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Albemarle County Board of Supervisors Regular Meeting, Wednesday, February 5, 2025

Date Wednesday, February 5, 2025
Place Albemarle County Board of Supervisors, Virginia
Length 4h 52m (video)

- Official meeting video (Granicus): https://albemarle.granicus.com/MediaPlayer.php?view_id=1&clip_id=1277
- Official agenda: https://albemarle.granicus.com/AgendaViewer.php?view_id=1&clip_id=1277

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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.

[00:00:00] First, appointments to various boards and commissions, including, without limitation, the 5th and Avon Community Advisory Committee, the Economic Development Authority, the Equalization Board, the Historic Preservation Committee, the Natural Heritage Committee, the Pantops Community Advisory Committee, the Places 29 North Community Advisory Committee, and, second, appointment of the county's Director of Facilities and Environmental Services.

[00:00:20] Second. We have a motion from Supervisor Pruitt, a second from Supervisor Pisto-Curdley. Without objection, if the clerk will call the roll. Mr. Galloway. Oh, I'm sorry.

[00:00:35] Ms. Lepisto-Kirtley? Aye. Ms. Mallett? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. On the board, we will reconvene in closed session. We're going down to the usual place. Do we have to vote or not?

[00:59:22] Welcome back to order. First, before we start with any business, we'll ask Mr. Pruitt to bring us out of closed meeting. Yes. I'd like to move that the Board of Supervisors certify by 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 authorized in the closed meeting were heard, discussed, or considered in the closed meeting.

[00:59:46] Second. We have a motion from Supervisor Pruitt, second from Supervisor Malek. Without objection, the clerk will call the roll. Mr. Galloway? Yes. Ms. Lapisto-Kirtley? Aye. Ms. Malek? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. And I believe we have a couple of motions coming out of our closed meeting.

[01:00:03] We do. The first motion is, I move approval of the resolution appointing Jeffrey Dumers as the Director of Facilities and Environmental Services, effective February the 8th, 2025. Second. Motion from Supervisor McKeel.

[01:00:20] Second from Supervisor Malik. Without objection, the clerk will call the roll. Mr. Galloway? Yes. Ms. LaPiesto-Kirtley? Aye. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. And the next motion are for our boards and commissions.

[01:00:37] So I will read through them. Fifth and Avon Community Advisory Committee, Amanda Brookman and Naomi Aitken, Equalization Board, David Mitchell, William Howard, Historic Preservation Committee, Dennis Hughes, Natural Heritage Committee, Robert Jennings, I'm sorry, Pantops Community Advisory Committee, anthony jargovsky and um we are pointing to the ravana solid waste authority jeffrey dumars second motion from supervisor mikhael second from supervisor malik without objection if the

[01:01:15] clerk will call the roll mr galloway yes miss lapisto kirtley i miss malik yes miss mikhael yes mr pruit i mr andrews thank you and welcome everyone mr chair mr chair what was your vote on the on the last motion yes your brochures yes thank you we didn't hear it skipped skipped right past that sorry about it welcome everyone to this regular meeting of albemarle county board of supervisors the 5th of february here in lane auditorium uh note that at the dais if you've heard we have supervisor ann malik of the whitehall district supervisor ned galloway

[01:01:50] of the rio district supervisor uh dianth mckeel of the jack jewett district supervisor bila pisto So currently, the Ravana District, Supervisor Mike Pruitt of the Scottsville District, and myself, Jim Andrews, representing the Samuel Miller District. Everyone's here.

[01:02:07] We are also joined by our County Executive, Mr. Jeff Richardson, and our County Attorney, Mr. Andy Herrick, and our Clerk, Ms. Claudette Borgeson. Also, please let me welcome our Albemarle County Police Officers, President Officer Jordan Allen and Officer First Class Justin Gibson.

[01:02:23] We appreciate your service here today and every day on behalf of the security of our county thank you um if all present now could stand as you are able as we recite the

[01:02:34] pledge of allegiance thank you and uh please join us for a moment of silence thank you for our first

[01:03:26] item of course is to adopt the final agenda and i've heard no suggestions or recommendations of any amendments or changes. We have a motion to adopt the final agenda. So moved. Second. Motion from Supervisor McKeel. Second from Supervisor Malek. Without objection, the clerk will call the roll. Mr. Galloway? Yes. Ms. Pisto-Kirtley? Aye. Ms. Malek? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews?

[01:03:50] Yes. Thank you. And our next item is brief announcements by board members, but before I want to jump into that, I want to turn to our county executive, Mr. Jeff Richardson. We've just appointed a new director of facilities and environmental services so yes sir mr chair members of the board it is my honor and privilege to invite mr jeffrey dumars please to come up to the podium and i'd like for him just to

briefly introduce himself uh board i know you're familiar with mr dumars but our community may not be he has been with this organization just over a year

[01:04:26] He was hired originally as a deputy director of FEZ, and our staff has had the opportunity to work with him for over a year, two separate stints as interim director. And so we've had a great opportunity to evaluate his work, work with him on a day-to-day basis.

[01:04:44] And so, Mr. Chair, with your permission, I'll turn it over to Mr. Dumars, and thank you. Welcome, Mr. Dumars. Thank you very much, Mr. Chairman and the members of the board. This is a tremendous honor. It's been an absolute privilege for me to become a part of the local government organization over the last year and to help lead the Facilities and Environmental Services Department.

[01:05:08] The appointment has come as a result of the early departure of the past director, Lance Stewart. I am uniquely blessed to take over a department Lance fostered. He focused the department on dedication to service, hard work, and excellence. I have big shoes to fill.

[01:05:26] Also, my success as interim director in this honor tonight represents a greater team effort, as I have been extremely fortunate to be supported by such a great organization and the FEZ department, which is filled with talented, steadfast leaders and staff.

[01:05:47] I want to thank the FEZ team, particularly the division chiefs, Blake, Bill, Greg, but all of the staff. their tireless efforts to keep the lights on, the sidewalks clear, make projects successful, and manage the huge array of operational, environmental, developmental, and service tasks, all of which are required to keep this local government functioning.

[01:06:14] Beyond our department, I've had the opportunity to work with talented leaders and staff from other departments who have also contributed to my and our department's success. And I just want to thank those partners, and I look forward to developing deeper partnerships. And lastly, I just want to thank the board.

[01:06:31] Your countless hours you contribute, your leadership, and your support are amazing, and I personally appreciate it. So to all the leadership, our partners, FEZ loves supporting you, and thank you for supporting us.

[01:06:48] With your continued support, I'm sure the department will not only continue to be effective in the future, but we're ready to do the hard work to improve and strive for continued success. I'm up for the challenge. I look forward to helping our department, our organization, and our whole community continue to thrive.

[01:07:09] So thank you again for your support. More about me. I've been here a year, so I was at Virginia Tech for approximately three years prior to that as the director of campus planning and other universities doing similar work and similar facilities organizations, have two kids, and I'm just really excited to be here.

[01:07:34] So thank you. Thank you. I'll give the board a chance to come in and we go through our order, starting with Supervisor Lupisto-Curtley for today. Congratulations, Mr. Dumars. We're really happy that you've accepted the position. I did note you mentioned Virginia Tech and you neglected to mention San Luis Obispo, Cal Poly, a great school.

[01:07:58] So I just wanted the audience to know that. I know that's important to them. But I just want to say we're really happy that you're on board. And I think you got me with hard work and challenge because that's what we're facing. And I think you're very much up to the job.

[01:08:15] So congratulations. Thank you. Supervisor McHugh. Welcome aboard. We do have a great team here. our employees are really really outstanding and welcome to the team um and i'm like be when i heard you and had experience at virginia tech i was very excited because they do a lot of good things down at virginia tech including their transit system just saying but welcome aboard and we're thrilled to have you um and you really did just most recently in my experience the opening of Biscuit Run and what the team did at Biscuit Run was just outstanding, and that's a really

[01:08:54] great park to add to our park acreage in the county. So, anyway, thank you very much. Thank you. Supervisor Callaway? Yeah, congratulations on the promotion to step up. I think a good sign is the fact that when you were interim, the department did not lose a step and kept momentum going.

[01:09:12] We've always been very appreciative of that, so I know that we've got the right person in the seat permanently now. I wish you all the best and look forward to working for you as we work together. Thank you. Supervisor Malik? Thank you, and thank you already for the previous communications to solve snow shoveling and other plant trimmings during your first year.

[01:09:36] Those seemingly small things are really important to the communities whom you serve and we all serve, so I just appreciate your attention to pointing us in the right direction, getting these things accomplished. but also to be in charge of the environmental side and also into the construction side for the multi-million dollar buildings.

[01:09:56] That's a rubber band that's stretched pretty far, and I appreciate all of the skills of your many staff members who can cover all those spaces so well. Thank you very much. Thank you. Supervisor Primmitt. Thank you so much. I know that after you came and joined us, a combination of a little bit of fate and a little bit of bad luck had you really thrown into the fire almost immediately.

[01:10:17] And that kind of take it, I got it kind of approach to leadership that went, as was said earlier, without losing a single step, I know must have been incredibly testing. And the fact that you have continued to gamely lead the department, I think, says a lot about your capabilities, your ability to bring energy and learn as fast on the job as you need to.

[01:10:40] So I'm very excited for you to step into this role of leadership. Thank you. Thank you. Thank you. And I'll just add that we are good people, and we're lucky to have you. Congratulations. I really appreciate you being here. Thank you. Thank you. Board, we'll now go through our order for announcements, starting with Supervisor Lupisto-Curtley. Have you had any announcements?

[01:11:00] I have no announcements at this time. Thank you. Supervisor McKeel. Yes, I have a couple. I just wanted to remind folks that what I think has almost become an annual Chamber of Commerce event, the 2025 State of the Community event is being held on February the 21st, which is a Friday, from 8 to 10 at PVCC.

[01:11:23] And it's, again, the Chamber of Commerce, State of the Community. And the speakers include Sam Sanders of the city, Jeff Richardson from the county, Antoine Brinson from Culinary Concepts, and Hamilton Lombard from Weldon Cooper Center.

[01:11:43] So I encourage everybody to go to the Chamber website and find out more about it, but it is really a great event. The other item that I want to mention, and I know others may want to join in on this, but many of us attended the grand opening, the ribbon-cutting of the Albemarle Employee Care Clinic, which is a health clinic for Albemarle County employees both on the school side and government side.

[01:12:11] And this is really a game changer for our employees with their health care. So that was a fun event attended by lots of people. And the first location is in Pantops on the Peter Jefferson Parkway. And the second location, which will be open on 29 North, in the area around Lowe's, the intersection at Woodbrook and Lowe's there.

[01:12:35] So anyway, lots of folks were there, and I know others will probably have something to say. and i just wanted to remind folks that this just came out this week it is a vdot notice that work will begin on old ivy road the replacement of the bridge deck on old ivy road that work starts monday february the 17th which is on top of us and there will be detours i won't go into all of the detours it's because it would be too complicated to try and describe but that's the old ivy road

[01:13:12] bridge they're replacing the bridge deck so detours will be necessary and uh you can go to the vdot website and take a look at that under projects if you want more information and that's all i have thank you supervisor callaway thank you i uh one brief announcement it was not in the VDOT transportation report last month, but the Hillsdale-Greenbrier intersection, the modular roundabout that's being done through VDOT's safety improvement budget, so it's different than what

[01:13:46] would show up in our normal report, but that is moving forward. It's past the design stage. They're reviewing the designs, and it won't happen before the end. It's likely not to happen before the end of this fiscal year based on the way they are funding it, but after July 1, maybe by the fall, but certainly I'm thinking by the end of this calendar year, we'll finally have the round, it's a new type of roundabout, it's called a modular roundabout, there's only a couple of them in Virginia, but the way they put these in, it's a lot more cost effective than building full-on roundabouts, but it'll help with both the speed and the intersection issues at that issue, so just thought I'd provide that quick update.

[01:14:27] Supervisor Malek. Thank you. I'm so glad for that news because it will work so much better than putting a great big hay bale in the center, which has always been my suggestion. Regarding the State of the Community event, when you come to that event at PVCC, you'll be able to park your car in the parking lot under solar panels, which have been put over the parking lot there, and it's a great way to see how that works up close.

[01:14:49] This is the season for awards dinners for our fire and rescue, and I was privileged to attend the Crozet Volunteer Fire Department dinner. They are 115 years young this April, and there'll be lots more coming about celebrations for them.

[01:15:07] For Western Almar Rescue Squad, founded in 78, they celebrated the learning and achievements of their 130 active members who ran over 2,100 calls in 2024. They have also celebrated 28 new members, including nine juniors who did all their training, got released while they were in high school.

[01:15:30] And they showed a wonderful photograph of them in their caps and gowns standing there by the sign because they were all graduating last May. Really exciting. Many of them were there at the party

last night. The rookies range in age from a retired lawyer and local businessmen in their 50s to those teenagers.

[01:15:50] and recognitions the winner of the Francis Henry Award ran 181 calls a young woman in 2024 also recognized was Bob Knox whose wife Leanne is on county staff our wellness person and they've been active members of war since 1980 and also Chief Costas Albertus Chief 50 we call him he's been chief since 1984 so 41 years his leadership and ferocious leadership is credited with the high performance standard combined with constant coaching for success and a strong family atmosphere

[01:16:26] which keeps these people coming back year after year. So I congratulate all these agencies and their wonderful members for providing such strong service to our community and inspiration for all of us. That's all I have. Thank you. Thank you. Supervisor Pruitt. Thank you. First I would like to thank our housing advocates who have joined us and I would like to just remind my peers on the board that the coalition that comes out for housing is always very large. While sometimes they are not the most noisy parts of our community, they represent a disproportionately large part of our actual population, people who desperately need deeper investment in

[01:17:02] fair housing. They have made a publicly available letter that is addressed to us but is publicly available that I would encourage members of the community to look at to see the specific demands that are being called on upon us. Some of them will be more achievable than others, but I think they're things that we need to really dig into collectively as a board, and I'm grateful that they're here today.

[01:17:20] Many people have probably heard in the community that the Hatton Island Ferry is closing permanently, unfortunately, and it will not be starting back up this summer. While this is unfortunate, it was something that has been a long time coming, something I talked about with the Historical Society when I was even running, that it was likely to come soon, and it was an unsustainable economic model, which is really tragic.

[01:17:43] And I think it does highlight, along with, frankly, five different small businesses that have been shuttered or sold in the last month in Scottsville, serious concerns that I have about kind of the economic vibrancy of that region and what we can kind of do collectively between the council and the board to really catalyze continued economic activity in that region, which I hope we will get an opportunity to dig into a little bit later this year with our joint meeting with the town of Scottsville.

[01:18:09] As I always do, I would like to remind the public about the upcoming elections, because there is always an upcoming election. The next one is going to be the primary, and as I'll remind folks, there's quite a lot of primaries in the statewide elections that are happening. And so the early voting for that begins on May the 2nd, and the actual primary is on June 17th.

[01:18:33] And lastly, it does feel like it would be disingenuous to not address this because the most important thing that has happened to our community in the past two weeks since we last met has been from the federal government. So about 9% of the Virginia economy of the workforce is employed in nonprofits, and that is actually much, much higher in our region because we have UVA, we have a lot of regional environmental nonprofits, we have a lot of things driven by that engine.

[01:19:05] And so the administration's illegal impoundment of Congress's approved funds has really thrown a lot of people's work life into jeopardy. We have a lot of professionals in this area, especially

affiliated with the university, who work on federal contracts. The Doge administration has begun illegally and line-by-line efforts to eliminate and cancel those individual contracts.

[01:19:29] That has resulted in things like stop work orders. My closest friend yesterday had to lay off 30 people and is himself probably going to be, what's the word, furloughed for the next three months and probably fired at the end of those three months.

[01:19:46] I know this is happening to a lot of other people in the university who administer federal contracts, as we just reported on yesterday in Seville Weekly. Trans folks under 20 in our community, many of them adults, have had their care terminated by an illegal order.

[01:20:03] This means a complete loss of access to their psychiatrists, an interruption of their medical care that includes medication, hormones, that is being abruptly stopped mid-cycle. I have personally received calls from close friends who are concerned that they don't know how to get a passport anymore, and they want to know what kind of lawyer I should be referring to them to.

[01:20:25] The answer is there isn't a kind of lawyer for this problem yet because it's so novel. I'm going on Friday to what is an emergency wedding, which is a really disastrous pair of words to put together between two trans friends of mine.

[01:20:42] Our school system was specifically named in a legal order that sought to take away curricular control from that school system. The officers on this dais have been threatened by the Department of Justice if we attempt to interfere with any of these actions.

[01:20:58] THERE IS IN OUR OWN BUDGET 1500 PEOPLE WHO RECEIVE HOUSING CHOICE VOUCHERS THAT ALLOW THEM TO LIVE WHERE THEY DO. AHIP IS FUNDED IN LARGE PART BY COMMUNITY DEVELOPMENT BLOCK GRANTS AND HOME GRANTS THROUGH CHARLOTTESVILLE AND THEN THROUGH THE THOMAS JEFFERSON PLANNING DISTRICT COMMISSION AND REALLY IMPORTANTLY THE TELECOM INITIATIVE THAT WE'RE USING TO EXPAND BROADBAND THROUGHOUT THE COUNTY.

[01:21:21] While it is a state grant, it in turn receives money from federal grants, and it is not clear to me if that means that there is going to be a potential interruption of work laying the line in Keene that is expected to come later this year. That's something I'm going to be very concerned about, and we don't have a clear answer as a community yet.

[01:21:41] And lastly, you know, Latinos and immigrants are a significant part of our population. They're especially a significant part of my district, the Scottsville district, where I have one of the largest concentrations of this community, period. And some of them are undocumented, and those undocumented people make up about a fourth of the construction workforce in this county.

[01:22:01] They make up about a fourth of the agricultural workforce in this county, which are two industries that we talk about a lot, about the importance of sustaining them and supporting them. I do not know of any credible claims of an ICE raid in this community, but people are very scared.

[01:22:18] I was part of a call that went out to lawyers to court watch in case ICE started coming into civil and criminal docket calls to take people out as they came in. There were some students from MHS who organized a very large, peaceful rally that came out of joy but also fear for their community.

[01:22:40] This is all just to say that these are uncertain and harrowing times, and I don't think it does us any good to pretend that that is not true. The current American federal administration is filled with a

contempt and sometimes a hatred for Americans. This requires that as a community, we have really strong backbones and a lot of moral grit. And the people on this dais disagree with each other about a lot of things, right? I'm sure quite a lot of them disagree that this is an appropriate statement to make. But what I can assure you that they all agree on is that they have steel backbones

[01:23:19] on this dais and a good bit of moral grit. So I hope the community can take some solace in that. Thank you. Well, thank you. I have no announcements, so we can move on from there. Our next item is proclamations and recognitions, and we have a proclamation. Supervisor McKeel will read.

[01:23:39] Yes, and I am going to read this proclamation as a motion, and I think it's a very timely proclamation. Proclamation celebrating Black History Month, whereas February 2025 marks the 99th anniversary of historian Carter G. Woodson's dedication in promoting the achievements of Black Americans and people of African descent, and whereas February 2025 marks the 49th anniversary of the federal recognition of Black History Month,

[01:24:15] And whereas Almaro County celebrates the wisdom of civil rights leaders and community builders this month and every day, and whereas Almaro County seeks to acknowledge and recognize black Americans in the local workforce and community who contribute much time and service to enhancing the well-being of all residents.

[01:24:36] And now, therefore, be it proclaimed that we, the Elmorro County Board of Supervisors, do hereby honor and celebrate Black History Month as an opportunity for all county residents to recognize and support the social, physical, and cultural contributions of black Americans and to take meaningful actions to create a more equitable and inclusive community for all.

[01:25:01] Signed this 5th day of February 2025, Jim Andrews Chair. Do we have a motion? We have a motion from Supervisor McKeel, a second from Supervisor Malik. Without objection, if the clerk will call the roll. Mr. Galloway? Yes.

[01:25:17] Ms. LaPista-Kirtley? Aye. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. And I believe we have Ms. Rebecca Kinney here to accept this proclamation.

[01:25:34] Welcome. Thank you for being here. Thank you for having us. I appreciate this. Good evening. Pull that really up close.

[01:25:50] It's not working real well today. Okay. I'm so afraid. Thank you. We want to be able to hear you clearly. Oh, okay. Can you hear me now? Yes, it's better. Okay. Good evening, Board of Supervisors and everyone else present tonight. Thank you so much for having me tonight.

[01:26:07] I am deeply honored to receive this proclamation, recognition of Black History Month, and the work we do at St. John Family Life and Fitness Center. Thank you for this meaningful acknowledgement.

[01:26:25] Black History Month is a time to reflect on the resilience, contributions, and achievements of African Americans, both past and present. For me, this recognition is not just personal. It represents the legacy of a community that had persevered, uplifted one another, and worked tirelessly to preserve our history while building a strong future.

[01:26:52] The St. John Family Life and Fitness Center stands on the foundation of the historical St. John Rosenwald School, a school that once provided education to black children during surrogation when opportunities were scarce or nonexistent.

[01:27:17] Today, through the Center, we continue that mission by promoting health, education, and community engagements for all. Our work is about bridging generations, honoring our paths, and creating opportunities that ensure a brighter future.

[01:27:37] This recognition from Elmar County reinforces the importance of preserving history, fostering wellness, and building community. It is a testament to what can be achieved when people come together with a shared vision.

[01:27:55] I want to extend my gratitude to the Board of Supervisors and their dedicated volunteers, partners, and the community members who continue to support our mission. This is not just my recognition. It belongs to everyone who has contributed to this journey.

[01:28:13] And it has been a long journey, and we're not finished yet. Thank you again for this honor. I look forward to continuing this important work together with you. And you have been a great supporter of our cause.

[01:28:29] I can look at Ms. B. Latre Petro Kirkley and always know that she will be there to support us and work with us. Just wanted to let you know that you work diligently and helping us to connect to the right people, to have the Fireball app optic cables laid on our road there so we can have internet.

[01:28:54] That is just about finished. The cables are laid, but they're not connected, but prayerfully they will be soon. And we thank each of you guys for supporting us. And also just recently when I was writing a grant for the Commonwealth History Fund, I called Ms. Kirkley again for endorsement.

[01:29:19] She not only got her endorsement, but she got everybody else, all the supervisors, to endorse us. Unfortunately, we didn't get it this time because the man outweighed the supply. But they said come back again in 2026 because what I was writing for, requesting, was to celebrate America being 250 years old in 2026.

[01:29:45] And we want to update our technology in our museum area so it will make it more enjoyable for people to understand what we have accomplished. So we thank you again. We appreciate all your work. And thank you for this award.

[01:30:02] appreciate it. Thank you. If you'll remain for a moment, I'm sure care to comment, serving with Supervisable Peace of Hurley. Hi, Rebecca. How are you? I'm fine. Thank you. Thank you very much for receiving our proclamation, and thank you very much.

[01:30:20] I will say, I think I feel free to say that we will be supporting you next year when you apply for the grant again we're there for you and i will say just like we've given before the board has given before a donation for the community center we will continue to support you and i know those connections are coming uh so the the fiber is laid now the connections will go to the home thank you yes and um that's been an arduous journey but we we've gotten there and if you would

[01:30:53] introduce the people with you also i yes i have with me members of the board yes i have our pastor who is vice president pastor kevin hawkins penny hawkins which is the advisory board and their daughter kia welcome yes welcome it's been such a pleasure i think i've known you about five years now yeah since i first got on the board and frankly it's been just an absolute joy and a pleasure I always enjoy going to all the events, and as you know, I enjoy eating all the delicious food.

[01:31:30] That helps sustain me, so I appreciate that. But I think we're always going to be here for you, and you are a great example of community involvement in what can be done when you care and when you bring people together to care and get things done.

[01:31:48] So you're a mover and a shaker, and I know you shook me, so I'm sorry. And I so appreciate it. Thank you. Love you, too. Supervisor McHugh. Thank you for being here today. And I will say you failed to point out the wonderful historic marker.

[01:32:06] Yes, I thought about that just now. Yes. And it is wonderful that it marks the school, the Rosenwald School. So really many of us were there for the ribbon cutting, so to speak, for that magic marker, for that historic marker.

[01:32:23] But it is great. Yeah, the school's great. That was for Miss Virginia Merritt, that state marker. Yeah, that state marker. We appreciate that. That was from Elmore County. And I do want to take a moment just to recognize Black History Month.

[01:32:38] And I do have, before you leave, I want to give you a copy of the proclamation. But as we celebrate Black History Month, I wanted to just reflect a minute on my teaching days in the early 70s at an elementary school in Virginia that was not diverse.

[01:33:01] We had no African-American students, we had no African-American teachers, and our diversity consisted of a few Asian students. During those years, February was my favorite teaching month because the school supported Black History Month and the school's support enabled me to highlight the achievements of African Americans and to teach about those African Americans who were important to our nation's history.

[01:33:35] And it also empowered me to include Black History into my curriculum throughout the year because of the Black History Month celebrations. Today, I'm grateful to live in a community that celebrates the diversity of all of its members, regardless of race, disability, gender, or sexual orientation.

[01:33:58] And today I'm reminded of a quote by Stacey Abrams, author and former Georgia state representative, and the quote is, Blackness has been the longest standing form of discrimination in this country, but the reality is they start there, but it never stops there.

[01:34:22] We must remember when we create a safe environment for some, we create a safe environment for everyone. As elected officials, it's our duty to continue to do what is right and to always speak out against discrimination.

[01:34:38] Thank you for being here. Thank you for having me. Supervisor Calloway? Thank you for being here. Often these proclamations give each of us a chance to reflect on different things that have had meaning or left impact on us.

[01:34:56] I love that you found a new leader, a new African-American leader in Stacey Abrams, because I, too, reflected on something that I'm sure all of us, well, I hope that everybody had a chance to hear. Our minority leader, Hakeem Jeffries, you know, I think he encapsulated in a very succinct way, you know, we have this new phrase, diversity, equity, and inclusion, and we've now even shortened that down to DEI.

[01:35:23] But when he was asked to respond to everything that's going on around DEI, I'd love to just read his quote real fast Because he just got it, and he nailed it. Diversity, equity, and inclusion are American values. Perhaps I can explain.

[01:35:39] The motto of the United States of America is E Pluribus Unum. Out of many, one. That's diversity. The 14th Amendment to the United States Constitution, one of the most important amendments in our country, provides equal protection under the law. That's equity.

[01:35:55] In this country, we pledge allegiance to the flag of the United States of America, A flag that we just presented to the new president and vice president. And in that pledge, we promise one nation under God, indivisible, with liberty and justice for all.

[01:36:11] A-L-L. That's inclusion. Not complicated. Diversity, equity, and inclusion are American values. It's about economic opportunity. It's about merit for everyone based on what you know, not who you know. Mr. Jeffries was not a person before he was minority leader that I knew a whole lot about.

[01:36:30] I mean, frankly, his generation has not been in leadership positions in the Democratic Party for, you know, that we're getting new and fresh ideas and voices born out of this idea in the black experience that really cherishes and understands what the American ideal was supposed to be.

[01:36:48] And because it didn't live up to its promise, has held them to account and continues to. And I think your words about preserving history are spot on, because there are a lot of folks that would prefer not to have certain histories preserved. But you can't ignore the truth.

[01:37:03] You have to face it and accept it. So very much appreciated your words on that as well. Thank you again for being here this evening. You're welcome. Thank you. Supervisor Mallory. Thank you. I was fortunate as a child to grow up in rural Albemarle, among many African-American Albemarle farmers and their children.

[01:37:21] Fast forward to today. There are so many groups in the Whitehall District, neighbors living around parish houses, taking care of cemeteries, researching where the buildings were, where the families lived, and pulling together to support and retain as many of those historic structures and the memories contained as possible.

[01:37:43] And that is part of our history and part that we need to make sure we learn and can share with younger generations going forward. And you're an inspiration in that effort, and I'm so grateful. thank you very much. Thank you. Supervisor Pruitt. Thank you so much and thank you so much for the for the work y'all's organization puts in preserving the center. You know I have a friend really more of an acquaintance but someone who I respect who served as vice mayor down in Glasgow in the Shenandoah Valley. Real small community and she's a young black woman and the thing that she talks about being the proudest that she was able to do during her time on that city council

[01:38:24] was really fight to get some funds reinvested into what had historically been the black community center in their community, because this is where she grew up. And she was able to talk really persuasively and really movingly about how these spaces, especially in smaller rural communities, are such repositories for, like, the history, but also, like, the hopes and the dreams and the future.

[01:38:46] And, like, it is what community is, is what government means, especially in smaller rural black communities. So I really value the work that he'll do in kind of preserving some of that legacy. And I also do always like to each have our own angle that we approach things from when we go through our annual proclamations.

[01:39:05] And when I think about black history, the angle that I think about it through is through the civil rights movement, which is very natural because that's what a lot of people think about. They picture Dr. King. They picture the Civil Rights Act getting passed. And I work as a civil rights lawyer, right?

[01:39:22] So it's natural that that's what I think of. And the thing I always remind people of is I still have a job, right? I am still suing landlords every day for the things they do against black people. In fact, there are more lawsuits, vindicated lawsuits, right, like folks who win on claiming discrimination on the basis of race now than there were when we passed the Civil Rights Act, than there were around the time that Dr. King was shot.

[01:39:49] segregation indexes are higher in many parts of Virginia now than they were in the 60s. The black wealth gap is, I think, a little closer, but boy howdy, that ain't saying much, because it is egregious how much more wealth is held by white families than black families in America. So the thing I always like to remember when we are talking about black history is, yes, let's celebrate black history. Let's talk about these places, these moments that preserve the memories and the hopes and dreams of the black community. Let's also remember that the black experience in Frozen and Amber, it is a living, breathing thing. It is a struggle that continues

[01:40:25] to need to be fought every day. We still need to keep bringing those lawsuits. We still need to keep closing up those wealth gaps. We still need to keep doing the incredible work that I know your community is working for, and I hope that this board can continue to help y'all with. Thank you. Thank you. Yeah, I look forward to that. Thank you, and I'm just going to add my two cents to Ditto to what my colleagues have said and my, again, appreciation for you being here, for the work you're doing at the St. John's Family Life and Fitness Center and your remarks.

[01:40:54] So I appreciate that very much. And I want to make sure that you get this proclamation before you leave. Thank you.

[01:41:15] Thank you. Board, this brings us to matters from the public, public comment on matters previously considered or currently pending before the board other than scheduled public hearings.

[01:41:37] And Supervisor McKeel will read the rules and introduce the speakers. I will do that. let me just catch up a minute. So we have nine speakers and we have no one online, so everybody is in person. All right, so let me read the rules. During the time set aside for public comment on matters previously considered or currently pending before the board other than scheduled public hearings, 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

[01:42:14] for public hearing. Individuals are allowed one opportunity of up to three minutes to speak at each board meeting. A 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.

[01:42:34] The red light indicates your time has expired and you'll be asked to end your comments. In order 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 alamara county your magisterial district address comments directly to the board as a whole any written statements or supporting material may be given to the clerk if representing a group or organization you may ask others

present to raise their hands in recognition speakers may not share any unused time with another speaker back and forth debate is not permitted do not speak from your seat or

[01:43:11] out of turn. And all comments are live streamed, recorded, and published on the Elmore County website. And with that, our first speaker for tonight, number one, is Marta Keene. Welcome.

[01:43:33] Good evening. I'm Marta Keene, retired CEO for Java and a member of the Rio District. I wanted to come tonight to introduce our new CEO for Java. Judith Selzer comes with 20 years of experience leading nonprofits, being concerned about the health of many and also doing executive coaching for a few years. She brings a lot of passion, a lot of enthusiasm, and has been on the job now

[01:44:09] her fourth week and is still coming back, so that's a very good sign. But despite everything that supervisor Pruitt referenced that was certainly something for her to walk into because Java is funded by the Older Americans Act and so we're watching all of that very closely and that didn't scare her one bit she's ready to take it on and so we're really pleased and very excited that she's been willing to join us and I was proud to have the opportunity to bring her here tonight so

[01:44:44] she could meet all of you so that's all my time i'm going to take thank you and our next speaker is judith selzer welcome welcome hello thank you so much for the opportunity to introduce myself tonight and of course marta thank you very much for the kind words and mentorship um it is a pleasure to be here before you this evening as a resident also of the county i live in the Ravonna district and just so appreciative of the board's continued investment in the aging

[01:45:21] community. It's an honor to be joining JABA, the Jefferson Area Board on Aging, as their new CEO. I, of course, have very, very big shoes to fill following Marta, and I'm glad she's continuing to be here by my side guiding me. It is such an important organization, and I just am so, again, grateful for the investment you all continue to make in our seniors and those living with disabilities throughout the county. I was in Richmond today at our Capitol meeting with our elected leaders at the state level, talking with them about what you also already know,

[01:45:59] which is that in our area, by 2030, one of four people living in Central Virginia will be over the age of 60, and the aging community continues to grow rapidly. In our area, 31% of these seniors live alone, and about 10% live under the federal poverty level. So the investment you make every day in your constituents across the county to ensure that they can get home-delivered meals, that they can have our case managers help them navigate difficult situations, that they can come

[01:46:32] to our community centers, to have enrichment, that they can have community support, that they can get a warm meal and not be isolated or lonely at home. All of these are incredibly important services. So I'm just here to say thank you. I appreciate you. And I look forward to working with you. And it is just so great to be here. So thank you so much. Thank you. Welcome. Our third

[01:47:00] speaker is Mark Lorenzoni. Welcome. Good evening, everyone. My name is Mark Lorenzoni, and my wife Cynthia and I have been county residents since 1980. We've just recently moved to the Samuel Miller District. We've also been, now along with our two oldest kids, city business owners for the past 43 years. Living in the same community we work used to be a given, even when our personal income was much lower, but now I look upon it as a privilege, and that bothers me. Everywhere I turn,

[01:47:40] there are glaring examples of folks working in the city or county who can't afford to live here. Like overhearing Costco employees while I'm checking out talking about their long drive home to Louisa

or Buckingham. I sit on the UVA Health Center board and I'm constantly advocating for higher salaries for our nurses, many of whom drive 45 to 60 minutes one way to work. And so, so many of our daily customers at our family business, where local firefighters, police officers, teachers, nurses, plumbers, electricians, trade workers have to commute very long distances to not only work here, but just as importantly, to serve our community. This really bothers me.

[01:48:20] Everyone deserves the same opportunity, and yes, the same privilege to have what Cynthia and I have, to be a full-time, not a daytime member of our community that they work in. I know you as a board, along with our county, have already been hard at work supporting, financing, and partnering with many worthy affordable housing opportunities and programs like Premier Circle, Cardinal Hall, and Southwood to name just a few. But more needs to be done. Tonight a group of 50, yes 50, wonderful community organizations will be presenting a plan to you. A plan that will take

[01:48:56] a giant step forward towards helping giving many more people that opportunity to live where they work. It's a rare almost historic precedent to have 50 organizations all with different missions and constituents they serve to join together in publicly putting their names and their reputations on the line to endorse this bold plan.

[01:49:17] I was honored to be asked by this group to make these remarks. I thank each of them for their tireless daily commitments to help our neighbors in need. I've sat on the boards of five of these organizations, and I also chaired the task force on homelessness back in 2005 that ultimately led to the creation of the Haven.

[01:49:36] And I must say that the folks that work at these incredible organizations, just like the teachers, nurses, firefighters, and folks I mentioned earlier, truly are local heroes. I'm fully aware that this historic plan to succeed, one that Matthew Gilligan will be talking about next, will require a great deal of work and financial investment.

[01:49:56] And so I think I speak for all 50 organizations in saying that we will be all prepared to be a part of the solution and are ready to make personal sacrifices to support the plan. I personally appreciate your ongoing hard work as a board, and I look forward to supporting you as we hopefully move forward with this boat plan.

[01:50:14] Thank you. Thank you. Pretty good timing. Our fourth speaker is Matthew Gilligan. Good evening, Supervisors. My name is Matthew Gilligan.

[01:50:30] I'm one of the co-chairs of Livable Seville, but I'm here tonight to speak on behalf of 50 organizations in support of you taking bold steps to address housing affordability in this area. That's 50 organizations that touch the lives of thousands if not tens of thousands of people in our community that have asked you to do some things I'm going to talk about in a second. A range of strategies are needed to ensure housing is available for the people who live and work here regardless of their income. We, a group of 50 of us, have two groups of recommendations that if enacted will significantly improve the lives of Albemarle County residents struggling with high

[01:51:07] housing costs. First, we urge you to increase funding for affordable housing by establishing a housing trust fund with at least \$10 million in dedicated annual funding that would go towards construction and preservation of affordable housing. I'd particularly like to thank Impact for their leadership on this particular issue. Expanding the budget for the Albemarle County Emergency Relief

Program to at least \$2 million per year. And increase the real estate tax to expand resources. The real estate tax has not been increased in five years. It might be time to consider that. The second category of recommendations focus on the AC44 process and

[01:51:45] policies required for the county to build enough housing and the right types of housing to meet its needs. We ask that you update the future land use map to allow far more housing in the development areas. Establish a transition area that allows more density in the urban ring. Strengthen the inclusionary zoning program to ensure it actually works to encourage construction of market rate and income-restricted housing. Preserve manufactured housing. Support community-controlled land acquisition programs and reduce parking requirements. Sorry for the wonkiness of the words I just said to you in the preceding minute, but that's the ask. These are specific policy

[01:52:23] things that we would like to see done. In addition to improving housing affordability, these recommendations are a necessary step to realize the county's climate action plan. Reducing residents' commuting distances, connecting them to public transit, and reducing energy burdens and usage are crucial for a healthy future for us all.

[01:52:43] In closing, I want to talk about the significance of how these 50 local organizations have come together in strong support of these recommendations. The process started with just a few affordable housing groups and snowballed in a tremendous enthusiastic outpouring of support, with over four dozen organizations representing a wide range of interests, including JABA, signing on.

[01:53:04] The Broad Coalition advocating for these policies demonstrates how significant the need is and how strong community support is for a bold and comprehensive approach to affordable housing. We urge you to take action to ensure Albemarle County is a place with all kinds of housing for all kinds of people in all kinds of places.

[01:53:21] Thank you for your consideration. Thank you. Speaker number five, Vicki Bravo. And Vicki, you'll pull the mic down.

[01:53:39] Way down. Hi, my name is Vicki Bravo, and I'm speaking on behalf of our community interfaith group, IMPACT. You've heard from us many times over the past eight years about affordable housing. We've been pressing for starting an affordable housing trust fund at \$10 million per year, with priority given to building housing for people at 60% area median income and below.

[01:54:08] And in 2021, when you passed the new housing policy, an affordable housing trust fund was part of that. But the trust fund hasn't been set up yet. Why are we pushing so much for an affordable housing trust fund?

[01:54:25] It's best practiced nationally and has a record of success for more than four decades. It ensures regular funding. It provides financing for local solutions and priorities. The fund is actually designed by you, by the county, to meet the greatest opportunities and changes in our community with solutions that make a proven local impact.

[01:54:54] And it unlocks other state, federal, and philanthropic housing funds to support local solutions and priorities. In Fairfax, they put forward \$18 million to produce over 1,000 units of affordable housing.

[01:55:12] For every trust fund dollar, \$7 was leveraged from outside forces. In Lexington, Kentucky, an affordable housing fund was set up in 2012. In a 2018 report, the city had invested \$12.2 million, and

private investors had invested more than \$112 million.

[01:55:37] Over 1,400 affordable housing units were built or preserved from 2012 to 2018. Affordable housing trust funds create a transparent process that advances innovation and competition among developers that benefits the community.

[01:55:57] It allows local government and developers to execute a long-term housing plan. The impact of housing trust funds improves the lives of people and communities in a way that is noticeable. Housing developments funded by housing trust funds are visible and tangible.

[01:56:17] With consistent ongoing funding, housing trust funds serve as an engine that positively impacts the local economy, fueling construction. Like water to drink or air to breathe, we all need a stable, healthy home.

[01:56:37] to thrive. Thank you. Thank you. The sixth speaker is Lila Law. Good evening. My name is Lila Law, and I'm speaking on behalf of IMPACT, our interfaith organization that works on community problems brought forward by members of our organizations, our congregations, sorry. I live

[01:57:13] in Crozet, which is in the Whitehall District, right? And we attend Crozet United Methodist Church. We have talked with you many times about the importance of setting up the Affordable Housing Trust Fund. Thanks, Vicki. We know that you care about affordable housing and that the county has supported a number of affordable housing projects, including Southwood, which you have heard about recently. We thank you about that. You may wonder why we keep pushing for the

[01:57:46] Affordable Housing Trust Fund. Why is it? It's because it is a best practice, as Vicki explained to you, proven in cities and counties around the country, it works. And it's a long-time solution. Long-term solution, I'm sorry. We know that for every dollar put in by a county, for example, an average of \$8 is leveraged from other sources that become available because of the trust fund. Our questions for you is, why wait to bring in this money to help create

[01:58:23] more affordable housing? Why wait to have more housing for teachers, nurses' aides, first responders, and others who serve our community? We have a housing crisis. We all know that, as does much of the country. We know about something that has worked in other places. It will work here.

[01:58:49] It's not only a lack of housing, but we are also losing affordable housing, and we have a member here that we spoke to you, and she lives at Cavalier Crossing. In July, she has to move out because they're renovating and they're raising the rent. Where else can she find an apartment that's \$500, \$600 a month that she can afford on her social security income? In another complex, Hearthwood with 200 apartments will no longer have a requirement to be affordable after January 1,

[01:59:26] in 2027. Mallside Forest will not have an affordable requirement in 2029, so we're falling behind. An Affordable Housing Trust Fund could help to address this problem. The city of Charlottesville helped Habitat and Piedmont Housing Alliance to buy Carlton Mobile Home Park when the owner decided to sell. Charlottesville Redevelopment and Housing Authority bought Dogwood Housing with 74 units to preserve its affordability.

[01:59:56] Thank you. Thank you. Any additional comments you weren't able to make can give to the clerk so we can get them. Thank you. Thank you. You can just hand them to the clerk. She's right over, sitting

over there if you want to. Right over here. She's coming to you. Thank you. For your comments, if you'd like to share them.

[02:00:13] The seventh speaker, the last name is O'Flynn. There you go. Welcome.

[02:00:34] Sorry, O'Flynn. I'm a Climate Justice Policy Manager with the Community Climate Collaborative, C3. C3 has been honoured to join the 50 partner organisations within this affordable housing coalition to support the Housing Trust Fund.

[02:00:51] As a climate justice advocacy organisation, amongst the climate solutions that we seek are density, reduced energy burden through improved energy efficiency, alleviated transportation burden and emissions burden, bringing people closer to transit and services. Investing in deeply affordable housing serves placemaking and recognizes immutable human dignity. This board and the county understands that community is core to climate resiliency. In addition and separate, in addition to our support for this housing trust fund, C3 is making a separate urgent appeal to

[02:01:29] the county. We need this year's budget to explicitly fund the county's climate action plan. In 2018, the county positioned itself as a leader in national climate change mitigation planning by writing its climate action plan. It set a strong example that led the city of Charlottesville to adopt its own climate action plan.

[02:01:50] Since that time, the county has not significantly funded climate action plan implementation. The city of Charlottesville committed to a yearly budget of \$1 million for climate-specific programs. That funding has spurred emissions reduction initiatives citywide. In Nick Galloway's forward, sorry, in Ned Galloway's forward to the climate action plan, we could interpret a call to action when he wrote, climate change is here now on our doorstep.

[02:02:19] While we're already feeling the impacts of climate change locally, we are now also, as Supervisor Pruitt so eloquently reminded us, that the impacts of federal funding on climate programs are also being felt right now, including the city, county and UVA collaborative program, Resilient Together, which C3 and about a dozen other local nonprofits are a part.

[02:02:45] We urgently need you, our leadership, to ensure that climate action is not lost to administrative chaos in the name of efficiency. We ask that the county act on its mandate. Please support a climate action plan implementation fund that matches the city's commitments in Albemarle County.

[02:03:05] Thank you. Thank you. And our eighth speaker is Sean Cosette. Welcome.

[02:03:24] Welcome. And adjust your mic so we can hear you. Thank you. That's great. I've got to get to my notes here. My name is Shawn Cosette, and I live in the southern part of the county in the Samuel Miller District.

[02:03:40] I wanted to come here today to talk about some things of concern to me. I believe there has been a disproportionate rate of biosolids being spread on farmland in the southern part of the county, and much of it closely by our property. You can't help but be concerned with the published EPA reports that address PFAS and biosolids, as well as the reporting on the contamination of farmland and water found in Maine, Texas, Michigan, states that have done testing.

[02:04:10] I'm concerned that we could be poisoning our farmland and, therefore, the crops and animals grown on them, as well as private wells in the Totier Creek watershed. Only 20% of the Scottsville public

water supply goes through a charcoal filter.

[02:04:26] The rest is arriving to Scottsville faucets unfiltered. I am afraid for the safety of myself, my family, and my neighbors. Until we have sufficient testing of soil and water, we will not know if we have a PFAS problem in our county.

[02:04:41] I understand that Albemarle County cannot ban biosolids due to the state regulations, but I do know we can make an ordinance that will require testing and monitoring as they have done in many other counties in the Commonwealth. I hope that you will consider this as you finalize AC44.

[02:04:59] Secondly, I am very concerned about the buy-right 21-acre solar farm proposal in AC44. I am wholeheartedly against this. I am not against solar installations where appropriate. We have 150 panels on our own property and produce more than 100% of our own electric needs.

[02:05:17] I see that you have a permitting request before you today for an 11-acre farm on Buck Island Road. In reading the notes from staff, I see a comment about the concern for the concentration of solar farms in one area. Exactly. Should the 21-acre buy-write be included in AC44, which is double the size of the project that you're reviewing today, we could easily have three 21-acre solar farms surrounding our property, and no one could say or do anything.

[02:05:48] As we all know, that would do to our property value as well as the values of the area. My rural part of the county is considered to have many valued historic agricultural sites and byways. We have six such structures on our property.

[02:06:04] When we purchased our small farm 20 years ago, we thought we were signing up for rural agriculture, not a concentration of solar farms, not industrial creation of solar utilities and grids, not land contamination from industrial sewer waste. I hope you will see the value in protecting our historic rural agricultural zoning and remove the 21-acre by-right ordinance from the proposed AC-44 and require all solar projects to go through permitting process.

[02:06:31] Thank you so much. Thank you. And our ninth speaker is Tom, and I'm not sure about the, is it Elverman? There you go. Got it. Thank you. You're welcome.

[02:06:49] Good evening. I'm from the Ravonna District. My name is Tom Ekman. I moved here in 2005. I didn't know any poor people. I mentored seven refugee boys that were thrown into the school system from Somalia.

[02:07:06] They didn't know the language. I went into Jack Jewett schools like that, and I worked with their teachers to teach them English. I then mentored these kids, and they were in public housing. There were like five kids sleeping in a room with their parents.

[02:07:25] But having a stable home, these kids have grown up. And four of the kids have gotten college education. They spoke my-my. Everything was verbal. And the schoolteachers were overwhelmed.

[02:07:40] And I went in and I taught them how to add, multiply, and divide. And these seven kids became my friends. I also got involved with Pacham. I've been running our homeless shelter at Church of Incarnation for 18 years.

[02:07:56] And I put my heart and soul in it. I spent three months getting ready. I get 500 people that come in, play bingo, do their laundry, give home cooked meals. And I get to know these guys. They're hurting. A lot of them have drug problems.

[02:08:13] Yeah, but there's other people that are in there that can't afford a place to stay. This year, we just finished up in the coldest weather these last two weeks. And one guy showed up with a suitcase. And I got a call at 2 o'clock.

[02:08:29] Tom, there's a man over here. What do I do? And he said, I'll be right over. And so I meet him, and his name is Richard. And he says, I've never been in this position before. I've never, never been in this place where I needed a place to stay. And I said, well, this is what you do.

[02:08:47] You're going to take your suitcase, and we're going to put it in the kitchen. And then I'm not sure you'll be able to get in to this site, but I'll tell you what we'll do. I'll take you to McDonald's. I'll show you how to walk back here. You get here at 430. You sit down on that bench in front of our pack.

[02:09:05] We call it the PAC. And I pray that you can get in. And he says, I pray that I can get in, too. Because if not, you have to go to the hot room and sit there on a chair all night with no food or anything like that.

[02:09:21] Well, he did get in, and he made friends, and he was very thankful. But we need to get serious about this housing trust fund. We came to you seven years ago. I'm tired. We came to you seven years saying, hey, we want a housing trust fund. We want an ordinance or some way to guarantee that there's money in there so that this money could be leveraged by non-profit developers because they're the ones that can get the extra money to leverage it.

[02:09:49] But nothing's been done. And I'm really tired, and I think we need to move on. So thank you. Thank you. And we do have one speaker that's online. So I'm going to change my first proclamation that said we didn't have anyone online, and we do have one.

[02:10:07] and Sarah Delgado, and Claudette, I think you're helping her with the instructions. One moment. So, Sarah Delgado. Welcome. Good evening, board members.

[02:10:25] My name is Sarah Delgado, and I am a resident in the Rio District of Albemarle County. My feedback today is about the county's upcoming budget decisions. As a mother of a nine-year-old, I am very concerned that the county is not allocating enough resources for climate action in the area, especially as federal dollars are drying up.

[02:10:46] If we don't fund climate action now, our community will be horribly impacted by greenhouse gas emissions, significant storms, and other natural disasters as global warming continues. This will affect the health and well-being of our area youth, as well as many other vulnerable populations, and it will cost the county more money to rectify these issues in the future.

[02:11:08] I want to thank you for your commitment to the county's climate action plan, and I strongly support that the county act on its mandate to commit to a healthy allocation of climate dollars for its implementation, as well as dollars specifically for the local schools to increase energy efficiency and cut back on emissions.

[02:11:25] The county's plan is supposed to enhance the well-being and quality of life for all community members, and it's important to me and my neighbors that our children's futures are protected. Thank you. Thank you. And that's all our speakers. Okay.

[02:11:41] Thank you. Thank you all for being here. Board, we will move on to our consent agenda next. Appreciate the comments. Do we have any proposed changes to the consent agenda? If not, do we have a

motion to accept the consent agenda?

[02:11:56] So moved. Second. A motion from Supervisor McKeel, a second from Supervisor Malek. Without objection, if the clerk will call the roll. Mr. Galloway? Yes. Ms. LaPista-Kirtley? Aye. Ms. Malek? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews?

[02:12:12] Yes. Next item, board, is from the county executive. Is there any report this evening? No, sir. Thank you. Then, board, this brings us to our four public hearings for this evening. Our first public hearing is a fiscal year 2025 budget amendment and appropriations, which is being led off by Mr. Ryan Davidson, deputy chief of office and management and budget.

[02:12:35] Welcome, Mr. Ryan. Mr. Davidson. Thank you. Good evening. Good evening.

[02:12:54] Ryan Davidson, deputy chief of budget. This agenda item is a public hearing and action item to amend the FY25 budget I have a couple of brief slides to provide an overview of this amendment and at which time I'll turn it over to the chair and the board for any questions and hold the public hearing Virginia code requires that we have hold a public hearing before we amend the budget with a total amount of funding changes that exceeds 1% of the adopted budget that's the case tonight the overall budget amendment is approximately 16.8 million dollars of that amount \$420 was appropriated previously, and \$16.4 is up for approval and consideration this evening.

[02:13:34] As I mentioned, the total budget amendment is about \$16.9 million. It's broadly made up of the items we have listed here. Attachment A, which was included with the agenda tonight and on January 15th, has more details and more information on these items.

[02:13:52] But generally, we have \$16.3 million reappropriations for school special revenue funds. \$383,000 in special revenue fund appropriations mainly related to vehicle replacement and the emergency communication center funds, as well as smaller items for the capital improvement fund around proffer funding and the general fund for some smaller items as well.

[02:14:14] To wrap up the presentation, staff's recommendation is for the board to adopt the resolution and attachment B after holding the public hearing. I'll now turn it over to the board chair for any questions. Thank you. And to hold the public hearing. Appreciate that. We'll go through our order with questions first.

[02:14:29] Supervisor Lopisto-Kirtley? I have no questions, thank you. Supervisor McKeel? Thank you, Ryan, I have no questions. Supervisor Galloway? Thank you, no questions. Supervisor Malek? None for me either, thank you. Supervisor Pruitt? Would you just remind us, for our benefit and for the public's benefit, \$16 million shocks the conscience, can you remind us why it is that it comes to us as a reappropriation that we have to approve in a public hearing?

[02:14:53] Sure. These appropriations, in this case, are for the public schools' special revenue funds. Many of these are appropriated for specific special uses, and each year any remaining balances in these have to go towards those uses. And so they must be reappropriated on an annual basis in order for the schools to be able to spend those funds in future fiscal years.

[02:15:15] And because of the dollar amount exceeding the 1% of the appropriated budget is why it comes as a public hearing. Sure. Thank you. Thank you. And I have no additional questions. With that, I will open

the public hearing. Do we have anyone signed up to speak? We do not, and so we will close the public hearing.

[02:15:31] The matter is back before the board for any additional comment or a motion to adopt the resolution in the form of attachment B. Hearing no one jump in, I move that we approve the resolution attachment B.

[02:15:48] Second. We have a motion from Supervisor McKeel, second from Supervisor Malek, without objection, if the clerk will call the roll. Mr. Galloway? Yes. Ms. LaPista-Kirtley? Aye. Ms. Malek? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews. Yes. Thank you.

[02:16:08] That brings us to item 15, which is SB 2024-20, Carter Machinery Outdoor Storage Display and Sales. And this will be presented by Christopher Taggart, Senior Planner 1. Welcome. Welcome.

[02:16:28] Good evening, everyone. Second.

[02:16:54] Good evening. My name is Chris Taggart, Senior Planner with the Planning Division of Alamar County Community Development. Also here tonight is Margaret Maliszewski, who assisted with the review. I'll be giving staffs a presentation for the special use permit application.

[02:17:13] The subject property is located at 721 Ryo Road West, Northside Libraries directly to the West, and the primary commercial buildings and media area. Both Ryo Road and Route 29 are entrance quarters. The parcel contains a warehouse consisting of multiple structures at the front of the property with pavings surrounding it.

[02:17:44] The special permit request is for outdoor storage display and sales of construction equipment and vehicles in the entrance corridor overlay district. I'll refer to this outdoor storage. To orient you, the sides of the plan are north and south, and the top and bottom are west and east.

[02:18:03] The plan shows demolition of the eastern portion of the existing warehouse buildings. The storage area is south and east of the existing brick-faced building, which is stated in blue in the concept plan. Enclosure of the storage area with a combination of security and chain-link fencing. New planting areas along the west side of the building and the front of the property.

[02:18:21] New parking along the north side of the storage area. Machinery and equipment sales and services are by right use in the zoning district, but the outdoor storage is a special use in the entrance corridor. SPs for outdoor storage are reviewed under Section 30.6.

[02:18:39] This limits the factors to be considered to whether the outdoor storage is consistent with entrance corridor design guidelines. Bay Area B reviewed this proposal in October and November of last year, and after revisions to the concept plan to increase site landscaping, they unanimously voted to recommend approval with conditions.

[02:18:58] Those changes include creating planting areas along the frontage and the western side of the building and increasing landscaping along the northern perimeter of the storage area. On November 18th, the required commuting meeting was held at the Places 29 hydraulic CAC meeting.

[02:19:14] And on November 26th, the Planning Commission unanimously recommended approval of the SP with no changes to the ARB's recommended conditions. The conditions are listed here, and we can bring them back up if needed. Staff did not identify any unfavorable factors, and the favorable factor for

this request is the outdoor storage use would be consistent with the EC design guidelines if the ARB's recommending conditions are upheld.

[02:19:41] For this region, staff recommends approval of a special permit for outdoor storage. I'd be happy to answer your questions, and I can bring up the motions and conditions of approval when the board is ready. Thank you. We'll go through order. Supervisor Lopisto-Kirtley? Thank you. For the presentation, I have no questions.

[02:19:59] Supervisor McKeel? Just a quick confirmation, and thank you for the presentation. My understanding is that there's not going to be any grading necessary for this. Yes, that's correct. Which is a plus. Thank you very much.

[02:20:14] Mr. Professor Galloway. Yes, thank you. Most of the time when we have an application in front of us, it'll be like developing the land, not just changing. Like I know that this one's probably because historically this, you know, since this is a new application or a new use, that's why it's in front of us to make sure it aligns with the entrance corridor and all of that stuff.

[02:20:39] So from a stormwater standpoint, how the water leaves the property, like I'm sure there's already things in place. I haven't heard any issues with this particular property. But just like we look at things with guidelines to entrance corridor things and what we can do now that it's a new application was the same set or the same true for looking at how water runoff happens on the site. Because there is no disturbance on the site. It would be kind of limited to what's already in place on the site. So there's no critique of, and I'm kind of using

[02:21:14] this application as a guinea pig, I suppose, to understand that just like we're now looking at this property that's being scrutinized under current situation versus older situations when it was originally put in that we don't do we don't do the stormwater scrutiny as well yeah that's correct there would need to be disturbance to to the site so just because they're not moving any property or doing anything like that the the site doesn't really get looked at in that aspect yes thank you that's all right thank you supervisor malik thank you for raising that because when

[02:21:49] the library site was being renovated, there was a lot of discussion about the runoff from this whole area going down into Berkeley and the sort of flashpoints that would happen with the sheet drainage there. So that's the reality that we're facing, but it's not because there's nothing going on. It's just that we don't apparently have any ability to do it. Chris, thank you. Could you provide a little more information about the northern half of the eastern border? It looked as if there's been a significant improvement in the landscaping for the southern half, but nothing on the northern half.

[02:22:25] So it looks like it's paved right up to the property line on the northern half of the eastern border here. So talk to me about that, please. I mean, normally applicants aren't allowed to take credit for something on somebody else's property as far as screening is concerned.

[02:22:45] So I'm just interested in what's happening over there. I brought up late as a pointer. Are you referring to? That's the northern boundary. I'm talking about the eastern line. The northern half of the eastern line has nothing but pavement right up to the property line.

[02:23:02] The landscaping, the increase in landscaping was recommendations based off of the outdoor storage use. So they're to satisfy the screening of the outdoor storage of equipment within the site.

[02:23:23] Isn't that those three rows of five things, those are outdoor storage right there as well? Are they not? Sorry. Right where your cursor is now, that's outdoor storage. Yes. Which is not screened from the east, the bottom of the picture.

[02:23:40] So I'm just curious. They did a great job on the left-hand half, the southern half of this line. Right, and the screening requirements limited to, with Route 29 being an entrance score, is the visibility of the viewpoints from Route 29.

[02:23:59] And on the eastern portion of the site, there's a building and other structures that filter or screen the view from the Route 29 entrance corridor. So while there is likely visibility from Route 29, it is filtered by existing kind of development between the site and the Route 29 entrance corridor.

[02:24:21] So that's why you see more landscaping along the Ryle Road entrance corridor. Okay, and the 500 feet off of the corridor does not impact this particular, as it did up at Hollywood Town Center where there were lots of other buildings in between, but because they were within the 500 feet of the roadway, then they had to each provide their own screening elements.

[02:24:45] Screening of outdoor storage. And buildings and things up there. I mean, it was a different circumstance. Yeah, and I think it's different in the sense of the use of outdoor storage in screening the visibility of the equipment from the entrance corridor. So with buildings and such, they would be more visible, likely more visible than the height associated with a building from any particular entrance corridor that you're viewing it from.

[02:25:13] All right. Thank you. Thank you. Supervisor Pruitt. I have no questions. Thank you. And I have no questions at this time. Sure. Just based on something, Ann was talking about how the library was impacted from stormwater from this property.

[02:25:33] I'm just confused because that's something I'd want to know if it was happening. The sheet drainage is the same across both because they were originally one parcel to begin with. Right. So that's the limit of my knowledge is what was in my question, so I don't know.

[02:25:50] Because I thought you said that the library was being impacted by the stormwater coming off of this problem. No, the downstream neighborhood was what was impacted, and there were preventative measures for the library side to try to control that. Great. Preventative. Great. Thank you. Thank you. With that, I will open the public hearing, and I believe we have the applicant, Connor O'Donnell, here.

[02:26:15] Land Use Planner with Gendry Locke, Carter Berkey, Director of Facilities, Carter Machinery. And do we have anyone signed up to speak? We do not. So Supervisor McKeel will read the rules. I will read the rules for the applicant.

[02:26:34] Applicants are limited to a 10-minute presentation of their proposal and are allowed a 5-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. Yellow light indicates you have one minute to finish speaking.

[02:26:51] The red light indicates your time has expired, and you will be asked to end your comments. All comments are live-streamed, recorded, and published on the Almarra County website. Welcome. Thank you. My name is Connor O'Donnell. I'm with Gentry Lock Attorneys. I'm a land-use planner. Can you hear me?

[02:27:07] Not real well. Not real well, yeah. My name is Connor O'Donnell. with Gentrylock Attorneys. I'm a land use planner. Mr. Berkey is here. He's the director of facilities. So any specific questions you have related to machinery on site or any questions about the longer term vision for the building, he can help answer. I think what's helpful here is just context for you all for the long term plans for the building. So we're in front of you for special use permit for outdoor storage but there are some other plans moving

[02:27:44] forward and we're working backwards a little bit so you can see on here there's intention for one of the buildings to be demolished which is where some of the storage will be and so this will trigger the major site plan amendment and so we've already gone in front of the ARB to move forward with this we will have to move go back in front of the ARB for the landscape plan Carter machinery is currently getting their application together for built various building permits any land disturbance activity required for this so there will be future

[02:28:21] engineering on the site as some of these other changes come into play but they wanted to get the outdoor storage component set up first and so a lot of this will be this plan actually will be incorporated into the the site plan and will go in front of the ARP again and so there will be future changes to the interior of the building there's a small customer service area all of that is moving through the the building permit process right now so that being said

[02:28:55] this will be seen again from the ARB before any site planner approval moves forward and currently they do have a zoning clearance so they are operating right now any of the equipment there is stored behind the buildings if you drive on rio currently the building that will be destroyed and demolished what is currently blocking the majority of the view behind the building there's also about a 14-foot drop from rio road to the rear of the property which helps with the natural sight line and in the front on next to the building will be a six

[02:29:31] foot tall fence that will help with screening there part of our conditions are that no equipment stored in that part of the property can be higher than the fence that is there so it should be nothing should be visible from Ryo road as you move through and any of the equipment that is on site will be stored as low as possible and we've reached out to the library directly did not have any comments no feedback if anything there are a lot of kids at the library who are interested in the heavy equipment back there but no issues with

[02:30:09] neighbors and like I said where this is going to be seen by the county again a few different times as various permits move through so happy to answer any specific questions you have and that I can't mr. Berkey can come up thank you thank you so just a question the the vehicles we see in the front those that would be machinery but it won't go be over six feet won't be over the fence correct and then the ones in the back could be larger heavy equipment correct

[02:30:44] correct that's what you're selling and yeah rent most primarily rent rental yes and in front of the fence there will also be a double staggered row of evergreens as well. Thank you very much. Supervisor McHugh. I don't have any specific questions about the plan. I just, because it is rental, you're going to have a lot of equipment coming and going back and forth. And given the location, I just want to make sure you're going to have someone on site, and especially with the library right next door, you're going to have

[02:31:23] someone on site who's making sure that the equipment is placed properly, that there's not a lot of litter. And I mean, somebody is going to be on the site taking care of this and watching this facility and

the grounds. Yeah. Mr. Berkey can walk you through maybe their, their normal rental process if a customer comes in and what that looks like. Just to give you an example.

[02:31:49] Yeah. Just want to make sure, because of the location, that it's properly maintained and monitored. Absolutely. Yeah, and we'll have staff on site that will be there during the duration of operations. This is actually kind of an interesting site for us.

[02:32:06] We're having corporate caterpillars actually sponsoring us to put some additional infrastructure into the site. So any given day, you know, we open in the morning. There will be facilities folks there the entire day. We pride ourselves in cleanliness at Carter Machinery and, you know, again, want to be good stewards of the community and the neighborhood and really dress this thing up something better than what's there.

[02:32:31] Our staff goes through checks multiple times a day to make sure that the facility is clean. And then we'll also have outside cleaners and probably hire janitorial staff at the inside to, again, make sure we keep it up to match the, you know, I guess the cleanliness of the library.

[02:32:48] So great. Thank you very much. Absolutely. So Professor Calloway, this is just for my own curiosity. So the the west side there, that's that's like a shared that access there is shared with the library. Yeah, it's actually a pretty strange road moving back there. It's a large amount of pavement.

[02:33:10] The the island that you see against the building that was added in after our first ARV meeting is already about 30 feet. I can't remember exactly the distance between the library and there, but it is a significant amount of pavement. And it's a private road shared between.

[02:33:30] So that island, like I said, is added about 30 feet of vegetation from the edge of the building towards the middle of the road. They're still leaving, I believe, about 20 feet of a drive aisle that is just on the Carter machinery property, not including the additional drive lane for the library.

[02:33:54] You know, a residential street minimum curb to curb is like 24 feet. So just on the Carter Machinery side with the landscaping, there's about a residential road with and then in addition to the library. But it's not physically separated.

[02:34:09] It's not. It's all open, but it'll be lined and painted so people aren't getting. I mean, I don't know. Yeah, that's not in the major site plan approval process. the county's brought up possibly occur some type of curb separation or painting uh not sure what that will end up being like um but yeah some future addressing of that large that large span there thank you thank you supervisor malik thank you um so do i understand that most of the equipment going and coming will be on trailers so people are not getting a backhoe and driving it

[02:34:47] 15 miles to the site so having my limited experience is a 15 foot livestock trailer gooseneck but that still requires a lot of turning radius and a lot of care and so the thought of inexperienced drivers doing that must give you all nightmares i'm not sure i want to take it on it looks like you have great curvature coming into the back lot and so i i was a little my eyebrows went up when you mentioned about curb that's not within the 30-foot road though that's only to keep no and wheels off the gardens basically really i think it would be something more that if the county decides if they want some type of physical

[02:35:24] separation between the drive aisle with the library uh if if that's something that the the county would be interested in that would that would come up at the the site plan process like i said it's a pretty it's

significantly large between the two properties currently i can see benefiting from that hole with now and then liking wide turns okay uh thank you i think that is my question at the moment thank you supervisor prude i don't believe i have any questions thank you uh this is more of just my curiosity i guess a lot of places would have this and i'm just not

[02:36:02] used to it but you're going to be setting this equipment out this was brought up at the planning commission it'll come back dirty because this is earth moving equipment very dirty but you have a special bays i guess set up in this to clean this and separate out oils and how does that work is it the standard uh automotive type or is it special it's um it's it's i don't know if it's standard it's kind of like what you'd have at a car wash where all of our our our washing facilities are run through a booth or a controlled area and then they go through an oil water separator before going back into sanitary we use special detergents in our environmental team

[02:36:40] at Carter Machinery works with the locality to make sure that things are vetted prior to washing on site so everything will be washed through a piece of dirty equipment comes back in scissor lift whatever skid steer goes into the booth is cleaned goes into a bay and is inspected and then it's put back out on the line to be rented all large overhauls and pieces to pieces of equipment will be sent to our larger stores where we have better capability for that type of service but everything that is washed in this facility will be washed and controlled and and separated through

[02:37:17] an oil water separator before uh going to the sanitary system and it will be inside the building so we won't have any storm water that comes in through that system as well okay good thank you interesting um are there additional questions if not you have five minutes for rebuttal okay uh then the uh matter is i'm going to close the public hearing and the matter is back before the board um i'll go through the order supervisor lupisto currently looks good to me supervisor

[02:37:52] mcquee i don't have any further questions okay supervisor godley any concerns i mean i'll just make the remark that um while it's not within what the small area plan calls for it is a site that's not being effectively used, this is going to look much better, and it'll be nice to have something there and functioning that is functioning well.

[02:38:15] So I appreciate the design and the fact that it'll be good activity going on there and just is going to look much better than what is currently present. Supervisor Malek? Well, it looks as if all of the requirements of the process, which is really important, are met, and I'm glad. I have a great affinity for all those big yellow machines, And I think that there will be lots of children wanting to go through the fence all the time when they're there at the library as well.

[02:38:43] So perhaps a caterpillar speaker at the library now and then would be helpful. There are many, many job sites that need machinery, and I think it's more and more difficult to get someone to be able to help you if you have an emergency washout or whatever than it used to be.

[02:39:01] So I think there's probably need for your skills. And if there is also a workforce side of your business that can affiliate with our local workforce board, then you might be able to get some operators going, too. Thank you. Thank you. Supervisor Brett?

[02:39:17] I have no comments. Okay. And I am supportive, and we're looking for a motion from the supervisor from the Ryan district. So I move that the board adopt the attached resolution attachment E to approve SP 2024-20 with conditions.

[02:39:35] Second. We have a motion from Supervisor Galloway, a second from Supervisor Malik. Without objection, if the clerk will call the roll. Mr. Galloway? Yes. Ms. LaPiesto-Kirtley? Aye. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Prewitt? Aye. Mr. Andrews? Yes. Great.

[02:39:52] Thank you. Thank you. Appreciate it. Board, this brings us to a combination of a special use permit and a special exception, SB 2024-12 and SE 2024-18, both relating to City Church Multi-Use Space Edition.

[02:40:09] And these will be led by Sid Schoff, our Senior Planner 1. Welcome, Mr. Schoff. Good evening. Good evening.

[02:40:25] My name is Sid Schoff. I'm a Senior Planner with the Planning Division of Albemarle County's Community Development Department. Tonight, I'll be giving staff's presentation for Special Use Permit SP 2024-12 and Special Exception SE 2024-18 City Church Multi-Use Space Edition.

[02:40:42] The special use permit is amending a previously approved SB 2022-12 to construct a multi-use building and a parking lot expansion. And the special exception is for parking beyond the maximum requirement. The subject property is located on the northwest border between the city of Charlottesville and Albemarle County's jurisdictional line at 1010 Ryle Road East.

[02:41:05] It is 4.23 acres, zoned R4 residential, and the comprehensive plan designates it as urban density residential. To the west in the gray area is the city of Charlottesville, which consists of residential uses. To the northeast and south are institutional uses such as the Charlottesville Albemarle Technical Education Center, or KTEC, and other churches.

[02:41:27] Lastly, to the east across Ryle Road consists of primarily single-family residential uses. Currently on site is an existing church building, two parking areas, and a Tier 2 personal wireless service facility. Between the two existing parking lots, there are 74 parking spaces.

[02:41:46] Currently, there is a shared use parking agreement between the city church and KTEC, which allows them to use their parking lot for church services. This is an overview of the two applications brought before you this evening. So SP 2024-12 is a special use permit to amend the previously approved SP 2022-12 to allow a 13,100 square foot multi-use building and a parking lot expansion for up to 87 additional spaces.

[02:42:13] SE 2024-18 is a special exception request to modify the limitation on the maximum number of parking spaces. Here's the proposed concept plan if both the special use permit and the special exception were to be approved by the board. I'm going to start with discussing the special use permit first, and then we'll discuss the special exception in a later slide.

[02:42:33] The previously approved special use permit SP 2022-12 was approved in May 2023 and approved an approximately 10,600 square foot multi-use building with a parking lot expansion for 43 parking spaces. The area in purple is the new larger building, and the areas in red are approximately where the parking lot expansions are proposed for this special use permit.

[02:42:58] The applicant will go into further detail regarding their proposal. The special use permit application was reviewed under the factors for consideration as outlined in the zoning ordinance. Staff believes that the proposed special use permit will not be detrimental to adjacent parcels, will not change the character of the nearby area, will continue to be in harmony with the R4 residential zoning district,

and is consistent with the comprehensive plan. There are five conditions for this application where most are carried over from the previously approved SP.

[02:43:29] The first is for it to be developed in general accord with the provided concept plan. The major elements are the location of the proposed building, the location of parking, 20-foot buffer along the western property line, and for the wooded areas to remain. The second condition is in response to the larger parking area along the entrance corridor, and then conditions 3 through 5 are carryover from the previously approved SP. In sum, there are two positive aspects. The first is that it's consistent with the review criteria for the special use permits contained in the zoning ordinance and the second is the use is consistent with the places 29 master plan staff recommends

[02:44:08] approval with the conditions as recommended in the staff report and now i'm going to transition into talking about the associated special exception and so this special exception is a request to modify the limitation on the maximum number of parking spaces and the code allows for this limitation and basically it may not exceed the number of spaces required by the section by more than 20 percent. And so the top left is a table breakdown here. This is the concept plan if both the special use permit and the special exception were to be approved. Currently there are 74 parking spaces on site and the county code requires a minimum of 107 parking spaces to be on

[02:44:47] this site. The 20 percent maximum of parking on site is 128 spaces and the applicant is requesting for a total of 161 parking spaces, which is approximately 50% above the minimum parking requirement. In sum, it's consistent with review criteria for special exceptions, and the use is consistent with the Places 29 Master Plan. Staff does have concern with the expansion of 161 parking spaces, which would result in a larger parking area along the entrance corridor. However, staff recommends approval without conditions as recommended in the staff report. And I'm happy to

[02:45:24] answer any questions about both the SP and the special exception. Thank you, Mr. Schof. And I'll go through the order. Supervisor LePistocker. So could you go back to slide 12, please? So they're asking 50% about the minimum requirement. What concerns me is the amount of asphalt and where the runoff is going to go. I guess if they're asking for 161 spaces, is that so they don't have to use KTEC? Yeah, the applicant could provide more details for why they've submitted

[02:46:01] this proposal, but they submitted, with a special exception request, a parking study, and they provided parking counts throughout the year that were consistent with this request. And like I said, the applicant can provide more detail about their situation with KTEC.

[02:46:16] I may just go ahead and wait until you hear from the applicant. Thank you. Supervisor McKeel. Thank you for the presentation. So we'll talk, We're asking questions about both. And then, of course, we'll come back to separate votes and concerns.

[02:46:32] I don't have any questions about the special use permit. The one thing we know about churches and schools is they almost always grow. That's a given. I remember my 12 years that I was on the KTAC board, we had discussions about shared parking with this particular church.

[02:46:56] And matter of fact, we had an agreement, while it might have, I don't remember that it was a formal agreement, we had a shared agreement that we could use the parking space in either one of those, whether KTEC was having an event or whether the church was having an event. And so that was an informal agreement.

[02:47:13] I am very concerned about this applicant wanting 50% more, especially at a time when this board, I thought, was trying to decrease the amount of parking spaces we were putting for stores and churches and schools rather than increasing.

[02:47:31] And we're looking at encouraging businesses to share. I was just in a Thai restaurant recently in the city, and I recognize that this is in the city, but that Thai restaurant had two restaurants on either side of it, and they had all agreed to share the parking.

[02:47:50] One had very small, the Thai restaurant has a very small amount of parking. The other two had much greater, and they're all sharing those parking spaces. So with that, I'll ask questions of the applicant. Thank you very much. Thank you. Supervisor Galloway? Just repeat the history again of the building.

[02:48:07] Like, what's the difference between this and the last one again? Yeah, so the previous special use permit was approved. I have a slide here. So this is the approved concept plan from the plan that was approved in May 2023. It was originally approved for a 10,600-square-foot building.

[02:48:25] This proposal today increases it slightly to about 13,100 square feet. And then for this proposal from 2022, they requested for 43 parking spaces, whereas this one is requesting for, I think, about 87 additional parking spaces.

[02:48:41] Thank you. Supervisor Malek. Thank you. So with the expansion of the asphalt in the parking lot and the increase in the building, There's already planned to have stormwater collection and detention and slow down the velocity, et cetera, as everything drains down toward the railroad track.

[02:49:03] Yeah, the applicant, the engineer, can speak more to that. But from our understanding, that is correct. And I'm correct that the railroad's the very next thing to its west, and then the city is beyond. Or maybe the railroad track's in the city. I'm not sure exactly. But that is an intervening activity there.

[02:49:21] But it's also really important that there not be a lot of extra water that's going to undermine the tracks either. So that will have to be very carefully done. That's correct. All right. Thank you. I'll learn more later. Thank you. Thank you. Supervisor Pruitt. Yeah, I share some of my peers' concerns about the parking, but I don't think I have any technical questions about the application.

[02:49:41] Thank you. Thank you. I see in the conditions we talk about the landscaping, but nowhere in here do we talk about or any ability to put any conditions on how the parking is implemented because there's discussion about possibly doing it in a more environmentally friendly way, but it's not something we typically condition, I guess, and how that can be done.

[02:50:06] I'll talk to the applicant, I guess, about that concern. And I also, just from my own curiosity, like to understand, I know this will be a Sunday morning, but is there any transit running or microcat service or anything in this area? Yeah, there's a bus stop right in front of the property.

[02:50:25] However, it doesn't run on Sundays. It does not run on Sundays. Okay. Thank you. But hopefully that will change. Okay. Any other questions before we open the public hearing? We'll open the public hearing, and I understand that the applicant, Mr. Clint Shiflett, Senior Project Manager from Timmins, is here, and Chris Becker, Operations Pastor and Children's Ministry Director.

[02:50:49] Welcome. Do we have anyone signed up to speak? We do not. So I think Vice Chair McHugh will read the rules and come on up and give the presentation. Thank you. I will read the rules for the applicant.

[02:51:06] Applicants are limited to a 10-minute presentation of their proposal and are allowed a five-minute rebuttal at the close of the public hearing. Timekeeping is conducted through a timer and light system at the podium. The green light will go on when you begin speaking, which begins your allotted time. Yellow light indicates you have one minute to finish speaking.

[02:51:22] The red light indicates your time has expired, and you will be asked to end your comments. All comments are live-streamed, recorded, and published on the Almar County website. Thank you. Welcome. Good evening, Board. My name is Chris Becker. I'm the operations pastor at City Church.

[02:51:38] And we moved to Charlottesville High School in 2013 because our church was growing. When COVID hit, we moved back to our church because we had to go back. We weren't able to be in the high school anymore. And as the church returned to normal, we found out that we did not have enough room for our children, especially elementary, first through fifth grade.

[02:51:56] We had a good working relationship with Harvest Church, and Harvest Church has opened up their gymnasium to us to rent on a weekly basis. So we've used neighbors already. And we also use the center for lots of things. So that's one of the reasons why we're looking to build this facility, is so that we can have all of our families on the same side of the road.

[02:52:14] So it's unsafe to cross across there. The green tea is coming from VDOT in the near future. So we would love to have all of our, you know, kids, adults on the same side of the street. We do have the working relationship with KTEC at this time, and it's been a great relationship.

[02:52:30] We're actually their bomb shelter, so we have a good go back and forth with them. We're very positive. The thing is is last year that KTAC sold from the county and city to just the city owning them primarily or totally And so with that the concern is is that at some point the city could choose at any point to switch that use of that property If they would switch that to a police department a fire department Whatever they change it to then why would we build this building and all this, you know Facility to house the parking that we need So we want to make sure that there's enough parking on our site for the future.

[02:53:06] So we have that good relationship, but on the same side, we want to make sure that indefinitely into our future that it makes sense that we can fit everything that we need to do on our site. Good evening, Supervisors.

[02:53:21] I'm Clint Shiflett with Timmons Group. Do we have the presentation to pull up? Yeah, just open it up.

[02:53:58] There you go. I'll be brief. Only a few slides here. Mr. Shif did a great job of giving the background and understanding of the project. Here's an aerial view of the site. I think you guys have already seen that.

[02:54:13] Ryo Road on the right side of the sheet and the top. Again, just a recap on the existing SUP that was approved not long ago. It was for a 10,600-square-foot multi-use building.

[02:54:31] 40 additional parking spaces at the time were approved. So what we're coming forth with tonight is an additional 47 spaces on top of what was previously approved. Today, 13,000 square feet, so a little bit bigger from 10,600 square feet.

[02:54:50] Important to note, though, is the proposed building, same footprint. The additional square footage is primarily second floor mezzanine space, where we're getting from that 10,600 to 13,000 square

feet. And, of course, the request for 161 parking spaces.

[02:55:11] Here's the existing site today with the existing topography. Again, Railroad on the right, the railroad tracks kind of on the left of the sheet. And going back to the approved SUP, as it currently stands, proposed building here on the left side, this includes the 40 additional parking spaces that were previously approved.

[02:55:33] And as we flip over here, you'll see the additional requests that we're here with tonight. So very similar, same building footprint, but requesting an additional 47 spaces. Heard a lot of discussions about runoff, stormwater management.

[02:55:50] This facility over here to the left of the proposed building represents a conceptual stormwater management facility that would impound water, detain it, and ensure that downstream properties were protected in compliance with all state and local stormwater regulations.

[02:56:07] And lastly, this is just an idea of what a landscape plan may look like. Of course, being in the entrance corridor, this would need to go before the ARB for review, scrutiny, et cetera, as it relates to the view shed looking at this area.

[02:56:26] But this is an idea of kind of a level of landscaping that could be provided to provide some buffering from the parking areas and development. One important thing to note as it relates to viewshed from Ryo Road and the additional parking, the parking lot to the north, the additional parking, that area is separated.

[02:56:46] It's about 10 feet lower than Ryo Road, which helps obscure the additional parking in that location. With that, that's all I've got. Happy to answer any questions that you all may have. Thank you. I'm going to go through our order. Supervisor Lupisto-Cartney.

[02:57:01] I think you've answered the question regarding the runoff with the additional, And you said that the additional parking spaces you're proposing in the frontal that go up against Ryle Road, that that's 10 feet lower than the street.

[02:57:19] And you will have screening, you know, trees and such, correct? Yes, that's the plan. And, of course, this will need to go through site plan approval, ARB consideration. So that will be scrutinized. And buffering will be provided. And are you comfortable with that was the only place to put additional parking?

[02:57:41] It wouldn't be going to the side? Sure. Given the site constraints, the existing building, topography, on one side we have Raya Road, K-Tech on the other, Railroad on the other side, kind of creates that awkward triangle shape.

[02:58:00] And getting vehicular access to the back behind existing building and things like that proves to be difficult. So we feel like this is the best approach to be able to provide the additional parking. And last question, have you spoken with KTEC to enter into an agreement for joint use?

[02:58:16] So we have the, we've not spoken to them specifically about a long-term, but we know that they would not do that for indefinite. So we haven't spoken to them recently, but it's more of just an ongoing friendship relationship, knowing that we use theirs, they use ours.

[02:58:32] But on the same side, we knew that they would not give an indefinite. So they would be against anything long-term, you say? They will not sign anything long-term. What's the maximum amount they'll

give you? I have not asked that. Thank you. No other questions.

[02:58:48] Supervisor McKeel. Sure. Just a question. Have you all considered putting solar over your parking area? We talked about solar on the actual building, the current facility, and then just kind of cost prohibited for right now, so we've kind of focused on this project to start.

[02:59:08] Okay. So my memory from the years that I was on the KTEC board, we had numerous conversations about expansion and trying to build out. And because of the topography, because of the railroad track, that site was constrained.

[02:59:25] So I don't think there's too much of a problem of them going in and putting in a fire department or a police station back there, just saying. And I would really like to see some more dialogue with KTEC about the possibility of a shared parking area.

[02:59:44] There is space for a good connection, and there is, you know, or at least there was a rough connection back there. I won't say it was a... Well, it's not a connection now, but there's a spot that it could be connected. Yes, yes. But my still concern is the long term. I understand that, but without having talked to KTEC or without being...

[03:00:03] And I think it's in their best interest, to be honest with you. The city is talking about really trying to reduce their parking footprints, just as Almar County is. So just a couple of thoughts. Thank you. Thank you. Supervisor Galloway. I have no questions.

[03:00:20] Thank you. Supervisor Malek. Thank you. It was hard for me as a non-engineer to figure this out for myself, but I would assume there's going to be a certain amount of cut and fill in the part that goes up toward the north to make the new spaces. Correct. Will those be one flat, or will there be a tiered level?

[03:00:39] It'll be minimally graded in such a way to provide slopes that are usable for pedestrians, right, ADA-friendly, so 5% are left slopes pretty much across the parking lot to allow for vehicular and pedestrian access.

[03:00:56] And one, well, I guess there were some, on the drawing, some partitions with some perhaps places where the water could drop down. into the tree section as opposed to having a berm around that keeps all the water from going into the tree section? Certainly. We would anticipate proposing stormwater infrastructure, probably stormwater inlets like you're used to seeing in parking lots that would capture the water.

[03:01:22] Direct it ultimately to our stormwater management facility before it leaves the site. I've just overheard lots of suggestions in other locations where instead of making a hard edge around the trees shrubs and bushes in your islands that they actually welcome the water there because the plants there need the water too and it's a place to get it off the roadway so it's not so deep around people's ankles when they get out of the car so you've answered my question thank you thank you supervisor proof there's three worship times on sunday is that correct that is correct

[03:01:58] yes is your 10 30 is that the largest uh that is the largest right now yes what's your average Sunday attendance at the 10th? So about 540. 540. Yeah. Goodness. And that's adults. And then there's that's in the sanctuary, not just in the sanctuary. Correct. And the kids space, that's a separate amount. That's a separate amount. That's about another 80. So help me understand the 320 fixed seat assembly is what your parking estimate is based off of. Correct.

[03:02:26] So is that number of seats that are in the sanctuary specifically? Yes. But you have 500 something people in there so with three services you can have 220 in the got it you're giving the average Sunday attendance across all across all three no yes do you do you have a sense of what the 1030s uh specific Sunday attendance looks like um it's typically between around 300 okay what are you you're saying the 1030 yes 300 okay i'm sure you get what i'm getting at right what's that i'm sure you get what i'm getting at here right the 1030 is what's actually driving

[03:03:00] uh the demand for for space and also for for parking and also i mean the kid space right because that's your that's your largest kid space time too um we have switched our service times to help mitigate the big load and so we keep working on the service times to just really try to make sure that the parking will spread out across and i'm guessing let's walk through what for your perspective would be the catastrophic scenario right that we didn't uh approve the second half of your request today, and that also tomorrow KTEC rescinds the gentleman's agreement y'all have.

[03:03:39] I'm guessing your only alternative would be to alter your service, to split off a fourth one, which I'm assuming staff can't support that about, right? Fourth one, or look at parking off-site and shuttle people in, look at Harvest Church, look at the center, so those would be other catastrophic opportunities for us to look at.

[03:04:01] And since the transfer to the city, you have not had a new conversation with them. Is that correct? Sorry, with KTEC. Yeah, we have not had a conversation with KTEC. But in the past, they have not given us a long-term agreement. Sure, sure.

[03:04:17] And when we say long-term, were times associated with that? Like, I'm guessing they're saying they don't want to do an easement, right? Right. But a formalized lease agreement, was that also discussed? That was not discussed, no. That's all I got.

[03:04:35] Thank you. I'm just trying to wrap my head around this. There's this one service that's very large and requires a lot of parking. What are the, after, other than the Sunday services, is this area used extensively?

[03:04:54] What's the largest use during the rest of the week? So outside of Sunday, I'm assuming you're saying. And that's so probably weeknights. There's various groups that will come in. Saturday there will be opportunities for people to come. So it's not, like, the parking need is not as great during those times, but it's continually used throughout the week.

[03:05:12] Okay. And those are, I mean, compared to what you're using it for now, those are likely to grow, or they're... They will grow, because with the new facility, we'll have, like, six more meeting spaces on our site that we can house people throughout the week, whereas we only have two right now.

[03:05:31] So we'll be able to utilize more groups on our site, but it will never meet the maximum on Sunday morning either. Okay. And as far as trying to do more environmentally friendly working than just pavement, have you looked into any options there?

[03:05:50] Yeah, sure. I mean, so we're committed to meeting, you know, all state and local stormwater management requirements. In fact, we have to go through the site plan process and demonstrate with calculations and you name it, all kinds of engineering. Months and months and months of plan development and review to get to a point where the county reviewers agree that we're meeting stormwater

requirements for water quality and for water quantity leaving the site. A part of that strategy could certainly be some low-impact type measures, permeable pavers.

[03:06:25] I think I heard maybe a reference to bioretention, rain garden type facilities. I think all of that will be in play. Obviously, it's a matter of cost. Some of those items cost a lot more. Permeable pavers are pretty expensive, and for a church, in those economics, they may be viable, they may not.

[03:06:44] So we'll definitely look at all of those options, but can't commit to specific measures at this time. And we don't have a review process that would enable trying to facilitate anything different in the future, do we, or as part of this site review?

[03:07:06] Yeah, if this were to be approved, it'd be subject to a final site plan or a major amendment, and that's when we can regulate what's in our ordinance. As far as going beyond the ordinance, we're not required to make any improvements. To be clear, yeah, thank you.

[03:07:22] Part of that is the Water Protection Ordinance Plan, in addition to the site plan that gets submitted for review to the county. The county reviews that, county engineering reviews that on behalf of the state DEQ. And again, the things that they're checking for is water quantity. making sure that we're not sending more water, more velocity, and more volume off-site.

[03:07:42] That's why we're detaining it on-site, or will be required to. And the other is water quality, making sure that water is treated as well. Thank you. Are there additional questions at this point? Okay. You have five minutes for rebuttal?

[03:07:59] Any additional comments? I think it's all over. Yeah, I appreciate it. Thank you. Okay. Thank you. With that, I will close the public hearing. You have a question? Yes, I'm sorry. Can you go back to slide, I think it was 12? Yes. Open to public hearing again. I thought I slid in just a minute.

[03:08:17] I feel like you finished all the words, but you hadn't put the period on it. I hadn't put the period on it. You're right. I did not hear a period. There was a question mark at the end. Because I think you can understand that we're all concerned about the amount of asphalt.

[03:08:36] Sure. I mean, and I'm wondering if it looks like in the center section, would there be any kind of trees or anything in that center section that could mitigate, you know, the effects of heat?

[03:08:55] Yeah, right along in there. Provide some shading. Yeah, I mean, I would say we would most likely end up with planters or, excuse me, trees in that area just to meet the county ordinance for canopy coverage for parking areas.

[03:09:13] So, yes, I believe that those would have trees in them. In fact, I can flip over to the planning plan or conceptual planning plan. Of course, again, ARB, site plan review will have to take place.

[03:09:30] But we do anticipate trees in those islands. Okay, because I can see in the center section, like, I think that's three trees, but I don't know what the three things are in the center. Yes, those are trees as well, these right here.

[03:09:45] Okay, okay, yes. Yes. I think these are anticipated right now, and the smaller planting areas is kind of medium-sized shade or ornamental trees, and these being kind of larger shade trees flanked on the side. And it looks like you do have trees spread throughout that whole area.

[03:10:01] Okay. Thank you. No other questions? Sure. No? Sorry, quite right. Again, you have no further comments? Okay, great. Then we will close the public hearing. Thank you. The matter is back before the board. We will go through our order. Supervisor Lapista-Curtley for any additional comments.

[03:10:19] No other comments. Supervisor McKeel. And I guess this is supposedly our final comment. Final comment. Right. I am supportive of the SUP because I do understand the need for more space. I am not supportive of the parking option right now.

[03:10:37] I think asking for 50% when our standard right now is 20 is a lot. It's a big ask, especially if you haven't chatted with KTAC, gone back to KTAC, and attempted to at least forge some sort of an agreement.

[03:10:58] I will say that we need to remember, everybody needs to remember, that transit is provided when there is a need. You don't have a transit bus stop where there is not a need.

[03:11:15] And with CAT is going to be providing this in this next round, I hope, I was told by summer, a stopover at the center. So they're going to the center is what I've been told.

[03:11:30] They were supposed to start that years ago. I know they were, but they actually announced in the Regional Transit Partnership meeting, Ned, recently that the route is there and it's going to be provided. And in addition to that, we have new changes on Rio Road and we have a Regional Transit Authority that's going to have their first meeting in February.

[03:11:51] So I appreciate the long-term issues around access, but I think there are some really positive things that are going to be coming in the way of transportation and transit. Maybe not exactly immediately, but, Ned, I will find out for you for sure.

[03:12:11] But Garland did announce in the Regional Transit Partnership meeting that the bus stop at the center was going to happen, and it was happening quickly. So I am not supportive of the special exception. I will say that right now because of the parking, but I am supportive of their SUP.

[03:12:35] Thank you. So I'll make a couple of comments. We can't require shared parking agreements, so that's not something we can require people to do those shared partnerships. I have this issue in this neck of the woods, and it has nothing to do with these two organizations.

[03:12:51] It has to do with two other organizations across the road, where they had friendly shared parking agreements, which turned into then paid parking agreements, which then turned into increased in pay, where it became unreasonable request for the increased parking. Now the organization is in an issue because they don't have enough parking to provide for certain times of the week for the event because the shared parking that used to be a handshake turned into a pay-for, turned into too high of a pay-for.

[03:13:20] So I can't let that enter into my thoughts about the actual application. So already knowing some other things that are rumbling with the KTEC site about uses that have been done there in the past that could be changing and may be changing in the coming future.

[03:13:38] I share the concern of the applicant that I wouldn't be putting any sort of even short-term faith into what may or may not be available to me there. And that's just based on what I'm hearing in my district.

[03:13:57] They're under different ownership now. I've been around trying to get agreements just to get some flowers planted in a section over there and what it takes to get certain agreements in place, and

those are only for a year. to if you can get the mou even in place so i get it i don't see the additional of the ask for the parking that's substantially different than what we previously approved there are uses in the rio district where the parking is actually needed what happens if the parking's not there well i appreciate supervisor pruit thinks it leads to a fourth mass but it probably ends up being people

[03:14:34] doing what people do and parking in places they're not supposed to park in there's no room for that on this site or in the district. This issue happens with a couple of the car dealerships up on 29 North that, you know, they have structured parking, they have on-site parking, they don't have enough parking to be able to do the service volume. And even when they purchase off-site parking, we still have parking issues and display issues and it looks terrible. And that creates issues in and of itself. So I know that we don't want asphalt and we don't like it and we are cutting back and parking in other areas. But that's all for good reason. There seems to be

[03:15:09] different formulas for residential that don't require the parking but with this it's i mean i don't mean to to be judgmental or in any way flip about a religious event but it is an event type of thing so when all the people need to be there you need the parking form because i'm concerned about what happens if there isn't enough parking on the site and there's no agreement with the neighboring site i do not want people having to cross from the center across rio road i will i will always speak against trying to figure out new ways that would require folks to have to do that.

[03:15:44] You know, I don't see them walking down. You know, who knows what, I think the pedestrian elements with the new roundabout and the green tee, I'd have to look and see what, if there even is a pedestrian piece. I don't remember that in the green tee design based on how it's supposed to function to protect the left turn and why we're restricting the right turn only, right in, right out only for the church.

[03:16:08] So, you know, if the transit can help on their side of the road and MicroCat can help with that, then I'd get that. But I get nervous any time. We have pedestrian facilities in place up at the intersection around Gasoline Alley, and it's frightening still to watch folks cross over there.

[03:16:31] So end of the day with this application here, I hope you guys get what you want in place because you've been in front of us a few times. And I think the last time we talked about, is this enough? And we were told yes, but now we're back saying, well, we need a little more. So I hope this gets it done.

[03:16:47] I, for one, will be supportive of it because I think I see the need. And like I said, when we approved the parking the last time, it's an additional 47 spaces in addition to that. I know that the water and the such, that was all scrutinized the last time as well. So I'll be supportive of both. Thank you.

[03:17:03] Supervisor Mallett. Thank you. I do understand the concern that the parish would have with their investment in their expansion and the uncertainty of having people be able to get there.

[03:17:19] And I also have no idea from whence the congregants come. If they're coming from Earliestville, there's no option for transit. If they lived right in the neighborhood only, that would be different. But I do know that a lot of people have parish families that they've had for generations and they come from wherever they are to see those folks once or twice a week.

[03:17:40] So that's a little different in my mind. I do, while I can't require it, it would be great and maybe beneficial for the applicant to put some parking in in stages and see how it does.

[03:17:55] And if they actually need the last 20 right away or whether it's better, and that's something for them to figure out. But I think they've planned as well as I could expect for what they have right now. In some ways, the additional spaces was based upon maybe not having enough to begin with.

[03:18:14] That 50% looks big, but only because what they had in the original permit from 2022 was considerably smaller. Anyway, so I think I'm all right for now, but that's all I have right now.

[03:18:31] Thanks. Thank you. Supervisor Pruitt. I just want to start by congratulating the applicant, right? We're in a time of really declining institutions, and this sounds like an incredibly vital church, right? That's a very high ASA, and you have not only families with kids, but you have so many families with kids, which is like the gold star for churches, that you have to expand your kids' space.

[03:18:55] That's really cool, and congratulations. I'm really excited to be able to support the work that you're all doing. I continue to share concerns about the parking, And I appreciate the delicacy of the position you're in because there's not really other options.

[03:19:14] I guess what I would suggest is one of the things I am most concerned about when I think about parking and parking minimum and the expansion of asphalt is how it displaces other potential uses that could be valuable to the community.

[03:19:34] We think about this when we think about housing and in certain higher-density commercial spaces. I will say that is not an issue here, right? There is not another use that is going to be competing with the parking that they are not going to be building if we were to deny the special exception, which makes me already, I think, less alarmed as I might be if you were in the middle of pantlegs and trying to introduce this much parking, right?

[03:20:01] This is a relatively sylvan space, and you own the land. It's not like you're going to be selling it to a fish-and-chip shop. So that leaves the only concern is an environmental one, right? It is, and that is the individual footprint, the individual creation of a heat island, which is de minimis, but every starfish, right?

[03:20:24] But I do appreciate what Supervisor Galloway has said, which is that there is not another option. And if KTEC is inclined to rescind their gentleman's agreement, they will. And that will create a really disastrous scenario for you.

[03:20:40] and I hope I did not give the impression that I think the addition of a fourth service is just an easy thing to do, right? That would be talking about schisming a community, right, because every service is a community. So I don't see there being any viable option there. The only thing I would ask you is as people who I hope share a concern about care for creation in the same way that we are trying to steward up here, that this is an approval for permission rather than a trigger to create what is requested, I would hope that the applicant takes the opportunity to try and re-engage.

[03:21:15] And if it is possible to solidify something for longer, if it is possible to iterate in stages, if it is possible to see if an agreement can be reached that would take you long enough until a more viable transit opportunity arrives, that that be explored rather than immediately laying concrete.

[03:21:32] And that will also save you all some money. All right, that's all I got. Thank you. I share the sentiments. I'm concerned that we're allowing something that we've said expressly that we didn't want to have that much parking.

[03:21:49] But this is a different type of use, I think, than normally this is contemplated for. And I do not see other uses for this particular space. I would, again, share, Supervisor Pruitt's hope that your footprint would be as light as possible under the circumstances.

[03:22:08] But otherwise, I will be supportive. If there are no additional comments, we're looking for a motion from the supervisor first for the special use permit. Yeah, I'd like to just make one additional comment I failed to make. I do want to just remind folks that this section of Raya Road is entrance corridor because we did expand it a few years back to go all the way down to the city line.

[03:22:26] So all the design and site plan approvals that go when A or B was mentioned is at the entrance corridor level of scrutiny. So I move that the board adopt the attached resolution, attachment E, to approve the special use permit SP2412, City Church multi-use space addition with conditions.

[03:22:52] Second. We have a motion from Supervisor Galloway. Second from Supervisor Malek. Without objection, if the clerk will call the roll. Mr. Galloway? Yes. Ms. LaPesa-Kirtley? Aye. Ms. Malek? Yes. Ms. McKeel? No. Oh, yes. I'm sorry. Yes. Yeah, this is the space one. Yeah. Aye.

[03:23:08] Mr. Andrews. Yes. And now we have a second motion. And I move that the board adopt the attached resolution F, special exception SE 2024-18. Second. We have a motion from Supervisor Galloway, second from Supervisor Malik, without objection if the clerk will call the roll.

[03:23:26] Mr. Galloway? Yes. Ms. LaPista-Kirtley? Aye. Ms. Malik? Yes. Ms. McKeel? No. Mr. Pruitt? Aye. Mr. Andrews? Yes. Thank you. board this brings us to item 17 uh sp 2023 23 buck island solar and this will be led off by mr belfritz our development process manager welcome mr fritz hello good evening uh bill

[03:24:05] fritz at the community development department bill we're having trouble or at least i'm here i'm too tall thank you bill first with the community development department uh this application is special use permit 2323 Buck Island solar. I want to start by showing you where this project is in relation to some other solar projects. The approximate location is shown with this red dot. There are two other approved projects in this map area. They're the Woodridge

[03:24:37] solar project and the Ravana solar project. This map shows in more detail the character of the immediate area. The proposed Buck Island solar application is the circle, and what I've done is I've tried to outline the approximate panel zone area of the Rivanna Solar Project, so you can see the relationship of this to the Rivanna Solar Project. This plan shows the design of the solar facility. Panel area is approximately 11 acres. Access is to Campbell Farm Lane, which is a public

[03:25:15] road, and then to Buck Island Road. The size of this facility is below the threshold requiring a siting agreement. For larger projects, a siting agreement is required and it is during the approval of that agreement that it is determined if the project will be taxed under the solar revenue share or machinery and tools tax. Larger projects may be taxed either way while smaller projects may only be taxed under the machinery and tools tax. The applicant has offered to allow the county to tax under the solar revenue share and there's a condition that has been included

[03:25:47] addressing this. This shows a little bit more detail of the project. Just blew it up. The limits of disturbance preserve a buffer to adjacent properties. The panel area is well removed from any stream buffer area and there are no disturbance occurs within any stream buffer area and no critical slopes are impacted. And I've highlighted here for you just so you can see Buck Island Road on the right campbell farm road which is the public road oops and too many clicks uh this is

[03:26:23] the approximate location of the the access as it would go out to buck island road i should note that this is still under development by the applicant they're going to serpentine that a little bit so you don't have a straight shot of view in there but they're still working on that this map shows the areas that will be retained in woods and areas with additional screening The Planning Commission recommended approval of this application on November 26th by a vote of 4 to 0.

[03:26:51] At that meeting, they also found that this request was substantially in accord with the comprehensive plan. The Commission noted that the site had been previously timbered and the requirement of a pollinator smart certification condition may improve the habitat compared to replacing the site with pine or replanting the site with pine.

[03:27:10] The Commission also noted that the scale of the project along with the buffers minimized the impact of the facility. Staff and the Planning Commissioner are recommending approval of this application. We do have recommended conditions of approval. I'll bring those back up later, and I'd be happy to answer any questions that you might have.

[03:27:29] Thank you. Supervisor Luquisto-Curtley. No questions at this time. Supervisor McKeel. I'm not sure if this is a question for you, Bill, or not. We have heard concerns from the community, or at least several people in the community, about why all the solar facilities are being put in one area.

[03:27:58] And in my head, I'm thinking about it as it seems like to me this particular area, geographic area, is where a lot of timbering has been done, and what we're looking at are not prime agricultural lands, but we're looking at timber areas that sometimes almost look like moonscapes and that's and that's why it's not that we're trying to put them all in one layer of location i'm just right you do have a combination of factors that are going on you have a lot of pine a lot of pine in that area

[03:28:34] and the terrain is is gentler than in other parts of the county so you don't have to do as much or in some cases any grading to do that. We did consider, and this was a topic that came up at the Planning Commission meeting, about the concentration of solar in this immediate area.

[03:28:52] That's why I showed you that one slide. Staff feels, and the Planning Commission concurred, that because of the screening that's afforded this, it doesn't really give the same appearance of a large concentration of facilities. So that was something that was discussed at the Planning Commission meeting also.

[03:29:09] But, yes, you're right. There's pine, and it has somewhat lesser value for agriculture, but it's also somewhat terrain. Yeah, and we had exactly those conditions with the last one that we approved. With Woodridge. Yeah, and screening from the road.

[03:29:26] So you drive by and you don't even know it's there. Trying to. Exactly. That was the only question I had, and I appreciate you addressed it. Thank you. Supervisor Calloway. Actually, to build on what Supervisor McKeel was saying, I mean, the Woodbridge, because part of the location of the siting was because of the access into the system, right?

[03:29:46] For the Woodbridge site, because it needed access to a transmission line. This is on a distribution line. So this is not the same reason for that. Right. It doesn't need the same proximity to the high-voltage power lines that Woodbridge did.

[03:30:03] Got it. All right. Thank you. Thank you. Supervisor Malek. Thank you. And if you need to punt this to the applicant, that's fine. But from this just recent conversation, so PJM is not involved in this because it's low voltage.

[03:30:24] I'll let the applicant answer that question. Okay, very good. I will say that I am concerned when people, and I considered this when I was out at Woodridge and saw what had been left for a dozen years.

[03:30:42] So that was different. What I'm concerned about is people saying, I'm just going to scalp it now, and then it'll all of a sudden be previously timbered and I can do something else. And that's like a slippery slide right into, and other people mentioned this during the Woodridge site.

[03:31:00] So it was something that I think they went out of their way to offer so many things to be able to make it better that I was persuaded. But I just, I don't think it should be an assumption that just because something's been timbered, it's automatically ruined because there are, and I was going to push back to the comment somewhere in one of the applicant, the papers that due to the use of this property for timber for many years, the soils have no agricultural value.

[03:31:28] Not true because yes, they may be a little more acidic and that can be easily compensated for. So there's certainly places where pine trees grow very well and other things will not, which is why they're growing there. And a lot of us use them on steep slopes because we can't have access with machinery to be able to do other things.

[03:31:48] And they just stand there and grow, and it's wonderful. So I'm just trying to balance this and want the county to be very clinical as they go forward with descriptions to not fall in the trap that may be being created.

[03:32:08] I do understand the smaller scale of this and the... Where are my questions? I guess somewhere there was a whole new set of conditions were applied, but I didn't see them, and maybe they'll be forthcoming from the county attorney.

[03:32:37] That attachment D, I looked for the 19 conditions, and I couldn't find the name. The resolution are the conditions. And what happened was that the conditions were modified after the planning commission meeting in order to more closely match the language that was adopted for the Woodridge solar project.

[03:32:58] It didn't change the intent of the Planning Commission's action, but it changed the wording. But as far as the wildlife corridors and all the details that were included in earlier, I just don't want those to get lost because all of a sudden it becomes something where the county cannot hold an applicant responsible for something they maintain at the public hearing unless we write it down.

[03:33:24] So you're saying, oh, this is great. We're going to have grazing under there. But, oh, no, then maybe we're going to change our mind and not do that after all. So these are the kinds of things that I think we need a lot more definite somehow provability on. And the lighting and the corridors, that kind of thing.

[03:33:41] So I will stop there and may have more questions after the applicant comes forward. Supervisor Prove. Thank you. I was also going to ask a question on that, but it sounds like they are more technical than material terms.

[03:33:59] Is that a fair character? Well, there was a version control issue of the conditions that went to the Planning Commission, and so between the Planning Commission and the Board's consideration, I went back and cleaned them up and made them conform more closely to the Woodridge solar conditions. The one condition that is substantially new from the planning condition is that final condition, number 20 that deals with the solar revenue share. But even though that's a new condition, that matches what's going on at the Woodridge Solar where the applicant is going to be paying the greater of the solar revenue share or that M&T tax. So again, I think that the version that the board has

[03:34:37] in front of it with the 20 conditions to attachment D is kind of basically the best in show that the county has and is an improvement over what went to the planning commission. We just thought it was worthwhile to know that what the board was seeing was different than what the planning commission was seeing probably not so much in substance but just cleaning it up and making sure there weren't any version control issues I would also just my understanding is that the nature of the series of terms and conditions that are applied are substantially different not just that term but other terms from the neighboring

[03:35:13] Rivanna solar development which was in fact our first very different they've We've evolved substantially over time, yes. In addition to the nature of the revenue sharing and how it feathers through based on output and also the machinery and tools tax, in addition to that, could you very briefly give maybe an overview of what the substantive differences that we've seen that have evolved since Rivanna Solar into these more contemporary ordinances?

[03:35:43] I mention this because this is the neighboring communities, right? Their touchstone is the Rivanna Solar Project. They have not lived next to Woodridge. They've lived next to Rivanna Solar. So understanding kind of the material differences of what they could expect. I don't remember all the conditions for Rivanna Solar, but I can just give you some examples.

[03:36:02] The way the screening is described and referenced is much better than what it was in Rivanna Solar. The decommissioning has evolved over time to be much more robust, the decommissioning requirements. The, there's a fencing requirement which matches the state's guidance for keeping deer out or letting them come and go and also allowing passage of smaller animals.

[03:36:32] There's a condition requiring certification for the pollinator smart. That's new. Some coordination with the Department of Fire Rescue is new. I believe the lighting is the same. I think those are sort of the big ones.

[03:36:50] I may have missed something, but those are sort of the highlights between Ravanna and where we are today. Thank you. Additionally, when we talk about screening, I think there's kind of an assumption to think about Buck Island Road, which is the major, I mean major, it is in a rural area, but it has significant throughput, and it's a quality paved road.

[03:37:09] and Campbell Farm Lane, which is an unpaved rural rustic that serves the three, I believe, households that are on that. When we're talking about screening, my understanding is that we're talking about the screening from the properties that are located on Campbell Farm Lane, not from Buck Island Road, right, the passing traffic, and any amount of screening would actually be additive.

[03:37:35] Is that about right? Yes. Yes, you're correct. I did mention Buck Island Road because it is the bigger of the roads, but the screening is actually from the abutting properties, which would include

Campbell Farm Lane and properties to the north. To the west and south, it's substantially removed, so of course it will be screened from there because trees are remaining.

[03:37:56] So just to make sure that both I and my peers are getting the correct vision of this, I'm picturing if I am either on the road or if I am a neighboring across the street property, What I have between my viewshed and a panel is going to be about a, what is it, a 20-foot requirement between the road and abutting properties and then the properties themselves, right, the houses, and then a 150-foot additional screen.

[03:38:30] This plan, I don't – I'd have to blow it up to – I don't remember the exact dimensions of everything here. But there are substantial landscaping and screening that's occurring between this site and other residences and Campbell Farm.

[03:38:47] I think that is all I have. Thank you. Thank you. Just exploring the same idea that he explored with Ravana Solar and changes since then, which I very much appreciate.

[03:39:03] we still don't have a an ordinance so we have woodridge now we have verdana we have this coming in i'm trying to understand how much of this is sort of come from the applicant negotiated i get worried that you know we're still in this position where we just kind of well what else will you give us or what else do you need and and it gets uh a little a little unwieldy i think because people don't really know what our expectations are um so for example the smart certification pollinator certification is that something that we've decided that we're going to require or is it an option

[03:39:40] among different requirements like agrivoltaics and others that's that's an example of something that we learned during the development of the solar and by working with the state we discovered that it is something that the state will actually administer can be done we believe it can be done the state believes it can be done so that's a that's something new that we didn't have before The Woodridge had a condition that basically said the applicant will make diligent efforts or will do their best to be pollinator smart.

[03:40:13] This one's different. It says you will be pollinator smart, and that was based on things that we learned after talking with the state about the pollinator smart program. So there are things that we're learning that our ordinance hasn't been adopted, either from past actions that the board has taken, past projects we've worked on, or things that we've learned while we're developing the solar ordinance.

[03:40:35] Okay. Because there's also a lot of things about buffers in here and how much land is needed for how many solar panels. And I get, again, worried that we're just kind of ad hoc saying, well, show us what you think you'll fit, and we'll try, which may be necessary in some cases.

[03:40:51] I just, I'd like your thoughts on that, I guess. Well, I think what you're talking about more is with the ordinance, with the proposed ordinance in any by-right area that might be involved. And there's a lot of discussion there about, you know, what's the relationship to the cleared area and the panel zone.

[03:41:08] And that's a valuable discussion. For this particular application, what we did is we reviewed the project as it was presented to us. What is the impact of the cleared area? What is the impact of the panel zone? So we weren't really worried about what's that ratio. We're looking at the actual plan to see what the relationships are and what the potential impacts are, and that's what led us to recommend approval.

[03:41:31] Does that answer your question? Yeah. Experience as a great teacher. Hopefully. Okay. I appreciate that. Thank you. With that, I will open the public hearing, and we do have someone from the public, but we also, of course, are going to hear from the applicant, And I believe this is Valerie Long who is speaking on behalf of the applicant from Williams-Mullen.

[03:41:57] And Vice Chair McHugh will read the rules for both the applicant and the public. I will read the rules. During public hearings, the board will acknowledge speakers addressing the item listed for public hearing. Speakers are limited to one appearance of three minutes per public hearing item. Applicants are limited to a 10-minute presentation of their proposal and are allowed a five-minute rebuttal at the close of the public hearing.

[03:42:19] 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'll be asked to end your comments. In order to give all speakers equal treatment and courtesy, the board requests that speakers adhere to the following guidelines.

[03:42:39] 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 supporting material may be given to the clerk. Speakers may not share any unused time with another speaker. Back and forth debate is not permitted.

[03:42:57] All comments are live streamed, recorded, and published on the Almar County website. Welcome. We'll start with the applicant. Thank you, Mr. Chairman and members of the board.

[03:43:16] Valerie Long with Williams Mullen. We are representing the applicant, Nexamp, or Buck Island Solar LLC, which is a wholly owned subsidiary of Nexamp. Eric Alves Dessau is here tonight, and he's going to take over from me after a few minutes.

[03:43:32] He's with NEXAMP and has been building solar facilities around the state and region for many years. We also have representatives from Bowler Engineering, the civil engineering firm working on this. Brian Miller is here as well. So if there's technical questions, I may punt to him a little bit.

[03:43:50] Thank you to Bill, wherever he has gone, for his help. We've been working on this for about 14, 15 months now, submitted in December of 2023. Cursor's not advancing.

[03:44:07] So that's our team. We've paid a lot of attention, or really I have to give credit to Nexiam and Eric, very focused on community engagement from the very beginning. As we noted, we submitted the application in December of 23.

[03:44:23] They met with Monticello Foundation right away to reassure them that there would not be any visual impact on Monticello. It was outreach to the adjacent neighbors, including all of those, the owners of those parcels with the blue circles on them. We had a community meeting just about a year ago.

[03:44:42] There's been a lot of direct engagement one-on-one with the neighbors that are closest to the property and very good working relationships. They have executed agreements with the adjacent landowners for access easements and buffers and things like that to address the concerns that they had raised at the community meeting. There was a lot of talk about the timber. We're happy to talk about that more. We understand the concerns that have been raised, but we do have the exhibits demonstrating this

property has been timbered for on a regular basis for many years. This gives you a little bit better idea of the

[03:45:21] entrance location, and I think what I'm going to do now would be the time I think I'd like to ask Mr. Alves-Desaw to continue the rest of this, I would make one comment if we can. We do have two continuing requests to modify slightly two of the conditions that were one of which was discussed about the pollinator. So we would appreciate the opportunity to discuss that and one other condition at a moment when we're finished. Thank you. Thanks, Valerie. Good evening

[03:45:54] to county staff, chairman, and members of the board. My name is Eric Alves-Desaw. I'm based out of Nexam's mid-Atlantic office and I'm the development manager for this application. Open, honest, direct engagement with neighbors early on is integral to successful projects and respecting host counties. As Valerie explained, it's been a pleasure here to meet and work with residents along Campbell Farm Lane to fully realize a site plan that has their support and their backing. Mr.

[03:46:26] Campbell's property outlined in orange on the left totals 105 acres and the aerial on the right shows present-day conditions. The scale of our project is 30 acres of disturbance at the northeast where topography is relatively flat and steep slopes are avoided. The soils on this parcel are not optimal for agricultural production and historically this property's productive worth has been through timbering for pulpwood and pine lumber. The left image shows after the last

[03:46:59] harvest of Loblolly pine in 2013. You can see that at the south and at the west, the more densely wooded areas of hardwoods remained untouched. It's in the northern half of the property, subject to timbering, regrowth, timbering again over the decades, and this is where the project is to be situated. This half of the property is due for its next thinning in 2026, that's next year and to be followed by a full timber harvest sometime around 2030 or shortly thereafter so come a decade from now as you'll see in our landscaping plan later more trees will be left standing where

[03:47:36] the solar project to be approved then if not aeriels are helpful but included on the right I wanted to show a view from the public right-of-way as if you were standing on Buck Island Road at the intersection with Campbell Farm Lane the entrance gate to the solar site will be situated over 100 feet over 150 feet deeper into the woods behind that wall of dark trees you see there in the background on the horizon if you look at the tip of the yellow arrow campbell farm lane today veers hard left the project will build a new extension forking right and into and through the

[03:48:15] tree line to get to our site the new access road as mentioned by mr fritz will have an s-shaped bend to eliminate the possibility of any straight line of sight to the solar arrays, either from Buck Island, the public right of way, or from any of the properties. And again, kind of looking at the tip of that arrow, 150 feet of wooded forest will remain untouched between the solar project and the neighboring residences on either side of Campbell Farm Lane, thanks to the signed tree preservation easement agreement that we have in place. NEXAMP holds ourselves to a high standard

[03:48:50] When it comes to site selection, to facility design, and to engaging with the host community, each project we have is unique, and I hope that the supervisors will agree that this is a well-cited community-scale solar project. There are no critical slopes, there are no impacts to wetlands, and the project is fully screened from day one.

[03:49:09] Something that can't be said of the much bigger Ravana solar project that was approved and recently built nearby on Buck Island Road. Although 30 acres of trees must be cleared, these same 30 acres would be timbered regardless. And to put that tree loss into perspective, the clean power from the project displaces fossil fuel electricity, thus avoiding the volume of greenhouse gas emissions that would require 2,200 acres of U.S. forest to sequester.

[03:49:40] Beyond what I've already mentioned, solar makes for a quiet neighbor with no traffic, no effluence, no noise, no lighting, no burden on public services all the while boosting real estate tax revenue to the city machinery and tools tax potential rollback taxes while aligning with the state's renewable energy goals climate action plans and the county's comprehensive plan a little bit about next amp i must emphasize that we've been a leader in community scale solar for over 15 years which is an awfully long time when it comes to the solar industry we have the distinction of being

[03:50:17] the nation's number one community solar provider for the last several years running, and that's based on total new megawatts constructed year over year. In total, we have over 400 solar facilities and counting that are owned and operated by Nextamp across the country. We're proud to have grown into a company of around 500 employees, and we run a business model that is fully end-to-end. We develop, permit, and interconnect. We oversee the construction of own projects we serve as the long-term owner and operator we do not sell our projects thus there is single-party continuity with next amp for the project

[03:50:53] lifetime this slide is just an overview let's come back to it if there are any questions about just the facts and the figures about the project but I just will mention at the bottom please note there's no battery energy storage here nor are there any plans for future expansion zooming into the landscape plan within the red dashed SUP area the project exceeds code requirements for perimeter landscaping by leveraging the existing vegetation that's to remain intact. On the east side, the 150 feet of forest preservation, and at the north is a separate 75 feet of existing

[03:51:32] tree buffer to remain. Much of the rest of the property outside of the SUP area is mature hardwood forest that won't be timbered. This is the site plan overlaid on a satellite image with critical slope shown in dark gray with water features shown in green and blue all of that located outside of the sup area zooming in some more circled in pink here these are the new electric poles and overhead lines needed to send our electricity out of the site to eventually connect to dominion's uh

[03:52:11] distributed grid these poles are next amp scope and hidden behind the 150 foot tree buffer to the east. The bubble clouds extending from that west and then north, that is Dominion scope and it's upgrading existing infrastructure that is already there today. I'm going to pause on the site plan just to cover decommissioning in brief before I wrap up. I want to reiterate that our civil and environmental engineer, Bowler, is here to answer any questions and specifics as regards to the site

[03:52:45] plan um lastly next amp deploys industry best practices when it comes to decommissioning uh we have partnered with companies by the name like like companies like we recycle solar to ensure that we recover as much of the raw material and components of our solar modules and have built up a recycle stream because that is one of our pillars of sustainability as a company um welcome any questions about the application and the specifics of the site plan well well timed we'll go through our order she will be putting an opportunity here supervisor lapista currently

[03:53:24] yes could you go to slide six because i got lost on you were talking about the bubble but you said the west side i don't have a cursor and i didn't know if you meant the um what color is that pink so

again this is our site entrance okay between this red sup area which is the edge of the campbell property and this black line which is our limits of tree clearing this white negative space is the 150 feet of existing trees to remain the only part of that that is an exception is the access road

[03:54:03] itself uh we're in process of having this have more of a pronounced s bend and going a little bit north again so that there's no straight line of site as you then come into the site and you're within the project's fence brown is the internal gravel access road as you would travel south on that within the pink there's a line of five or six utility poles these are standard 40 foot tall poles with overhead lines these are next amp scope and they are behind that 150 feet of wooded area

[03:54:36] and then here at the final pole where this bubble starts there's the bubble and goes across a neighbor's property and then up buck island road to a tap point here there today there are existing lines along this the entirety of this bubble and the tap point it's a small line so with the amount of electricity that we're bringing we have to upgrade those lines but that's again dominion scope to perform with an easement that they already have on that neighbor's property and that neighbor is fully aware of the upcoming scope too and the tap point is that where it

[03:55:10] connects to dominion it actually connects to dominion here okay that's why that whole bubbled scope is dominion the bubble is the amount of dominion existing dominion infrastructure that has to be upgraded at an existing pole here in north as it proceeds to the substation the wires and poles are already robust enough that they don't need to be upgraded and this facility will produce was it three kilowatts three megawatts three megawatts three megawatts and that'll be

[03:55:44] connected to dominion which will service the county local area yeah so this is what's considered a shared solar project or community solar project in the in the virginia dominion program that's five megawatts ac or less for comparison again this is a three megawatt site the ravanna solar project across the street is a 12 megawatt AC site, so roughly four times more acreage, four times more power. There are high voltage transmission lines that cut across that site that I believe they're tying into. I don't know that for sure. This project is tying into the

[03:56:23] Dominion distributed grid, so that's the wires and poles that you see along the streets. The electricity from this project will just flow into the overall Dominion grid that covers all of virginia thank you another question thank you supervisor mckee v and i were trying to figure out we were looking for the bubbles so you explained that thank you they're not too bubbly but thank you um and i guess i don't have any specific questions right now although i'm curious because valerie mentioned something about some changes is this the appropriate time for you to address those while you're here are you guys going to come back later and talk to us about that

[03:57:03] Happy to do it now. Okay, I'm curious because she mentioned, yeah, you tweaked my interest. Thank you. These are two conditions, and Lori Schweller, my colleague, raised them, and they discussed it at the Planning Commission.

[03:57:21] They are, one involves the period of validity for the special use permit. Right now the draft says that the use has to be commenced within three years after approval. We would like to have it be five years, which used to be kind of a standard for all special use permits.

[03:57:40] And that's what the period was for the Woodridge solar project. Obviously, that was much larger. These projects take a long time to get to the point where you can put a shovel in the ground. Not to

mention the site plan alone process easily will take a year to get through.

[03:57:57] If we have to come back and amend the special use permit to extend that period, we have to start two years from today. and we just don't want to have to do that again they want to know what the rules are going in know that they have enough time to work through the process with dominion to get through the site plan process they've got to coordinate all their contractors of course lots of moving parts that you know it's doable within three years they are fairly optimistic they can break ground in three years but there's no there's just so many forces that are outside their control and the risk of

[03:58:34] having to plan a year in advance to come back and make sure that the permit is amended in time and cross your fingers and hope it gets amended and extended for a couple more years is just a lot to um to have to worry about so we would ask for that change um and the second is with regard to the smart pollinator certification requirement next amp's very comfortable participating and excited to participate in the program but it's new it does not it well it's been around for it

[03:59:05] since I think 2017 or 18, their manual is from 2019. As of 2023, there had only been two projects certified in the state, and there's just a lot of uncertainty about it. It's a discretionary program, and so the concern is that there's no guarantee that NEXAMP can absolutely guarantee it will be certified. They have a very high level of optimism that they will be able to satisfy the requirements the manual is pretty detailed walks you through the process but at the end of

[03:59:39] the day it's still a discretionary process the certification is a decision by the smart pollinator review board which is comprised of representatives from DEQ Department of Conservation Recreation and another entity so anyway it's new their regulations could change and just like the rules could change in the next couple years with special use permit conditions it's a lot to worry that you might they could change the rules tomorrow in a way that would not be reasonable and they wouldn't be able to comply in an you know economically viable way we'd have to come

[04:00:18] back and ask for an amendment or it just wouldn't be able to go forward so there's also challenges with the smart pollinator program it's all great it encourages strongly and requires certain seed mixes but there's a concern that there's not yet a market sufficient of the types of seed mix that is necessary to comply at the scale that will be required for certain projects that was a big concern for woodridge soldier soldier solar because of the size of it it's not as much of a concern here but the other big solar projects might you know purchase all of the seed

[04:00:58] mix that you would need in order to comply and then you wouldn't have any and so we're just asking for some flexibility that in the unlikely event that they're not able to obtain a certification for whatever reason that they can work with staff and use diligent efforts and we had some language in the woodridge solar project that essentially provided a little safety valve they had to really prove to the zoning administrator that they tried their best and only if they could prove that they couldn't for whatever reason the zoning administrator had the authority to approve something slightly different that still furthered the goals of the program so that that's the issue there both both

[04:01:37] issues really just worrying about the uncertainty of the rules could change in the interim they have to plan this project finance it get everything ready bowler's got to work on the site plan it's got to go through the county review process all those challenges and to worry that the rules might change and or that we have to come back in two years from today start applying for an amendment that's that's my

concern so yes so you're asking for flexibility but still to prove to you have um well you would have to prove to county staff that you had done due diligence and there are

[04:02:15] some guardrails on the pollinator certification yes and if i may i could read from the condition it says the owner uses diligent efforts to achieve the certification and if they fail to obtain or maintain such certification upon a demonstration to the zoning administrators reasonable satisfaction that such certification is not commercially viable despite at least five years of the owner's diligent efforts and adherence to the vegetation management plan the zoning administrator with

[04:02:48] input from a consultant that is monitoring that project may approve alternative measures to approximate such certification so that's the goal we we wrote it as a pretty high bar it's not an easy thing you can just say oh golly gee we didn't try very hard you have to diligent efforts and demonstrate to the zoning administrator that you're not able to do it again it's the supply chain for the seed mixes is a concern and i can see that given the state of where we are with lots of things these days. The regulations could change. Laws are even changing. Administration

[04:03:28] changes, unfortunately. You know, staff could change. So it's just the uncertainty. And the same is true for your three-year to five-year. Exactly. So I know you all don't like it when people have to come back and amend their SBs. It takes a lot of applicant resources and time. It takes a lot of public resources and time. So they have every incentive to get this project going as soon as possible but again it's just the having that hang over their heads and worry about it is hard on a project and that was all i had thank you thank you for the opportunity supervisor galloway i have everything i need i have no questions supervisor malik thank you

[04:04:06] let me run back to the top of my list here because i made some notes as i was doing my homework and then i've added some more so this is going to be out of order and i'm sorry about that um okay we talked about that let me leave that alone so um i guess let's jump to decommissioning while we're here because in the paragraph in the staff report it says the owner of the property and the person doing the decommissioning must agree i want the county to agree that this is what xyz has to

[04:04:44] be accomplished so bill you can jump up and correct me if i didn't read that correctly but that's something that's on my mind. Those things have to be laid out and not have somebody else decide to change it. It mentions 36 inches down for removal. How deep are your verticals?

[04:05:09] I showed the picture you showed, lovely picture, with fairly high arrays and very steep. So how deep in the ground are they? That's still to be determined. Assuming we get approval here, we'll be doing geotech analysis of the site and only then can we have an idea of what the underground support for the racking that holds the panels is going to be the i believe i don't know for sure but i believe the three foot requirement and we see four foot in other locations is typically so that a lot of sites where solar is a possibility was formerly or

[04:05:47] could be in the future agricultural use and that three to four feet underground is does not cause a concern for farm equipment and the tilling of the land and if that there is something very deeper right i mean i would personally much rather have it say remove it all because that way we're not worrying about a few inches and believe me the difference between two feet and four feet makes a big big difference when you're trying to do something that says this will someday revert to be usable for anything else other than this so um that's still too wiggle wobbly for for my

[04:06:24] my happiness value on that what is the inspection schedule because it looks in your application somewhere it was talking about the fencing i will say that wild animals under duress get through all sorts of things and yet i don't want them trapped in there and you know babies separated and starve to death because mom's outside and they're stuck inside so what is the frequency when people are on site checking your fences on your other properties for example yeah as part of our ownership and operations of the site asset management we have a dedicated team um that

[04:07:02] manages all of our sites countrywide we have remote sensing cameras on site remote sensors and cameras to be able to i guess have eyes on the site at any given time um as well as like remote shutdown procedures a lot of that is driven by the fact that it is producing electricity and for safety the fence type here is proposed as like an agricultural um fence square four by

[04:07:36] four welded probably yeah okay and we've ensured that the height is consistent with what i believe is going to be the upcoming ordinance for solar projects such that it could be cleared by deer jumping over but also that we're including either a four inch or a six inch gap at the bottom for smaller wildlife so in terms of something getting in and being able to get out um i think smaller wildlife that that gap is around the perimeter of all the fencing um and if something were to

[04:08:11] happen with a larger uh animal that would be caught by our cameras and we could get somebody out there um that day but you won't include overlaps where they can find their way out i know that's sort of standard maze type thing such that you could kind of just like walk like this um because it's uh a power plant for lack of a better word uh there is national electric code that requires the fence to be continuous okay well i'm reassured by your cameras that's that's a good way to approach that yeah okay let me run down here um sheep grazing offered the story in virginia

[04:08:51] is that companies such as yourselves but not you uh have said oh yeah we're going to do this and then a year in they tell the people with the sheep to take a hike and that's the end of the agritur agro whatever it takes business so um that's something else that i would like to see if they're going to say that they're going to do this i would like to have it written down so that it is an expectation for operation of the site uh that's not just going to be chosen to be too much trouble uh in the future um may i comment on that please um our our default uh next am

[04:09:28] nationwide is to utilize sheep for vegetation management and grazing our sites. We find that not only is it cheaper, but it is more effective because the way that sheep and other small ruminants actually chew the grass is more effective than a mower blade, just lopping it off at the top. They get the roots. It's also quieter. I think here we're situated far enough, very far away from residences with a lot of trees in the middle that noise isn't so much of a concern, but because we are adjacent to contiguous forest, the concern is potential wildlife such as

[04:10:06] bear or coyote or wolves that might be interested in the sheep, especially given the fact that we're accommodating a wildlife, a small wildlife gap at the bottom of the fence. So although it is our default, my expectation is that this is not going to lend itself due to the accommodations we're making on the fence at the request of the county and just by nature of potential for wildlife.

[04:10:31] granted as we move forward into site design and finalization of our vegetation management plans and looking at the smart pollinator certification i would expect that probably nine months from now is when we would make the final decision so it's something that we would study between now and then well i think most of the shepherds in our county have very effective use of guard dogs and don't have

coyote problems so and the bear aren't going to go after the sheep okay and that's just one point of view that to consider thank you and you would be hiring a shepherd to come in with their

[04:11:08] flock not having your own flocks in there to do that correct that's correct we have partners in other states in the country and i'd welcome any recommendations for anybody here locally with in-state there are some right nearby who would probably be interested uh you mentioned the dominion interconnection which brought to mind for our solar panels at home we have an automatic transfer switch in the garage to protect the linemen from being fried when they're out working on the things when the power is down and my solar is producing. Do your five poles have something

[04:11:44] like that to disconnect from the system? How does that work? Yeah, so on the poles themselves, which are outside of the fence, they adhere to standard utility design, so to the same design requirements of dominion they are obviously any any live equipment on those poles is up at the top one of them is an emergency shutdown switch um that's actually like the purpose of that specific pole and then anything within the fence well hey it's gated and locked there will be a knox box and

[04:12:23] a key um for local emergency personnel if they need to visit the site uh but if there's like We have automatic shutdown switches. So if the power is out due to ice storm or something, then you're automatically shut down as well, as far as putting water, putting power back into the system?

[04:12:43] Yes. Okay. Yes. That's excellent. All right. Pollinators, I'm happy to have that DCR program. Okay. I think I have reached the end of my...

[04:13:00] Oh, well, we'll talk about the pollinator thing later. That's fine. Thank you. Thank you. Supervisor Pruitt. I don't believe I have any additional questions for the applicant. Thank you.

[04:13:18] I just want a couple of quick questions that I really don't have as criticism, but curiosity that you've made a claim in the application that your 29 acres cleared, 11 acres of panels is equivalent to 2,200 acres of forest vegetation in terms of CO2 sequestration.

[04:13:39] That's 200 to 1. I've heard these statistics before, and I just would like at some point to understand that one better. That's even more than I thought, and it's certainly impressive and shows the significance of solar when we compare, you know, to the alternative.

[04:13:56] Sometimes we worry about our forests, but we look at what a solar plant can do to save forests ultimately because of the amount of carbon that it prevents from going into the atmosphere. But I'd like that information at some point. It doesn't have to be right now. Similarly, you talk about the silicon panels, and there have been a lot of people that have raised concerns about what's in the panels, but these are solid-state silicon panels, and I would just like the confirmation as to what else is in them besides glass, I mean the silicon, as far as the panels that you use.

[04:14:30] Yeah, these are photovoltaic silicon panels. Essentially, they're glass, all around, fully encased. I like to think of it literally like your cell phone, in a sense.

[04:14:49] iPhones are essentially fully glass-encased. In terms of what the exact chemicals are and all the compounds that create the reaction, it is slightly dependent on which panels are procured, but we have long-term agreements with two separate American manufacturers of panels, So you can rest assured that these are, like, the premier panels on the market.

[04:15:23] I'll leave it at that. And I don't have any additional questions. Are there any other? The provisor, no. Missed this one. You mentioned about your community solar subscriber. So this is irrelevant to the question, but I'm very encouraged that you all are doing this Because when others have tried, the monthly fee that Dominion charges, the \$80 a month, completely makes the investment not happen from a citizen point of view.

[04:15:57] And you found a solution to that somehow? I will say that the Dominion program is a challenge. Okay. It is a challenge for the developers. But it is a really great opportunity. And I think it's like really what makes community-scale solar so unique. Again, a utility-scale project, a bigger one that's connecting to the PGAM grid or at the transmission level.

[04:16:18] That electricity is in all likelihood leaving the state. It's being shared regionally. Community-scale solar by the Virginia regulations needs to stay within the Dominion utility. And the subscriber organization for that project needs to find Dominion ratepayers, aka residents of Virginia who pay their bill through Dominion. This project is going to generate enough electricity to power the equivalent of roughly 500 homes. Nexamp,

[04:16:53] again, we really do everything. We're an A to Z shop. I like to joke that we do everything under the sun. We have our own customer subscription platform where you can go to nexamp.com, you put in your zip code, and it'll tell you that you're eligible to sign up to be a customer at next amp and have savings generated from our community-scale solar farms in that in the state we have two projects in virginia our first two that are under construction now we are already subscribing folks although it is not a requirement we are ensuring that a hundred percent of the

[04:17:29] subscribers are low to moderate income eligible then there's no fee for them okay and there yeah Yeah, there is no fee for them. You continue to get your Dominion bill and a loan Dominion bill. We work with Dominion on the back end to do a plus and minus, such that the bill that they're getting and the net amount that they're paying at the end is going to be on the order of 15% to 20% less.

[04:17:53] Okay. No, that's the last part of your answer was the secret sauce right there. All right. Thank you. And the washing chemicals, just soap and water, I hope. I mean, every time I see an undefined term like biodegradable, I don't know what that means.

[04:18:10] So anyway, just food for thought. Thank you. Yeah, there's a condition that we will meet. Thank you for the good questions. Thank you. And now we will go to comments from the public, I believe. We have one person signed up to speak. Scott Bazzari.

[04:18:29] Oh, he's coming. Good evening. Good evening. Probably in Albemarle County, I've been screwed by solar farms worse than any other person.

[04:18:48] every morning when i go out my front door i get to look at that monstrosity across the road planted little trees about like this i made up of diabetes i won't make it five more years so that's what i get to look at every day and they exaggerated and they did a pretty crappy job as far as i was concerned i'll just be honest that's ravana solar these guys i've worked with quite a bit and actually this is going to surprise you but i'm here to support them and they're right behind

[04:19:24] me i mean right behind me we talked about a little nature quarters so my little deer can get back and forth and you know they they've been very cooperative and i actually don't have anything to fuss about i'm okay with them i just i hope it doesn't take any five years to do this i mean that's ridiculous but

um you know we should be able to do it within a year and throw it in there and see what happens but i'm fine with it and it affects me worse than anybody and i already have

[04:20:04] that lovely ravana solar thing to look at for the rest of my life right down to my house if you look at that map you can see those little lots they're they're all mine yeah and i get to look at that every day and they were supposed to plant those trees and i thought they meant trees and i thought there was going to be a bigger setback these guys are the exact opposite of of them i think you'll actually like them because i'm sure they'll build more than one project an album that's all i have

[04:20:36] thank you very much and the applicant has uh time now for rebuttal if you want anything further you need to add i think just happy to answer any questions anyone else may have or discussion thank you um board are there any additional questions or uh comments would it be appropriate to talk about the two possible changes before you close the public hearing?

[04:21:04] We certainly can, in case there are any issues. Okay. We'll talk about the conditions, whether or not we extend the timing or what the interest is as far as that goes. Are there any questions of the applicant about that?

[04:21:22] I'm okay with the five years, but I think that the pollinator smart requirement that has been proposed is a good one Because even if XYZ seed company mix is not available, the constituents will be available, and they can still be.

[04:21:43] The five different kinds of grasses could be provided by different sources and planted that way if there's some disaster for whatever the DCR mix that they're proposing is. I think there are ways to solve it and also rely upon the state program, which the state will monitor and take care of for us as a way to go forward on this.

[04:22:09] So I'm supportive of what the staff has recommended. I would like to hear from Mr. Fritz as to whether or not the proposed condition is workable from the county's perspective.

[04:22:25] I don't want to get us into something that really can't be done easily from the county's perspective. At the Planning Commission meeting, this was discussed also, and our response there is the same as it is here. We didn't go with a recommendation to the satisfaction of the zoning administrator because that would put the zoning administrator potentially in an awkward position.

[04:22:48] And what is a diligent effort might mean one thing to one person and something else to another. So we recommend that the condition be left as is, and if the applicant's unable to achieve the Pollinator Smart Program, they can come before the Board of Supervisors, explain the efforts that they took, and the Board can determine if those were diligent efforts and then decide to amend the condition.

[04:23:13] Wow. Yes. So are we talking about giving them three or five years for the pollinator area? Those are two different conditions. The two different, the, well, I'm sorry, maybe I didn't answer the question I thought I was being asked.

[04:23:31] For the three versus five years, when Ravana Solar was originally approved, it was approved at two years. They came back and requested three years, so they got five. The other applications that have been approved in the county have been for three years also, except for Woodridge, which was five years based on the size of the project.

[04:23:53] So that's sort of the history of solar, the period of validity for solar. Okay, so the recommendation is for? Currently it's for three years. If they need to commence the construction of the facility within three years or the special use permit expires.

[04:24:15] Okay, so they need to commence it but not finish it. Correct, correct. Commence it within three years. Correct. Okay, but that's not separate from asking more time for the? So the Pollinator Smart Program, what the applicant, from my understanding of what the applicant is doing, is they would like to have a condition similar to what, well, actually identical to what the Woodridge Solar had.

[04:24:40] And that would be to, that they make diligent, and I'm paraphrasing, they make diligent efforts to achieve that. If they're unable to, then they would present that information to the zoning administrator who would then determine, And yes, you've made diligent efforts. You don't have to get the Pollinator Smart Program.

[04:24:57] And the zoning administrator could then substitute an equivalent standard. We didn't support that. We did that condition with Woodridge Solar. We learned more by talking with the state. So we didn't recommend that condition for this project because we believe that it can be done.

[04:25:19] And, again, we typically don't like to have conditions that are the applicant shall do their best to do something. It can be difficult and awkward to administer. Just say nothing of unenforceable. So that's a problem.

[04:25:35] Well, the out that they have would be to come back before the Board of Supervisors and have the condition amended, and that's what we're recommending. And how long would that typically take if they had to do that?

[04:25:52] You'd be doing just that one condition. So the scope of the review would be much less, and hopefully we'd be able to do it much more quickly than we do a standard special use permit. But you wouldn't expect the board to be the ones who are expert in whether this was the best effort or not.

[04:26:12] They would want to rely on someone else to tell us. Right. So what we would do in that particular case is the applicant would put forward their case. We would analyze that. We may come before you and say, yes, we agree. The applicant did do it. Or, no, we disagree. We don't think the applicant did do a diligent effort.

[04:26:28] So the staff would be making a recommendation to you based on the information provided to us by the applicant. Could we have it where staff makes the decision? Well, that's what Williams-Mullen has proposed. Yeah. Yes, you could, and that was what was done at Woodridge Solar.

[04:26:48] So the question is, do you want staff to be making that decision on its own, Or do you want staff to be presenting that to you and having the board be the ultimate decision maker? I don't have a problem with staff doing that and not coming back before us, but, you know, I also, before the board.

[04:27:09] I just might suggest that leaving it as it is and having it be that the staff makes a recommendation and brings it back before the board sounds like it accomplishes the same thing, but also clutters our calendar. That's what I'm, exactly. I would just be happy with staff.

[04:27:27] If it comes back before the staff, they make that recommendation. The condition as read off by council, I mean, was still quite onerous, right? It would still be, I would say, a financial hardship and obstacle for them to overcome because they have to, correct me if I'm wrong, you have to identify and get

the review of an independent consultant that it was, yeah, I mean, they're going to try and get the certification, right?

[04:27:54] i take comfort in that condition i do too because we don't know what's going to be happening in the what are you recommending because i'm confused about what you're saying go with the staff recommendation for the pollinator smart and let's dcr deal with it which is or something else just i am interested in the condition that was proposed by council from next guard which would be to um allow it to be a best effort and to get the best effort stamp they have to have independent consultants attest to that and then it has to be the decision of the zoning administrator based on

[04:28:31] that decision which would not come back before us but would be quite onerous on their end yes i think that's reasonable i'd just rather have dcr do the work why should we why should we be saddling our zoning administrator to do the work when dcr can do it for us it's their program i think the consultant would do the work for the most part yeah it's the consultant who's hired by the applicant so just understand that yes if i may clarify actually what we're proposing is slightly more onerous than you described, Mr. Pruitt, it would require the applicant to use best efforts, reasonable efforts, diligent maybe.

[04:29:08] I think it was diligent. I think you said diligent three times. To achieve the certification. So the goal would be achieve the certification. But only if, for some reason, you're not able to, the only option for any flexibility is if you can then demonstrate to the zoning administrator that despite those diligent efforts in trying to obtain the certification, you weren't able to so you propose an alternative that's as close as possible so maybe it's a seed mix variation that technically is not exactly on the list but is the best that's available in the

[04:29:46] market something to that effect again we hope that the program will work deq really is excited about the program but there's there's even news articles from the seed company saying yes there's a lot of work to be done we hope we're going to figure this out in the next three to five years so um and it's just not been used very much yet so i think i know next sam thinks it's a great program and they're excited to be able to do it but it's the anxiety of not being able to guarantee it if i may a similar example is years ago occasionally there would be requirements for

[04:30:22] new development projects there would be conditions of approval or proffers that projects be obtained lead certification and fair you know and that was even a pretty tested program with national standards and an entire you know bureaucracy of people who administer that program but at the end of the day there's no guarantee that you're going to get lead certification even if you can you know get all the points on the scorecard it's still a discretionary program and so developers you know ran into problems where they weren't able to get the certification that they had even their

[04:30:59] architects had you know told them oh yes this will qualify you just don't know so that's that's what drives my concern quite a bit um we modified the language um so we wrote the uh condition with staff for the woodridge solar that i'm alluding to and it was actually modeled after the proffers for fifth street station that were the first time we got away from you must obtain lead certification to you must design the projects to comply and you need to submit a letter at the building permit

[04:31:34] stage from your architect that says it's been designed to meet lead certification or for certain standards and you have to do all that and that's how that was administered administered for those buildings so if that helps um get there again achieve the goal ideally get the certification but you know they may gut the program that's another they could cancel that program tomorrow sadly and we'd have to

come back and ask you to amend it the application you heard right before this for the church um i looked it up while they were talking just to get an idea they submitted

[04:32:10] their amendment in july and it came to you tonight and with the one change about the um i guess slightly larger building and additional parking spaces so that was a pretty simple change but here it is um you know eight months later so you're referring to a program and i'm seeing programs going away right now all over the place it's not an ordinance i don't there's no regulations there it's there's a there's a user guide i printed half of it it's helpful it's well written

[04:32:48] It's very, it's understandable for me, a layperson, without the background on such things, but it's a program. And, you know, what happens if, again, you have, heaven forbid, an anti-solar administration that says, oh, either we're going to kill the program or we're going to staff it with people who don't want projects to get pollinator certification and there's no appeal process.

[04:33:18] there's no regulation so I couldn't find well is there an appeal process not that I found in the manual so again hopefully this is all just worst case scenario but you know in representing and advocating thinking about we've been through enough worst case scenarios so I feel like it's part of my job is to try and help identify those and plan for them to avoid them and come up with good 99.9% solution. I would ask the county attorney, do we, if someone were interested in making a motion to change this condition, do we have this written down someplace? I've been

[04:33:57] scribing away here, as the board's been discussing, although the language that I'm hearing from Ms. Long differs slightly from what was in Woodridge, and so I don't know whether it, if the board is interested in the diligent efforts approach that Ms. Long is suggesting. I don't know whether it might be wise to take a brief recess for me to confer with Ms. Long to make sure that we have the same language. If the board's not interested, if the board is interested in the original condition that Mr. Fritz proposed, we can go with that as well. The other change suggested was to condition 11 regarding the period of validity. Again, I don't know what the board's thoughts are on that.

[04:34:36] But I'm here prepared to go with revised conditions based on the direction of the board. Quick round the horn on that question. Is that in order? Would it quick round the horn on just that question? Yes, I think that would help a lot.

[04:34:55] I'm in favor of doing that and I'm also in favor of going to the five years because this is someone who's, I mean, they're trying to do the right thing and And there are many things happening in the state and D.C. that we don't know about. And we want to make sure that they're given the opportunity to make this correct.

[04:35:17] I think they're going to want to do it as fast as possible. So just to clarify, when you say you're in favor of doing that, you mean taking the applicant's diligent efforts approach? Yes. Okay. Supervisor McKeel? I'm in favor of both. Both? Yeah. Supervisor Gowley? I'm in favor of the three to five years.

[04:35:35] I am not in favor of the wishy-washy. It's too wishy-washy for me. The piece that they brought together and looking at the, this is a scorecard. This isn't like you have to check off all 10 to receive a certification. You do the effort. You might get 100 and get a gold.

[04:35:50] You might get 80. You might get a silver. I mean, there's wiggle room, it sounds like, in the scorecard, and I get it. It would be a problem to have to come back here for that. I've got to tell you, I

wouldn't want to be the zoning administrator making this call when there's six electeds who might have six different opinions on this.

[04:36:06] So if it's going to be this wishy-washy and has to come back, then we need to own that. It needs to come back to the board, and we make the call on it. We've had this happen before where one supervisor will say, well, I don't agree with that, and another one might, just like we're doing right now, we have difference of opinion.

[04:36:22] That's too much to put on a staff person when it should happen at this level. So I'm in favor of the three to five year for the time frame piece. I'm fine with keeping, as staff suggested, for the pollinator program as is. Mr. Mallard?

[04:36:38] Same. Three to five, I'd keep this pollinator program. Professor Pruitt? Three to five, I'm in favor of council's language. I cannot countenance the idea that I would want to come back and sit here and re-litigate a question about seed mix varieties.

[04:37:01] It just doesn't feel like an appropriate use of our time as a board. I think we're falling for hyperbole here that's trying to get an advantage on something. I just want to go through the order to see where we are. I'm also a yes on both of the requested changes, and again, for a lot of the same reasons that have been stated.

[04:37:23] I hear pretty strong language in that condition. But I would like the condition that you read off. It sounded like the one we want to go with. If I'm hearing the board correctly, it sounds as though the consensus would be to extend it to five years and then also to allow the diligent effort, the majority of the board would allow for the diligent efforts approach.

[04:37:44] So I will scribe up accordingly and send the revised conditions to the board. Okay. Do we need to take a break? It would be helpful, yes, ma'am. Should I close the public hearing at this point? I would just ask that the board stand in recess for five to ten minutes.

[04:37:59] Five to ten minutes. Okay. Please don't go far.

[04:38:03] Because I bought a new one.

[04:45:16] Thank you. Thank you for your patience. Board, I think we all have in our email a suggested list of conditions, which include a revised condition 18 and a revised condition 11, 11 extending it to five years instead of three years and 18, providing this alternative to the smart pollinator certification.

[04:45:47] At this point, I will, unless there's a reason not to, close the public hearing. Okay. Close the public hearing, and the matter is back before the board. I either can ask for additional comments, or we can do a motion and then have comments.

[04:46:09] You suggested the latter. I'm not sure why. We can't just comment now. I'm just ready to make the vote. I'd like the discussion period to just note on the record my objection to the special condition changes. Okay. But should we go through our order now or go through it after we have the motion?

[04:46:27] I think my preference would be have the motion made and then call for a discussion. And I'll look to the supervisor for the Scottsville District for a motion. Yes. I would like to move the board adopt the proposed resolution to approve SP-23 Buck Island Solar revised February 5, 2025.

[04:46:49] Second. We have a motion from Supervisor Pruitt, a second from Supervisor McKeel. We'll now have a discussion. So I just want to go on the record of objecting to the special condition change, but will not allow my objection to that condition to vote no against the project.

[04:47:09] Okay. Any other comments? If not, then the clerk will call the roll. Mr. Galloway? Yes. Ms. Lapista-Kirtley? Aye. Ms. Malik? Yes.

[04:47:26] Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Thank you. Thank you for your patience. This brings us to our final item, which is from the board. Committee matters and reports not listed on the agenda.

[04:47:43] We'll go through our order, starting with Supervisor Lefebvre. Nothing, thank you. Supervisor McHugh. That's fine, thank you. Supervisor Galloway. I have two quick items. I'm not looking for discussion or to take time this evening for either one of them, but do want to get them out there.

[04:47:59] The first, Jacob is still sitting here. I had asked Jacob earlier, and I'm asking officially now, we get \$9.2 million in the current budget that is from the federal government in the form of grants, et cetera, et cetera. That's our revenue source. So I'm asking for a breakdown.

[04:48:16] The bulk of that, if not all of it, goes to the Department of Social Services. In the budget book, I wasn't able to find the itemization of then the breakout of that 9.2 and where it goes. So I've asked for that officially. I don't need it tonight.

[04:48:32] I don't need it tomorrow. but i'd like to have that info if it's in the budget book then just even telling me the page numbers is where we're at but i would think that would be of interest to the whole board um so why that's why i'm bringing it up here the second item it seems that there's some and i'm not i don't want this to sound critical or judgmental or any of that and i certainly don't want to sound snarky so apologies if i do when we voted on albemarle housing objective six was establish a housing trust fund strategy 6a was develop and implement a sustainable housing trust

[04:49:07] fund for adoption by the board of supervisors we voted on that in that past the history when we got into the developer incentive program i think has muddied the waters on what the board's direction to staff is regarding a trust fund so what i'm asking is that the chair and vice chair find a time for this board to have a discussion on the agenda about the trust fund not about the monies funding in, but to clear up what we approved in housing Albemarle so that staff is clear on what our direction to them would be regarding a trust fund, the possible formation of one,

[04:49:45] what they do, why it is different than the housing fund we have now, et cetera. I would think any conversation about funding of the trust fund can happen during the budget season, so I don't think we even need to have that conversation in it. How the monies could be used, how it could be put in could be, because that could all be hypothetical. But it's just, for whatever reason, good, bad, or indifferent, I don't think it's clear where the board stands on trust fund. We have a history of a vote that has endorsed it.

[04:50:15] That's what I've always operated under. So I think we just need to have that conversation so we're all on the same page about what a trust fund is, what it does, how it can be used to attack the housing crisis, and then give some staff direction on what they should be doing moving forward so i'm just putting that request out there okay supervisor mallard thank you for raising that because last time i brought it up i was told that it was only the money appropriation that was waiting for the money and then the project was somehow spring forth so i'm really grateful for

[04:50:51] this discussion because we've been sort of going around in circles for a while um and i don't have any other announcements okay supervisor pruit only to echo with the point that's already been made i think in addition to the question of money there's been kind of ongoing discussions about how it would be structured whether or not we're going to be issuing nofas whether or not we're going to be structuring it as grant disbursements or loans whether or not there will be an element that is preserved for continual uh generation of revenue through interest um there's differing beliefs on the board about which of those techniques is appropriate or should be used or

[04:51:30] what even is implied by a housing trust fund and it is my growing sense that the the housing office and staff expect this board to be the first mover on answering those questions and without something i think on the calendar it is challenging for us to divine clarity uh as we kind of talk about in these glancing ways largely overshadowed by the much more challenging question of funding thank you uh i uh will say i was not on the board when the housing policy was adopted but i believe in it uh but every time somebody's brought up the trust fund i said i need an explanation of what that is

[04:52:10] i need to understand it better so i think it's a great opportunity uh to try to figure out when we can schedule that discussion and get on the same page and get on the same page because i think that's important because that's been the issue all along and we don't know what we're agreeing to So with that, board, I believe we are ready to adjourn to February 12th, 3 p.m., room 241.

[04:52:36] This is opportunities for the public to access to participate in this meeting or posted on the Albemarle County website, on the Board of Supervisors' home page, and on the Albemarle County calendar. I don't believe that we'll have public participation in that meeting. So thank you, and good evening.

[04:52:52] Not at all.



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