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Albemarle County Board of Supervisors Regular First Meeting, Wednesday, December 4, 2024

Date Wednesday, December 4, 2024
Place Albemarle County Board of Supervisors, Virginia
Length 0h 59m (video)

- Official meeting video (Granicus): https://albemarle.granicus.com/MediaPlayer.php?view_id=1&clip_id=1239
- Official agenda: https://albemarle.granicus.com/AgendaViewer.php?view_id=1&clip_id=1239

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Speech-to-text: whisper.cpp, model large-v3-turbo. Produced 2026-10-15. Each paragraph starts with its time [HH:MM:SS] in the meeting video.

[00:00:05] of December at 6 p.m. in Lane Auditorium. I would like to note at the dais we have Supervisor Mike Pruitt of the... We can't hear you, Jeff, so pull it either. Okay. I don't believe they're working. They're not working. Mine went tap, but it's testing. Sounds like it started to clock in there. Is that... Now it's working. I'm pleased to call to order this regular meeting of the Alparama County Board of Supervisors. The 4th of December, 6 p.m. in Lane Auditorium. I'd like to note at the dais we have Supervisor Mike Pruitt of the Scottsville District, Supervisor Bila Pistol-Kirtley of the Ravana District, Supervisor Diantha McKeel of the Jack Jewett District, Supervisor Ned Galloway of the Rio District, Supervisor Ann Malick of the White Hall District, myself, Jim Andrews, representing the Samuel Miller District.

[00:00:46] The quorum is present. We're also joined by our county executive, Mr. Jeff Richardson, our interim county attorney, Mr. Andy Herrick, our clerk, Ms. Claudette Borgerson, and I also would like to welcome Albemarle County police officers present, Police Officer Tavon Richardson and Lieutenant angela jamerson uh thank you for your service here today and for the work that you and your colleagues do every day on behalf of the citizens of albara county for our safety and security if all present could now stand as you are able join us in the pledge of allegiance

[00:01:18] thank you and uh if you'll now please join us in a moment of silence thank you um as always our

[00:02:05] first order of business is to adopt our agenda our final agenda um before doing so i'd like to note to amend it to add under matters from the board a letter of endorsement of the candidacy of our senior deputy clerk mr travis morris for the international institute of municipal clerks vice president which uh we'll be quite honored to have that uh go through at the very end of near the end of the meeting uh with that as an amendment uh do we have a motion to adopt the we have a motion from supervisor malik a second from supervisor mckeel without objection if the

[00:02:39] clerk will call the roll. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. Malik? Yes. Ms. McKeel? Yes. Ms. Lapista-Kirtley? Aye. Great. Thank you. Our first item, of course, is to hear from board members with any announcements you might have. We'll start with Supervisor Malik. Oh, thank you. I'm glad to get to go first. Yesterday, I was fortunate to attend the Intelligence and National Security Alliance Conference here in the county, a gathering of the I-5 federal agencies who shared their experiences with intelligence hubs in other parts of the country.

[00:03:10] and the benefits to the nation and our locality from Ravana Station and the Ravana Futures Project. Several of them asked how widely known is Ravana Station in our community. I encourage citizens to learn more about the station, which I have supported beginning in 2008 and how proud I am of the current status and the future, which has been brought about by our great efforts on county staff work and this board.

[00:03:34] Secondly, December 14th at noon, all across the nation will be ceremonies reeds across America Our local one is celebrated at the Dogwood Vietnam Memorial at McIntyre Park, followed by Reeds presented here at the County Memorial on the County Lawn, followed by I Will Take Them to Oakley Memorial and the Early Still Memorial.

[00:03:55] The skate park gate will be open for parking on the hill above the memorial, and Bruce Eads, who's the Dogwood Foundation president, sends invitation to all to please join as we remember the fallen, honor those who serve, and teach the next generation the value of freedom.

[00:04:12] so i hope to see you there thank you thank you uh supervisor mckeel yes just um a warning that is a follow-up from an incident that we saw happen in our community in the city and that is that be very careful folks when you park your car not to park over a pile of leaves we have a lot of leaves now in this community. It is very, very dry. And catalytic converters, which are part of the exhaust system, and I guess they've been on cars since sometime in the 70s, reach temperatures of

[00:04:51] up to 1,200 degrees. And the combustion temperature of fall leaves can be as low as 400 degrees. And if you all remember, if you read or heard in the news, four cars that were parked over a leaf pile near Jackson Vias School recently were destroyed when the leaves were ignited by the car's hot catalytic converters. So it's just a warning to remind us, we see a pile of leaves, do not pull your car in over top of those leaves and park. And I thank you very much.

[00:05:25] Thank you. Supervisor Pruitt? Yes, so it is almost Christmas, and if you are like me, you have not gotten anyone anything yet, and it is starting to get dire. I mention this because it is also almost the time for the Scottsville Holiday Happenings.

[00:05:47] That is going to be this Saturday, the 7th. It is going to include a holiday market, which is going to be both in the pavilion, but also in Victory Hall. There's two different locations for holiday shopping. It's

going to be a lot of the vendors you've seen around the Scottsville Farmers Market and the Charlottesville City Markets.

[00:06:08] But we also get a lot of extra artisans and artists into the Scottsville area coming from Buckingham, coming from Pluvanna, coming from Louisa. All witchaways bringing their goods for the holiday market. It is excellent. There is going to be a Santa appearance and tree lighting at 6 p.m.

[00:06:26] That's going to be at Canal Basin Square, where there is also going to be general kids' activities from 10 until 5, including a bouncy house and a petting zoo and face painting. And there is going to be a performance by what I'm guessing is a band called the Tiger Tones, followed by an appearance by the actual Grinch at 10 a.m.

[00:06:48] That is also going to be at the Farmer's Market Pavilion. It's a hoot and a holler. You know, head out. That's all I got. Supervisor Cowell. I didn't want to know the answer to my question.

[00:07:04] Or a height requirement. Oh! I have no announcements. Thank you. Supervisor Lupita Curley. Yes. Okay, so the Rivanna River Restoration Health Project is going full steam ahead.

[00:07:22] I just wanted to let everyone know about that. And if you are interested in being a volunteer to get rid of invasives in Dardan Tau, along the river, there will be a group meeting December 10th from 1 to 3.

[00:07:39] But I encourage everyone to do that. You're getting outside. You're enjoying the fresh air. You get to dress up as Santa Claus or the Grinch and then have fun. But you can also email at exec at rivannariver.org.

[00:08:01] That's exec at rivannariver.org, and she will be more than happy to. That's Lisa Wittenborn. She will be more than happy to speak to you and let you know how you can get involved because they have once-a-month cleanup of invasives.

[00:08:17] This is really making a difference. If you've been along the Free Bridge Promenade, then they're taking out the invasives and it's really, really making a difference. And they're also going to be working on Penn Park. So thank you very much for that. And once again, I attended also with Supervisor Malik and Supervisor McKeel.

[00:08:38] And the project last night was about the intelligence community. And we're really making a difference with Rivanna Station. And it's an economic engine. It's the second largest economic engine in the county.

[00:08:55] And we're actually uniquely positioned to assist the Intelligence Committee to make a difference. So that's all I have. Thank you. With that, Board, we move on. Oh, Supervisor Malek has something additional.

[00:09:11] The danger of going first. And thank you, Supervisor Pruitt, for reminding me to do this. Saturday, December 7th, the third annual Crozet Holiday Market Crawl, beginning at Bluebird and Company and the Crozet Depot Artisan Gallery. Many shops downtown.

[00:09:26] You can walk among and have a great time visiting with artisans there. And also the, here we go, where is it? And the Artisan Depot, as I mentioned, is the county's tenant in the old train station right there at the corner of Three Notch and Crozet Avenue.

[00:09:49] It has 80 local artists and fine artisans selling their wares there. So please wander out west and do some Christmas shopping. Thank you. Thank you. We would move on to proclamations and recognitions, which there are none, so that takes us to item 7.

[00:10:05] From the public, matters on the agenda but not listed for public hearing are matters previously considered by the board or matters that are pending before the board. As everyone knows, the sign-up sheet is usually there. We now have it, so I hope everybody's been able to sign up. And Vice Chair McKeel will read the rules and the names.

[00:10:23] I will. During the time set aside for matters on the agenda but not listed for public hearing, individuals may address the Board of Supervisors concerning matters previously considered by the board or matters that are pending before the board other than items listed on the agenda for public hearing. Individuals are allowed one opportunity of up to three minutes to speak at each board meeting during matters from the public.

[00:10:44] The sign-up sheet is managed by the clerk's office. Timekeeping is conducted through a timer and light system at the podium. The green light will go on when you begin speaking, which begins your allotted time. 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.

[00:11:01] To give all speakers equal treatment and courtesy, the board requests that speakers adhere to the following guidelines. When addressing the board, state your name, and if you live in Almar County, your magisterial district. Address comments directly to the board as a whole. Any written statements or other supporting materials may be given to the clerk.

[00:11:20] If representing a group or organization, you may ask others to raise their hands in recognition. Speakers may not share any unused time with another speaker. Back and forth debate is not permitted, and please do not speak from your seat or out of turn. All comments are live streamed, recorded, and published on the Almar County website.

[00:11:38] And we have four speakers tonight, and the first speaker is Marta Keene. Welcome. And, Marta, you're going to need to adjust the mic.

[00:11:54] Yeah, I think so. Great. Good evening, Marta Cain, Java CEO and also a resident of the Rio District. I wanted to come before you to share a wonderful story about being at the Yancey Southern Albemarle Community Center.

[00:12:14] Thank you all years ago for making the decision to include Java down there. We have a resident, Ms. B, who used to go to the Scottsville School Community Center. And then when we moved down to Yancey, she came with us.

[00:12:31] And she just recently felt the need to share with us that she really likes attending the center to meet new people, see her friends, experience new things. She enjoys playing bingo, of course, and many crafts.

[00:12:47] And she hates being by herself and looks forward to coming. And at Scottsville, she used to come on Wednesdays, and she still does. But now she tries every chance she can to come all three days that are open at Yancey. And it's just a reminder that our community center, both here in Mary Williams and down in Esmont, really do make a difference and help people avoid isolation.

[00:13:10] Along those same lines, our Respite and Enrichment Center is now able to take payment from the Veterans Administration. And I want to make sure that the residents of Albemarle know that because that makes a big difference in being able to underwrite their being at the center.

[00:13:29] And we also, thanks to respite grants, are able to offer a sliding scale. So we don't really want the fees to interfere with people being able to attend. And again, that's respite for the caregiver and enrichment for the people who attend.

[00:13:48] And if you go on the website, you'll see the activity calendar is very full every day. And next Monday is the chef's demo. So I'm planning on being there because that's always worth a lot of nice tastings and everyone enjoys the food.

[00:14:06] And I just want to take my last minute to thank everybody. I'm getting ready to retire next month. So this will be the last time I come speak to you as the CEO. I am a resident of Albemarle, so you won't be getting rid of me. But I just want to thank the board for the support of seniors and JABA and me and the staff.

[00:14:26] Everyone has been so kind and helpful. It's a wonderful group to work with, and I feel like we've done a lot for seniors in Albemarle County together. And I just want to thank you for that opportunity to do that for the last 12 years. Wow.

[00:14:41] Thank you, Marta. Thank you. And Marta, we want to thank you for all your great work at Java. Our next speaker is Denise Zito. Good evening.

[00:15:01] My name is Denise Zito. I have been a resident of Free Union for 47 years. That's in the Whitehall Magisterial District. I address you this evening to advocate for an increase in the Albemarle County Emergency Relief Program, the budget that is set up to prevent evictions.

[00:15:20] I'm the treasurer of the local conference of the Society of St. Vincent de Paul. This is a worldwide Catholic organization founded 200 years ago, though our local chapter is now four years old. The four Catholic churches in the area contribute the funds, and we distribute over \$150,000 every year for housing and utility needs.

[00:15:42] We're locally funded, and we support local needs in Charlottesville and Albemarle. We've been focusing our efforts on people facing eviction and utility cutoffs. We recently learned that the eviction rate in the Charlottesville area is the highest in the state due to the high cost of living and the lack of housing.

[00:16:00] And the stories that come to us are heartbreaking. Single mothers with children, disabled people, veterans. One unexpected expense throws their budget off balance and they get behind in the rent. Many of the people we serve work for those wonderful subcontractors that UVA employs.

[00:16:21] So when the students are on break, the contractor's workers' hours are reduced. They aren't eligible for unemployment, and they get behind in their bills. Often the situation snowballs, and they get further behind, and so they must choose between food and rent.

[00:16:38] When someone contacts us for assistance, two of our members visit them in their homes and assess the situation and see how we can help. We also pray with them if they would like, and we help them plan for the future. and then we deliver a check to prevent the eviction.

[00:16:54] We only assist an individual or family once a year. We receive far more requests for assistance than we can accommodate. We helped over 400 families last year, and we cannot meet the need of all those

who ask for assistance. Until we address our housing crisis, which I understand the board is still considering whether to fund the Affordable Housing Trust Fund, the Board of Supervisors and charitable organizations like ours must continue to assist people to enable them to stay at their homes.

[00:17:24] The Society of St. Vincent de Paul will continue to help as much as we can, but I urge the board to increase the funding for ASERP. Thank you. Thank you. The next speaker is Emily Mathon, or Mathone? I guess it's Mathone. Is that correct?

[00:17:46] My name is Emily Mathon. Oh, Mathon. Neither of those. Mathon. Got it. Thank you. And I'm in the Rio District, and I attended, well, livestreamed your joint meeting this afternoon and learned a lot about the joint school board Albemarle County budgeting process and that's what I'm here to talk about. So I'm part of Family Council, which is an organization that's independent of Albemarle County Public Schools, but we bring together families to talk about issues that we care about that are important to us for our families and for our children.

[00:18:22] It used to be called the Parent Council and it's now called Family Council. So if you are wondering about that yet. It changed last year. We have a commitment to advocating for things that are the families that come to our meetings and that come and talk to us. We bring those forward. So what we've been hearing recently is from residents of Admiral County that we're deeply concerned about the state of our school buildings and understand that that's what's really on the agenda right now. They're overcrowded and in need of improvements.

[00:18:55] The majority of ACPS students now attend schools that are full to bursting, and we see into the future, the 10 years, that it's only going to increase. Almost 80 temporary portables are currently in use across Albemarle County public schools. These trailers are less safe for students and teachers, increasing egress in and out of the main school building at classroom shifts that are impossible to monitor for intruders. The trailers are maintenance heavy, risky for health of children and educators and are not in line with the Albemarle County 44 sustainability goals.

[00:19:29] School improvement projects on the school board's CIP request are now necessary and urgent. Our oldest schools were constructed more than 80 years ago, and the average age of a school building is now over 50 years. With overcrowding comes greater wear and tear, and our school conditions do not align with our community's value of public education. We urge you to figure out how to increase the funding for our school buildings as we are falling further and further

[00:19:54] behind. Thank you. Thank you. Next speaker is Heidi Bennett. Excuse me. Excuse me. Heidi Yelman Bennett, Samuel Miller District. I serve as chair of family council, and I'm here tonight to represent about 14,000 children in our public schools who are, and their parents, who are right now rushing home from work to serve dinner to a bunch of hungry kids. We are residents of Albemarle

[00:20:30] County, your constituents, I'm here to deliver a call to action. As citizens, we hereby request that the Board of Supervisors direct county staff to develop a strategic funding plan to catch up to the backlog of public school capital needs. I sat crisscross applesauce style on the floor of today's afternoon meeting, and here's what I think that you're missing. Compared to communities of similar wealth and or similar explosive growth, Albemarle's school buildings are embarrassingly

[00:21:04] inadequate. Our kids are now spending all day, every day, for their entire school careers in the elementary level in temporary trailers. New housing developments are approved, as I understand it, with

zero regard to whether there is capacity in school buildings, which then take years to approve and to build. Family lives have been massively disrupted by redistricting because of the delays in funding projects that are on the list of school board essentials. So if you've

[00:21:38] received a few emails this week, it's because I have explained to families how the CIP process works and personally directed the many families who are angry and frustrated to you because my understanding is that you are the decision makers. It is clear to me that increased revenue is required. What I heard today from Mr. Bowman is that there are multiple financing options available.

[00:22:07] Respectfully, we request that you direct the county staff to develop scenarios for financing our school division capital needs. In return, we, family council and families, will continue to encourage the ACPS school board and superintendent to clarify and prioritize the requests on the list.

[00:22:26] Your constituents, including 14,000 kids and their parents and families, are demanding school buildings that are not overcrowded and are not nearly a century old. I personally believe that each of you individually knows that something really has to be done about the situation to catch up. I look forward to seeing the plan or plans that you come up with and appreciate the work that you're doing. Thank you. Thank you. That's it. Thank you. Board, this brings us to the consent agenda. Very late tonight, but we have a motion to accept the consent agenda. So moved.

[00:23:06] Second. A motion from Supervisor Lupisto-Curtley, second from Supervisor McKeel. Without objection, if the clerk will call the roll. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. Mallett? Yes. Ms. McKeel? Yes. Ms. Lepister? Kirtley. Aye. Thank you.

[00:23:24] Next on the agenda would be a report from the county executive. Is there a report this evening? Not this evening. Thank you. Thank you. Then we are to the public hearing portion of the program, and we have three public hearings. The first is fiscal year 2025, budget amendment and appropriations, being led by Mr. Ryerson-Davidson, Deputy Chief, Office of Management and Budget.

[00:23:45] Welcome, Mr. Davidson. Thank you. So, good evening. Tonight, this agenda item and public hearing action item is to amend the FY25 budget. I have a couple of slides to provide a brief overview of the contents of this amendment, after which I will turn it over to the chair and the board for any questions and to hold the public hearing.

[00:24:10] So, the Virginia Code requires a public hearing whenever we amend a budget that exceeds 1% of the currently adopted budget. That's the case tonight. As you can see, overall, the budget amendment for tonight is approximately \$20.6 million. Of that amount, \$3.1 had been previously approved back in October and November, and the remaining \$17.5 million is in front of you under consideration for approval tonight.

[00:24:36] As I mentioned before, the overall budget amendment for discussion is tonight approximately \$20.6 million, and it's broadly made up of the items listed here. Attachment A, provided in tonight's agenda, and on October 2nd and the November 6th agendas, contains more details on each of these appropriations.

[00:24:54] but generally of the 11.6 million in special revenues that's primarily made up of the economic development housing and vehicle replacement funds the 4.4 million in general fund reappropriations is spread across all aspects of the county government and these are typically a lot of our general fund reappropriations that happen annually at this time each year for projects that have begun during the fiscal

year during the prior fiscal year but for one reason or another were unable to be completed and needed those funds carried over into the prior the subsequent year 3.4 million of the grant appropriations is really related to the most recent FEMA safer grant we received ARPA reappropriations and then

[00:25:33] additional monies on the opioid direct settlement and abatement grants and then finally 1.2 million in capital fund revenue related to water resource projects mainly stream restoration the city funds for the joint court projects and contribution towards library Avenue to wrap up the presentation staff's recommendation is for the board to approve the resolution and attachment b after holding the public hearing and i'm now going to turn this over to you for any questions or comments thank you uh we'll go through our order supervisor malik no questions thank you ryan supervisor mckeel

[00:26:08] no questions thanks supervisor pruit i have no questions thank you supervisor galloway no questions thank you supervisor lupisto no questions and i have no questions so with that i will open the public hearing. Do we have anyone signed up to speak? Then I will close the public hearing, and the matter is back before the board for a motion in the resolution in the form of attachment B. So moved. Second. We have a motion from Supervisor Malik, a second from Supervisor McKeel. Would you like that a little more

[00:26:46] clearly stated? And just to clarify, this would be to adopt the resolution attached to the staff report as attachment B? Attachment B, yes. And that's what we said before. So Supervisor Malik has moved, and Supervisor McKeel seconded without objection. Call the roll. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. Malik? Yes. Ms. McKeel? Yes. Ms. Lopisto-Kirtley? Aye.

[00:27:13] Now, there are two on this. Is that it? I don't know why, but my note is mentioned. The next public hearing is acquisition. Okay, but no, I, okay, but this is not what this is.

[00:27:34] Our item 11, second public hearing, acquisition of parcel number 056A2-04-00-000A3 in Parkside Village.

[00:27:51] And this is being led by Mr. Andy Herrick, our acting county attorney. Good evening, Mr. Chair, members of the board. Andy Herrick, I'm the interim county attorney. It's my pleasure to be here this evening and to present on this item. Joining me this evening will be Blake Applin-Alp from the county's Department of Facilities and Environmental Services.

[00:28:08] And also available for questioning, if needed, is Adam Cherry, the county's outside counsel in Richmond with the law firm of Randolph Boyd, Cherry, and Vaughn. So I'm here this evening to talk about the county's acquisition of a parcel in Crozet. This presentation, though brief, is going to be in three parts.

[00:28:27] First, Blake is going to speak for a few minutes about the project. Then I'll come back and speak a little bit on the parcel that is proposed for acquisition as well as the process. So with that, I'll turn it over to Mr. Applin-El. Thank you. Welcome.

[00:28:44] Good evening. Blake Applin-El again, FES, Chief of Facilities Planning and Construction. Happy to be here. I'm going to do a brief overview, kind of refresher in regard to the project. Many of you are very familiar with this, but just to go through it, the project's been in development.

[00:29:05] for quite some time. I want to make sure that everyone is kind of up to speed and it'll be a brief summary on this. If you see the slide in front of you, it shows the project itself, Barnes Lumber Library Avenue Extension in black there. The parcel that we're talking about this evening is marked in purple.

And, you know, an overview of this is this project is a development of a road network, a new road network at the site of the former Barnes Lumber site in downtown Crozet.

[00:29:35] It will eventually connect Crozet Avenue, Library Avenue, and the square to Hilltop Road and Parkside Village. When we complete this, our intention is to have this road network accepted into the VDOT system. So all the design has been done per VDOT standards, approvals, and so forth.

[00:29:57] This road network will also support the future plaza development that will be going on and hopefully eventually be part of the future connection from downtown Crozet out to Route 250. Also, if you take a look up there, too, marked in some good news to deliver tonight.

[00:30:17] The area marked in red is the Square and Oak Street Improvements Project. That's a separate project, and we are starting construction in just a few weeks on January 6, 2025. We were ready to go this month, but we figured that the merchants there that were working, you know, we didn't want to interrupt their holiday business.

[00:30:38] So we're starting right after the holidays. And so that's real exciting news, and we're looking forward to getting that going. The project itself, as a reminder, is a public-private partnership. Funding is being provided by the developer, the county, and VDOT through revenue-sharing grant funding.

[00:30:56] The road system and its connections are consistent with the Crozet master plan. In particular, additional street connections and, of course, obviously the successful redevelopment of downtown Crozet, which is a big goal stated in the Crozet master plan.

[00:31:13] The project, as a reminder, the total project budget is just over \$8 million. Right now, the current phase that we're in is the right-of-way phase. We've agreed on three of the nine parcels.

[00:31:31] One of the parcels is what we'll be discussing this evening. And we're also, our design professionals, are working on finishing up the 90% complete plans for our next submission to VDOT. And let me, I meant to say the construction bidding process, right now we're anticipating starting that in June of 2025.

[00:31:57] Typically that takes two to three months from start to finish, and the finish being the award of contract. And once we get to that award of contract, there'll be a notice to proceed issued, and then we anticipate construction activities taking about 12 months to complete.

[00:32:14] And with that, I will hand this back to Andy to talk about the parcel itself. Thank you. Thank you. Thank you, Blake. So I'll briefly describe the parcel and then the process as well.

[00:32:30] As you can see here on the map, the subject parcel is outlined in yellow to the right side of the parcel. It is to the east of the former Barnes Lumberyard and is at the western end of Hilltop Street in the Parkside Village area. It's parcel number 56A2-04-A3.

[00:32:50] It's seven one-hundredths of an acre. And again, it's currently an unused stub of the western terminus of Hilltop Street in Parkside Village. It was initially thought to be owned by the Parkside Village Homeowners Association. But through the process of acquiring the property, a title examination was performed, and it's actually owned by Hauser Homes, Inc., which is a defunct Virginia corporation.

[00:33:13] The title has transferred by law to the unknown trustees in liquidation of that company, according to the title exam, and the company and therefore the parcel are further subject to multiple

judgments. So eminent domain is really the only practical way to acquire clear title, which is needed for the project to proceed.

[00:33:30] Our staff and our outside agents have done a fantastic job of working with property owners to try to make voluntary agreements for conveyance. But this is a case in which the title of the property just isn't clear because it's owned by a defunct corporation and subject to many judgments.

[00:33:49] Fortunately, the eminent domain process is able to help clear a variety of problems on the parcel. And the process that's needed is staff has prepared and submitted to you a proposed resolution. It's lengthier than many of the resolutions that you see, but it was prepared, again, with the help of outside counsel.

[00:34:06] That's attachment B attached to the staff report. And with the assistance of outside counsel, the county would then file a certificate of take with the court and deposit into the court the estimated value of the parcel, which is \$900. In so doing, the county would immediately acquire clear title and can proceed with the project, and then it's up to the court to determine the actual value of the parcel and to distribute the proceeds to the appropriate parties.

[00:34:31] But again, this is the way that the county can acquire a clear title without a problem. So I have a suggested motion language here to adopt the resolution attached to the staff report as attachment B. And with that, I'm happy to answer any questions that you may have.

[00:34:47] Thank you. We'll go through our order. Supervisor Malek. No questions. Thank you for the solution. Supervisor McKeel. No questions, Andy. Supervisor Pruitt. I'm going to have a question. I'm sorry. I know there's something of a cottage industry of lawyers who specialize in after the issuance of certificates of take arguing that the value is improperly calculated.

[00:35:09] Is it possible that after we have deposited the value with the court that we would later have whoever bought the outstanding judgments then come to us and say, well, we now actually think you owe us significantly more than this?

[00:35:26] Is that possible, or would that be the court's problem at that point? It would be up to the court to determine the value of the property. What would be at issue in the case would be the fair market value of the property, not the judgment. So it's conceivable that an appraiser could value the property at more than \$900, and the county would have to have additional funds to cover that.

[00:35:47] My suspicion is that the range of value on a 7 100th acre piece of property is pretty limited. the county would not be liable for satisfying any judgments that the current owner has. Again, so the county's liability would be limited to the actual value of the property acquired and not any outstanding judgments against the current owner.

[00:36:08] Sure. Thank you. Supervisor Gallo. Thank you. I don't have any questions. Supervisor Lupisto-Crittley. No questions. Thank you. And I have no questions as well. At that, we will open the public hearing.

[00:36:25] She says no. There are no one who signed up, and so we'll close the public hearing. And the matter is back before the board for a motion. If there's no more discussion, I'd be glad to move that the board adopt the resolution attached to the staff report as attachment B. Second.

[00:36:41] We have a motion from Supervisor Malek, second from Supervisor McKeel. Without objection, call the roll. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. Malek? Yes. Ms. McKeel? Yes. Ms. Lapista? Kirtley? Aye. Thank you.

[00:36:57] On board, this brings us to our third public hearing, SP-2024-02, Midway-Martin Store Power Line Upgrade. This one is being led by Mr. Kevin McDermott, Deputy Director of Planning. Welcome, Mr. McDermott.

[00:37:16] Thank you, Chair Andrews and members of the Board of Supervisors. My name is Kevin McDermott. I'm the Deputy Director of Planning. And tonight I will be doing the presentation of the staff report for SP 2024 to Midway to Martin Store transmission line phase two project.

[00:37:42] So this is an application to upgrade approximately 2.8 miles of transmission line from Thunder Ridge Road in southwest Albemarle County to the Martin Store substation in Nelson County.

[00:38:02] This is phase two of the project. The first phase stretched from the Thunder Ridge Road northward along Craigstor Road. And I do have my laser pointer up here if you want to follow along. This is Craigstor Road. The red line is the route of the power line.

[00:38:20] So the first phase went from Thunder Ridge Road northward up to the Midway Station near the intersection of Midway Road and Miller School Road just off this map. The existing 60 to 70-foot tall wooden H-poles are proposed to be replaced with 58 to 82.5-foot steel monopoles within the existing right-of-way of the power line.

[00:38:47] The map shows the transmission line and, of course, it extends down into Nelson County to approximately Route 151 at the Martin Store substation. The upgrade is occurring because the existing wooden poles are approximately 40 years old and are starting to show signs of deterioration.

[00:39:07] The line serves approximately 6,750 customers, and the replacement will improve the reliability of the service. So this is requiring a special use permit because when the initial transmission line went in, that was not a requirement.

[00:39:27] Now that they're coming in for the upgrade, the special use permit is required under Section 10.2.26 of the zoning ordinance. Approximately 41 parcels are crossed by this right-of-way, and they're shown in blue in this map.

[00:39:44] The green just shows the adjacent parcels. The current zoning in the area is rural area, and the comprehensive plan of future land use is also rural area. The analysis of special use permit requests has us analyze the project against a certain number of factors.

[00:40:05] The first of those is that there will be no substantial detriment to adjacent lots. The proposal is for replacement of the existing poles within the existing right-of-way. Construction impacts will be limited and temporary. You can see from this picture, this is an example of what the line looks like.

[00:40:23] You might barely be able to see some of those H poles, but it just goes through an existing line there. So staff does not believe there will be any substantial detriment to the adjacent lots. We also analyze it to see if the character of the nearby area will be unchanged.

[00:40:42] The new poles are not substantially different from the existing poles. No grading is proposed and vegetation impacts will be limited because this corridor is already cleared of most vegetation. It has to be in harmony with the uses permitted by right in the district.

[00:41:05] The zoning ordinance does intend to provide for public requirements such as reliable electrical service. So public utilities are in harmony with and supportive of agriculture and residential uses in the district. and this proposal was also evaluated against the applicable regulations found in section 5.1.12 as they relate to the public utility structures and uses and staff believes that is in harmony this figure you see here is an example of what this is going to look like the h poles are what is existing out there those will be removed and replaced with the steel monopole as you see on

[00:41:43] this side all within the existing right-of-way as i said in summary staff has identified the factors favorable to the proposal that the utility line upgrade would increase electrical service reliability without increasing physical impacts or widening the existing utility corridor staff has not identified any unfavorable factors for the proposal and based on that our recommendation recommendation is for approval of sp 2024 midway martin store transmission line phase two with the

[00:42:19] conditions that the design must the new poles must be in general accord with those shown in the concept plan supporting structures for the electrical transmission lines shall remain within the existing right-of-way easement and during construction timber bridging shall be used for all stream crossings as shown in the concept plan. With that, I'm happy to answer any questions before the public hearing, and I have a motion on the next slide when you're ready. Thank you.

[00:42:49] We'll go through our order for questions before going to the public hearing. Supervisor Malik. Thank you. Do you have information about the color of the polls, or is that an applicant question? They are. I think that's probably best answered by the applicant. I'll leave that to them. I will wait for that then. Thank you. Supervisor McKeel. No questions. Thank you, Kevin.

[00:43:08] Supervisor Pruitt? I have no questions yet. Supervisor Galloway? No questions, thank you. Supervisor Lopisto-Curley? No questions. I have no questions as well. So with that, I believe we can open the public hearing. And the applicant is here.

[00:43:26] I believe we have Mr. Charles Ward. Is that right? Vice President of Engineering Services at Central Virginia Electric Co-op. We have no one signed up to speak, but I will read the rules for you.

[00:43:41] I will read the rules for you so you're aware. Applicants are limited to a 10-minute presentation of their proposal and are allowed five-minute rebuttal at the close of the public hearing. Timekeeping is conducted through a timer and light system at the podium. The green light will go on when you begin speaking, which begins your allotted time.

[00:43:59] The yellow light indicates you have one minute to finish speaking, and the red light indicates your time has expired, and you'll be asked to end your comments. Thank you. Oh, and I should say, all comments are live-streamed, recorded, and published on the Almar County website. welcome make sure go ahead and introduce yourself again if you don't mind just for the record okay my name is charles ward i'm the vice president of engineering services

[00:44:36] of central virginia electric co-op and i'm here to request approval of this project mr mcdermott had covered a lot of the information so i'll quickly run through this and I should have plenty of time to get through. So there's the vicinity map. You've already seen that from Mr. McDermott. So the total length of the line is about 11 miles and about

[00:45:09] a little bit under six miles of it, around 6.2 miles is in Ibermar County. The rest of it is in nelson county and this is a structure that is there now they're about 40 years of age the poles are wood and the

crossworms are wood so they are deteriorating from inside out we don't know that they that they're ready to fail until they do and when they do they affect about six

[00:45:44] 1,750 customers along that line. It serves the Martin Store substation, Peggy's Pinch, which is a pump station for Wintergreen, the Wintergreen substation, and the Laurel Spring substation at the top of the mountain. So there's a lot of customers that's affected by this line.

[00:46:05] So phase two is about 2.8 miles inside the county. Phase one was finished in 2023. We had to divide it into two phases because of financial and manpower restraints.

[00:46:25] We do have a 150-foot existing easement. So, again, all of the line will be in the existing easement. The existing poles are to one side of the easement because at one time many years ago there were two transmission lines in there.

[00:46:42] Now there's only one, and it's to the side. So we're able to build a new line down the middle pretty much. So that's going to be a great improvement. So this is just two of the pole designs.

[00:46:59] The one on the right is the existing poles, and the one on the left is what it will look like when we get finished. They are a little bit taller just because of the vertical construction as opposed to horizontal construction. But it's a much nicer looking pole to look at. And again, I explained the number of customers that it serves and the substations and the age of the line.

[00:47:26] The poles are ductile iron poles, which are resistant to woodpeckers, insects, rot, and weather, and so forth. So they last. They're designed to last for 100-plus years. And when they weather, they weather naturally, so they look very much like a tree.

[00:47:47] It's a brown color. It's very nice-looking. There's a typical cross-section I think you saw earlier. So there will be no impacts expected along the proposed route.

[00:48:06] The design will avoid any sensitive areas, and we'll use rubber-tracked vehicles throughout the project. We put a lot of careful design considerations into the project. As you can see from this just one page of the design projects, a lot of detail, a lot of information that's put into it.

[00:48:29] We've noted all the streams and ponds along the route, and we will use any matting, wood matting, to cross any of those. as needed vegetation management central virginia electric co-op performs extensive work each year to cut and maintain rights of way for new and existing lines along the 4 500 mile system that we have we invest more than 2.5 million a year on vegetation management system in order to increase

[00:49:05] the reliability for our members and remove any danger trees from the area and of course we're proud to be a caretaker of their environment as you can see from this certificate from the habitat partner certificate and i've got five minutes left all right any questions thank you we'll go through our order uh starting with supervisor mallick thank you thank you very much i know the reliability is really really important for sure so from the photograph it looked as if the

[00:49:42] new poles don't start out looking like aluminum foil they start out looking brownish already Is that correct? These poles come to us in a dark color. So they're not a shiny aluminum or steel color. They come to us in a dark color to begin with.

[00:49:59] That's great. Thank you very much. And I'm interested in the vegetation plan. Do you plant things that are going to top out at five or eight feet so you don't have to come back in and keep mowing

everything down? Or do you have to just leave it to see what grows on its own?

[00:50:16] No, it's this certificate that we received. We don't go through and just mow all of our right-of-way easements. You know, we leave some vegetation there for birds and butterflies and that sort of thing.

[00:50:32] We do cut the trees that might get into the lines and cut that brush out. But, you know, a lot of our right-of-way is not mowed down to the ground. It's, you know, left some vegetation there for the wildlife and so forth.

[00:50:47] Thank you. And for erosion prevention, too. That's really great. Thank you very much. Thank you. Supervisor McKeel. I don't have any questions, but thank you for your sensitivity to the environment. That's really great. Supervisor Pruitt. This is going to be a weird one, but I know I grew up right next to a cow farm that had some transmission lines cut through it, and those were aluminum poles.

[00:51:11] Cows love hanging around them, and it's popular folk wisdom that it does something to the cows, and different people will say different things. I have never heard of poles being made of ductile iron, and I'm curious if this is a newly rolled out thing and if there are resistance coming from any farm and communities, to your knowledge.

[00:51:35] I've not had any, honestly, not had any experience with, this is a 115 kV line. with that voltage causing any problems. Now, I have worked in Georgia where there's some 500 kV lines, and when the line runs parallel to a fence, a metal fence, sometimes you can get some static electricity off of that.

[00:52:08] And, you know, you may just, if you touch it, you may draw an arc, just like you would in the wintertime, walking across the carpet in your house, you touch your refrigerator door, and you'll draw an arc sometimes. But for this footage, I haven't had any problems in my 42 years of experience at the utility.

[00:52:28] Sure thing. Thank you. Thank you. Supervisor Galloway? I've heard when people hang around cows too long, they start to act weird too. So I saw in here that the, and you may have said this, but I also read it, that there's actually going to be fewer poles and i'm assuming that's with the x with the added height is it a combo that since they're higher they can stretch further and the poles hold more like how is the you know somebody knows about physics it's mainly uh the the pole locations

[00:53:05] are pretty much pole for pole uh the reduction in poles is you have two poles oh the age so it's not that there's actual fewer spots so it's it's not quite half because there are some existing single poles in there, not very many, but it's a great reduction. It's almost half.

[00:53:24] Got it. I'm glad I asked. I was thinking it actually meant fewer points where the poles would be, but it's just you're reducing from two to one at each location. Thank you. Supervisor LaPeso-Curtley? I'm just wondering, with the new poles, would that allow for additional wires and such if needed in the future uh that would have that would require totally new design oh um you know there's a lot as i showed you in the drawing uh there's a lot of engineering and design work that

[00:53:58] goes into the design of the line and it's it's designed for uh that conductor and that conductor along if we increase the size of the conductor to a larger conductor uh then the whole size and everything would change because of the weight of that conductor if we went to a different voltage the configuration would change so the line is designed for that particular line at 115 kv now i will say that we're not placing replacing the conductor right well we're not increasing the

[00:54:36] conductor size we are replacing the conductor just because we have to keep it energized to the facilities that it serves so we're building a new line over here and then we're going to tear the old line out but the new line will be the same conductor size as what is on the old line okay thank you for the answer thank you sir thank you and i have no additional questions so um you have five minutes oh man i'm sorry i think of things too late uh in the image you showed it looked like

[00:55:11] five different sets of catenary the lines is that right or was i just looking at multiple images of one one line there we go that one with all the this one there's the line at each one of the arms is that right right so there's uh all right three phases there's one one per phase so you have to have three phase if you have a a large motor and a three-phase load so there's a one freeze phase on the very top is the static line which protects the line from lightning lightning will hit the

[00:55:50] static line and take it to ground before it hits the line and then if there is any there is not any on this section of the line that we're doing but if there is any under build what we call of distribution lines then it's going to be below the transmission lines but there is not any on this section of the line okay all right so it's the three phase that our turkey place and crozet really really needs for their giant refrigerator and they haven't been able to get it out of dominion i wish you all would run up there because that would help him on jarman's gap i guess just uh try to make it as simple as possible your house is served by single phase

[00:56:26] this building is served by three phase okay lots more draw well thank you and up on uh calf mountain where the catenary is really low and the dooms to cunningham line which is not yours i know it's dominion's but it makes your hair stand on end to go just the static feel that you get it's up there but it's so close when the trail goes underneath the lines that you just get all prickly around your neck it's really creepy thank you very much thank you if you have any additional you have time okay well thank you then thank you in that case we will close the public hearing

[00:57:01] and if you could put the motion up again this is in the samuel miller district so i will i'll move to adopt the ordinance attached to the staff report as attachment D.

[00:57:19] Second. It's actually a resolution, so it should read resolution attached as attachment D, but if the board's interested in adopting the resolution attached as attachment D. Thank you. That's what I'm looking at. So to adopt the resolution attached to the staff report as attachment D.

[00:57:37] Second again. Thank you. I've made the motion. I've made the motion. This is Roger Malek, seconded, without objection, if the clerk will call the roll. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. Malik? Yes. Ms. McKeel? Yes. Ms. LaPista? Kirtley? Aye. Thank you.

[00:57:54] Thank you very much. Thank you, CVEC. Yay. Very happy to have these. I remember that party at the other, at Midway, when they ran the line north from the Midway station for the. Board, this brings us to a matter from the board, committee reports and matters not listed on the agenda.

[00:58:11] We do have one additional item, but I'll go through the order first to see if there's any other items. Supervisor Malik? No extras, thank you. Supervisor McKeel? Thanks. Supervisor Pruitt? Nothing to add. Supervisor Galloway? Yes. Supervisor LaPistro-Curve.

[00:58:26] And then, at this point, we need to have a motion to authorize the chair to sign a letter of endorsement of the candidacy for Travis Morris for the International Institute of Municipal Clerks Vice President. So moved. And I believe everyone has that form.

[00:58:43] We have a motion? Yes. Second. Okay, motion from Supervisor Malik, second from Supervisor McKeel. Without objection, the clerk will call the roll. Mr. Pruitt. Aye. Mr. Andrews. Yes. Mr. Galloway. Yes. Ms. Malik. Yes. Ms. McKeel. Yes. Ms. Lapista. Kirtley. Aye. Thank you.

[00:59:00] Is there anything? Congratulations to Travis. Yeah, congratulations to Travis. We're proud of him. That's great. He's our vice president. Does the county executive add anything for us? Yes, sir. If not, then I will adjourn the meeting to Friday, December 6th at 1.30 p.m. in room 241.

[00:59:26] Okay. And opportunities for the public to access this meeting are posted on the Albemarle County website, on the Board of Supervisors homepage, and on the Albemarle County calendar. There won't be any public comment. Thank you. Congratulations. I think this is...



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