded through h ship we decided to use residency funds to do a study we have a consultant on board right now who's going to look at that and look at it specifically for roundabout different methods based on the residency budget and what we can handle ourselves but we do have them looking at that so they can put together a conceptual design for us.

[02:45:04] Different options like the delineers would be a lot cheaper for us to accomplish versus the kind of stick on raised. So they're gonna look at that and come up with a design for us. And then we're gonna see what that costs and see what we can fund and make happen.

[02:45:19] But I'm feeling optimistic about it. But I'll keep you informed. Awesome. Because I was just like, oh, a screeching halt. But the residents have really appreciated what you've done thus far. So it would be nice to be able to report. And I can tell you there's probably been a lot of tutorial searches on modular roundabouts since the last few months.

[02:45:35] So we've been talking about that at RCAC and what that means. Great. That's all I had. Thank you so much. Supervisor Lapis DelCruzzi. Yes, I just have one question. It's actually of your report.

[02:45:50] And by the way, thank you very much, Ms. Shepard, for your report. Very good. On page 14, at the very bottom, it talks about that in March, the speeding concerns were directed to the police department. So the speeding concerns would not be directed to CDD or VDOT or anything else, just to the police department.

[02:46:13] My concern is their website is have a traffic safety concern question mark slash Albemarle County, Virginia, which is a long to use.

[02:46:29] But once you go in there, because I went on the website, it asks the person, if you're reporting something, okay, your name, fine, that's fine. But it asks for the make of the car, the kind of car, the license plate, any other identifying information.

[02:46:46] Well, usually when someone is speeding along the road, you don't gather that information to be able to report it. And even if they did gather that information or report it, my question is, what's being done about that?

[02:47:02] I mean, a private person is not going to be able to levy a fine on someone who's speeding. I'm just asking. So generally, when we get speeding concerns, it comes through a citizen or a work order through our system or even, you know, any of you.

[02:47:20] And when we get that, we talk about it in our monthly meetings as more of like a generalized area or a specific road. And when we get those complaints, then we involve ACPD. They initially run radar to determine if there really is a problem. And if there is, then we can move forward with speed studies and things like that.

[02:47:38] Okay, so you still are accepting concerns from people saying speeders on this road. Correct. Okay, even though it doesn't say that here anymore. Is that my monthly? Yes, page 14 at the bottom.

[02:47:54] Okay. So I'll let you look at that. then as long as we can still where would they report it on the vdot site then or to you they could go it's report a problem um but if you just type in um if you just type that in vdot report a problem in google it'll come up and it's just the typical and that's exactly where you report everything else like potholes and stuff like that so if it comes in through our work order system we catch it we also you know just get i get emailed um so there's a lot of kind of different avenues that we check and monitor to make sure that we're catching all those.

[02:48:29] Okay, it just surprised me that it was as of March this year that all speeding concerns will be directed to the Albemarle County Police Department and not you all. So, but you're saying it still works through you all. It can come from any source.

[02:48:46] But the process starts with ACPD. But we are all involved in the conversation. Okay, thank you very much. No other questions. Supervisor Malek. Thank you very much. thank you for all the good news in the report already. I was confused by one thing, though, in the chart describing the 240, 250, 680 roundabout, and then separately was the 680 bridge, but in 2027. And so I understood that had to be done first before the roundabout was done, but the roundabout is supposed to start this year. So can you help me understand what's going on

[02:49:23] there currently the dates that i have shown are correct however that might change in the near future um okay i'm not sure i think when that changes you'll be one of the first to know okay i'll just leave it at that and to say i was confused and i look forward to being unconfused that's great uh every time i watch a european bicycle race they talk about highway furniture and how in france they have the statues and trees and things and they make the traffic go this way it's just so simple to slow people down as a traffic calming thing so i hope that it does

[02:50:01] be not ever consider um making a experimental in the existing right-of-way roundabout with your posts i'm thinking every day i drive through ned's favorite intersection at greenbriar and hillsdale because it and i i'm one of those people that goes 15 miles an hour it makes everybody else mad but too bad uh because it's very scary i mean people get tired of waiting and they jump out and so um anyway it's such a beautiful wide area and we have the similar circumstances on foothills crossing in the crozet neighborhood where huge intersection and it would be so easy to just

[02:50:40] eat a circle in there and get people because i'm worried about spending time and millions to do designs and a two million dollar roundabout is it ever considered to do a sort of step-by-step experiment to see if there would be a decent response before doing the two million dollar version yeah and i think the hillsdale green buyer is a good example of that because i think we're doing that in-house so it's obviously a lot smaller scale than if you were to look at smart scale but also when we talk about delinear delineators and we talk about the

[02:51:17] you know the modular roundabout those are removable so another benefit to doing that is if it doesn't work or if it causes problems we can take it out or if it does work and you it wants to be a permanent, you want to have that as the permanent solution, then you can look at different avenues for greater funding sources than what we can handle ourselves. So I think this is going to be a good, a good step in that direction for us to see how that works. Okay. So you can try it out there and then we'll try it out in early spill and all these other places too. That's great.

[02:51:44] Thank you. And for Phrase Mill, did they hit a snag or something at the 641, the bridge? Because that's another place where i go by all the time and there's often nobody there so i'm wondering what's going on i'm not sure okay i mean it literally there's been like from a civilians from a distance point of view it looks like nothing has changed in weeks so i'm just curious i will rat them out to you and you can send an investigator out there to find out what's going on and that's all the things i had so thank you very much oh one more thing i'm sorry i appreciate

[02:52:21] I heard back from Captain Jamerson that their PD is handing over the guardrail at Austin Kreiser's consideration to VDOT, and you and I were out there with him a year ago, and the accident last week really scared everybody because the car went airborne and hit his foundation of his house, and he's 96 years old, and that's just so.

[02:52:45] I really appreciate you giving great attention to making a real solution there because the little arrow signs and things have just done nothing to keep people on the road let's put it that way and i appreciate that thank you thank you ann and i see kevin has moved up did you want to say something or add something he was looking at me with eye contact thank you um i just wanted to introduce yourself mcgerman deputy director of planning um i just wanted to clarify the question that supervisor piso currently mentioned she talked about that uh the link that was in the

[02:53:20] report that was actually in the county transportation court report. It wasn't in, it wasn't in Cary's report. So that's why she was a little concerned or confused about that. And just to clarify with the speeding concerns, BDOT and county staff and Albemarle County Police Department have been working together on this process. And we recognize that the best source for addressing the immediate concerns of speeding on a road really are our Murrow County Police Department.

[02:53:53] So we're trying to direct everyone to go to that website or to call our Murrow County Police Department when they have speeding concerns that they're identifying. Not a specific vehicle, but that

there's a roadway where this is happening. And so we put that link in the report.

[02:54:12] Carrie's right that we all do continue to work together when those reports go in. The police will bring them to us. If they come to us, we bring them back to the police. Same with VDOT. So that's really, I just wanted to emphasize that that's really our best, the citizen's best first resource for addressing speeding concerns. We will work on those together. So thanks for the opportunity just to clarify that.

[02:54:35] May I add one clarification, please? And that is, it's still the 977-9041 non-emergency number for the data to be compiled, even if somebody doesn't have a make and model and license number to say, between 9 and 11 in the morning, I saw 55 cars go by.

[02:54:53] Yeah, and that's correct. And the online does have those, you can put in a make and model of the car. You don't have to fill everything out. Fill out what you need, and we'll deal with that. Thank you, Kevin. Thank you.

[02:55:07] Kevin, hold on just a minute, while you're there, and I'll get back to questions to you, Carrie. I'm going to try to be really brief because I know we're running out of time. But Kevin, while you're here, I just want to double check. My understanding is that the consultant's report for the hydraulic Lambs Lane campus recommendations is back. And I would just love for us to be able to see it at some point. That's all I'm asking.

[02:55:33] Yeah, when we've expressed that, facilities, environmental services are the ones that were leading that project with our input, of course. So they were done with our review. I think they had a few comments, and we've talked about how to bring that back to the board.

[02:55:50] Great. Thank you. I'm just excited to see it. Thank you very much. Carrie, you weren't here, but I was praising VDOT for your early completion of the roundabout. people were really excited that it's completed um just another comment is that and i don't know how much you want to talk i don't expect you to talk a lot about this but people do not realize how much rain impacts your all's paving and the work that you're doing and all of these afternoon showers when you're trying to do paving at night just saying am i correct yeah very much so yes so

[02:56:28] people need to take that into consideration because i'm hearing some chatter about well there's never any work going on at night and all and part of it is that you all are up against a lot of evening showers and rain and you want good quality pavement at the end of the day that's right just say it okay um the other thing i wanted to ask you about was does your website the vdot website still have a place where a constituent of mine can go to see what is scheduled and when he was trying to find when his neighborhood would be on your paving schedule

[02:57:06] and they couldn't find it. You want to get back to me? Well, the only reason I pause is because yes, that exists, but we did change over to the new website not that long ago. So our links are still a little off. So actually, now that you bring that up, let me double check our link just to make sure that it's still setting it to the right place.

[02:57:28] And if there's a specific road, I can also look into that too because I think I had one outstanding I need to get back to you. It's Terrell, Terrell West. Yeah. Because Terrell West and East, but Terrell. So I've had half of an update on that.

[02:57:43] So I don't, it's not on our calendar year 25 schedule, but we were developing our calendar year 26 schedule and our team was going to go out and review that road. Okay. I don't know what the status of the, what was determined in the field yet. So that's why I haven't gotten back to you. And that's fine. I just was wondering about the website.

[02:58:00] Why don't you send that link to everybody? Okay. Because I think that link would be helpful for all six of the supervisors, because we can refer our constituents to that link. Yes. Yeah, that would be great. Thank you. And the only other thing I want to say is to the board at the table, I would like to establish a committee to determine the location for the statue for Supervisor Pruitt.

[02:58:24] I think in front of the county office building would be nice. at a later time to establish that committee to make that determination. That would be great. Having said that, Terry, thank you very much for your great report. We really appreciate it.

[02:58:41] All right. Board, taking note of the time, we are going to be needing to move into closed session, but my understanding from our clerk is that Supervisor Andrews, we're going to try and bring him into the closed session by phone having said that what i need to do then is that we need to somehow or another um pull uh get and i'm looking at our clerk to get supervisor andrews so we can invite him in and then we'll do the closed session if that works the vote for closed

[02:59:18] session supervisor andrews okay we can hear you but barely but we can hear you we're very saddened have an empty chair here at the dais today. Having said that, would you please state your

[02:59:52] location and your reason for attending remotely? Yes, I am in Sorrento, Maine on family business. Thank you very much. Board, I would now entertain a motion to invite Supervisor Andrews to participate in the meeting remotely. So moved. Second. We have a motion from Supervisor Malik, A second from Supervisor Lupisto-Curtley, and without objection, if the clerk will call the roll.

[03:00:21] Mr. Galloway? Yes. Ms. Lupisto-Curtley? Aye. Ms. Mallett? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Great. Welcome, Supervisor Andrews. And with that, I'm going to turn to Supervisor Pruitt for the motion for closed session.

[03:00:37] Yes. I would like to move that the Board of Supervisors convene a closed meeting pursuant to Section 2.2, TAC 3711, Perrins A, of the Code of Virginia. First, under subsection 1, to discuss and consider appointments to various boards and commissions, including, without limitation, Agricultural and Forestal District Advisory Committee, Economic Development Authority, Places 29, Perrins Hydraulic Community Advisory Committee, and Places 29, Perrins North Community Advisory Committee.

[03:01:04] Second, under subsection 1, to discuss and consider appointment of an interim county attorney. Third, under subsection 7, to consult with legal counsel and receive briefings by staff members pertaining to actual litigation concerning a decision of the Board of Zoning Appeals in the case styled in re-June 6, 2026, Decision of the Board of Zoning Appeals of the County of Albemarle, Virginia, where consultation or briefing in an open meeting would adversely affect the negotiation, the negotiating, or litigating posture of the county and the board.

[03:01:34] and fourth under subsection 39 to discuss or consider information subject to exclusion in subsection three of Virginia code subsection 2.2 tax 3705.6 related to business development in the Rio Magisterial District. Second. We have a motion from Supervisor Pruitt and a second from Supervisor Malik. Without objection, if the clerk will please call the roll. Mr. Galloway? Yes. Ms.

[03:02:01] LaPista-Curtley. Aye. Ms. Mallett. Yes. Ms. McKeel. Yes. Mr. Pruitt. Aye. We will now convene in closed session. Mr. Andrews. Mr. Andrews. Mr. Andrews, can you repeat your vote? I over-talked him. I'm sorry. We heard it. We heard him. I heard him say yes. Oh, I didn't call his name until he... Sorry. I think he hung up. May I suggest that you call him back? That's what I was And I apologize if that was my fault.

[03:02:46] Yes. Maybe I can text him. Is everybody texting him? Yes.

[03:03:05] Mr. Andrews, can you please record your vote for us again? Yes. Can we hold that up to the microphone so that it can be heard? Yes.

[03:03:24] Yes. Okay. One more time, Mr. Andrews. Yes. Thank you. All right. We will now convene in closed session, returning for our 6 o'clock agenda.

[03:03:43] All right. Meeting back to order, please, and look to Supervisor Pruitt for a motion certifying the closed meeting. Yes, I would like to move to the Board of Supervisors certified by a recorded vote. That to the best of each supervisor's knowledge, only public business matters lawfully exempted from the open meeting requirement of the Virginia Freedom of Information Act and identified in the motion authorizing the closed meeting were heard, discussed, or considered during the closed meeting.

[03:04:10] Second. We have a motion from Supervisor Pruitt and a second from Supervisor Malik. Without objection, if the clerk would please call the roll. Mr. Galloway? Yes. Ms. Lapisto-Curtley? Aye. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. A motion, right? All right.

[03:04:32] And I believe that we have two motions coming out of closed session. Supervisor Lapisto-Curtley will read the first motion. Yes, I move that the Boards and Commission's vacancy and reappointment list be addressed as follows.

[03:04:49] Places 29, Hydraulic Community Advisory Committee, Kate Lambert, Vito Seta, Jane Foy, and William Love. Also, Places 29, North Community Advisory Committee, the following, Janet Moran, Wendy Ellis, William McLaughlin, Gary Gagnar, Jeffrey Matresino and Lisa Bushy.

[03:05:17] And we have a second from... Second. All right, so we have a motion from Supervisor Lepisto-Curtley and a second from Supervisor Malik. Without objection, if the clerk will call the roll. Mr. Galloway?

[03:05:33] Yes. Ms. Lepisto-Curtley? Aye. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. And we have another motion from Supervisor Lepisto-Curtley? Yes. I move that the board adopt the resolution appointing the interim county attorney who will be Andy Herrick effective as of September 1st, 2024. Second. So we have a motion from Supervisor Lapisto-Curtley and a second from Supervisor Malik. Without objection, if the clerk will

[03:06:12] please call the roll. Mr. Galloway? Yes. Ms. Lapisto-Curtley? Aye. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Congratulations, Mr. Herrick. And I invite you to the podium because we would love for you to say a few words. Thank you very much. I so greatly appreciate the board's confidence in me and in our office. I want to thank Steve for his leadership of our office over the last couple years. It means a great deal to me to have your confidence and to have this offer. And I look forward to continuing the good work that's been started. And I look forward to this opportunity. Thank you so very

[03:06:49] much. So thank you very much, Mr. Herrick. Let me just inform the board, whom I know already know this, and the public as well, that we will be having another celebration as September, no, I'm sorry, August the 21st to celebrate Mr. Rosenberg's retirement. And so today, though, we're concentrating on celebrating Mr. Herrick's appointment, interim appointment.

[03:07:23] And so I want to go ahead and offer up the opportunity for folks to say a few words. So I will start with the usual today. Mike, would you like to say anything? Mike Pruitt. Yeah, of course. So I've not had as much time to get to know you as I know my other colleagues on the board have, but I've really loved working with you so far.

[03:07:44] Nothing but impressed. I know you've been working closely with the planning commission during my time on the board. And so hopping into this chair is not going to be any real change of pace. You've already got your wheels up under you. The one thing I will say is, you know, we're going to be seat buddies.

[03:08:00] I'm on the far end. And that means you are the person who I'm going to turn to constantly under my breath with just the most absolutely inconsequential issue spotter questions, because I'm just sitting there thinking thoughts, and I will pester you with the most irrelevant legal questions.

[03:08:19] So I hope you get excited for that. Supervisor Galloway. And at the base of your statue, the quote shall be. I will pester you with the most inconsequential legal questions. You had to be here earlier to understand that joke.

[03:08:39] Mr. Herrick, thrilled to have you take over in this capacity. Your expertise is undisputed and looking forward to continuing our work with you and looking forward to you taking on the leadership at the office. Supervisor Lapisto, clearly.

[03:08:55] And I've known you for about close to five years, and I am thrilled that you'll be working with us. I have complete confidence, and you've got your work cut out for you working with all of us.

[03:09:11] But, you know, we're all pretty good except for Ned. But, I mean, we're really good, And so I think you'll have fun working with us. So congratulations and glad you're going to be on board. Supervisor Malik, speak for yourself.

[03:09:28] Andy knows, having had to answer my name questions for all these years, and I so fondly remember you're trudging through the snow to get over the mountain in your loafers and probably not a seersucker suit in January. No, he had his loafers and his street clothes on to get over the mountain to get home.

[03:09:45] So I appreciate you and for your devotion to your work in the county, you know, whatever the weather and look forward to seeing you more often. Thank you. Supervisor Andrews. Yes, I want to just add my congratulations and appreciation for your taking this on.

[03:10:01] I just want to add my appreciation for you taking this on. I think we actually worked together before I was a board member back in 2015 for the first time. And I've always found your work to be excellent and very confident in your ability.

[03:10:19] So thank you. And thank you very much, Mr. Herrick. We're delighted to have you on board. And you're just going to have to be careful at that end of the day. Yes, that's all I can say. But if you need help, just I'm not too far away.

[03:10:35] All right. That's good. Thoughts for Mr. Rosenberg. Thank you, Madam Vice Chair. I'll be brief. I just want to say that I've had the pleasure of working with Andy now for these last two years, and I have no doubt that he's well-equipped to provide exemplary legal services to the board and to the county and to lead the county attorney's office, and I wish him the very best in his new role. And I'm going to let the board in on a little secret, that if you want Andy to function

[03:11:15] at his highest capacity, then you will want to ensure that the board dinners come from either Taco Bell or Wendy's. And you know, that lowers our cost. That's not bad. That's a hard no.

[03:11:32] Thank you. Thank you. And Mr. Richardson. Vice Chair McKeel, when the staff learned of the announcement that was coming, there was just a tremendous amount of support and excitement across the board.

[03:11:50] if i think back on the time that i've been here and first working with mr campner and then mr rosenberg two outstanding attorneys by the way uh they are so fast to push credit to the staff that's in the legal department for the great work that happens up there and uh and i think we see that every day with the staff up there and i think that andy has done an outstanding job supporting the departments that he supports and i think that's why our level of excitement is so high And so we're really blessed that we've got such a strong legal department.

[03:12:22] So thank you very much. And we certainly look forward to continuing to work with the staff and continue to help Andy any way possible. Thanks. Thank you. And we'll look forward to the 21st for the celebration for the retirement. All right. Mr. Richardson, is there a report tonight?

[03:12:39] I do not have a formal report this evening, but I have asked Mr. Henry, who oversees our public safety functions to step forward with the the the work that's going on in the commonwealth tracking our storm and and and the work that's going on out of richmond and the coordination back to all the counties and municipalities trevor's going to give us an update on on what's going on just for the board's consideration as well as our public thank you trevor thanks mr richardson vice chair mckeel members of the board good evening trevor henry deputy county executive yeah just a quick update um we can't hear you okay that's better thank you really need to lean

[03:13:17] into this new microphone um i imagine everyone has been tracking um hurricane um now tropical storm debbie as it has moved through florida into georgia up into south carolina it continues its track north um vdam the virginia emergency development management department have has been active on this all week. Our emergency management has been tracking closely and coordinating resources internal and external. We activated our emergency operation center virtually today

[03:13:57] and we're ready to continue to build that as the storm comes our way. As of the last update that we saw the heavy, the heavy part of this primarily will be rain and the threat is flooding, flash flooding. And we're looking, you know, Thursday afternoon through Friday as the most significant impact to our region based on the latest forecast. And so we'll continue to monitor that.

[03:14:24] We've already started public communications around storm preparation, having supplies on hand, don't drive through streams that have rising water, etc. We'll continue to do that. Mr. Chief Eggleston talked about the dashboard from an earlier session that is being utilized as we're watching water levels, stream levels, things like that. And so we're trying to proactively to manage that. Really, the biggest

concern we see is the potential of the eastern slope of the Blue Ridge, kind of western side, as of the latest update, looks like that may be the most intensive

[03:15:03] rain. On average, three to seven inches, but locally upwards of potentially 10. So folks should be taken seriously. They should be prepared. They should be, you know, have supplies at their house that could get them through a few days. We are making sure we have our staffing plan set for for police and fire fire rescue station 11 is where our swift water rescue team is housed and we will we will have that extra have that extra staffed on on thursday and friday along with

[03:15:39] western almar rescue squad and and scottsville volunteer fire department will be on standby so so we'll have prepared as best we can the final thing is that based on the update tomorrow morning at 5 a.m. there may be a consideration to declare a local emergency based on what um what that forecast is showing so really this is just to to let you know we you know we are taking this seriously we're doing our emergency operation planning the way we we normally do we'll be prepared but it also is uh um prudent of our of our residents to be paying attention and make

[03:16:15] sure that they are also ready for um you know a few days of of weather that will be hitting us questions i was going to say let me just open it up make sure no one has any questions i'm looking to my left and right and time to fuel up cars and extra things for generators etc right that's right thank you for the update and i would just say that we want our residents to be very very safe and we want our responders to be safe too yes ma'am thank you all right um next item is from the public matters on the agenda but not listed for public hearing or on matters

[03:16:51] previously considered by the board or matters that are pending before the board and Ms. Morgensen is shaking her head no so all right so we'll move on next on the agenda are four public hearings at this time I'd like to remind the public if you have a desire to speak at one of the public hearings tonight there are sign-up sheets to my left under the window the audience is right I ask that you please take the opportunity to sign up on the correct form because we have a form for each

[03:17:28] of the public hearings. So with that, let me move on to first is the compensation for the planning commission and other boards item. And that's led by Mrs. Jessica Rice, director of human resources.

[03:17:44] Welcome, Ms. Rice. If you, yeah, just make sure you have it adjusted. That new mic seems to be a little more sensitive. So yeah. Good afternoon, everyone. I'm Jessica Rice, the Director of Human Resources for the County. This public hearing is for consideration of a county ordinance to amend County Code 2-401 and 2-905, which would increase compensation for members serving on the Planning Commission and other appointed boards. In addition to the Board of Supervisors, Albemarle County

[03:18:19] local government provides compensation to appointed members serving on the following boards and commissions. The Architectural Review Board, the Board of Zoning Appeals, the Equalization Board, the Fire Prevention Board of Appeals, Local Board of Building Code Appeals, and the Planning Commission. Beginning in June of 2023, the Board of Supervisors expressed a desire to increase compensation for these Board and Commission members to be in alignment with cost

[03:18:54] of living adjustments that have been provided for county staff and for the Board of Supervisors. The county implemented a 2% cost of living adjustment for staff effective January 1 of 2024. And also on

June 12th, 2024, the Board of Supervisors adopted an ordinance to increase compensation for the board members that went into effect July 1st of 2024. And at that time,

[03:19:32] we actually did not address the compensation for our Planning Commission members and the other board and commission members as well. And so that's what we're bringing forward for you tonight. Our goal is to align, is to align their compensation with the increase, the 2% increase with what county staff had received back in January and what the board of supervisors members received in on July 1st. So the proposed ordinance would increase compensation for the planning

[03:20:10] Commission members from \$7,534 annually to \$7,685 annually, and also increased compensation for members serving on the other appointed boards from \$83 to \$85 for each attended meeting.

[03:20:35] We are asking for consideration of this ordinance to take effect on July 1st of 2024, so it would be retroactive, and I will take any questions you might have. To my right, are there any questions? Supervisor Pruitt?

[03:20:53] I noticed that the list of boards that we do compensate using this current structure, all ones that are statutorily required, would I be correct in assuming that we only actually have the enabling authority to provide salaries to those statutorily required boards and not other boards that the county may by code create?

[03:21:17] That's a great question. I would have to defer to legal on that. And I see Mr. Herrick looks like he's ready to respond, unless you moved first. Andy Herrick, Deputy County Attorney, the board can choose to compensate employees as it sees, or board members of various boards and commissions as it sees fit.

[03:21:41] There's not a statutory limitation on what the board can compensate these boards and commissions if it so chooses. That's helpful. Thank you. I do have, this is Steve Rosenberg, I do have one item to add, if I may. The executive summary actually provides, bear with me, I just saw it.

[03:22:10] The proposed ordinance does not provide for a retroactive effective date. So if that's the board's desire, then it should be incorporated into the motion.

[03:22:33] Sure. Is that all, Mr. Rosenberg? Yes. You're good. Okay, sounds great. So we were doing questions, so I'm going to go back to Supervisor Galloway.

[03:22:49] I don't have any questions. All right. And Supervisor McPister, no questions. Thank you. Supervisor Malek, Supervisor Andrews. No questions. Thank you. No questions. All right. And I have no questions. All right. Thank you very much.

[03:23:08] I will now open the public hearing and look to see if we have anyone signed up. And she's shaking her head no. So do any of the supervisors have any other questions on this matter? If so, speak up. All right.

[03:23:24] I will close the public hearing. I would now entertain comments or a motion adopting the proposed ordinance to increase compensation for the Planning Commission and other boards in the form of Attachment A as amended. I would say so moved.

[03:23:44] All right. We can have discussion if necessary. Second. All right. Supervisor Malik has made the motion and Supervisor Pruitt seconded. Is there any discussion? No? All right. Without a... I was just...

Yeah, I'm going to...

[03:23:59] Can I just... Sure. It was the intention with the as amended to provide for a retroactive effective date to July 1st of 2024. I guess I wasn't clear on that, but I thought we were amending. So I think with this discussion that we're clear on that issue.

[03:24:19] All right. Yes. So we have an amended motion for retroactive to July 1, and we have a motion by Supervisor Malick and a second by Supervisor Pruitt, I believe. And without objection, if you'll call the roll.

[03:24:37] Mr. Galloway? Yes. Ms. Lapisto-Kirtley? Aye. Ms. Malick? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. All right. Great. All right. We are good.

[03:24:55] All right, next is the proposed project SP202300021 flow Hyundai outdoor storage display and sales and SE202300046 flow Hyundai screening, Hyundai screening.

[03:25:13] And I use the word screening because we're separating out a, well, let me just start from, let me start over again. The plan is to have one staff presentation.

[03:25:30] So the staff will make one presentation on the two items that we have to deal with tonight. But there will only be one public hearing, and that's on the special use permit, which is the outdoor storage display and sales. The special exception, which is the 2023-00046 flow, does not require a public hearing, but will require a vote.

[03:25:54] So we have one presentation, one public hearing, and two votes. And with that, I'm going to present it by Christopher Taggart, Senior Planner. Welcome, Mr. Taggart. Good evening. My name is Chris Taggart.

[03:26:11] I'm Senior Planner in the Planning Division of Community Development. Also here tonight is Margaret McSessie, who assisted with the review. I'll be giving staff's presentation for the Special Use Permit and the Associated Special Exception. I'll address the SP first and the Special Exception second.

[03:26:31] Subject property is located on the west side of Route 29 between 2070 and 2150 Seminole Trail. Automobile dealerships are located on both of those properties and residential properties are located across Burkmar Drive to the west and across Route 29 to the east. Route 29 is the entrance corridor, Burkmar Drive is not.

[03:26:52] The subject property is currently vacant and mostly wooded. Here are a couple of street views that show the existing distance of the property from Route 29 and Burkmar Drive. The special permit request is for outdoor storage display and sales of vehicles in the entrance corridor overlay district, but I'll refer to this as outdoor display in the remainder of this presentation.

[03:27:12] The plan shows spaces for outdoor display in blue and yellow shading, and the yellow shaded spaces are also identified for vehicles waiting repair. Motor vehicle sales is a by-right use in the zoning district, but the outdoor display is a special use when it occurs in the entrance corridor overlay district.

[03:27:33] SPs for outdoor display are reviewed under Section 30.6, which limits the factors to be considered to determining whether outdoor display is consistent with the entrance corridor design guidelines. The Architectural Review Board applied those guidelines in its review of this request in February of this year.

[03:27:49] There would be voted to recommend no objection to SP requests revisions to the concept plan that can be resolved during final site plan review and conditions of approval that are standard for this type of request. At its May 28th meeting, the Planning Commission unanimously recommended approval of the SP with no changes to the ARB's recommended conditions.

[03:28:12] The conditions are listed here, and that can bring them back up if needed. The favorable factor for this request is that the outdoor display use would be consistent with entrance court design guidelines if the ARB's recommended conditions are upheld.

[03:28:29] For this reason, staff recommends approval as the special permit for outdoor display. Associated with an SP request is a request for exception for the Supplementary Regulation 5.1.31b. That regulation requires vehicles waiting to repair be located where they're not visible from any public street or any residential property.

[03:28:52] Vehicles waiting to repair proposed in yellow highlighted spaces totaling 248 spaces. Most of these spaces are visible from public streets and residential properties. One reason there is so much visibility of those spaces is that Berkmar Drive is elevated between 2 and 28 feet above them.

[03:29:13] From Burkmar Drive, views of vehicles away and repair would be available south of the building down into the parking lot with an open view available at the entrance to the site. From Route 29, views would be available at these spaces from a distance at the site entrance. Victorian Heights, which is highlighted in orange on the map, is a residential development currently under construction across Burkmar Drive to the west.

[03:29:36] The units within this development would be elevated between 15 and 64 feet above the areas where vehicles away and repair would be located, allowing views into most of these areas. There have been no previous requests for exceptions from the requirements for screening of vehicles waived and impaired. However, there are many examples of screening of vehicles waived and impaired through the SP and site plan review processes. In these instances, visibility has been eliminated by positioning the spaces so that buildings, topography, fencing, landscaping, or a combination of these features screen the vehicles from public streets and residential

[03:30:15] properties at the may 28th pc planning commission meeting staff and the pc acknowledged that there would be little visual difference between vehicles waiting repair and vehicles on display and that the topography makes meeting the visibility requirement a challenge however the ordinance is clear and more could be done to reduce visibility based on the concept plan reviewed at the pc meeting staff recommended denial of the special exception while the while the pc was not required to act on this special exception they recommended that that applicant provide additional

[03:30:49] and where possible preserved existing landscaping including evergreens along berkmar drive after the pc meeting that plan revised the concept plan to show a landscape buffer along berkmar drive and wooded area to remain along the southern property line the buffer and wooded area is expected to better satisfy the screening requirements for vehicles waiting pair by reducing the visibility of the areas where these vehicles would be located with these revisions staff recommends approval of special reception with the conditions as listed here in an attachment

[03:31:23] f to ensure additional landscaping is provided after answering questions you can bring up the conditions approval and motions when the board's ready sure thank you very much um i'll open it up for

questions supervisor pruit actually don't have any questions thank you great supervisor

[03:31:40] can you just go back to slide 14 kind of slid by kind of quick uh 14 14 sorry um so on the

[03:32:11] you could i'm sorry go to the the concept plan all right in the top oh nope that's it up there i see it says the existing 20 something waterline easement and then i noticed the conversation it was brought up in the planning commission discussion about where the stormwater exiting the site would be located because it either can go north or it can go south it seemed like the end of the conversation was just that'll be handled in final site plan review at the planning

[03:32:45] commission where is it going to be connecting into the stormwater on the north side or the south side? I think the map could probably be better able to answer that question. Great. We'll do that. All of the internal trees that I'm seeing on this site, was that part, seemed like the commission and some of that, the adjustments from the planning commission to here were about the Berkmar and the buffer and that side and some of the general visibility from either side of the property line. But the trees that are internal to the parking lot, was that driven by staff or was

[03:33:25] that proposed from the beginning. There was seemed to be some conversation about tree islands in the planning commission discussion. So I'm curious if this was the original plan or if we as the county are seeking them to add trees internal to the parking lot. Understanding correctly, the tree island discussion was regarding screening of vehicles, weight and repair. And it was presented by staff as a one of the options in addition to a few a couple other options to provide additional screening sir are we talking about the trees that are kind of just in the middle center but i'm

[03:34:04] like all of these are designed to be kind of designed to screen the repaired cars uh the trees near the are you referring to the trees near the entrance to entrance you get the trees along the right side on 29 and then we've got the landscaping buffer along burkmar so i'm talking about all these little one-offs i'm seeing internal to the site all of these i'm assuming those are trees maybe they're not trees some have a black dot in the middle of the circle some have got what looks to me to be a tree indicator there there's an internal tree requirement that just so this is the county

[03:34:42] requiring this internal tree requirement all right that's what i needed thank you all right supervisor that's still currently uh yeah so i noticed the trees are all the trees and plants that they're uh planting or all those native plants or do i need to ask the applicant they would be required to be yeah i know they're not required but i'm just asking they are okay yeah but that would be details that would be provided in the final site plan stage but there's a they're all okay thank

[03:35:17] Thank you. No, the supervisor Malik. Thank you. The question I have, I guess, regarding the landscaping is what is being requested to be waived here that has been required of all the others up and down the street for fairness sake.

[03:35:36] Right. As the ordinance is written for screening vehicles waiting repairs, the complete elimination of visibility of screening their vehicles waiting repair. So the exception would acknowledge that there would still be some visibility of vehicles waiting repair.

[03:35:55] But other businesses doing the same work have met this requirement in the past. Correct. Very good. Thank you. Supervisor Andrews? Just to follow up, that was sort of the same question as trying to understand whether, in fact, vehicles awaiting repair, whether vehicles waiting repair at the other car dealerships nearby are also completely screened or whether they're visible and have been looked at.

[03:36:30] I caught the tail end of it, but if I understand correctly, you were asking if vehicles waiting repair in the Molloy Ford and what's now Molloy Chevrolet, did they meet the requirement? Yes. Molloy Ford, the location where they're showing vehicles where you impair, is screened by an auto body shop building, fencing, and existing trees that screen it from Berkmar Drive.

[03:36:58] And it's also screened from Route 29 just because of the distance. Molloy or Price Chevrolet previously predates the screening requirements. Thank you. I have any other questions. All right. And I just have one might be better answered by the applicant, but where will the construction site entrance be or where will that be located?

[03:37:23] I think there'd be probably better answered by that. Okay, I'll do that. Thanks very much then. All right. Given no further questions and I'm looking at folks. All right. I'll open the public hearing. Do we have anyone signed? Oh, no one signed up. She's shaking her head no.

[03:37:42] So yes, so I'd like the person presenting, and I'm looking to see who wants to be presenting. All right, I see Kelsey Schlein coming up, and I also see Justin Schimpf in the audience for answers or questions or whatever it might be, so applicant only.

[03:38:09] 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 get 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 and are we having two public hearings that i need to read just this one else just right now all right welcome dear great thank you absolutely good

[03:38:46] evening, Chair McKeel, members of the board. My name is Kelsey Schlein. I'm a planner with Schimp Engineering. I'm here tonight representing Flow 21 Seminole, LLC. Also here with me tonight is the project engineer, Justin Schimp, on the project. So Flow Companies has expanded in Charlottesville in recent years. They're now up to about 15 dealerships, and they have over 375 employees in Albemarle County. Um, and so this request before you tonight, um, we are hoping

[03:39:18] that flow Hyundai can have a permanent home, um, on this property, uh, on, on 29. And so if you recall, Hyundai, uh, formerly shared a site with Chevrolet, um, under the price brand, uh, when that sold, Malloy purchased Chevrolet, Flow had Hyundai. And so Hyundai is now temporarily at a Pantops location, but this site adequately serves Hyundai's requirements for a new dealership.

[03:39:55] And so this site is ideal to site Hyundai for their permanent home. So getting into our slides here. Our special use permit request is for outdoor storage display and sales affiliated with a buy-right use. All the proposed uses, the proposed auto sales, vehicle repair, those are all buy-right, but affiliated with the auto sales, outdoor storage display, and sales within an entrance corridor. Because we're on an entrance corridor, that is why we are before you tonight

[03:40:28] with a special use permit request. Also, we are requesting a special exception from 5131B, which relates to vehicles waiting repair. And specifically, the issue that we have, particularly with this site with such an extreme grade change between Berkmar and 29 is the word visible. We have, I think, presented a plan that resolves Planning Commission's concerns about

[03:41:01] visibility of vehicles awaiting repair, but that word visible. With the grade change, with this property having two frontages on public streets, and I'll go into this more in my slides a little bit later, but

also with this property having just west of it a residential property that's going to sit about 30 to 40 feet higher, there's going to be visibility from that future residential development, as well as certain locations traveling down the road where you might catch a glimpse of an automobile awaiting repair.

[03:41:39] But we are certainly committed, you know, to meeting the intent of the ordinance as well as we possibly can. So just kind of going into our timeline here and just having where we are with this application before you tonight.

[03:41:56] So this application, as Chris noted, has been reviewed by the Architectural Review Board. We received a recommendation for approval of the or no objection to the special use permit and made revisions in response to the feedback received from them. We also received unanimous recommendation of approval from the Planning Commission and made some revisions to our concept plan in response to their concerns about the special exception request.

[03:42:22] Just going over the site context here, so it's a vacant site in between two existing car dealerships, and here you can see the frontage on both 29, and at the top of your screen, that's Berkmar Drive. Looking south here, so it's the Malloy Ford dealership off in the distance, and kind of right in front of us, too, on the right side of your screen is the Price Chevrolet dealership, and this is the view looking north from 29.

[03:42:53] So this is our view from the entrance corridor looking at the site. Hopping into our revisions that we made from the Planning Commission. So we did add to our concept plan a wooded area to remain.

[03:43:10] And we also added an additional screening buffer adjacent to Berkmar Drive. Since Berkmar Drive is not an entrance corridor, that is right, right? Sorry. Thank you. I was very sorry about that, but then second-guessed myself for a second.

[03:43:27] Excuse me. Since Berkvar Drive is not an entrance corridor, the Planning Commission, you know, was concerned specifically about the landscaping along that corridor, and especially with the multi-use path proposal that's coming online there between Woodbrook and Hilton Heights Road.

[03:43:46] They wanted to ensure, you know, a nice future bike and pedestrian experience along that corridor with the significant investment that's happening there and multimodal infrastructure. So we responded to that with incorporating additional buffers in those areas. And this is just a breakdown of the various display towards 29. And then the yellow you see is kind of a mixture of vehicles awaiting repair and outdoor storage. And kind of the reason that we proposed a mixture in that area is because the demand for both services fluctuates. Sometimes flow has

[03:44:24] an influx of cars that need repairs, especially when recalls come in. They'll have an influx of vehicles to the site that might require more spaces to be dedicated to repair rather than spaces to be dedicated to outdoor sale and display for brand new vehicles. I will also note that just want to make clear the distinction that this is a vehicle repair shop. This is not an auto body shop. There will be very little discernible difference between vehicles awaiting repair

[03:44:56] for an oil change or a tire rotation and new vehicles for sale. And so focusing on the special exception, this is a Vista. So right now we're kind of up towards the water tower property off of Woodburn Road. The site under construction there is Victorian Heights. And then we also see Berkmar and Route 29. So you can kind of see all the points here where there is potential visibility of a vehicle waiting repair and why we are requesting an exception from that. So looking

[03:45:36] from, this is from Woodburn Road. So now we're looking across the proposed residential development out into our site where you see the trees. And so the residences there will be several stories higher than the current elevation that we're at and we'll have a vista down um we'll have a beautiful view of the mountains but they'll also have a vista across um our site here and i will note with that that they will also have visibility of the other dealerships um that do have vehicles awaiting repair i know uh chevrolet predates any type of uh you know entrance corridor special use

[03:46:15] permit requirement for outdoor storage and display. Um, and also kind of predates these, uh, the section five supplemental regulation requirements, but, uh, Malloy Ford, uh, does, does not predate those. But what I will note is that Malloy Ford does not have a continuous connection between 29 and Berkmar. Um, maybe you can kind of see that better here. So the, um, So Malloy Ford, which was formerly the better living site and was developed decades ago, was completely was cut down here.

[03:46:53] And so there's not a continuous connection, roadway connection from Route 29 through to Berkmar. And so that just creates a really different elevation situation. The Malloy Ford site ultimately is much flatter than our site will be.

[03:47:11] We have stepped our site up the grade and we have made a continuous vehicular connection between Berkmar and 29. And so that is just inherently going to change our final grade on the property to meet county requirements for max grades and also for max grades along parking areas.

[03:47:32] So I just kind of wanted to explain just really the uniqueness of this site and that how we're trying to be as responsive as we can be, you know, to screen visibility as greatly as possible. But we really have a challenge with us with that strict language of visibility.

[03:47:53] And here you can see a cross section just to give you an idea. So Route 29 is down at a 474 elevation. so you can see how we've kind of stepped the site up. This is the dealership building, car wash building, and that's for, you know, vehicles for sale and so that they have a car wash on site and kind of can keep everything in-house. The vehicle repair building here, and so then we have Berkmar Drive at a 510. We have some Victorian Heights buildings from their final site plan that have a

[03:48:27] finished floor elevation of 534. So that there's going to be a vista in some places looking over this property. And another item that I wanted to focus on that we discussed at the planning commission, I thought it would be somewhat helpful to have an exhibit for this was it was brought up and noted that they would like to see as much of the existing landscape along Berkmar Drive preserved as possible. And so I thought it would be helpful to bring up the shared use path plan

[03:49:02] to just kind of show that we do have a high point on our site here and to accommodate the right-of-way dedication and the shared use path, which is shown in this peach color at the existing tree line, which is shown in this green squiggle will have to be revised to accommodate not only the improvements, but also the limits of disturbance and grading, which extend out well into the site.

[03:49:33] And so I just wanted to explain that as well, that to have a visual to speak to the improvements on the site that will be impacting the existing vegetation already in that area. That's all that i have for you this evening um available to answer any questions you might have and thank you for the opportunity to present all right i'll open it up for questions supervisor pruit i have no questions thank you thank you supervisor galloway yeah thank you kelsey so the stormwater connection where will that connect to um so it will well it will flow um no pun intended

[03:50:11] that's fine it will flow um north towards we'll go past chevy walmart and right down to the river yes um and then i guess i would look to staff to just make sure that's locked in there's no way it could shift because if it shifts to the other side then it goes across 29 and all the drainage moves through carsbrook which is already having issues yeah so this is something that i'm looking at oh yeah we ran into x y and z and now it's moving the other direction i'm really adverse to that happening so i'm getting all the head nods so they're right they're also writing which is a

[03:50:50] it's on is this is this something that i can count on is locked in or does it have to be put in as a condition i don't know who to ask that question of but i'm asking i guess my question would be is that condition specifically related to i guess the request that we have thank you i mean this is i wish i was on this issue with all other developments over the last eight years

[03:51:26] since i've been representing rio but i haven't so i'm going to be on it moving forward so i mean this is i mean is it a lot tell me how i can be assured that oh well mr gallows i've had that good evening board jody filardo community development director condition it yes that's the answer condition it yes so okay so i'm requesting of the board that we add a condition that states that the stormwater must however the proper wording would be exit to the north of the site and that's that was your plan anyway so i'm assuming the applicant has no issue with

[03:52:04] i mean it's going right downhill so it seems to make the most sense to go to that way anyway but yeah justin shimp and the engineer of the project it's a it's a comp you're correct the natural drainage pattern for most the site probably three quarters of it goes to the north the regulations essentially require you honor that mount they also require you reduce it even in the stormwater calculations today the allowable flow from the rain we're going to get like three and a half

[03:52:42] inches is something like a garden hose flow from that rainfall so there's a tremendous amount of detention required that wasn't required previously one of you know if the stormwater regulations of 2014 were around in 1984 i don't think you'd have the problems that you have today honestly but as it is the only thing i to condition that a little trick is there's going to be a little water that flows off the side of the hill from the edge and come back to our concept kelsey not to get too deep in the weeds here but also just want to make sure if we condition something we don't create a

[03:53:15] problem where we can't can't meet it basically there's slopes from this area this area you're talking like natural runoff well it'll be we'll grade it right there's going to be like a hill between us and malloy and water will flow down that hill i have no way to capture it we have to calculate it we have to evaluate that flow in context of what was there previously. Essentially the reason I have to send all the water the other direction is because whatever water flows from the site sort of naturally onto the Malloy Ford site is equal to the allowable discharge

[03:53:51] under the regulations. So I don't think I want to say no stormwater runoff that direction because it's practically impossible to achieve. When you say zero I'm talking zero would mean you know not a gallon per minute right and i think practically speaking you can't grade the site to have zero it'll have a very very small number but it wouldn't be zero we could say something that would be you know discharge pipe you know pipe runoff would go to the north something along those lines yep that's what i'm at but it just i don't i'm not looking at an actual runoff or i understand

[03:54:28] your point and i'm not too worried about that i am worried about the piped off wanting to just head that north so anything coming out of your whatever your stormwater detention retention system is i

want that running to the north and not across 29 and then to cartersbrook okay yeah that's that's the storm drain is on the basically it looks like the easement side yes correct so that's where it goes so we're fine with that i just i would i would just note that the regulations in effect deal with that situation pretty thoroughly to tune just to give you a context the site working this project is three million dollars over a million of it is just stormwater

[03:55:07] yeah alone understood so however we could word that to satisfy not i'm not concerned about the natural water runoff but the stormwater managed water that will be released heads to the north i would feel better about that being in a condition and i don't know who i look to but i'm looking around left and right well i think mr harrick and i can over the course of the next few minutes try to come up with some language that would satisfy yeah and i'm if water's running off naturally hopefully that ends up going to 29 and heads down that hill anyway but if it gets caught

[03:55:46] up i'm not to me it's more than what you can control so i appreciate that thank you um so the delineation i when i was reading in there you mentioned about i understand the flexibility of needing to move the cars and where they're parked around and it was driving me a little nuts that we had all this very specific nature um so is that or that is that 93 248 31 gone and it's just adhering to your general concept plan or we still have to stick to these hard numbers in the in the in the packet it said 93 for outdoor storage display sales 248 for awaiting repair outdoor

[03:56:24] storage display and sales and 31 for employees customers and ev charging that seems overly restrictive um for the purposes of the flexibility that you were saying whereas i would rather have a general concept plan of where things are generally going to be i don't know who to ask that question of it and i'm asking this question because i don't want to be setting places up for non-compliance when it's really no fault of their own it's an overly restrictive rule that we're imposing on them that if let's say oh something happens in the car business where your new car

[03:57:01] inventory gets moved down, which we just had happen, and all of your repair stuff skyrockets and you need an extra 10 spaces for repair, well, where are you going to put them if you're restricted to 248? And I'm not taught making stuff up. I mean, I hate that this is my industry that I've been in and know how this works, but this is reality of the last three years. And I would guess during COVID and the shortage, the supply chain shortage that we would around, there was a lot of non-compliance happening if we had these restrictive pieces in play. So I'd rather, if it's in front of us, just make sure that we're saying, yeah, we understand that you have to be able to

[03:57:38] move this around and we don't want our businesses to be non-compliant. Margaret Maliszewski with the planning division. It's been the policy of the ARB to want the approved concept plan to show the parking spaces so that it's clear how many vehicles will be out there and where they'll be.

[03:58:04] I don't think it matters what vehicles, but I'm happy with that. And if that's the case, then we shouldn't necessarily be trying to define what goes where is my, I guess, my point there. I think it was important to at the beginning to know where the vehicles awaiting repair were proposed so that we could determine what was going to be visible and how to deal with it.

[03:58:25] So what is the big deal about awaiting repair? I get it if it's a body shop, maybe a commercial service facility or something like that. But are we worried about unsightliness of cars waiting repair versus new car display?

[03:58:45] I think what it comes down to is several years ago, there was a change made in the ordinance and we inadvertently sort of meshed the auto body repair with vehicles waiting repair. and um so it was so there is really no good right i mean i mean the applicants point in the package or wherever i read it about well you can only really distinguish by a license plate i mean sure a car and repair could be 15 years old and you're like well that's not a new car but it's not like it's there and it looks abandoned and wrecked i mean we're not going to have that many opportunities

[03:59:23] have car dealerships malloy was new and in front of us um so we were able to kind of figure that out of how this should look and you know have some say in it um but i i just don't understand that particular rule so if that's the case then i mean people pulling up to shop there can park their car it's not waiting repair but it's the same condition so we i mean i i think everyone understands that and it's just the right now the ordinance says what it says and um uh the

[03:59:56] applicant has agreed to add landscaping to help the site meet the intent of the ordinance. And hopefully with the zoning ordinance updates, we will clarify that point. Great. And since you mentioned the landscaping, so the internal tree requirement of the site? The landscape ordinance requires one internal tree for every 10 parking spaces. Specific for car dealerships or specific

[04:00:27] for retail operations for every site plan that has parking spaces yeah so i'm going to speak to the reality of a car dealership having trees internal to their lot whether it's customers waiting repair or on display you're going to create more car wash scenarios and under a drought that's a problem so do our aesthetic appreciation for aesthetics in this county outweigh water usage i have yet to meet the environmentalist that has bought a car for me that didn't want their car wash when i sold it to them and if the car repair a lot of new car dealerships to keep

[04:01:04] their standards up that the manufacturer requires of them makes them wash the car as a courtesy before it leaves the lot and if you are in a competitive business they're going to be washing their cars regularly and the more they're going to be doing that whether the trees are internal to the lot or not perhaps but you're adding debris from trees at different times that could increase water usage and um to me water usage has always seemed to be a bigger issue um especially as of late than than the aesthetics of this so i guess i can't iron that out here you've obviously put a

[04:01:37] application forward with internal trees i don't see this many trees internal to malloy uh in their lot was it just different and that was a new one that came forward but if you put up the picture of the they died yeah there's no water exactly that's a that's an old image well you had a different image the one that you were using from the looking down or something there you go look at so to the right i don't yeah but i guess those little tree maybe they just haven't grown up yet

[04:02:13] and i can't see them in that picture but you're you said a tree for every 10 i know that malloy chevy was grandfathered because they were before but malloy ford was new but was it so yeah i mean along along the frontage and in the front display lot there is um there's replanting but a lot of that was uh was pre-existing um for in the rear there we did add a few that's the violence but yeah you're right i mean i i get it i want the screening the landscaping to make it nice from the entrance corridor and from Berkmar and appreciate what you're doing for that but

[04:02:50] you know it seems that folks have been really specific to you know we start getting into saying that the climate and climate change things and you'd say well then you'd want more trees but if you want more trees in a scenario that creates more water usage what are we really trying to get at and then you

know this even can get going on before solar panels and things get to the roof to the roof of the it seems like we should just allow that in anywhere in the development area

[04:03:19] all right i'm just kind of ranting now aren't i i have some more commentary uh based on um what i heard in the planning commission um so i'm going to make that during just a general discussion point but the biggest thing for me thank you for your working on this to do the condition for the where the water runoff goes to because that is important for the riot district so thank you all right Supervisor Lapista. No questions. Thank you. Okay. Supervisor Malek. I think all of mine that I had

[04:03:56] so far have been answered. And I don't know if there's a way to re-separate those terms for interpretation value without waiting for two more years for the zoning code thing to be fixed, because if it was inadvertently put in there, let's inadvertently take it out. But anyway, that's a thought for another day, because I was worried that that was the reason why all this requirement was there was because you were facing looking at acres and acres of wrecked vehicles which is completely different in my mind anyway all right thank you supervisor andrews

[04:04:30] i have no addition i have no additional questions i appreciate the applicants uh adding in some trees uh it's particularly a long work mark and i think that adds to the proposal so thank you and And I, and Jim, that's all you're. Okay. Um, I did ask about the construction entrance.

[04:04:55] Yes. Um, so we'll construction will, um, likely be phased. Um, so, but we'll probably have a construction entrance, honestly, from 29 and Berkmar, um, just to allow ease of construction vehicle access and for, for grading the site, I guess, because of the linear, how the size of the lot and everything. Okay. All right. And that's all I had. Um, did anybody else have another question i thought i heard somebody and regarding that this is right in right out as far as 29 is concerned anyway right so you have to have yeah okay thank you all right um you have

[04:05:33] five minutes for a rebuttal if you'd like i'm just teasing you all set thank you for the opportunity all right do you want to add anything so if there are no further questions oh i'm sorry i would just add one commentary about this exception because it was brought up all the dealers doing this and I think Kelsey is modest and didn't mention that she just read the ordinance very close and said, wait a minute, the way it's written, it's visible from any residential, any public street.

[04:05:59] And to Seattle's point, during, like, well, anytime, I think every dealership in the county is probably in zoning violation. If you were to look around, because the business is, you move a car around, someone pulls in, it's hard not to just put a car somewhere in the middle of the day.

[04:06:14] And that's just what it is. But if you look, those are cars that all drive, are driven in, are driven out. The body shops are a separate special use permit. We've done those have a more like a screening fence or some sort of much more purposeful screening if it's a body shop.

[04:06:31] So that's the distinction here is we realize that if we were being honest ourselves, we couldn't meet, we couldn't hide those cars from a public right away. And probably no one really could. Right now, if you look down from the Victorian Heights, you're going to see vehicles in Molloy's, you know, waiting repair.

[04:06:50] So that's just how it came about. So I think that in the past, we've just vehicles who are damaged are treated differently than the sort of vehicles who shuffle in and out. And no one's really

noticed it until we looked closely at it and said, oh, we should try to address this with a condition rather than risking a violation at some point in the future.

[04:07:09] That's all. Thank you very much. Thank you. We appreciate that. If there are no further questions, looking and I assume Jim does not have one, but I'll close the public hearing and turn it back to the supervisors for comments and discussion and Supervisor Pruitt.

[04:07:32] I'm supportive of this proposal. I look forward to voting in favor of it. And the only thing I might add is I might be actually interested in revisiting the text that Supervisor Galloway highlighted and Mr. Shemp drew further attention to because it does sound like there's a serious potential drafting concern there.

[04:07:53] All right, Supervisor Galloway. I'll just make a couple of points, and this is mainly in reaction. It's not argumentative or counterpointing Planning Commission, but, you know, in fact, Planning Commissioner Bivens, I think, even was going along this discussion point.

[04:08:11] But there was talk in there about how potentially cars of this type might not even be needed in the area in 10 years. So I thought, well, I looked up what the recent stats are. The recent age, average age of cars on the road right now is 12.6 years.

[04:08:27] That's light trucks and passenger cars. If you take out the trucks and just go with cars, it's 14 years. So, and that's going up over time. Now, part of that, I won't get into all that. The fact is, is by the time you get folks out of 286 million cars on the road, 3 million of which are only 3 million of which are electric vehicles.

[04:08:51] So electric vehicles has not taken over the situation yet. In fact, they've got a long way to go, not to mention the price point to acquire the electric vehicle versus a 10-year-old car or an 8-year-old car. I just want to make sure that folks understand that the business needs of all of that car ownership, however you feel about it, is a reality.

[04:09:16] So being able to give the businesses the ability to be successful, because these are our residents, chances are good that they are in a six- to eight-year-old car or older, and they will be probably for quite a while, even though we would all hope that it would switch to EV faster than it is.

[04:09:37] and ev vehicle production is actually slowing down um so i'm just throwing that out there because we're talking about putting in more ev electric charging stations at that site i hope they've got the flexibility to do what they need there because you know a local car dealership a principal is a lot of times driven by a bigger company and not their own decision making um so the site needs to be uh have some flexibility in both design uh and business approach as you see flow doing all their upgrades to all those buildings that they bought it's not because they just bought them it's because i'm sure the deal with the manufacturer was okay you

[04:10:17] get them but you got to freshen everything up and get it all back in compliance all right and then i appreciated the fact that the view of especially of the new residential that was going up was going to be seeing all these other dealerships and the planning commission did agree that all right we can't necessarily impose on this one applicant something that is not imposed across the other board. So I appreciated that as well. So I look forward to approving it. And again, I'm grateful for the added special condition of where the water will be exiting the site. Right. Supervisor

[04:10:55] Lepiston currently. I also am in support. Thank you. And Supervisor Malik, as am I. Thank you. all right supervisor andrews i am also supportive and appreciate the additional condition and i am supportive as well um and i do appreciate your working with the planning commission and trying to make sure that all of this fits into our our parameters um so we have a motion then um do you

[04:11:31] want to pull it up and the supervisor galloway this is in your district so i'm assuming that you would maybe like to make the motion so mr rosenberg sent the wording for the revised condition which would be discharge from stormwater facilities must be routed to the northern boundary of the subject parcel is that the correct one you sent to that's correct so that would be the additional condition discharge from stormwater facilities must be routed to the northern boundary of the subject parcel i'm just looking to the applicant to make sure there's no concern there

[04:12:06] he's giving you a thumbs up so um was there a motion put on screen i'm sorry did you have a question i just want to make sure when you say stormwater facilities that includes everything that's captured in any way whether it's a drop inlet or a drain in the center of the parking lot that normally would go to a lagoon or something is that's what you're talking about That's correct. Thank you. I think they're pulling it up.

[04:12:38] Chris has added the additional condition to the list of conditions. I move to adopt the resolution attachment E to approve the special use permit for SP202321, Flow Hyundai Outdoor Storage Display and Sales with the revised conditions as recommended in the staff report.

[04:13:05] Is that satisfying? Yes. Second. So there's a motion by Supervisor Galloway, a second by Supervisor Malik. If you'll please call the roll. Mr. Galloway? Yes. Ms. LeBester-Kirtley? Aye. Ms. Malik? Yes. Ms. McKeel? Yes.

[04:13:21] Mr. Pruitt? Aye. Mr. Andrews? Yes. All right. So now we need to deal with the other issue regarding the special exception.

[04:13:38] And do you want to pull up that motion? It's on the screen. Oh, it's already on the screen. I'm sorry. So I move to adopt the resolution attachment F to approve the special exception SE 2023-46 with the conditions contained therein.

[04:13:55] Okay. Second. And so there again, there's a motion by Supervisor Galloway and a second by Supervisor Malik. Will you call the roll, please? Mr. Galloway? Yes. Ms. LaPista-Kirtley? Aye. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews?

[04:14:11] Yes. That's great. Thank you very much. Thank you. Yes. And I just want to double check with everybody. Is anybody feeling the need for a break or just keep moving? No. Although I would like to take a quick moment and congratulate Mr.

[04:14:27] Taggart on his first successful presentation to the board. Very good. Thank you very much. All right. Our next public hearing is the Granger development and we're trading off right now. I see. All right.

[04:14:46] You have a chance to pull your presentation up presented by Mr. Kevin McCollum and if you want a senior planner too and if you want to introduce yourself formally good evening uh madam vice chair McKeel and members of the board my name is Kevin McCollum I'm a senior planner with the planning division of Almar County Community Development and tonight I'll be giving staff's presentation for the Granger Development Rezoning Application

[04:15:23] property is located just to the southwest of the city of Charlottesville on the northern side of 64. It's just to the south of the UVA Fontaine Research Park. The access to the property is off of Sunset Avenue Extended. Directly across from the property on Sunset Avenue Extended is Parkside Eagles Landing condos and the Jefferson Ridge apartment communities. This map is to show the boundaries of the parcel. It's approximately 69 acres and it's zoned R1 residential. Properties

[04:16:03] bounded by Sunset Avenue Extended, Interstate 64, a railroad track, and two creeks. The two creeks, Moores Creek and Morey Creek, bisect the property. There are a significant number of critical resources on the property, including managed and preserved steep slopes, stream buffers, and floodplain. The site is undeveloped with tree cover and hills. There's also a large electrical easement on the eastern side of the property. The surrounding zoning includes R1

[04:16:41] residential lots to the east commercial properties to the north including the uva research park in the department of forestry to the southeast are those apartment communities parkside eagles landing and jefferson ridge those are r15 residential and then to the west across 64 is redfields which is zoned planned residential development the comp plan land use recommendations for the property are neighborhood density residential which is shown in yellow and parks and green systems shown and green. Neighborhood density residential calls for single-family detached, single-family

[04:17:17] attached, and townhouse units at a density of three to six dwelling units per acre. The parks and green system designation represent areas for parks, recreation, and environmental preservation. Here we have the project proposal. It's to rezone the entire parcel from R1 residential to planned residential development. The application plan provides a maximum of 203 units with a mixture of housing types, including single-family detached, attached, and two-over-one style multifamily units. 15% of the units will be affordable for rent or for sale. Access to the

[04:17:57] development will be from Sunset Avenue Extended, and pedestrians and cyclists will be able to travel throughout the site and into the city on proposed multi-use paths. Over 50% of the site will be open, including amenity areas, green spaces, and trails. On the screen here is the illustrative plan. This is not a binding plan, but gives you an idea of how the site will be developed. The proposal shows a mixture of single-family detached attached townhouses and

[04:18:27] also two over one style units. This is a sheet for the application plan. So since this is a, since the PRD district is a planned zoning district, the application plan will be binding should the ZMA be approved. So this means that the proposed number of units, the location of the roadways, the multi-use pass, affordable housing, trails, anything shown on this application plan will be required at the time of subdivision and site plan review. The application plan provides a little bit of flexibility to the applicant as it doesn't show individual buildings, but it does

[04:19:07] show building envelopes and some of those major features. Try to zoom in a little bit to see some more of those details. There's a main entrance along Sunset Avenue Extended, which aligns with Jefferson Ridge Apartments. The thick red line and blue line in the middle shows the proposed street network. The tannish area in the middle is the building envelope area. The Skinner red line along the frontage is a multi-use path. The orange is a 20-foot emergency access road that also serves

[04:19:46] as a multi-use path that connects to a blue line at the top of the screen, a 10-foot asphalt trailway that crosses the creek and actually connects to Stribbling and Fontaine. And then at the top of the page, there's a tan line that is a primitive trail along the creek.

[04:20:08] And I'm sorry, but you said what kind of trail? Primitive? Primitive is the word I use. Oh, perimeter. Primitive. Primitive. Yeah, I'm just trying to figure out exactly what you said. I'm sorry. It's on this slide, too, here. Okay. So this is sheet six that shows those proposed trails.

[04:20:26] The two sections show the two trail types, a class A and a class B. The class B is that primitive trail, and that's a three-foot-wide mulch path, whereas the class A is a 10-foot-wide asphalt multi-use path for cyclists and pedestrians.

[04:20:44] This map also shows the public access easements. So the green hatching areas, and those areas I'm pointing to with the green arrows, are all areas that will be open to the public. The red hatched area is an area that will be dedicated in the future to the county.

[04:21:05] With regards to the emergency access road and trails along the eastern part of the property, there are some existing preserved slopes in that area, and we are currently working with the applicant on finding an optimal location for those paths that are both functional for users and also takes into account environmental impacts.

[04:21:24] The notes do allow for flexibility in these locations to be identified with the final site plan. The note says that construction and dedication of the trails to public use prior to the 75th building permit, that was an addition that was added on the suggestion of the Planning Commission.

[04:21:41] The applicants also proposed that the two pedestrian bridges crossing the creek will be completed prior to the 125th building permit. Next, I just wanted to summarize some of the impacts and concerns that were addressed at the PC meeting.

[04:22:01] So transportation impacts of this development have been evaluated by our transportation planning staff in VDOT. And based on the results of the TIA and staff's analysis, no offsite roadway improvements are warranted or recommended at the build out of this proposed development.

[04:22:18] The plan shows one primary entrance onto Sunset Avenue extended with a secondary point of access for fire rescue. The emergency access road will serve as a multi-use path for pedestrians and cyclists. This path connects through the site across a proposed bridge and will connect to Shribbling Ave and lead to Fontaine Ave.

[04:22:40] While the application does not propose a Sunset-Fontaine connector road as described in the master plan, these trails, these multi-use trails along the property frontage and throughout the site provide significant and safe connections for pedestrians and cyclists through the site into the surrounding areas.

[04:22:59] For environmental impacts, the site will comply with DEQ and Almar County requirements for water protection, including water quality and water quantity. Stormwater management plan will be provided with the final site plan for land disturbance.

[04:23:17] The application plan sheet 5 is on the screen here, which shows utility and grading. Development has largely been kept out of critical resources, such as the stream buffer, the floodplain, and the preserve slopes. Lastly, there were some concerns regarding schools' impacts. However, as we've discussed at the PC meeting, there's a new Southern Feeder Elementary School and High School Center 2 that will, if not totally alleviate some capacity issues for the schools in this area.

[04:23:52] So to conclude with the factors, the factors favorable are the request is consistent with the land use recommendations of the comprehensive plan. The proposal is for a maximum of 203 units, and that's at a density of 5.99 dwelling units per acre.

[04:24:10] So that's consistent with the three to six dwelling units per acre recommendation in the neighborhood density residential areas in the master plan. It's also consistent with the neighborhood model principles. The request provides new transportation improvements throughout the site connecting to the larger surrounding area.

[04:24:31] The request provides important public trail connections and a future public greenway trail. These trails help complete the trail network as shown in the Parks and Green Systems Plan. The request provides 15% affordable housing, which was consistent with the county's affordable housing policy at the time this application was submitted.

[04:24:50] Then on the screen are the factors unfavorable or the concern areas. Again, there are two planned, sorry, staff does note that there are overcapacity issues at Mountain View Elementary and Monochelle High. Again, there are two planned schools coming online in the near future. And so that may alleviate the potential capacity conflicts.

[04:25:17] And so to conclude, the staff is recommending that the board adopt a resolution found in Attachment E to approve this rezoning application, ZMA 2023-10 Grainger development. Great. Thank you very much. Thank you. We'll go to questions. Supervisor Pruitt?

[04:25:41] When I think of the other large high-density developments in that neighborhood, I know a lot of them are gated. And when we look at this project, one of the highlights it offers is that it has cross connections for bicycles and pedestrians.

[04:26:00] Can you help me understand, are there any gated or resident only components of this? And is there any position where they might actually interfere with any of these cross connections? Yeah, there shouldn't be. If I can flip back to the application plan, the proposed network, those roads in red are public.

[04:26:19] So those are public roads. So I don't believe you can gate public roads. And then again, all of those trails will be covered with public access easement. So everything that's in the green hatching, all these green arrows are kind of pointing to those areas, but the public access easement will cover all the proposed trails.

[04:26:41] So anyone from the public will be able to go on a bike or, you know, walk throughout the site and then connect up to the Fontaine Research Park or Stribbling Avenue, Fontaine Avenue. I think that's all I have. Thank you. All right. Supervisor Galloway.

[04:26:58] Yeah. So just the blue piece was this private street piece that they're... Yep. I can flip back again. Sorry. Show that again. And you did, I didn't catch the two over two, but I guess that would be part of a single family attached.

[04:27:20] the two over or whatever yeah multifamily two of our ones are one of their proposed unit types that would be classified as a multifamily unit but it's essentially uh looks like an attached unit um my understanding is why that's private is so that they can provide um on street parking perpendicular parking which wouldn't be permitted on a public vdot approved road yeah i didn't know which i couldn't tell which

street so i didn't know i missed the it was labeled there how it was later so that blue one's the private so my main um and i don't know if this is better for

[04:27:57] you or for the applicant so you can tell me um in reading through i think it was the planning commission meeting minutes a resident talking about the current flooding issues that happened down there can you speak to a minute is is this addressing anything that helps with that i don't know this area or where they were speaking of enough to know if it even would make sense that this would yeah but i thought i would ask that question uh maybe defer to the applicant on that one you know they will be required to meet all stormwater management practices um the properties

[04:28:30] i know the properties that um that spoke are currently within the floodplain um so you know with this development they shouldn't be adding any stormwater you know making those conditions worse um but it doesn't sound like there's any improvements being like i don't know where the actual flooding issue is related to the entrance of this at all, but I didn't know if there was anything in this application that was going to help improve the situation in any way,

[04:29:05] but I can ask the applicant that and then see where we go. I think that's it. I'll make that comment at the end. Okay. Supervisor, could you go back to the slide where it shows the types of housing this one right so the ones the i guess the brown ones a little square brown one so this is single family homes yes that's correct this is an illustrative plan the applicant may have a more up-to-date version of this that they're presenting um so this shows a theoretical layout for the

[04:29:45] houses it's not binding in any way um it's just showing that you know they will have a mixture of different residential types yes the brown are single family detached i believe the gray are attached townhouses and then the orange ones kind of on the eastern side i think those are the two on two over ones and you have a couple of small green spaces i guess those are for amenities in the middle yeah that's correct uh the last page of the application plan actually has a i guess a theoretical layout for the amenity spaces they're showing a tot lot some green

[04:30:23] spaces some benches lots of trees those requirements are addressed at the final site plan that's right so we will be reviewing the recreational requirements with the site plan and you said that the affordable housing piece some of those that it might be rental or for sale yeah they have the option to do both okay but 15 will be required to be affordable thank you that's all i have supervisor malik thank you um perhaps the applicant will prefer

[04:30:57] to address this is the topography going to be maintained somewhat so it'll or is it going to be made into a tabletop because i could i see lots of elevations on the thing in the plan but i don't know if those stay or whether it becomes flattened um just out of curiosity defer to the applicant about it i think that you know they're respecting the the existing terrain to to an extent as possible okay let me get back to my question list now let's see so which of the trails the many trails you described are built as part of the development and are there some that are left

[04:31:37] for others to build sometime in the future so that uh we added that note that the uh public trails must be completed prior to the completion of the 75th building permit so um i believe that That's any of the trails shown in the public access easement areas.

[04:32:03] So all the red ones. Yes. The red, the emergency access road, the 10-foot trail that goes across the creek, and I believe even that primitive trail, that three-foot trail along the creek side, since that has

public access, that would need to be established as well.

[04:32:25] That's the one that goes a little striveling? This is the primitive one, this light green one. So part of it does not have that green hatching, so it's not public. So this portion would be private that leads down into this neighborhood.

[04:32:40] But all of this has that public access easement over top of it. And I didn't see anywhere in the materials where the old railroad bridge is, but... It is this one right here. Oh, it's right there. Okay. Yep, it's a little driveway bridge.

[04:32:56] There used to be a house up in this area. It's no longer there, but that driveway... Actually, that is the driveway shown on the screen, goes down, follows the creek line, and then crosses that existing bridge. Okay. Well, many, many years ago, in earlier iterations of this project, we were all stomping around the old railroad bridge and trying to figure out how to get over, under, around, or through to make this all work even better.

[04:33:19] Let's see. I think that was all I had at the moment. Thank you very much. Supervisor Andrews. Yes, thank you. Just following up on that slide. 13, with the bridges and the pedestrian access, you know, one of the things I think is great about this proposal is how well accessible for pedestrians and cyclists it might be.

[04:33:46] Which of those bridges, when we're looking at the 125th unit, provide access off-site, are needed for providing access off-site, particularly to the north? Can I pull up that screen again?

[04:34:05] 13, yes. So there's an existing Ravana trail that's in yellow. So, you know, theoretically, members of the public could cross that existing Ravana trail, although it's a kind of a rock hop.

[04:34:24] So, you know, if someone was on a bike, they wouldn't be able to cross until those bridges are established. So the bridges are part of the 10 foot trail. So that bridge would actually be 10 feet wide as well. that note says that, you know, the bridges have to be complete prior to the 125th.

[04:34:43] So a little over half of the developments completed, those bridges need to be completed. Thank you. On the private road versus the public roads, my understanding there is then, you know, this would be maintained through some sort of fees. I just worry that we're setting ourselves up for a situation where uh which residents pay the fees just those who live on that segment um or is this something that everybody contributes to how's how's that going to work

[04:35:18] uh what fees i guess are you asking about maintenance of things that would would go toward maintenance of the private road sure that that would be within the hoa agreements uh i think at the planning commission that question was asked as well and i think the applicant said that you All of the HOA fees will be collected by the community, and I guess it will be worked out on their own on which fees cover the maintenance.

[04:35:48] But that private street will have to be maintained by the HOA. I don't know exactly which houses will have to support it, but that's, I guess, for the applicant to figure out. Okay. And then the question that was previously asked, I'm very interested in the answer.

[04:36:07] I will just hearken back to 2018 flooding of Moores Creek near where I live. It was 10 inches of rain and the creek was several feet higher. So when we look at this confluence of these two creeks here

and look at the possibility for flooding, and we may experience this in the next couple of days, what the effect of this development will have on already sensitive conditions.

[04:36:38] because of those creaks yeah i mean it should have no effect you know if it should improve conditions if possible um but i guess i'd again would defer to the applicant on that and uh don't believe engineers here but thank you no other questions all right and the only question i have is i saw reference to transit and i just was wondering what can you help me with the transit offerings because this is a great location for transit sure i don't believe there are existing

[04:37:14] transit stops that go up this way i mean the connections through the site will be you know mostly by pedestrians and cyclists so you know there's ample connection opportunities for cyclists but i don't i don't believe there's existing public transit in this area i'll ask the applicant because I've made a note that I read somewhere outstanding or excellent, I'm sorry, transit.

[04:37:40] So I'll have to ask the applicant. Thank you very much. All right. I guess we've gone through our round of questions. I can open the public hearing. Oh, and there she is.

[04:37:55] Okay. So with Supervisor Lepisto Kirtley, please read the procedural rules for both the applicant and the public. During public hearings, the board will acknowledge speakers addressing the item listed for public hearing.

[04:38:18] 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.

[04:38:35] The green light will go on when you begin speaking, which begins your allotted time. the yellow light indicates 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 if more than i don't we won't have more than 10 speakers okay 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 applesau county your magisterial district address comments directly to the board as a whole any written statements or other supporting material may be given to the clerk

[04:39:11] if representing a group or organization you may ask others to present 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 stream recorded and published on the Albemarle County website.

[04:39:36] All right. Thank you very much. You anticipated. So go right ahead and introduce yourself. And yes, this works. Yes. I'll try to speak up. Thank you very much, Board, for having us here. My name is Chris Schooley. I'm the Vice President of Land Development for Greenwood Homes. My colleagues, Alan Taylor and Ashley Davies, who have been working on this project for more than a decade, are unfortunately out of town.

[04:40:00] So I'm pinch hitting a little bit tonight. Greenville Homes will be the home builder for this project. Just like to point out that our ownership has owned this property for over 20 years. We have come to staff and planning commission with multiple ideas in the past of how to develop this.

[04:40:20] This is a tricky site. It's bordered on three sides by water. We have an interstate. We have a railroad. We have a significant stream that cuts right through the middle of the property. We're very pleased at this point for the iterative process that we've gone through and the solution that we're presenting today to the board, that it represents where the market is today, where the goals and direction from the county and from the board have evolved over the years.

[04:40:46] And we feel like this property, which you really need to go out of your way a little bit to get to, is well-suited for the density that we're providing. It's odd property in that it's a great site for access and that it's easy to walk and to bike into the city on one side.

[04:41:05] but it's pretty tricky from cars but you have to go all the way out of a road that no one would ever go down so uh we feel like it's um Kevin I don't know if you have an opportunity to bring up there yeah they on the uh they're on my monitor but um you can you can pull yours back up and just show the plan that would be fine okay um we this is a it's an interesting property it's kind of a hub with all the trails that come through so we feel like it's very important for us specifically to address the non-vehicular access to the property.

[04:41:38] A lot of people are going to be able to walk and ride bikes into the city. We feel like trails in particular are the best amenity that we can put into neighborhoods. Not only are they, it's an older sketch that we had, not only are trails a great amenity for the entire neighborhood, they're aspirational.

[04:41:58] They get people out of their houses and using trails. They're incredibly social. People see people on trails at regular times. So we think it's a fantastic amenity for this neighborhood and all neighborhoods. There was a question about transit. I think the transit is that it's walkable to get to transit on Old Lynchburg and JPA, but there is no transit that comes down in this area.

[04:42:21] So we're crossing that city county line to get to transit. Okay. Okay. It's fine. You see a lot of people that ride bikes and walk from UVA every day into this area. So we sensed that transit would be a part of that if people needed to get further to the medical center.

[04:42:39] A couple of other points that we wanted to make. Greenwood Homes has been building in Albemarle County since 2021. Many of the product lines that we're showing on this plan have already been built. Gunbrook, Brookhill, Belvedere, Galaxy Farm.

[04:42:56] We have spent a significant amount of time refining what we call our two-over-one product. It's a three- to four-bedroom townhouse, which has what we call an English basement below it, which is a two-bedroom apartment.

[04:43:12] This is our mechanism for addressing affordable housing. The issue, and as noted with the private road discussion, is that the two-over-one unit does not have a garage, so it needs to be surface parked. You need to have at least two spots for the upper unit and preferably more than one spot for the lower unit.

[04:43:30] So it's a little bit parking intensive, but we have had some very interesting and successful response to the first 12 units that we built in Glenbrook. We'll be building over 40 of those units within Belvedere. We have more coming in the Archer North project, and we'll be building a significant amount of them here at Granger.

[04:43:51] As you can see here, some more of our product line, single-family homes, which you can see in some of our neighborhoods, townhouses, and villas. We feel like at this point, our product line has really come into shape, and we're excited to build more of it here at Granger. Let's scroll through and see if there's anything else, Kevin, to bring up.

[04:44:11] I think we touched on the nuance of the schools issue. I don't think we need to go back over that and the potential connectivity with future greenways, both on Moores Creek and on Old Lynchburg Trail Systems.

[04:44:29] The RTF, which is already on site, we have had a collaborative response with the RTF so far. This is a bridge, I believe this is at Lachlan Hill. Is that where this bridge is from, Scott? Sorry, that's Scott Collins from Collins Engineering is here for any technical questions. This would be the bridge that we would build for the 125th CO and the amenity space, which we touched on earlier.

[04:44:54] Trails and 50% open space are a wonderful amenity neighborhood, but you definitely are going to need some tot lots, sidewalks for people to take a little bit more organized walks every day. So these spaces, Mr. Collins has designed well in the center of the community.

[04:45:10] There was a question about how we responded to the topography of the site. It's a challenge. There's a lot of topo out there. And with the power line, what we decided in the end was instead of trying to hide from the power line, that we would just address it straightforward.

[04:45:27] That's why we added a significant amount of density along the power line. There is some retainable in that space, but overall, we have responded to that topography as well as we could. Finally, I know there was two questions about the stormwater issue.

[04:45:42] As mentioned, this is bordered on three sides by water. It's a challenge for us to improve stormwater. Definitely downstream from us, there are properties that are in the floodplain. We will meet all applicable stormwater regulations for the site, and that in itself will help to reduce the stormwater into the streams.

[04:46:07] But as far as improving conditions downstream from us, it's a little bit more than we're able to do under current practices. I think that was it for our presentation. Sorry, it was a little backwards, but if you have any questions for either me or Mr. Collins, we would like to help out.

[04:46:26] I will at this time ask this currently to introduce the public. I think you have one speaker. Yes, and that's electronic. Oh, electronic. Oh, okay. But I looked at basically the same.

[04:46:44] So electronic participation, we have Peter Krebs, PEC. Good evening, Board of Supervisors. This is Peter Krebs from the Piedmont Environmental Council. I'm also on the board of the Rivanna Trails Foundation.

[04:47:00] PC has numerous things that are important to us about this project. The RTF comments are going to be limited only to the trails. So as you know, this is a project long, long in the making.

[04:47:17] There have been lots of discussions. The developer has really given a lot of thoughtful work and put a lot of time into preparing this. This is something that I am actually excited to see coming to fruition.

[04:47:35] As we know, we need more housing in the development area, and this is a great place for people to live. It's going to be walkable, bikeable to UVA and to the city, but particularly to Fontaine

Research Park, where we know there are going to be a lot more jobs coming really soon.

[04:47:54] I personally would have liked to have seen perhaps more housing, but I also acknowledge that the developer has really put a lot of thought into it, and they know their business, and so we accept where they are with that. I think it's important to really note that this site is on the Rivanna Trail.

[04:48:16] It's one of the most beautiful parts of the Rivanna Trail. And there are reasons why we're incredibly excited about this project. First and foremost, although many of us love to walk and bike there, run, whatever, we've sort of been the guests of the landowner.

[04:48:36] With this project, we'll have permanent access to the corridor. So while they're building a greenway that's going to be paved and people are definitely going to be using this to commute around town, there also will be plenty of land for the Rivanna Trail.

[04:48:52] So we love to have what we call a braided network where there's options for people to be pushing strollers or people to be walking with trucking poles or anything in between. So there was a bit of a question of who's going to build the trails that don't show up on the map.

[04:49:08] I believe that actually the Rivanna Trail will be maintaining a Rivanna Trail through that corridor, something like how it's going to be, how it is now, but protected permanently and adjacent to a walk-bike greenway.

[04:49:25] So exciting about that. The two bridges that we're talking about, one, a whole new bridge, and also the upgrade or replacement of the sort of janky old bridge that's there, crucial connectivity links.

[04:49:41] We've been hoping for this for a really long time. And, of course, I want to see it built tomorrow, but as soon as we can get that, the better. There was a question raised during the Planning Commission meeting about whether people would actually use that for commuting, and the answer is an emphatic yes.

[04:50:02] People will definitely be using that to walk or bike, both to UVA, but also I think it's interesting to think about popping up through strribbling over to the JPA corridor. I don't know if anyone's really talked about that. Also, one of the things I like best about this project, and it's why a rezoning is really essential, is that they really limited the impact of this project.

[04:50:27] Thank you. Your time's up. Thank you so much. If you want to send your comments into our clerk, she'll be glad to include them. Very good. Thank you. Thank you. All right. I'm going to turn to supervisors for questions. Supervisor Pruitt.

[04:50:43] I don't believe I have any questions for the applicant. Right. Supervisor Galloway. Do you, just thinking ahead, like the flooding piece that I brought up the road, do you know, like where your entrance is related to where the flooding issues are that your residents make? I believe the flooding issues are down and to the right.

[04:51:03] So towards the city from where our entrance is. Gotcha. Where both streams come together, kind of right there off the. It must be where this bridge is. All right. Yeah, thank you.

[04:51:19] Supervisor Lopisto. Yeah, I wanted to ask the applicant, you mentioned about your affordable housing would be in one of the townhomes or single-family homes. It would be in the basement. Well, we have an option of using the upper unit or the lower two-bedroom unit.

[04:51:38] So I wouldn't call it a basement because it's a half basement. So it has walkout condition on the back side, and that's what we're currently using for affordable housing. Okay. So if somebody would own the entire building or just part of the building?

[04:51:56] We can do it either way. In the county zoning, when we're building two over one units and it's a rezone project, we have the option of doing it as a condo or fee simple. Where we are doing the two over one units for bonus density in R4 zoning, we cannot do a condo. It must be fee simple which means someone buys both units and then rents the lower or upper of both units out okay we could do either here i'm trying to understand this if you have a a two over two your one of those units would not okay would not be owned by somebody it would be a separate

[04:52:34] unit is that correct if it's if it's a condo you can have different ownership on the upper unit and on the lower unit. And the owner would, on the upper unit, would own the lower unit and then could rent it out for affordable housing? In the condo situation, we would sell the lower unit at the AMI required price for the lower unit. In the fee simple situation, you would buy both upper and lower units, typically an investor, and the investor would rent out both the upper and lower

[04:53:11] units right and the reason why i bring this up is because i know the uh cascadia there were homes there where they where they built a home and then they uh the developers told them well if you put in um i don't know it's a bathroom or something like that then you could go ahead and rent it out and they could check off the box for affordable housing well many times they did not do that because they didn't want anyone living there.

[04:53:40] It's a similar situation to what we saw at Belvedere with the mother-in-law suites above garages. Those were built as affordable housing, and some of them are rented out. Some of them are used for home offices or for people who are living within their families.

[04:53:55] So this is a different situation because the upper unit and the lower unit don't connect. So it's not a situation where you would buy the three-bedroom unit and then typically use the lower unit for, you know, a mother-in-law or someone like that.

[04:54:13] They would have to go all the way around the building to get to the back of it. It's difficult to describe, but if you have an opportunity, come out and see our units in Glenbrook because we do feel like it's well-designed and it's been well-received so far.

[04:54:28] Right. And I have no doubt about that. I just want to make sure that the affordable units are there and not part of somebody else owning it. And it's like, well, I'm not going to rent it out. I'm just going to have it for extra bedrooms. And so that's what I'm concerned about.

[04:54:47] And if we plan for, I don't know, let's say 50 affordable units and only 25 of them are available. I believe that Dr. Pethia's system that's in place now requires those to be rented.

[04:55:04] We fill out forms as we convey those to investors that require information to be sent into the county when they're rented and who they're rented to. Okay. Well, that sounds different than what had happened in the past, so I'm happy about that. Affordable housing has improved greatly in the last couple of years. It's actually getting built.

[04:55:23] Thank you. No other questions? Supervisor Malek. Thank you. On the map earlier that showed the different units, I noticed the single families, all the lots go all the way down into the floodplain at the

bottom. And I know that's the way the first iteration of Westlake happened. And then the company decided to pull out and keep all the floodplain and the green way, I guess it was called, as common ownership so that nobody would be tempted to put sheds or tennis courts or other stuff that shouldn't be put down there.

[04:55:56] So is there a reason why you've chosen to do it this way instead of the other way? It's a bit of a marketing play. People like to say that they own X amount of land and own a little bit further down.

[04:56:12] Generally, what we found is HOAs, if they have land like this that's super steep, they're not really doing a lot with it anyway. So we feel like it's kind of more appealing for people to say that they own a little bit more of land when they're the highest priced lots that we would have in that area.

[04:56:30] So size of the lot is the reason to make them bigger. Yeah, I think so. And will there be requirements for people who buy them so that they don't get themselves into enforcement trouble by putting up structures where they're not supposed to go? We cover that in the HOA docs and the declaration about issues with easements and with floodplains and making sure that the homeowners are aware of their responsibilities.

[04:56:53] Because their picnic tables don't need to end up in somebody's kitchen, you know, way downstream in a high water thing. Great. And regarding the affordable housing questions already asked. So is your understanding that the Office of Housing will then get reports back from owners of these units of the rental and the unit, the prices, et cetera?

[04:57:13] that they're getting occupancy. Okay, that's great. Thank you. Supervisor Andrews, questions? Yes, thank you. Some of my questions have been answered. I just want to follow up. I want to follow up one more time about the affordable units are going to actually be on the private street.

[04:57:33] Is that my understanding? Because that's the way those two overs are set up. I believe Mr. McCollum covered it that our application plan does not specifically designate units and areas. The private street is for the two over one units. We anticipate at this point those would be the affordable units, but I don't believe that all of that has been fully committed to. We could use other options for affordability. We can use townhouses. We can use villas that can be dedicated as affordable.

[04:58:09] Okay. Thank you. With respect to the maintenance of that private street, will it be then the responsibility of the entire HOA without separation, or will there be expectation that those who live on that street are the ones who will have to pay the fee to maintain?

[04:58:27] This is a good question. It's something we'll need to discuss further because we could have a sub association for that private road and everyone who fronts the private road to have a specific funding to cover the maintenance of that road. That could be one way to go about it.

[04:58:45] The other way is you could justify the affordable units require the private road, and the affordable units are tied to every unit in the neighborhood. We need to have 15% affordable, so the entire neighborhood would then have a requirement to fund all roads or all private roads.

[04:59:06] So it could go either way. I don't believe we've made that decision yet, but I think it's an interesting point. Well, I do think that you might get some pushback as people move in and start realizing, well, I'm paying more of a fee just because this particular place that I'm on is a private road where the

other is a public road, and that they're not really getting any direct benefit other than the fact that it was necessary for the parking that they had.

[04:59:32] They do get the benefit of access across the private road. It's within the neighborhood and one would use it. I mean, the private road residents don't get additional access that the public residents wouldn't get. The public can still use the private road, or could it be limited?

[04:59:51] I think it's also a financial consideration. How much would the subassociation, how much would they end up having to pay to cover all of that road for themselves when some of those units are being committed as affordable? It may be better financially to spread it out for all the units.

[05:00:10] Thank you. I think so, too. Those are my only questions. The others have been answered. Thank you. All right. I just have a little pushback because many of the developments that we've been approving have identified a place for transit.

[05:00:28] You have public roads. You said, well, there's no transit that goes to this community. Well, there's no transit that goes to this community because there are no people there. But if you put people there, we will have transit eventually. We're working right now on improving transit in this community, and we're trying very hard to get people out of cars.

[05:00:46] I think having walking and pedestrian and biking is wonderful, but I am going to push back on you because I think we should have some transit. I would have liked to have seen some transit, a transit stop of some sort provided in this development.

[05:01:03] You have a lot of people, and I'm just not convinced that you're not going to have any cars going out of this subdivision or this development to a workplace at the university. I just, and the reason there's no transit there is because there's no people.

[05:01:22] That's a good point. We definitely have those two amenity areas in the middle, and we certainly could include a bus stop in that area. It doesn't mean that we would actually get the transit stop, but we could provide the infrastructure to encourage it. Yeah. Identifying a place would be great because you've got a lot of people just yeah i mean yeah thank you all right so um we've had questions from us oh and that's one more good i keep pouncing on leftovers that other people asked that i didn't quite understand would residents of the neighborhood in general be

[05:01:59] able to use the blue road or is it strictly yes yes okay that was that sort of went in passing and i wasn't fast enough to catch it it's only private in that vdot would not take care of it But it is open for people to go by. Excellent. And before your last comment about using the amenity spaces, even at Sunset, where the bus may be going by even sooner, would be a place that a potential stop could be identified as it was done on OLR, for example, with the ABC.

[05:02:30] My only hesitancy is that Sunset's a tricky little road. It's tight with a bunch of curves. And I'm not sure that I would want a bus stopping on Sunset itself. but at the same time if it was on sunset it could reach the neighboring neighborhoods a little bit better i think it's something worth further study and i would uh challenge mr collins to look at it yeah okay maybe a shared pull-off for all three neighborhoods down there yeah all right you actually have an additional five minutes for clarification or rebuttal if you choose it's late i think we're okay thank you all right thank you can i clarify one thing sure um i just

[05:03:08] want to clarify one thing that was brought up about lots being within the floodplain typically i don't believe lots are permitted in the floodplain what's shown on the grading plan plan and the application plan the floodplain is actually closer to the creek than you know where those proposed lots are shown so all of the proposed lots will either be required or recommended to be outside of the floodplain in engineering staffs even commented that they would prefer that all preserved steep slopes are also out of lots as well all the building envelopes for a

[05:03:47] majority of it almost entirely are completely outside of preserved steep slopes you know residents wouldn't be permitted to put anything in a preserved steep slopes but that might be hard to enforce if you know they have steep slopes on their property so it would be staffs it would be the a best practice for you know all of those lots to be outside of all those preserve steep slopes and the floodplain good thank you i misread the map thank you very much all right just want to double check there are no more questions from the supervisors no all right

[05:04:23] then i will close the public hearing and turn it back to the supervisors for discussion or comments supervisor fruitt i don't think i have much else to say i'm supportive of this project okay supervisor galloway i guess i just would at some point even if it's a written email or something the follow-up on the flooding if it sounds like it's in the city but if it's impacting county residents like what happens in those scenarios i know like over where uh under the railroad bridge we've got an issue with the railroad here yeah but are there solutions or something

[05:04:59] that are being done whether i'm not trying to if it's in the city i guess that's the city's responsibility but still i'm just curious if there's a known flooding issue over there that has to do with there's not a bunch of ways to get in and out i'm just curious what the the bigger process is about how that gets addressed um i was it was curious to me about the comments at the planning commission about how the school's calculation goes i mean i i think the with the on with the coming uh construction of the new school into commissioner bivens point that he suspects that even though no matter how fast you guys go you'll probably not be up before the new

[05:05:39] school is in place that it helps mitigate the impact at least at the elementary school level um i guess i would ask the question if they're proposing for students um when they when we do this math and i'm not i don't know if this question is for the application or more for how we think of development in the long-range planning for the school side do we calculate a different or use a different number for affordable units than we would regular units the thought here is that if you have a two over two that's renting as an affordable, you could theorize that you

[05:06:14] could be getting more of a family situation in there, which goes against, we usually say rentals don't bring in more kids as single family detached and attached to. So that's just a question about, oh, I wonder if you have affordable units that are more than one bedroom, are we calculating at the same rate we would if they were just all market rate? And I'm not saying there should be a multiplier, but it seems like that would impact on a kid's situation. So I'm just throwing that

[05:06:45] out there as a follow-up as well. But otherwise, it seems like a good project, and time has come, so I'll be supporting it. Supervisor Lapisto-Cutley. I have no questions, and I'm supportive. All right. Supervisor Malik. I have no more questions, and after 20 years, I'm very glad to support it. Supervisor Andrews. I am also supportive, though cautiously nervous about putting that many people in a place where there may be some significant flooding concerns not

[05:07:22] of the places themselves but the access on some sides so i'm supportive all right and i am supportive i especially like the trails and the pedestrian i would ask if i could have some follow-up around about the transit if it's just possible for follow-up at a later date about what they've determined around transit because this is an area that i think would really be wonderful to transit. All right. With that, I think we're ready for a motion. If you wouldn't mind putting up a

[05:07:59] motion. And I am going to ask if Supervisor Andrews would like to make the motion as the vast majority of this property is in the Samuel Miller District. I'd be delighted to. I won't be able to read the screen from here, I don't think, but I move that we adopt, approve the...

[05:08:21] One moment, please, Mr. Andrews. It's attachment E.

[05:08:37] I can, do you want, well, I know Supervisor Andrews specifically wanted to make the motion. Oh, yes, I'm sorry. Sorry about that. Well, it is in my district, but since I couldn't see it, I will say that moving the approval of ZMA 2023, the Granger development, and that's 23-00010.

[05:09:06] Granger Development in the form of Attachment E. All right, so we have a motion by Supervisor Andrews, and I will second it. Could you call the roll, please? Mr. Galloway? Yes. Mr. Gertlund? Aye. Ms. Mallett? Yes.

[05:09:21] Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. All right. With that, we thank you very much. Thank you. Good enough. Chair McKeel, if I might. Mr. Collins, I just wanted to say thank you.

[05:09:37] I keep using your explanation of stormwater pre-development, post-development, and a lot of explanations to the community when you were here for the Woodbrook apartment. So, appreciate your description, and I've been quoting you a lot in the community. So, thank you for that. All right.

[05:09:55] With that, our last public hearing tonight is the Grading Standards and Steep Slope Overlay District, presented by Mr. Bill Fritz, Development Process Manager, who is already up and loading his presentation. Welcome Mr. Fritz. Hello. Good evening. Bill Fritz, Community Development Office. What you have before you today is an amendment which will bring two different sections of the ordinance into conformity with one another.

[05:10:24] They are not consistent now and offer the opportunity for special exceptions. Specifically, what we're talking about is the regulations for retaining wall heights. Currently, in the Steep Slope Overlay District, there is a retaining wall height limit of six feet.

[05:10:42] This was established in 2014, and that height was based on aesthetics. In 2020, the ordinance was amended to establish a 10-foot retaining wall height for all areas of the county outside of the Steep Slope's Overlay District, and the 10-foot wall height was based on sound engineering practices.

[05:11:01] There were no provisions included in either amendment to allow for increases in wall height. The county has identified the potential need to increase wall heights for public transportation, for projects involving transportation improvements, public projects involving transportation improvements.

[05:11:17] Due to the linear nature of these improvements, there may be occasions where an increase in wall height is appropriate to achieve the goals of the transportation improvement, prevent excessive rerouting of the improvement, require excessive right-of-way acquisition, or result in safety or long-term maintenance issues.

[05:11:35] So the proposed regulation would be to have a 10-foot maximum retaining wall height in all areas of the county. There would be provisions for the board to grant a special exception for public projects, and it would establish very detailed standards for the review of any special exception.

[05:11:52] It would need to meet those things I just talked about, rerouting that wouldn't achieve the purpose. The Planning Commission held a public hearing on April 23rd and recommended approval by a vote of 5 to 1, and I'd be happy to answer any questions you might have. All right. Do the supervisors have any questions for Mr. Fritz? I will go around. Supervisor Pruitt?

[05:12:13] I don't believe I have any questions. Thank you. Supervisor Galloway. It's straightforward to me. I have no questions. Thank you. Supervisor, what's this? Supervisor Ballack? Well, I'm going to ruin it again. So you mentioned the overlay district, and when the overlay district was adopted, It was supposed to be a living, breathing document with ground truthing and improvements as it went along.

[05:12:43] And recently, over the last several years, when in planning commissions, I have heard, oh, well, we don't count this because it didn't show up on the map, even though later it was determined that it is a steep slope thing. So I'm very jumpy about anything that makes it even worse for these for the steep slopes that we have identified.

[05:13:03] So how do you anticipate these changes impacting my concern? I don't think it would, because what we're doing is we're making the ordinance even, whether a particular property is in or outside of the steep slope overlay district, the retaining wall height would be 10 feet.

[05:13:27] And that's the sort of by right de facto starting place. And if you wanted it even greater, then you come in and beg for a special exception. And the special exception is only available for public transportation projects. Okay. And what about a multiplier of a 10-foot staging like this, where you end up having 50 or 60 feet of stuff that we've seen already?

[05:13:51] Right. There's no change in any of the stair-stepping requirements or any of the other engineering requirements. None of those standards are changing where you have to have distance between the two retaining walls, how you measure the height of retaining walls. None of those things are changing.

[05:14:07] The only thing that's changing is the retaining wall height, but all other standards are staying the same. Okay. I have concerns, but I don't have any more questions. Thank you. Supervisor Andrews. You said again that the exceptions to the 10-foot limitation would be only for public transportation.

[05:14:33] or it has to be a declaration that associates with that, right? It would be for, if there was a public transportation project that was going in, there could be some, there could be in some rare cases, instances where a private entity could request that.

[05:14:50] For example, if you had a project that was putting in as a proffer, putting in a road that was shown in the comprehensive plan in lieu of the county putting that road in, then they would be eligible because it would be a public transportation project. The ordinance is worded that way. But a subdivision just putting in a street that's not shown in the comprehensive plan, that wouldn't be eligible.

[05:15:14] Okay. Thank you. Any other questions? Bill, I have a question that's probably not as specific to this, but it certainly involves steep slopes because we have so many steep slopes and slopes in Albemarle County.

[05:15:30] we're always dealing with them and we had a proposal and probably a year and a half or so ago and the developer was using technology to evaluate the slopes that seem to be more newer technology than we have my question to you is are we upgrading or have we upgraded or can we upgrade our technology so that we're on the not on the leading but on the front edge of technology because we have to do it so often right each each time the county has done uh over the 30 plus years

[05:16:10] i've been here each time the county's done updated maps they've used better technology i don't know what is going to be done the next time but that's been typically what's done so i i would anticipate it but i don't know yeah what it's going to be i haven't been involved in those and i noticed um Mr. Bivens mentioned it as well because he and I have talked about it because we have so many discussions around slopes um I'd love to just at the later date it'd be interesting to know where we are with that especially if we're going into budget cycle or looking at upgrades um that would

[05:16:42] would be very helpful and with that I don't have any other questions um unless someone else does I'm going to open the public hearing, and we can ask, and she's shaking her head no. So do the supervisors have any other questions at all about this?

[05:17:05] If not, I mean, I'm looking at it, and I don't see Jim. Jim hasn't said anything, so. No questions. If there are no questions, I'll close the public hearing, and I'm happy to entertain any final comments.

[05:17:21] Supervisor Pruitt? I have no additional comments. Okay. Supervisor Galloway? ready to go supervisor lapisto kirtland all right supervisor malik yeah thank you all right supervisor andrews i'm supportive and ready to go supportive and ready to go i'm sorry supportive and ready to go okay all right and i am as well so if you'll bring up the motion and i would entertain um a motion to adopt the proposed ordinance i think it's attachments

[05:17:56] i move to adopt the ordinance included as attachment c second all right so we have a motion by supervisor pruitt a second by supervisor lapisto curtly and if the clerk could please call the roll mr galloway yes miss lapisto curtly hi miss mallet yes miss mckee yes mr pruitt hi mr andrews right yes thank you very much we appreciate it building good presentation and And our next item is from the board, committee reports and matters not listed on the agenda.

[05:18:33] So I'm going to look around and see if anyone, Supervisor Pruitt? I have no report outs at this time, thanks. Okay, Supervisor Galloway. No, I have, it's not a committee report, but I have a question for follow-up that I have missed, and it just popped into my head.

[05:18:51] Historical markers that are on our public roads, who's responsible for the maintenance of those? I don't know if that, I don't think that's county, but I don't, didn't know if that was VDOT. I meant to ask that today if Carrie knew. So if you head out the old where you turn left, heading up 29 to where Riverview Park is, we have two historical markers there.

[05:19:18] And they are both leaning and one is getting overtaken by vegetation. And I didn't know who handles that, getting them straightened back up, getting the vegetation handled. I didn't I don't think that's a county thing, but I don't know. Well, we've got your concern captured and we'll put it on our list and follow up.

[05:19:38] Thank you. Yes, sir. All right. I'm sorry. Supervisor Lepisto Kirtley. I have no comments. Thank you. Supervisor Malik. No reports. Thank you. All right. Supervisor Andrews. Yes.

[05:19:55] One that I hesitate because I could not get any audio during the earlier remarks from the board. But has anybody mentioned anything about the big change at the IVMUC? If not, then the Ravana Solid Waste Authority voted that the IVMUC, the Materials Utilization Center name, is now the IV Solid Waste and Recycling Center.

[05:20:21] And so there will be new signage on that. And the e-waste will start up 9-14, and then there are additional household wastes after that that I'll announce as the time comes. All right. Thank you very much. I only have a, well, actually, I have a couple of things.

[05:20:40] While we're talking about historic markers, I asked, I don't know, a month or so ago, about the historic marker that we talked about years ago to mark, when we put the marker, the historic marker at the county courthouse for John Henry James to recognize the lynching, we talked about we were going to order a second one for 250 west to be on 250 west right at the

[05:21:14] site and that one has never been installed i don't know if we couldn't do it if we couldn't put two up for the same event but while you're working looking into this if you would check on that for me i would really appreciate it yeah because that 250 west is a great place for that marker to be. Second thing is I had a discussion with one of the school board members not too long ago with Kate Acuff because their spreadsheet that we use and the developers use for the current

[05:21:50] projected enrollments in the schools is very misleading. And the reason is because it goes out, and I've forgotten now if it's 10 or 15 years or something like that, but it doesn't include any new schools already in the pipeline or paid for. It's a snapshot in time for one date when you look at it. Does this make sense? And so what I talked to Kate about was if we could get the school board

[05:22:23] or the school division to simply put an asterisk or something on that document so that when people look at it, they know that a new elementary school is going to be built in the next two years because it'll save a lot of the confusion that we have because they're using that document and it's not really, it's not helpful and it does cause a lot of confusion. And then we have to go all these discussions about school enrollments. So just to say that. And the other only item that

[05:22:58] I just want to mention, because it came up tonight, and just for some thought, antique licenses. We're talking about the average automobile now is over 14 years old. I recently, within the last couple of years had an opportunity to talk to talk with the division of motor vehicles director and he said there were two things in his world that were the bane of his existence farm use tags

[05:23:34] and antique licenses and antique licenses right now are really being abused because there's so many you only have to be the car only has to be 25 years old and if you look at we have cars now that are approaching 15 years how many cars do we have that are eligible for antique licenses which really do not meet the intent of antique licenses and they're being used for every travel every day and just driving every day so not to go into any more today but working with the the antique

[05:24:09] car folks the aficionados i have had many friends that are belong to those groups and they are frustrated too because what they're doing is following the rules and everybody else is you know all these other people are breaking them so something to think about for a legislative packet just saying and that's all i have unless someone else's has something else all right then anything further from the county executive all right sounds good we will adjourn to our next meeting a joint

[05:24:44] meeting with the economic development authority one week from today on wednesday august the 14th 2024 at 530 in the afternoon in room 241. Opportunities for the public to access and participate in this meeting are posted on the Alomar County website, on the Board of Supervisors homepage, and on the Alomar County calendar. Good evening, everyone. It is only 825.



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