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Albemarle County Board of Supervisors Regular Second Meeting, Wednesday, August 20, 2025

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[00:00:02] Oh, here he comes. All right. Take your time, man. With Supervisor Galloway having entered the room, I am pleased to call to order this meeting of the Albemarle County Board of Supervisors on the 20th of August at 1 p.m. in Lane Auditorium in the McIntyre office building.

[00:00:19] I'd like to note that this, we have, I'll say this slowly, Supervisor Pruitt of the Scottsville District, Supervisor B. Lupisto-Kirtley of the Ravenna District, Supervisor Ann Malick of the Whitehall District, Supervisor Diantha McKeel of the Jack Jewett District, and Supervisor Ned Galloway of the RIO District, and myself, Jim Andrews, representing the Samuel Miller District.

[00:00:47] The quorum is present. We're also joined by our County Executive, Mr. Jeff Richardson, our County Attorney, Mr. Andy Herrick, our Clerk, Ms. Claudette Borgeson, and Senior Deputy Clerk, Mr. Travis Morris. Also, let me please welcome Albemarle County Police Officers present, Master Police Officer Dana Reeves, Senior Police Officer David Sprouse, thank you for your service today and every day on behalf of all of the people in Albemarle.

[00:01:11] Very much appreciated for our safety and security. If all present could now stand as you are able and join us in the Pledge of Allegiance. States of America, to the Republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

[00:01:34] Thank you. And I now ask if you would join us in a moment of silence.

[00:01:42] our first action of course is to adopt the final agenda i would like to make a couple notes though

[00:02:17] before doing so first uh with respect to item 17 while it will remain on the agenda our expectation is that the motion will be to defer uh to november 5th which is uh date certain but we'll still have if there anyone comes to speak a public hearing to discuss it but uh there's action on that one and then at the we added to the end of the agendas item 19 a discussion regarding an ordinance to control running bamboo at the request of one of the supervisors and with those notes do we have

[00:02:51] a motion to adopt the final agenda so moved second we have a motion from supervisor malik second from supervisor mckee without objection if the clerk will call the roll mr galloway yes Ms. LaPierce-McBurley? Aye. Ms. Mallett? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Thank you. So, board, first item, of course, is announcements from board members, and we will start. He's ready. Supervisor Cal.

[00:03:18] I have no announcements. I just want to, my thoughts are with the folks of the incident that happened in Glenmore yesterday. That was horrendous news. I just don't even really have it put together what to say other than to just say that, I mean, for that whole community, that's, it's just devastating beyond just the owners.

[00:03:37] So my thoughts are with them. Thank you. Mr. Professor Lepiste-Curvin. Yes, I'm hoping that we're able to get some assistance to that entire neighborhood somehow.

[00:03:55] I did attend the retirement of celebration for Graham Page, who served on the Board of Education for, what was it, Diana, 10 years? Something like that? Eight years, yeah. And I know that Supervisor Pruitt was there also.

[00:04:14] It was a nice celebration, celebrating, frankly, someone's devotion to public service. And that was very much appreciated. And our EDA meeting yesterday went very well.

[00:04:31] Lots of things coming up and coming up in our agenda, too. So that's it for me right now. Thank you. Supervisor Malek. Thank you. Yesterday was really well attended and the content was excellent.

[00:04:47] for the Ravana River Basin Commission. There was the quarterly meeting, and Justin Williams from the Department of Environmental Equality provided criteria and extra details about counties who choose to adopt parts of the Chesapeake Bay rules, the guidance that the agency provides, and all sorts of learning modules and training on the DEQ website.

[00:05:07] So when I get more information and links, I will share those with the board and for the minutes. Also, the Ravana River Basin Commission Conference will be wednesday september 24th 9 30 to 3 or so at the center at belvedere a breakfast lunch will be provided and registration emails and blasts are out and one can go to the red river racing commission web page to get more information or contact me and i will link you up thank you very much thank you supervisor mcquee yes just a couple of items once again i'm reminding everyone that

[00:05:43] the Charlottesville-Almoral branch of the NAACP is having their Freedom Fund Banquet on Friday, September the 19th. The banquet this year is at the Omni and tickets are available now and I would encourage everybody to go online and buy a ticket. It's a fun event and it's a good cause. And so you just

look up Almorale-Charlesville-NAACP Freedom Fund Banquet. So with that, let me go to the next item. I feel like I'm a day late and a dime short on this, but we didn't have a meeting

[00:06:22] last week for the timing, but I want to just recognize that President Franklin D. Roosevelt signed into law the Social Security Act on August the 14th of 1935. It guaranteed an income for the unemployed and retirees, and FDR recommended Congress for what he considered to be a patriotic act. He hoped that the act would prevent senior citizens from ending up impoverished. Although it

[00:06:58] was initially created to combat unemployment, Social Security now functions primarily as a powerful safety net for retirees and the disabled and provides death benefits to taxpayer dependents. It has certainly remained popular and really unchanged since 1935.

[00:07:19] And I will say that, one note, by 1930, the United States was one of the few industrialized countries without any national security, social security system.

[00:07:34] So he was trying to catch us up with many of the other industrialized countries. And a little historic note, which I didn't know about until I started looking into this. Roosevelt established the Committee on Economic Security in 1934, and he appointed Francis Perkins, who he had also appointed as Secretary of Labor, to chair the committee.

[00:08:03] She was the primary person who recommended the Social Security Act to President Franklin D. Roosevelt. So we can thank a woman as well as a Democratic president for this particular act. And with that, I will let the next supervisor go.

[00:08:25] Thank you very much. So next we'll go to Supervisor Mike Brown. Thank you. So, a few things, two on kind of more dour notes. In the south side of the county, missing from his home in Secretary Sands, Lawrence Thomas has not been found yet.

[00:08:46] He is an 80-year-old man living with dementia. He is a small build, 5'5", 130 pounds. He is expected to be seen somewhere in the south side of the county, including places like Alberine, Scottsville, North Garden.

[00:09:02] So keep your eyes out for this man who would like to be reconnected with his family. And also, like my peers, I've had my heart with the Glenmore community and the really shocking home explosion that occurred late last night. I've called quite a few people who live there in this community about kind of the, I mean, the literal and emotional shock that has gone with that.

[00:09:28] And my hearts are, of course, with the immediate victims and the people who are displaced. On a brighter note, happy first day of school. It's the first day of school in Albemarle County. You're looking at me like I'm wrong.

[00:09:44] Am I wrong? Last week. Oh, it was last week? Oh, yeah. Happy first day of school last week. Jesus. Sorry, it was the first day of school at Peabody, and that's what I was thinking because they were right in front of my house. With this comes, of course, a lot of changes in people's individual schedules, and most notably, a lot of changes in morning traffic.

[00:10:05] So please be mindful of that community and be patient and try and model what we would like our young children who are also commuting to work in the morning. model the behaviors that you would like them to have and be careful because some folks walk to walk to school. Additionally coming up this Friday is one yet another iteration of Fridays on the Canal in Scottsville. This is the free summer concert

series that is going to be starting I believe at five down at the the outdoor museum. The performing band will be the Valley Street

[00:10:44] Drifters who I don't know anything about but from context clues I'm going to assume are a local left um and finally uh this is a bit further out but seize the day put it on your calendar for the 21st of september walnut creek at noon to three um this is an event honoring uh vets and service members and their families uh that we do every year at walnut creek and it's a good time for all that is all i got thank you uh i also my heart goes out to those in glenmore um i'm i it'll probably come up later, which is why I haven't heard anything yet about it, but I believe

[00:11:24] that there is a big meeting right here tomorrow, 6 to 8 p.m. in Lane Auditorium, that will be AC44's community check-in, unveiling our draft comprehensive plan. There's also an online option, and so I think it's really important for us to just get the word out that there's one big community meeting about the final draft.

[00:11:45] We hope that close to the end, fully put together draft of AC44. I realized that there's an online option, too. I didn't realize that. That's really great for people. Thank you. And then, as has been my habit, thanks to Supervisor McKeel for actually giving me a crib sheet for it, but it's the fall and fall cleanup days at Ravenna Solid Waste Authority are coming at the Solid Waste and Recycling Center starting Saturday, September 13th for the electronic waste.

[00:12:20] However, having made that announcement, I'll tell you, I just looked online and it is full, but the wait list is still open and they encourage you to sign up on the wait list if you have any interest in electronic waste, I've registered, disposal on the 13th of September.

[00:12:37] On the 19th of September is more hazardous household waste, paints, antifreezes, things like that, as well as Saturday, September 20th, and then Saturday, September 27th is furniture and mattresses, and then October 4th, appliances, and October 11th, tires.

[00:12:57] So it's time for cleaning things up for the winter. And with that, if there's nothing further, then we will turn to proclamations and recognitions. We have two, fortunately, today. The first, recognizing August 25th to 29th as Smart Week, and this will be read as a motion by Supervisor Malik.

[00:13:20] Thank you. I answer this motion. Whereas, guns are the number one killer of children and teens in the United States, and almost every single day a child gets their hands on a gun and unintentionally kills or wounds themselves or someone else in the U.S.

[00:13:36] And whereas, when guns are not properly stored, tragedy can strike, whether it's a child finding a firearm and wounding or killing themselves or someone else, or someone stealing it and using it to commit crimes in our communities. And whereas research shows that the most effective way to prevent children from accessing firearms is by making sure all guns are stored, unloaded, locked, and separate from ammunition, however, more than half of gun owners do not lock all of their guns securely, and an estimated 4.6 million children live in a home with at least one unlocked and loaded gun in the United States.

[00:14:11] And whereas protecting public safety in the communities they serve is the board's highest responsibility, and the County of Albemarle is committed to creating a safe environment contributing to the safety and well-being of our children, whereas Smart Week raises awareness and promotes efforts to

educate the public about secure gun storage, and the County of Albemarle commends Be Smart and all involved in their endeavor to keep communities safe.

[00:14:36] Now, therefore, be it proclaimed that we, the Albemarle County Board of Supervisors, do hereby recognize August 25 through 29, 2025 to be Smart Week and encourage all residents, schools, hospitals, and community organizations to commit to the crucial role of reducing injuries and deaths by promoting secure gun storage and safety.

[00:14:56] Signed this 20th day of August, 2025, Jim enters chair and a second. Second. We have a motion from Supervisor Malik and a second from Supervisor McKeel. Without objection, the clerk will call the roll. Mr. Galloway? Yes. Ms. Lapista-Curtley? Aye. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. And my understanding is we have Mike Fox here to accept the proclamation on behalf of Moms Demand Action for Gun Sense in America. Welcome, Mr. Fox.

[00:15:29] Thank you so much, Mr. Chairman and Supervisor Malik for your support. As students go back to school, Smart Week reminds us that, reminds adults that they have homework too. When we educate the public about securely storing guns, we take real steps toward making our homes, schools, and neighborhoods safe for everyone.

[00:15:47] Secure storage is about school safety, but it's also about keeping kids safe wherever they gather. A friend's house for a play date, during scout meetings, on field trips, at the playground, or on the bus. The A in SMART stands for ask, and this applies to gun owners and non-gun owners alike.

[00:16:04] The same way parents ask about pets, pools, and allergies, a simple conversation. If you own any firearms, how are they secured, can help keep children out of harm's way. It doesn't need to feel strange or awkward to bring up this issue.

[00:16:21] Simple conversations with friends, caregivers, and relatives before a child visits a new home can help save lives. Change happens every day through meaningful conversations with families, friends, neighbors, and community leaders. Thank you all for helping to normalize conversations about gun safety and to help spread the Be Smart message.

[00:16:39] Thank you. Thank you, Mike. And I'm sure Supervisors will offer comments. Start with Supervisor Galloway. Thank you, Mr. Fox, for being with us today. I think the work that your organization is doing is critical. And I think that given how the gun debate can become a mess with people on both sides, I think that you all focus on something that is just incredibly prudent that nobody can argue with.

[00:17:02] So I appreciate that, threading that needle as well, to make sure that those who do own guns do so securely and just, as you said, protect our kids from any undue harm. So thank you again for your efforts. Thank you, sir. Thank you. Supervisor Lopisto-Kirfer. Thank you very much for bringing this to our attention.

[00:17:20] And you made a statement. You said, isn't it awkward that we even have to bring this up, which I agree with. It is awkward. People should know that if they have guns, you keep them safely locked up. You keep them in a secure place.

[00:17:35] You keep them away from children. Too many accidents happen. Kids, it's on TV, people are playing with guns and such, so they're going to play with guns. So thank you for making this issue

something of quite importance that people follow and make sure all of our children are safe and adults, too.

[00:17:57] Thank you. Thank you, ma'am. Thank you. Supervisor Malek? Well, thank you again for all that you do to bring these issues forward. And what you mentioned about having conversations reminded me of every 10 years, there would be a spectacular teen death accident from driving with alcohol.

[00:18:16] And having those conversations with other parents before your child goes to that house or rides with that student to find out what their standards are for that kind of behavior is something that the same effort can be channeled into these conversations about weapons because the consequences are permanent in opposed to other accidents that can happen that might have a survivability.

[00:18:39] So thank you again. Thank you, ma'am. Thank you. Supervisor McKeel? Yes, thank you for being here. A very important topic. And I would add that we know that even in this locality, the way that most guns are circulating in the community is they're being stolen from cars.

[00:18:58] Unlocked cars, cars where people can just reach in and grab a gun. So it is important to lock your guns up securely and safely in your car as well as in your home. I'm just adding that, but thank you very much for being here. Thank you, ma'am.

[00:19:14] Supervisor Pruitt? I want to echo all my peers' words congratulating your advocacy and the work your organization is doing on raising awareness on what feels like a really common sense policy. And I would also just say, you know, I know plenty of people in my life who do not think that this is common sense policy who will suggest that a firearm for self-defense in the home is not helpful unless it is by your bedside table in condition one.

[00:19:39] And they believe that pretty strongly. To which I would say, I was almost willing to accept that as a counterargument until I went to one of your events at a fair, and you know what they have that you can test drive? A fingerprint-activated safe that only costs about \$100. That thing opens in about one second, is coded to your fingerprint, and you could easily get that just as quickly as you can rack your firearm.

[00:20:01] So there is always a good storage option available. Thank you, sir. Thank you. And I echo the comments of the other supervisors. It's about 50 years ago that I recall I lived in a small town, and the town was totally torn up because an unlocked gun got in the hands of some 7-, 8-year-old boys and ended one of their promising lives.

[00:20:25] So it hit the community very deeply, and I hope for all of us in that community, it's a profound lifelong lesson that you're trying to share much more broadly, and I appreciate that. Thank you, sir. And Supervisor Malek has the proclamation.

[00:20:50] Thank you. On board, our next proclamation recognizing August 26th as Women's Equality Day. And this will be read by Supervisor Lapista-Curtley in the form of a motion.

[00:21:09] Thank you very much. As a motion, I want to have proclamation recognizing Women's Equality Day 2025. Whereas August 26th, 1920, tens of millions of women won voting rights, The greatest expansion of democracy in U.S. history.

[00:21:29] Yet 105 years later, women have still not achieved full equality and face ongoing and increasing threats of discrimination, violence, loss of bodily autonomy, and restrictions on voting rights.

[00:21:44] And whereas, although on January 27, 2020, Virginia became the final of the requisite 38 states to ratify the Equal Rights Amendment, fulfilling all the requirements of the U.S. Constitution, yet the ERA has not been fully recognized and published, allowing gender-based discrimination to continue without recourse under the foundational document undergirding all of our laws.

[00:22:13] And whereas federal laws ensuring the equal rights and safety of women can be and are currently being weakened or removed, with the U.S. Supreme Court retreating from its own precedent to take away previous constitutional rights, impeding women's ability to make decisions about their own bodies, families, and futures, and causing irreparable harm and unnecessary deaths.

[00:22:39] And whereas females make up nearly 52% of Albemarle County's population and the Albemarle County government has the appropriate and legitimate role in securing and defending gender equality in the Commonwealth of Virginia and the United States.

[00:23:01] Now, therefore, be it proclaimed that we, the Albemarle County Board of Supervisors, do hereby recognize August 26, 2025, as Women's Equality Day. In celebration of all who have worked to gain voting rights for women, in recognition of all who have continued the fight for gender equality, equity,

[00:23:26] And in support of all citizens and lawmakers working today to preserve democracy and guarantee equal rights for all under the law in the Commonwealth of Virginia and the United States, signed this 20th day of August, 2025, Jim H. Andrews, Chair.

[00:23:47] Second. We have a motion from Supervisor Lupisto-Kirtley, second from Supervisor Malik, without objection, if the clerk will call the roll. Mr. Galloway? Yes. Ms. Lupisto-Kirtley? Aye. Ms. Mallett? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. And I believe we have Lisa Hillgartner, President of the League of Women Voters in the Charlottesville area and others. Welcome. Good afternoon. Thank you for having me. Okay, to my right. Thank you, Chair Andrews and members of the Board of Supervisors. I am Lisa Hillgartner, President

[00:24:26] of the League of Women Voters of the Charlottesville area. With me is Charlotte Gibson, president of the Charlottesville chapter of the National Organization of Women, and we thank you on behalf of our organizations for the proclamation. The mission of the League of Women Voters is to inform, educate, and advocate for the rights of women and all voters. The League grew out of the National Women's Party would work to extend the right to vote to women after the 14th and 15th amendments gave voting rights to male citizens, denying the vote to half the adult citizens of

[00:25:04] the United States. The issue of equal rights for women did not end with voting rights. Three years after the 19th Amendment was ratified in 1920, the Equal Rights Amendment was introduced. That's 1923. It states that the equality of rights under the law shall not be denied or abridged by the United States or any state on account of sex. Ratification did not move along swiftly.

[00:25:36] On August 26, 1970, the National Organization of Women founded to take action to the rights of women how to strike for equality, 100,000 people nationwide attended, reigniting the efforts to ratify the Equal Rights Amendment, nearly 50 years after it was introduced. In 1971, Representative Bella Abzug successfully got Congress to designate August 26 each year as Women's Equality Day.

[00:26:09] Efforts like this revived the push for ratification, which continued through the 1970s, stalled before regaining momentum in 2017. In 2020, Virginia became the final state needed for ratification. The

League of Women Voters and Charlottesville now were active in Virginia's successful ratification efforts. We still await seeing the 28th Amendment in the Constitution.

[00:26:39] Today, the League of Women Voters and now continue advocating for women's rights, enforcement of equality and hiring, firing, work-related benefits and compensation, equity in court and health care, including the ability of women to control their own bodies, and much still languishes.

[00:26:59] Each women's voters' rights are still under threat. In conclusion, we appreciate all the efforts of the County of Albemarle to foster equality and support women and girls. More can be done, but this proclamation keeps Albemarle on the right track, and we thank you.

[00:27:20] Our organizations follow the workings of Albemarle closely for our advocacy work. You can learn more about us at lwb.cba.org and for Charlottesville Now at cvillenow.org. Thank you so much.

[00:27:37] Thank you, and I'm sure Supervisor would like to comment, starting with Supervisor Galilee. Well, thank you for being here today. I mean, it's just incredible that even though with all the milestones that have been achieved, the work must continue, especially in a time where, for some reason, we think equity or equality is a bad thing.

[00:27:56] I just don't understand those who feel that way. So I appreciate your efforts to continue to stay focused on it, not just to reach more milestones but make sure the enforcements of what have been achieved continue to happen and you hold folks to account. And as a father of two daughters who have reached adulthood, I'm especially appreciative of those efforts.

[00:28:15] Thank you. Thank you. Supervisor LePizzo-Curley. Thank you very much for being here and to think that it was introduced almost 100 years ago and that it took Virginia until 2020 to be the final state to ratify it.

[00:28:36] I guess when they say better late than never, I mean, we're still not there yet, unfortunately. So I'm hoping it's not going to be another 100 years until it does get passed. But we really appreciate your advocacy on the part of women and girls.

[00:28:54] And frankly, all of our constituents, all of our, all the people that live in Epemarle County, we really appreciate your efforts. Thank you. Thank you. Supervisor Malek. Thank you very much. Growing up in a three-generation household, I heard lots of stories of my grandmother who was a sewer as a teenager for Ziegfeld on the train.

[00:29:15] as the follies went around the country in the 20s. But the news from her on the street seeing all this happening was pretty exciting and pretty impactful to me as a kid. And as Ned said, as a mother of two daughters and grandmother to two girls, we all need to keep working for their benefit as well.

[00:29:37] So thank you very much. Thank you. Supervisor McKeel. Thank you for being here. This is really important discussion and important work on everybody's part. I was just looking this up this morning when I knew we were having this proclamation today, and it was interesting.

[00:29:59] I found Lawrence Tribe, who is one of my favorite constitutional scholars, who is at the Harvard School of Law School, and he says that the truth is And the opposition doesn't want us to know it, that it has already met the constitutional requirements and no president's signature is required.

[00:30:25] And I think you addressed some of this in what your comments were, but no president's signature is required, no green light from anyone, no Supreme Court ruling. All it takes is 218 members of

the House and a majority in the Senate to do what's already true that women's equality belongs in the Constitution. And I would add, thinking about this, and I think Ned referenced it a little bit, if we think this is just a piece of paper or

[00:30:57] something that is about a policy, we live in a time right now with such hostility, and they are talking at some of the highest levels of our government right now. We have a United States Defense Secretary, who has posted a video saying that, openly calling for women to lose the vote.

[00:31:24] So it is critical that we, U.S. Dependent, Pete Hessef posted a video urging and featuring pastors who all openly call for women to be stripped of the right to vote. If you've not seen it, you should take a look at it. Those are the scary times we're living in. I've seen it myself. Yes.

[00:31:47] so this is not the time to sit back and say it's okay everything is all right because it's not i was shocked but having said that we're really thankful that you are here and bringing this to the attention of those of us at the dais and as well uh in elmar county thank you very much thank you supervisor uh thank you and um you know i appreciate i appreciated learning actually how much um women's equality day has been actually wrapped up in the history of the era um and i

[00:32:22] really appreciated supervisor mckee's uh statement uh you know quoting from professor tribe because i mean it's true right like i i'm of the not tremendously uncommon legal opinion that it is in the constitution it is part of the constitution has been part of the constitution since 2020 but the fact that we stand here and we aren't in agreement or that we say we are waiting for it to be in the Constitution, I think reflects kind of the gravity of the situation we continue to be, where the perceived social obstacles, the perceived political obstacles,

[00:32:59] the perceived legal obstacles to women's equality still are somehow greater, even while being amorphous, they're still somehow greater than the some courage of political and legal leadership to say otherwise. These obstacles to women's equality are still somehow bigger and stronger than Joe Biden being able to direct the archivist to correct the Constitution, which is, I think, a pretty damning indictment of our country. So thank you for your continued advocacy on this. I also want to add my gratitude for what you're up against and how hard you've

[00:33:39] been working. I look through the history of this whole thing, and it's long, and it's been, you know, was introduced, reintroduced, reintroduced over and over again. I'm reminded of the button that I saw just not that long ago, yet she persisted, and the perseverance here is very much appreciated.

[00:33:59] Thank you. Supervisor Lupisto currently has the proclamations.

[00:34:25] are you sure thank you so much thank you thank you board this brings us to a public comment on matters previously considered or currently pending before the board other than scheduled for public hearings we have a couple signups so supervisor vice chair mckee will read the rules and introduce the speaker all right and we do have uh three people signed up to speak and

[00:35:01] no one is online so during the time set aside for public comment on matters previously considered or currently pending before the board, individuals may address the Board of Supervisors. Individuals are allowed one opportunity of up to three minutes to speak at each board meeting.

[00:35:18] The sign-up sheet is managed by the clerk's office. Timekeeping is conducted through a timer and light system at the podium. The green light will go on when you begin speaking, which begins your

allotted time. The yellow light indicates you have one minute to finish speaking. The red light indicates your time has expired, and you will be asked to end your comments.

[00:35:36] In order to give all speakers equal treatment and courtesy, the board requests that you follow the following guidelines. When addressing the board, state your name, and if you live in Albemarle County, your magisterial district, address written comments directly to the board as a whole.

[00:35:51] Any written statements or other supporting material may be given to the clerk. If representing a group or organization, you may ask others present to raise their hands in recognition. Speakers may not share any unused time with another speaker. Back-and-forth debate is not permitted, and please do not speak from your seat or out of turn.

[00:36:09] All comments are live-streamed, recorded, and published on the Albemarle County website. And our first speaker for today is Jim Hingley. Welcome.

[00:36:33] Thank you. Good afternoon, Jim Hingley, Albemarle County resident, Scottsville District. I'm here to advise the board about a very important upcoming community event. On September 5th of this year, which is a Friday, we are having a 75th anniversary commemoration of the Gregory Swanson case decision.

[00:36:57] And I'm happy to say that Albemarle County is a partner in putting on this event. The Gregory Swanson case, which was decided on September 5, 1950, is the case in which the United States Federal Court sitting here in Charlottesville entered an order against the Board of Visitors of UVA requiring UVA to admit Gregory Swanson to the law school.

[00:37:29] Gregory Swanson having been denied admission to the law school because he was African American. This is a landmark civil rights decision that occurred right here in this community. And it has national significance, but of course it also has local significance to all of us because it happened right here.

[00:37:53] And this was the first court order that resulted in the admission of an African-American to a segregated white institution in all of the South.

[00:38:10] So we are a trailblazing community, and this is an event that's very much worth commemorating. Now, for those who are listening or in the audience that don't know the details of this, it is, again, I will repeat, September 5th of this year, which is a Friday, the commemoration begins at 2 o'clock p.m.

[00:38:32] It will be located in the Jefferson Madison Regional Library, Central Library downtown, and it will take place in the actual courthouse where this decision was rendered, in the actual courtroom where it was rendered.

[00:38:49] And so it starts at 2 o'clock Friday, September 5th, the commemoration of the 75th anniversary of the Gregory Swanson case decision. The event is open to the public, and we encourage everyone to come out for this very important commemoration, and thank you.

[00:39:08] And I have given flyers to the clerk, which I hope she will have a chance to distribute to the board members and staff. Thank you. Thank you. our next speaker is kim basioli welcome good afternoon i'm kim basioli i'm a conservation program manager with the piedmont environmental council i'm here

today to discuss the draft riparian buffer protection standards riparian buffers play a critical role in protecting water

[00:39:47] quality for the members of our community with respect to public health recreation and our drinking water supply they also provide important natural habitat and wildlife corridors we need to retain and restore riparian buffers for all these reasons, but also to build our community's resiliency to major storm events, which are projected to increase in frequency and intensity in this changing climate. PEC would like to commend the county staff for moving this forward and acknowledge the tremendous effort that has led up to this point. Since 2017, when this board

[00:40:23] directed staff to identify strategies for improving stream health in the county, there have been numerous work sessions and stakeholder engagement meetings. Extensive research and analysis of different strategies, other localities ordinances, and the costs and benefits of each approach were earnestly and deeply considered.

[00:40:45] You can find this detailed history and background information on the county's Stream Health Initiative website. PEC strongly supports completion and adoption of these riparian buffer protection standards. As you review and discuss them in today's work session, we hope you'll do so with the recognition that this draft ordinance is the culmination of those many years of effort developed with robust community engagement and careful consideration of details and alternatives.

[00:41:13] Albemarle has a long history of planning focused on watershed protection, and it's widely viewed as a leader in the Commonwealth in this area. The riparian buffer protection standards, when they are adopted, will have a positive and meaningful impact for our community and will serve as a model ordinance for other localities going forward thanks for your attention thank you and our last

[00:41:38] speaker last but not least is neil williamson good afternoon neil williamson president of the free enterprise forum a privately funded public policy organization focused on central virginia's local governments this afternoon you'll hold a work session about moving your riparian i have to get used to saying that i still call them stream buffers stream buffer ordinance into from the water protection ordinance into the zoning ordinance. No changes to the buffers themselves

[00:42:16] are proposed. But what is the impact of those buffers on land available in the development areas? Yes, it reduces the land available in the development areas. Why are these buffers in place? Well, according to the staff report and much of the scientific data that I've seen, it's stream health, and that's a viable goal. While the Free Enterprise Forum applauds the performance standards that are objective, that are embedded in the draft ordinance, we have to ask, When will you restore the development area? When you choose to implement stream buffers

[00:42:52] without development area expansion for those lost lands, you choose the environment over housing your residents. Now is a good time to review that concept of land swap and take the stream buffers and, hey, take the whole stream out of the development area and find adjacent properties to the existing development areas to replace that lost land. Hey, while you're at it, Let's find 800 acres to replace the Biscuit Run Park.

[00:43:22] Absent such action, Albemarle will once again have shrunk the development area. Thank you for the opportunity to speak. Thank you. And that is? That's it. Okay. That is it for the public comment board.

[00:43:39] Our next item is the consent agenda. And I've heard nothing recommended for removal or discussion. So looking for a motion to approve the consent agenda. So moved. Second. We have a motion from Supervisor McKeel, second from Supervisor Malek. Without objection, the clerk will call the roll.

[00:43:55] Mr. Galloway? Yes. Ms. LaPiesto-Kirtley? Aye. Ms. Malek? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Thank you. Board, this brings us to our first work session, Riparian Buffer Protection Standards Draft Ordinance.

[00:44:12] And I see Mr. Scott Clark, Conservation Program Manager here, and Mr. Frank Polk right behind our county engineer. Welcome. Good afternoon. Thank you. I'm Scott Clark with the Community Development Department. Mr. Frank Pohl, the county engineer, is here, and several other community development staffers are available to answer questions that come up in this work session.

[00:44:34] And we are here to talk about the proposed riparian buffer protection standards ordinance. Just a quick overview of what we'll be doing today. We'll review briefly the Stream Health Initiative and how it leads to the topic of riparian buffers.

[00:44:50] We'll talk about current buffer regulations and the proposed buffer protection standards. We'll save most of the time for questions and discussion and then briefly go over the next steps. So the Stream Health Initiative, which began back in 2017, was an extensive outreach and community interaction effort that had the goal of finding methods to protect stream quality throughout the county.

[00:45:17] There was extensive community outreach, including stakeholder work groups that set the vision and goals and developed recommendations with staff. There was a community learning series and there were online community surveys and other methods of outreach to the community. The result of this was a series of 14 community developed recommendations for stream health protection. Recommendation number one on that list was to move stream buffer, riparian buffer protections from the water protection ordinance into the zoning ordinance to have better protection of those buffers. Just as a reminder, riparian buffer is

[00:45:55] an area of vegetation adjacent to a stream wetland reservoir river or pond and the board adopted a resolution of intent to pursue that amendment to the zoning ordinance back in march of 22 the scope of the project that was identified during that with that resolution was to move the riparian buffer regulations from the water protection ordinance wpo to the zoning ordinance in order to protect stream health and wildlife habitat and boost climate resiliency to address stream impairments by filtering non-point source pollution and to provide better clarity on uses

[00:46:32] that are permitted within the buffers. The goal here is also to implement standards that protect our vegetation county-wide while keeping the current exemptions for agriculture and forestry. So where are these buffers? The buffers that are proposed in this ordinance are the same as those currently regulated by the water protection ordinance. I'll just quickly review what those are. Within the development areas, if you are not in a water supply protection area, which is the watershed of a reservoir or public water intake, then those buffers are 100 feet wide on perennial

[00:47:07] streams and contiguous wetlands. If you are both in a development area and within a water supply protection area, then that 100-foot buffer applies to both perennial and intermittent streams or to the limits of the flood hazard overlay district. There is some ability to have structures in the outer 50 feet

of buffers on intermittent streams, but only with a mitigation plan. Directly adjacent to public water supply impoundments. The buffer extends 200 feet from the floodplain of that

[00:47:43] impoundment elsewhere, meaning the rural areas not immediately adjacent to a reservoir. The buffers are either 100 feet on any perennial or intermittent stream or the limits of the flood hazard overlay district, otherwise known as the FEMA 100-year floodplain, whichever is wider.

[00:48:06] So in the Water Protection Ordinance, our current buffer regulations only apply to land disturbances of 10,000 square feet or more. And those disturbances are permitted but require mitigation. However, for disturbances below 10,000 square feet, buffer vegetation is not protected, except to say that new structures that require building permits are not permitted in those buffers. But otherwise, outside of a regulated land disturbance, trees and other vegetation, the buffers can be removed. The proposed ordinance would move these standards from the water

[00:48:45] protection ordinance to section four of the zoning ordinance and takes a performance standards approach some of the key sections here include 423-4 which sets the boundaries we just discussed 423-3 identifies the county engineer as the administrator the riparian buffer administrator or rba 423-6 which we'll talk about establishes criteria for vegetation management in the buffers And 7 and 8 list the permitted uses in those buffers.

[00:49:25] So what vegetation changes would be permitted under this proposed ordinance? Right now, again, projects with 10,000 square feet of disturbance or more are regulated in the buffers. Vegetation can be removed, but you have to do a mitigation plan to restore the disturbed area.

[00:49:44] However, elsewhere, any bar vegetation can be removed. Under the proposal, except for permitted uses, native vegetation within the buffer must not be disturbed or removed, and buffers must be maintained in as natural a condition as possible.

[00:50:02] Speaking of those permitted uses, there are two categories of them. One is just by right uses that can go ahead and occur. The other is uses that are allowed by administrator approval, but they require a mitigation plan. So that first category includes several uses, including agriculture and forestry, utilities, water-dependent facilities, and the others you can see on the screen here, which are considered to be by-right uses within that buffer area.

[00:50:31] There are quite a few proposed uses by RBA approval with a mitigation plan. Many of these relate to stormwater and flood management. There's also environmental restoration projects and also uses that occur in the buffer where the buffer would otherwise prevent reasonable use of a lot.

[00:50:55] And the last section of the proposed ordinance, 423.9, sets standards for mitigation plans, identifies a two-to-one ratio for restoration of vegetation, requires that native species be used, includes a link to the engineering design standards manual to identify buffer vegetation management methods.

[00:51:24] and this section also states that the buffer administrator can require bonds until the plants are established to make sure that the mitigation is actually successful. So we have two general discussion questions for you all today. First is, does the draft ordinance help to meet the goals listed in 4-23-1, which is the purposes? And second, does the board have any feedback about the general performance criteria listed in 4-23-6? And if needed, I can put the text of those two sections up on the screen to help with your discussion.

[00:52:01] And I think at that point, we're ready to take your questions and help with the discussion. Okay, thank you. I certainly think that people are going to have questions, but I think we can start to answer the questions that you've asked as well.

[00:52:18] But with that, I think we can go through the order at least twice and see how things go, because I'm sure there'll be comments on comments. So we'll start with Supervisor Gowen. It might have been slide 16, I think it was the uses.

[00:52:45] The passive recreation, this is just, I'm assuming, walking, like, or does it go beyond that? The other, the next slide says, like, impervious surface. So, like, to me, I'm thinking of the facility, but is the activity seems to be important as well.

[00:53:05] So I'm just trying to understand the difference of the language here. Facilities like unpaved trails would be by right. Paved trails, park pavilions, informational signs, things like that that are definitely impervious would have to be mitigated.

[00:53:20] Okay, and passive recreation of facilities, right? So it is focused on the facility, not the activity. This is Frank Pohl, county engineer. This is kind of not a direct quote from the ordinance.

[00:53:38] So the ordinance is a little more specific in passive recreation access and facilities such as educational signs and kiosks and trails are passed with pervious surfaces and boardwalks in accordance with the DCR manual.

[00:53:55] Paths serving individual residential lots with a limit on the width. And those are included under the by right. And then I think what Scott was getting to about impervious paths would be with mitigation under the permitted uses, but it's with mitigation.

[00:54:17] But it is focused on the facility, not the activity that could happen on it. I mean, you could have different things on different surfaces, but I don't even know if that's a big deal. But I'm thinking about walking versus things that are more aggressive beyond walking.

[00:54:34] But it seems to be focused on the facility. Trails is the facility, so it's focused on trails. as an example yeah we don't have walking in the buffer as identified as permanent i don't know that we would need to to allow that we didn't intend to not allow walking through the woods in a buffer but these are i think uses that would we think would impact the buffer and trying to distinguish the different types of paths because we do have a lot of questions about

[00:55:10] what types of paths are allowed within buffers all right and then your questions you want us to answer. I mean, I think the first one was about whether or not we think the goals are being achieved. Was that the first question? I mean, I felt I didn't feel like they weren't meeting them.

[00:55:34] I mean, I think I can answer yes. I feel that way on this particular one. I'm going to probably have some commentary at some point, but I think question-wise, I didn't have a whole lot of questions coming in upon review. Yeah, I'll defer to listen to the others, and then I'll We can swing back with one if I hear something that I want to understand further, but we'll go from there.

[00:56:01] Thank you. Supervisor Lupisto-Kirtley. Yes, thank you very much for the presentation. To answer your questions, the first one, 4.23.1, I really do like the idea of encouraging retention of native vegetation, because I think we've seen too much non-native vegetation.

[00:56:27] But what I'm wondering, with the non-native vegetation, if there's a development within 100 feet, are we requiring any kind of removal of non-native vegetation? So for developments currently, projects that impact buffers, they must provide mitigation.

[00:56:55] Mitigation can be in the form of, first and foremost, it's planting within the buffer. If that cannot happen because the entire buffer is already planted, then we ask for removal of invasive species.

[00:57:13] Now, we can't require buffer mitigation outside of the buffer, 100-foot buffer limits, because it's beyond the regulation, right? So everything is within that buffer area. And for just enforcement of native, removal of native vegetation, that would be an enforcement.

[00:57:34] but I don't know that, you know, that's a good question. I don't know that we anticipated going out and just enforcing removal of non-native species, but I guess that could be done.

[00:57:52] There's nothing in the draft ordinance that mandates outside of development projects. There's no mandated removal of invasive species. It limits the removal of native species or native vegetation, but it doesn't mandate that landowners go out and specifically remove invasives.

[00:58:14] And I understand, I mean, there are a lot of non-native species, but there's a couple of them, and a bamboo is one, and what's the other climbing vine? Bittersweet and a lanthus are both pretty awful. Okay, that one, which I don't know anything about, but what's the other one?

[00:58:33] The one that's all over the highway. The one that's all over everywhere, according North and South Carolina. Kudzu. Kudzu, right, right. So is there any way to, if someone wants to have a development near a stream buffer, where there's 100 foot and everything, but if there's non-native destructive plants, maybe not all the non-natives, but non-native destructive plants, like I just mentioned, is there any way to perhaps encourage or require cleanup of that?

[00:59:08] I would say that encouraging is one thing, but requiring it through the ordinance is another, and we do not require that. Pardon? If there's an impact to the buffer, then there is mitigation requirements, and that could be included with the mitigation. Okay. But not if they're not impacting the buffer.

[00:59:25] If it's not impacting the buffer, then we can encourage. Sure. Yes. I like the way you say that, Mr. Pol. Sure. Okay. We can, but we cannot require it.

[00:59:42] And I will agree with Scott in that there is not a requirement if it's not involving a mitigation plan or impact to the buffer. So that answer, can you go back to the second question? Did I have feedback?

[00:59:58] Okay. And for the general criteria in 4.23.6, I don't have any questions, but I do have one question. I want to make sure, for public knowledge, this does not prohibit or impact the piping of streams.

[01:00:22] Correct. This is a buffer ordinance, and the buffer begins at the top of bank, and so this would not prevent piping of streams. Okay. I thank you very much. That's all I have right now. Thank you. Supervisor Malek.

[01:00:38] Thank you. So much in here to be joyful about. Thank you very much for all of your work. I do have some questions. So when you get tired of my questions, give me the hook, and then I'll come back and have some more later. Mostly just want to make sure that I understand well.

[01:00:55] So in several places in the draft, it's mentioned about exemptions for agriculture and forestry. So I've received questions from members of the public saying, what does this mean? Does this mean anybody living in the rural area where agriculture often happens is now exempt?

[01:01:12] Can you provide some clarity about how that works so that your understanding is... The answer to that question is no. What's being permitted as a use within the buffer is an agricultural use or a silvicultural use, which are both defined in the ordinance.

[01:01:31] So it's not simply being located in the rural area that provides that exemption. It's having an active use. So a residential lot that happens to be zoned RA is not exempted from the requirements simply because it's in the rural areas.

[01:01:50] And the same would go for open land that isn't in an agricultural production with a field right there or a forest right there would still have to meet the requirements. That's right. I think I can explain that well enough. Did you have something to add? I would like to add there's a definition in the zoning ordinance of agricultural activity that includes bona fide activities.

[01:02:09] and there's listed activities in there similar to what's in the WPO ordinance. Okay, great. I was looking for that and obviously missed it, so thank you for pointing that out. So that's excellent. Where was I? Okay, some things that came out in my studying of the Planning Commission discussion, which was really well done, and I just want to make sure that there are further explanations.

[01:02:40] One of them is about mention of single-family houses and the relationship of that to also an exemption. So can you, this is on page 4 of the Planning Commission notes.

[01:02:55] So is that something you can provide extra detail about? Exemption if the development involved a single-family residence, 4-21-4. 4-23, you know.

[01:03:11] This is one of the ones I mentioned earlier in the email. so that I can understand this better. It's not that you're going to be allowing single-family houses being built in a buffer just because they're single-family houses.

[01:03:30] No, so there are two restrictions for building in a buffer in the zoning ordinance. One is you have to be within a building site unless that building site makes the lot undevelopable for reasonable use of a single family. That is accounted for in the ordinance to allow that to occur if that situation exists, And then under the permitted uses or structures, that's not a listed permitted structure unless that condition exists.

[01:04:04] Within the last year or so, I know we had a lot come before us that had some adjustment that had to be made for crossing for access, probably related to what you just said. Is there a time when the lot had to be created in order to qualify for this? So I don't think you can create a substandard lot today and then come back and ask to have the rules changed.

[01:04:23] Correct. That date was adopted in the WPO ordinance. It's February 11th, 1998. Great. That ought to cover. And that's been included with this draft. Fantastic. Thank you. Is there in your, I didn't see it written yet, but it may be in process coming forward in this next set of work.

[01:04:48] Is there documentation planned for a process for granting waivers or exceptions? Like, here's the checklist, here's the deliberation, and here's the decision, so that that's more transparent for people who are interested.

[01:05:03] Yes, so in the subdivision ordinance and in the site plan ordinance, there are provisions or processes that are identified under Section 14.422E for the subdivision and 18-4.2.1B for those processes.

[01:05:25] Okay. So if I find those, then I can see what the process chain, the decision train is going to look like? Yes. Okay. Great. Maybe I'll be able to understand it, and that'll be good. Thank you. There was really good discussion in the Planning Commission about how important education is, and I know there was presentation about how that's coming next as well.

[01:05:51] But just in relation to some comments that have been talked about in the last few days, There's tremendous benefit to the community at large for the buffers and I don't think anyone would be building a house or any kind of residential structure in the development area in a buffer because it's a high risk place to put a house.

[01:06:13] There are reasons why there are floodplain delineations and federal rules and state rules and local rules and it is to keep people safe. And it was back in 2010 that the buffers were established actually on the east side of 29 because they had been on the west side of 29 for 30 years because of the watershed.

[01:06:34] But the discussion was, well, what about all these sheds and grills and picnic tables and things that are going to be washed away and smashed into your neighbor's house when there's high water? And we've certainly seen lots of high water in the last few years in places where no one dreamed that it would happen, like that tiny stream in Greenwood just a few months ago.

[01:06:55] So I really think it's really impactful for our education program as we go forward to help people understand what the benefits are, in addition to the drinking water and the macroinvertebrates and all the la-la things, is that this is survival for people and our community as well, and avoiding damage.

[01:07:17] At the RBC meeting yesterday, the speaker talked about all the educational materials that DCR and DEQ already have prepared, so there may be some resources there that we can lift they encourage that you know when we're working on this please lift all those things because that's what they're for i was very glad to see in the homework about tree clearing is considered a land disturbance and then there was a mention of 10,000 square feet so are those still connected under this new plan the 10,000 square foot threshold is still happening for tree clearing

[01:07:53] or is all of help me understand is that severed now uh no not if it's not a exempt activity so So not a forestry project, but a development project, for example. A development project would not be exempt to this regulation.

[01:08:10] So the 10,000 is for land disturbance permits. So they could come in with a 5,000-square-foot project and only disturb 5,000 square feet, but they would still be subject to the riparian buffer standards. So that's when the WPO still has control over that.

[01:08:29] Because it's a development project, even though it's fewer than 10,000 square feet, it still gets covered by the WPO. The WPO and the buffer ordinances, let's assume those are two different things now, right? Because if we adopt the standards that you have in front of you, those standards would apply, but the WPO would not.

[01:08:53] Got it. Okay. For land disturbance. So either or. If it's under \$10,000, the WPO, they don't trip the threshold for the water protection ordinance, but they still have to meet the proposed riparian buffer protection standards.

[01:09:13] Okay, that's really good news. R, B, P, S. Okay, so is there now also a cumulative effect for these smaller projects, whatever they are? So I'm thinking back to the time before we had a cumulative impact and someone could make a 9,000 square foot parking lot year after year after year after year and get 60,000 square foot parking lot with no stormwater.

[01:09:38] So is there now a cap on a parcel or something so that you don't get to do 9,000 square feet of something year after year after year? In the ordinance that you're looking at today, there is no cap or there's no threshold.

[01:09:55] So zero, one square feet or however small you want to look at it. For the WPO, there is still the 10,000. there's a there's a consideration for projects that do have a cumulative effect so that's a separate that's just in the WPO though that's not in the riparian buffer ordinance draft that you had today because there is no threshold in the riparian buffer ordinance draft so but again to

[01:10:30] the previous discussion if it's a development project that it is the zero starting for the threshold for the riparian buffer standards correct okay all right this is i've been living this for too long and i'm easily confused all right on to um something else that was raised at the planning commission the farm roads and i think you both have been around long enough to remember advanced mills farm and how they took a 50 year old farm road and decided to turn it into

[01:11:03] a subdivision without any ditches or anything else um so how does that these new uh this policy impact how we will be able to have control over these the transition of a farm road into a development road can you help me with that the two-year limitation still applies in the water protection ordinance so if you convert a farm road to a subdivision road within two years and that the land disturbance to build that farm road exceeded 10,000 square feet then you would

[01:11:41] be subject to the water protection ordinance and have to permit that so that's the water protection ordinance regarding the ordinance that you have today the farm roads are exempt from buffer ordinance because they are considered an agricultural activity until the use changes

[01:12:11] and then is there remedial work or discontinuance if it becomes several houses instead how what is have you gotten to the point of having that kind of regulation developed i need to see if we include i can't recall if we have the two-year limitation for uh farm roads because the two years was what came out of the advanced mills farm debacle that's my understanding yes also so i can double check

[01:12:48] that thank you very much um and for places where existing infrastructure whatever it is is being possibly exempted or initially exempted from the new RBPS rules, is there a threshold beyond which the exemption doesn't work?

[01:13:14] This was another question. For existing? For existing something, whether it's existing roads or before improvements, to bring them up to standard, basically. I'm thinking of a comparison would be a driveway for two houses versus one for three means you have to then have state standards for your entrance.

[01:13:34] So is there a threshold that would impact this so far? No, I think existing uses would become nonconforming if they're not a permitted use. Okay, and then? And then there couldn't be an expansion unless it was permitted or they provided mitigation if it were allowed.

[01:13:57] Okay, that's the savior right there is the nonconforming definition then? correct fixes it where it is it allows until process happens okay now is an operator the machine driver no that's all I mean they are but in legal terms from the VSMP they are the overall authority who gets the permit the permit is in their name so the applicant basically is who the upper the owner

[01:14:32] typically okay um owner is the operator i thought boy these these backhoe drivers are getting a lot of responsibility here okay well that's what comes to my mind i don't know strange there is a legal definition for that that i can provide you but very good um can you help us be reminded of the criteria for agreement in lieu instead of having an ens plan is it size of disturbance or yeah the agreement in lieu is not in consideration in this ordinance because it remains in the water

[01:15:08] protection ordinance. Okay. So there's no changes proposed for that, but I can explain that to you if you'd like. If it's short, I don't want to bore everybody. Sorry. Go ahead. The agreement in lieu is only for single family development between 10,000 square feet of land disturbance in an acre.

[01:15:25] Okay. And that allows an agreement in lieu for both stormwater management, which has certain requirements and then erosion and sediment control with a critical resources plan. So they still have to provide a critical resources plan to show that they're out of the critical resources in the county. Over one acre, we can grant an agreement in lieu for stormwater management, which is typically done in the rural areas because of the large acre lots. But a plan for erosion and sediment control is required. Okay, plan four. That's good because a large lot on a steep slope

[01:16:05] can still get some serious velocity going. All right, page 21B, oh, there was a chart that had two-year cycles and one-year cycles, and I was trying to understand what that was all about, and that's the wrong thing here.

[01:16:24] That's in the ordinance. There were things that seemed to be pretty innocuous that had longer delays than others. the general permit reasons for extension i guess this is if something hadn't been acted on since 19 since 2014 so 11 years it can get two more years of extension is that in the water protection

[01:16:56] ordinance it is in the draft that is in a 17501 so as i said i'm easily confused i may be going down the wrong rabbit hole here and you can help me later i'll just set that one aside if you like because 17501 is the water protection ordinance and i think there are some changes in there that were needed to let me see what so this is state law compliance perhaps as opposed to something else i think the only changes to 17501 are just wording changes to change stream buffer

[01:17:31] to riparian buffer so the reason it's in the draft is just that there's minor wording changes being made but it's not being added or deleted okay there was there was nothing really underlined But it did show some of them had one year and some had two. And I don't even know what a permit cycle.

[01:17:47] Is that one year or is that something else? The state's five years and the county's one year. We don't have really a permit cycle. We just issue out new permits every year. We don't issue them. There's a maintenance fee every year.

[01:18:04] But their permit doesn't expire until they get their bond released. Or it's not released, I should say. So it doesn't necessarily mean that they haven't started something. it means that they're just not finished with it. If the permit was granted sometime between 2014 and today, any number of different possibilities exist as far as the state of what it is.

[01:18:27] I'm not sure I understand. I am definitely deep in a rabbit hole here, so I'm going to stop digging on that one since the hole is getting deeper, and I will come back another time. In recent conversation with Rob Farrell and Dave Powell from the Department of Forestry, they mentioned that they were working on MOU things, perhaps with the county or maybe with other counties, to be able to help manage the discrepancy that seems to be the pit where things fall. When someone says, I'm going to clear cut this big parcel in Free Union, which just happened,

[01:19:01] and then under forestry, but then they don't follow the forestry rules. All the damage is done. The stumps are all removed. And now we have a huge erosion problem. And forestry says, it's the county's problem now because they're not a forestry project anymore so this mou and this has happened dozens of times in the last 25 years um in various places so the i didn't know if i hope that that mou will make some progress because i think this is a big gap that is sort of related to this effort that we're doing now but these are the kinds of things that happen around the fringes

[01:19:39] that um make a lot of misery for the people downstream who are suffering from from a lot of erosion damage to their property and so keep an eye out for the mou please and we'll see about that where does the establishment of permanent vegetative cover come in if anywhere in this or is that strictly a overlap grading thing because i didn't find it when i was doing my homework uh that's in the mortar protection ordinance and it was not included in the riparian buffer draft. But it still exists? It does exist. Under all various circumstances. It's typically

[01:20:17] when you have a permit, permitted site, that that applies. Okay, WPO permit. Okay, great. I am finally done for now. Thank you so much. Thank you. Supervisor McKeel. Yes, and it does occur to me as I'm listening to this discussion, I learn a lot from the questions, and I really appreciate one of the nice things about having a board that has a variety of strength areas of strength is that when ann asks questions about this type of topic i learn a lot from the answers

[01:20:54] to her questions i'm an urban ring kind of girl so i'm just simply saying that as a start as a starting point um at first blush i do find that this is um i'm really supportive of this project having said that i may not understand the depth that ann does but it does seem like i'm very supportive of this help me a little bit though with and i've said this multiple times so if we

[01:21:28] just adopted the chesapeake bay ordinance and frank you can help me with this because you and i've had this discussion many times i hear some folks say that one of our planning commissioners that we've gone above and beyond the chesapeake bay ordinance maybe we have in some areas i've not really seen that having said that is it is it just that the we don't have the bandwidth to do everything that is asked for in the chesapeake bay ordinance um or is it that or is there some

[01:22:04] other reason because it just seems like it would take away a lot of the a lot of the issues that our community even brings to us about anyway frank i'll just ask you i'll try to answer that question uh because it is a it is a topic that we discussed four years ago yeah brought to the board and explained why we didn't think at the time it was um something we should do and the board agreed at that time. And so we went down this path to create, to move our ordinance first, to get it out of the water protection ordinance, the stream buffers, and put them in a riparian

[01:22:44] buffer ordinance. If you recall, there's a septic, one example, there's a septic tank pumping requirement in the Chesbay Act, which we have around 100,000, I think is the number throughout the county. And every five years, they have to be pumped. We figured there would need to be additional for

staff to to uh monitor 20,000 a year um so you know on a five-year cycle that'd be one you know every 20,000 every five years right so um that was one one thing um we

[01:23:22] are we have adopted that you know the stream buffers are not required in the county our standards are higher because we um we include intermittent streams in the rural areas the ches bay does not include intermittent streams yeah they only include perennial streams we do include a 50 foot intermittent stream requirement also within development areas if they're within a water protection area so those are a couple of standards that we that are higher and you don't have to search for so really i think the issue was and then the thomas soil conservation waters

[01:24:01] conservation district would have to hire a personnel yeah they told us that so there would need to be coordination on that yeah um so i think it would it would be a larger i think we agreed it would be a larger lift to do that and um and we agreed at that time to to go this approach and and i'm not pushing back on that because i was part of that the board that agreed to that and i and i remember that and and at the time i understood it and i just think it's worthy of

[01:24:35] bringing back up again as we're talking about this so what i'm hearing from staff or from you frank is that in some areas we are going above and beyond, which is great, but we still do not have the bandwidth to do what would be required in at least a portion of the Chesapeake Bay Ordinance.

[01:24:54] And I have to say that if we really wanted to protect our water, our groundwater, we would be. I mean, septic systems are not where we should be going. So if my druthers, we wouldn't have any septic systems, buried septic systems, you know, in Albemarle County, but I recognize that's not realistic.

[01:25:17] I mean, it's just not going to happen, but it really is. It is one of our problems because I see problems with septic systems all the time. Anyway, having said that, I get it, and I probably set everybody's hair on fire when I said it went out, but it really is what we should be working towards if we really want to protect our... Yeah, and I'd like to add that not all of the requirements that we don't have would require additional staff. There are some that are just performance standards that we could adopt. I suggest we complete this and then we can start

[01:25:54] looking at that. I don't want to bog this down further. It's been four years plus. I think we're close. So my recommendation would be to keep moving forward on this without modifying it because it would require additional outreach and feedback. And I get that. And I don't want to stop anything today. I'm happy to move forward with this. I just wanted to have the discussion again, because I think it is worthy of putting on the table. And what I'm hearing is that at some point, and I won't be here in January, but maybe not next year, but at some point to come back to

[01:26:30] this again would be, at least some of these points would be appropriate. And I'll stop with that on that. But I want to just ask, because Ann had some great questions, which I learned a lot about, And I really appreciated B, bringing up the native plants.

[01:26:48] So help me understand, is it the, and I'm going directly to the non-natives, and why we couldn't require removal of at least a couple of the worst.

[01:27:05] Maybe not all of them, but at least a couple of the worst non-native plants. So help me out just a little bit with that. I would have to look more into that being a requirement without any action by the owner to impact the buffers.

[01:27:22] I don't know that this would allow us to, you know, to me if there's, and just thinking quickly about it, if that's an existing condition, is that a nonconforming use, for instance, right? So I don't know how.

[01:27:38] So if we had an ordinance about certain non-natives, would that help? I don't know the answer to that. I would defer to maybe our zoning and legal team. Is it for lack of an ordinance about, say, just make something up, like running bamboo?

[01:27:56] Is that a nuisance? I don't know if that could be included in a nuisance or not, but I'm not sure. And I don't know that we need to get down into the weeds a whole lot, but do you have a quick answer? Not at this point, no matter. Okay, that's fine. Oh, Bart's walking up.

[01:28:12] There we go. The man of the hour. Bart Swoboda, Deputy Director of Community Development. So I think, and you guys will talk a little bit about this later with Running Ben, there's specific enabling sections. If we're doing mitigation within the buffer, meaning I've done something within the buffer that kicks in the regulation, we can mitigate out the invasives.

[01:28:37] We're not enabled to just go in and say, Supervisor McKeel, you have a plan we don't like on your property. we're going to either fine you or you have to remove it. We're not unable to do that, I do not believe. So we can look at it a little bit further, but that's kind of the gist of it.

[01:28:55] That's very helpful, Mark. Thank you. When you look at the running bamboo things later, possibly you'll see the same thing. They weren't able to make a property owner contain it on their property, but we can't make them actually remove it. So we can get into that some more, but that's kind of the gist of it.

[01:29:13] We'll get into that later. Yeah, so mitigation-wise, we can do some things. If they're not doing anything that triggers the need for us to mitigate anything, then we can't just go out there and do it. And I wasn't, obviously, we have so many non-native, but I was looking at a couple specifically, the worst that we really have a huge problem with.

[01:29:35] And they're destroying our, well, I won't get into that, later. Okay, thank you very much, I appreciate it. And I guess I have comments for later, but I think I've asked all the questions I wanted to ask.

[01:29:53] And just for the questions, I would say yes. I mean, I'm fine on those. Thank you. Thank you. Professor Pruitt. I actually want to pick up on the discussion we were just having about natives and invasives. And specifically, I want to, I mean, this is maybe more of a pretty direct critique.

[01:30:13] I don't see native vegetation defined within Chapter 18. And we invoke native vegetation in 4.23.6 B1, where native vegetation must not be disturbed, and then again in C2, where native vegetation must be preserved.

[01:30:36] There are colorable different interpretations of what native vegetation means. This board, I think, all has a very specific understanding of what it means when we talk about it. but I mean someone invoked kudzu right kudzu has been in Virginia longer than any one of us has been um I could very colorably say that kudzu is native and therefore does not apply to these things right so I would raise that um we need to define it somewhere if we're going to be relying on it heavily and it's not defined um so if there is a definition that we're relying on elsewhere

[01:31:11] um I would love to to hear reference to it because this is a term we throw around a lot But I did not see it referenced in 18, Chapter 3, 1, which is where the definitions are. I believe there's a reference in the draft to species selection guidance in the Engineering Design Standards Manual.

[01:31:34] And that manual, as currently drafted, it would refer to this list on the left, which is the Piedmont region native plant list from Virginia DCR. i think we probably need to add the riparian buffer zone list on the right to that list but that so that would be set in by the ordinance referring to the dsm and then the dsm can have the most current lists accepted state lists in there great um and i actually you know sometimes we're talking about a lot of very discrete things and then sometimes we're talking about big

[01:32:09] pictures i want to make sure i am just for for my own sense of making sure i've got it and also maybe for a bit of public clarity I kind of want to walk through a hypothetical of how I think this ordinance fundamentally works and I want you to interrupt me uh if if I'm wrong so there is currently a billy goat trail along a stream in what's going to be the future biscuit run greenway that is not a non-conforming use because it is pervious and it is a passive recreation element

[01:32:42] And if I wanted to even expand that pervious Billy Goat Trail, right, a dirt trail, that is also still permitted because it's an exception to not requiring additional work. It's just listed as a permitted use by right with no further mediation.

[01:32:59] But the Biscuit Run Greenway Trail plan actually calls for compacted gravel for the trail, which is an impervious use, which means upon trying to lay gravel in the Biscuit Run Greenway Trail, the county, as the holder of the easement in question, would be in the position of having to submit a mitigation plan, which would then have to be approved by the riparian buffer administrator.

[01:33:31] And it would have to comply with all the elements outlined in C, and then also with the 4.23.9, which is the form of the... And that is the core thing we're talking about, what it essentially does most of the time.

[01:33:51] I'm not out of whack. No, I think you've stated that correctly. Is there any part of that process that I misstated, or anything where there's a technicality that I'm missing? love when I get something right. I also want to make sure the process for non-conformities I'm understanding correctly, because I think this would apply for any non-conformities, but it triggers here, right? So a single-family home that is in the riparian buffer is currently a

[01:34:31] non-conformity, meaning it can continue to exist. It does not have to tear down and relocate, but it is a non-conformity. If there's damage to that, I guess I'm never clear what the repair line in non-conformities, how broadly that embraces. So like if I have a wall fall off my house, can I put the wall back up or do I have to tear down my house? So I think it, you know, this is a question, I was going to say it depends on which ordinance you're in, right? Because the floodplain ordinance, if you're over 50% of the value of the home, you can't rebuild.

[01:35:08] you can or cannot cannot so or you have to bring it up to standard which we our standard is not to allow homes and flood points regarding the buffer there's not a threshold for cost you're allowed to repair any kind of repair and expand into the buffer if your house is already within the buffer and that house existed prior to the date and the ordinance because that's when the original buffer

[01:35:43] ordinance was adopted and if that house existed prior to the ordinance it was built without the restriction of expansion so the idea is that the original home builder had the rights to expand their home

with the caveat that you cannot encroach into a buffer excuse me into a setback or um you know further into a floodplain you can't expand in the floodplain anyway so that's not a good example but um some other zoning restriction okay i think that's everything i

[01:36:22] have you're okay with the questions yes oh yeah and i am okay with uh certainly the first question uh the second question just i've got a few questions that i'm going to follow up on i think they've been raised in some sense but i'm still somewhat confused i apologize first of all i'll just follow up on the native non-native question um just by example if i have a buffer zone that is replete with non-native species and i were to go in and clear them all out uh there's a the line

[01:37:01] in here about uh replacement and i didn't know whether that meant that if somebody takes the initiative to clear out all these non-natives and suddenly they're almost nothing left do they are Are they an obligation to no plant native? I hope so.

[01:37:17] I would assume. I would hope so. That's what it says. Yeah, I believe so. That would be considered a restoration. But that means that the removal of an invasive triggers the need for the restoration.

[01:37:35] I just want to make sure they're on that. Let me read this, please. Because I know you don't want to believe, I believe so answer.

[01:38:02] So land disturbing must comply with this is considered land disturbance and buffer replacement and restoration activity.

[01:38:27] So it would fall under paragraph 8 or section 8. So in accordance with this ordinance, they would need to submit a plan and narrative prior to undertaking that activity. It helps me to understand the priorities here because obviously we've said already, I think, that they're not required to remove those invasives.

[01:38:50] at least under the current law, but yet we're saying it's sufficiently important to preserve the buffer that if they do remove them, they need to fix the buffer. That's a clear hierarchy, in my opinion, of what's considered most important under this. Following up on additional questions, I still am a little unclear as to what constitute bona fide agricultural activity and what's

[01:39:22] triggered so the example i want to give is if someone has props or hay in their on their land if it's in the buffer that's an exempt activity it's my understanding it's just a permitted use but if they have the same parcel that has this activity are they because they have that activity on that parcel limited if it's not in the buffer and they want to do something to expand it to the buffer without agriculture i mean are other activities in the buffer they want to say well

[01:40:00] we we want to do something else uh set up something in the buffer and we're in agricultural land so we're exempt does that um worries me is i wonder how far the exemption goes to activities that are on agricultural lands but not necessarily connected to the agricultural use ideally since an agricultural use is defined and yeah you could easily have a large property where there are agriculture uses occurring on a portion of that large property um but if that ag if they

[01:40:36] extend the ag use a crop grazing whatever it is into the buffer that's clearly permitted right but if they've got uh grazing on one side of the property on the other side of the property they have a house and landscaping and they clear trees in the buffer to extend the landscaping for the house or make a deck

or something that's clearly not an agricultural use I wouldn't read this to mean that they're somehow exempted just because there's agriculture somewhere on that parcel that accessory to a residential use isn't agricultural and wouldn't be permitted okay that's

[01:41:14] really important and I want to make sure that I understand that when I go through this that that when we talk about an agricultural property it's really the area that is in agricultural or cultural use not just anywhere on the property that happens to have some agriculture on it i'm sure there could be complex judgment calls depending on the proposal but it's all it is based on the use not on just the overall zoning of the property or the fact that there's a permitted use nearby thank you um another area that's been touched on that i just having a little bit of

[01:41:52] trouble making sure I understand is the idea of development and when it includes one lot or one dwelling and when it requires development to be three lots or more because the definitions under 3.1 talk about development. Any unit of singleness used to be used for business or industrial purposes or to contain three or more dwelling units.

[01:42:22] Yet in 423.6 C7, it talks about where development precludes require and buffer. For purpose of the subsection, the term development means a subdivision creating one or more lots.

[01:42:41] And then there are other places where single-family homes are exempted from the same level of restriction on plans. and i and i and i guess i just the use of the word development in here uh is it only defined as as it is in uh section 3.1 where it specifically talks three or more uh dwelling units or are we talking about development meaning any kind of as it describes your man-made change

[01:43:16] including about limited building structures etc so development since this is going into the zoning ordinance the definition under the zoning ordinance would apply right so i'm trying to find that definition 3.1 i found it um yeah the only changes again to that one are that we've added and riparian buffer protection standards so sure for development what was the other section well in

[01:43:48] In 23 of 6, the general performance standards in C, for example, development is used repeatedly throughout this, development and redevelopment. I don't know if it's limited to that definition or if there's a more common usage definition that's being applied.

[01:44:13] So in section 4 3 2 6 C 7 which is page 33 of attachment a again That definition of development is limited to that specific subsection So the definition of development that you see in section 3.1 for the zoning ordinance as a whole that spelled out as being for dam break Inundation zone purposes, so when you look at again the limiting language on page 33 of attachment a it does say for purposes of this Subsection so we're looking at just that subsection for development to be in one or more for that sub number seven

[01:44:47] Correct, and that's the only place where development would mean one as a one or more as opposed to three or more Which is the definition that applies in the remainder of the zoning ordinance? All the others would be three or more this one particular area again The provision of the subsection itself provides the development means in this instance one or more. Thank you That's the way I would see it, but it makes sure that I am understanding these.

[01:45:16] I have to think about that three or more every time I read it because of the word development. So my answer is otherwise, you know, yes to the first and the additional feedback as I've provided, just as cleaning up or clarifying development and making sure that I understand the agricultural question.

[01:45:43] I did find in 4.23.5 where it talks about development applications and then optional boundary determinations. I didn't understand the difference between those, what was being gotten at by 4.23.5B as opposed to A, and noting that in the same context C talks about an exemption that may exempt single-family residences, which in this case goes back to what I said before, development is not what they're talking about, but any single-family residence.

[01:46:17] But back to 4.23.5B, is that? That is site-specific surveys of the location of the riparian buffer may be submitted for review by the riparian buffer administrator.

[01:46:34] So an applicant may submit a survey showing where they think the buffer is. And C, for the exemption, we get a lot of single-family home sites. This allows for us to look at our maps and make a determination to exempt having to do a site-specific evaluation.

[01:46:57] For instance, if they're over 200 feet from what we think is a stream, there's no need to do a site-specific evaluation. I think I get it. It's really the difference just simply between who submits it, applicant, or in this single-family case, it could be that the riparian buffer administrator does the site-specific survey.

[01:47:16] yeah well it exempts them from the requirements of a right paragraph a well i'm not talking about c i know i'm talking about just 4.23.5 b just a and b okay i'm sorry to confuse things with adding a mention of c i think the point of b was just to allow landowners and applicants to check and get the rba to verify the buffer location even if they haven't submitted an application yet just for their information before they go forward with something okay this is submitted by the

[01:47:51] riparian buffer administrator so okay that's it's submitted for for a review by the riparian and buffer administrator so a requires that it be submitted in in certain applications B allows one to be submitted independent of an application and then D allows the process for the riparian buffer administrator to review and as necessary adjust the buffers based on the information that's provided. Thank you. That was probably not worth the effort, but I'm going to continue with some

[01:48:23] of my specific questions. In the slides, you had the four different land categories, if you could pull that slide up again. Development areas, public water supply, implements, other locations.

[01:48:41] There we go. Okay. I guess I just note that in the second item, if you click one forward, The parentheses, structures permitted an outer 50 feet on intermittent streams only with mitigation plan. That was not in our materials.

[01:48:58] Yeah, the actual ordinance states, it includes structures, but it includes activities. Let me read the actual. Structures, improvements, or activities located within the landward 50 horizontal feet of the riparian buffer that are either supportive infrastructure necessary to allow reasonable use of the lot, as provided in the sections listed, or located along in an intermittent stream that lies within both a water supply protection area and a development area.

[01:49:33] So it allows the reduction of the buffer to be 50 feet on an intermittent stream that wouldn't otherwise have a buffer, except for that it's within a water supply protection area and development area. Thank you.

[01:49:50] That's helpful. It wasn't, as I said, it wasn't in our materials that way. This sentence did not make it, and I'm not sure why. So I was having trouble distinguishing between this and the all-of-the-

locations language, which is otherwise identical. Continuing into 423.8, in 8B2, it says, Supportive Infrastructure Necessary to Allow Reasonable Use of the Lot as Provided in Section 423.8B8 or 9.

[01:50:27] There actually is no 8 on my copies. It goes 7 and 9. Which page? 37 to 38. Okay.

[01:50:45] Yeah, I see there is a... Skipping in the numbering, 7 to 9. Thank you. Okay. Eight question marks. Okay.

[01:51:04] Well, as a sort of final one, because the rest are, I think, been handled. Under attachment B, it talks about the proposed amendments to the design standards manual, And it has a change matrix with a P with two asterisks.

[01:51:24] Yet I don't see that one being used at all in the actual matrix. And I didn't know if that was just something I missed or whether that's historical anomaly. Yeah, I think that's just something we need to clean up.

[01:51:42] I think that was from an earlier version where there were some that had the two asterisks. I think that dropped out just during revisions. I think that's just something we need to fix before this goes to public hearing. Thank you. With that, I'm going to go through our order again, if that's okay, just any additional follow-up comments, starting with Supervisor Galloway.

[01:52:05] I have no additional questions. I appreciate the questions of my fellow board members, so I'm set. Supervisor LaPista Curtin, no comments? Supervisor LaPista Curtin. Right. I don't really, well, no, I guess I do have one question. I just wanted to reiterate that we are still exempting agricultural and silvicultural uses, correct?

[01:52:30] Yes. It's not being modified in any way. Okay. Correct. That's all I wanted to know. Thank you for the presentation. And the two questions I've already answered, I'm in favor of. Thank you. Professor Malik. Thank you. And a couple of follow-up things that I really appreciate others raising.

[01:52:50] regarding the adoption of portions of the Jospeak Bay Act. We don't have to take the whole thing, we'll climb and sinker. And as other communities east of 95 did, they adopted it a stage at a time rather than all at once. And the one item that I forwarded a link to Scott and Frank as well as all of you in the last little while about some performance standards that resource management areas could incorporate where the language is already written and adopted, and some counties actually make their whole county a resource benefit area in order to simplify their lives. So I would love to have you all

[01:53:30] react to that at some point and figure out if there are some of those which could be incorporated to our benefit, not starting over again by any means, but I'm also remembering that the last four years I'm reluctant to say we'll do it later, just because it took us four years to get here, and if there's something that we can do that the work has already been done by others i would hope we would take that opportunity streamside management areas is something that was in the text for forestry is that something we can also adopt as an extra performance standard

[01:54:04] because i know for our in our neighborhood when a forestry project was done it was completely compliant with what forestry required for the 50-foot buffer where it said 50 retention but that's stems not canopy so what happened was they took 50 percent of all the big stuff and left instead of two foot diameter trees little whips like this and it's basically wide open to the sky and the erosion that follows when you have steep slopes is pretty horrific so if this is part of

[01:54:42] that mou that you all may or may not be working on if there's a way we can incorporate some of the extra details of streamside management areas since it was mentioned already that would be great um next i was thrilled to hear what bart explained about if struck and i'm just going to amplify the the experiment we had out in the western part of the district people put up structures right in the buffer floodplain area they were required after your inspection to be removed but that would be the kind of action which then could bring other mitigation to bear and the

[01:55:19] invasive removal etc could happen so in a way this will hopefully help to improve behavior a lot because going along with the education part we have other people who are mowing right down to the Meacham's River which I know is right now in your district but that's actually the sections that I'm thinking of are still in the Whitehall District because we share the river but big patios big big swing sets, big picnic tables, all of that will be floating and flying downstream in no time.

[01:55:52] And those things need to be removed because it's been a real problem for everybody for a long time when we have been having to tell people, oh, we don't regulate those. So this is a huge culture shift to get us back to where we were for 30 years before 2014.

[01:56:09] So it's not like we're staff is proposing something that has never been done before. This is going back to where we had some better controls on things. I love the Billy Goat Trail analogy, but there is a big difference between dirt and stone.

[01:56:26] Non-conformity process. In a recent grant process with James River Association for removal and restoration costs for people who sign up with them for that, that is, I think, a model that is in use in lots of places, so there may be some help available for people who do want to get the Alanthus or the Bittersweet out, and that will create gaps in the spaces, and then other trees will be planted that would do better.

[01:56:55] So that is actually existing already, which is great. I already talked about the campsites and grills. Okay, hold on, I'm going down the road. Oh, the Landward 50, the one that jumps out in my mind was back in between 2010 and 2014, Greenhouse Coffee, which is right behind the Dairy Queen on Crozet Avenue in Crozet, right on an intermittent stream that goes to the Beaver Creek.

[01:57:25] They really wanted to take an existing house and put a coffee shop there. And they were allowed, after a public process, with pervious pavers, to use the Landward 50 for some parking spaces and totally protect and plant more bushes on the stream side 50.

[01:57:42] So that's the kind of example that I'm supposed to be thinking about, as far as you're concerned, right? That's what we're talking about in this. Yes, I wasn't here for that. Oh, okay. I understand. Scott will remember. And it was a big discussion because, well, this is going to then apply to all the other lots, which was fine because it's something that has been very helpful to get with case-by-case analysis, which is really important. And your two questions, I'm all in, but I did want to just reiterate that the resource management area criteria and the step-by-step adoption are things that I hope we will all continue to be thinking about. And

[01:58:21] You have some homework waiting for you in your boxes when you have time. Thank you very much. Thank you. Supervisor McKeel? Yes, and I really appreciate Ann's comments there about the Chesapeake Bay ordinance. I think it's great if, and I understand, and I'm only going to push back so much, but it is important, I think, as we go through the next whatever.

[01:58:46] i'll be pushing up daisies probably but looking at adopting more of those uh items that are in the chesapeake bay those regulations that we can i think would be really important because um i i just think a lot of it is this is so critical right so i'm i'm liking the nodding of heads that i'm seeing right as we go forward yeah can i yes you may um sure frank respond to The pushing up daisies part or the...

[01:59:18] I did want to say that we do have some RMA components already. I did see that, yep. Like floodplains, critical slopes, steep slopes. Those are included in RMAs, and we obviously have ordinances and overlays for those.

[01:59:36] And regarding the SMZs, we adopted the Chesapeake Bay Standard back in 2019 for SMZs. So that's been in our ordinance in the WPO for, to remain exempt, they have to provide those SMZs.

[01:59:52] So I just wanted to be clear that we already, we did adopt that in the not-too-distant past. We'll dig around and look for other things. So I'm looking forward, even if it's after I'm pushing up daisies, that you guys are doing that. You're a lot younger than I am. I do like very much the performance standards approach, and I really want to applaud you all for that.

[02:00:15] And just a couple more things. I just want to say to Mike that we know that Kudzu is not native, even though it's been around for a long time. It came to us from Asia and from the Pacific Islands, and it was brought in as a ground cover.

[02:00:33] and in my 38 years of living with a vdot employee i can tell you that vdot often as an aside would say we did that to ourselves because we used it a lot to stabilize banks and we wish the vdot folks wish that they'd never even seen it because of the problems it's caused but it is not native although it has been around since the late 1800s i get that You said something about it being, because it had been here for a long time.

[02:01:07] Well, it is not a native plant. Having said that, but I appreciate, I did appreciate what you were saying about definitions. And thank you for that, because I did appreciate that very much. But as an old VDOT wife, I just had to push back a little bit and say, no, VDOT brought that into us. The other thing I just wanted to ask is, and again, not trying to set anybody's hair on fire,

[02:01:30] But during the AC44 discussions, we created criteria for not reducing the amount of development area but switching it out, right?

[02:01:48] We have criteria where at the time at which the amount of land is so small, we need to switch, not do away with the whole process, but to switch it out.

[02:02:06] The last I heard we had, we talked about the 5%, and I think we were down to 3%, I think. That's what we've been told. I'm interested in, if we're following this process, are we looking at how much more of the development area we're losing because of this type of change, or is that not necessary because we're not losing?

[02:02:37] I'm just curious about a little bit of that. I'm always interested in the size at 5% that I think is now 3%. We have criteria to switch development area for rural area, vice versa, as we need to. And I'm just wondering if you all think this would cause a significant loss of development area.

[02:03:01] So this proposed ordinance does not change the current standards for buffers on development area properties. The current ordinance does recognize buffers when you're exceeding 10,000 square feet of land disturbance.

[02:03:18] Buffers have to be shown still for perennial streams or intermittent if you're within a watershed area, drinking water watershed. So the only increase, I think, is for those projects under 10,000 square feet.

[02:03:37] However, if you've had a site plan that was approved in 2004, which is when the common plan definition was adopted or a subdivision, that triggers a no lower limit threshold for stormwater management and erosion and sediment control.

[02:04:03] So we see smaller developments with a 5,000-square-foot addition that they had a site planned maybe 10 years ago, and they would still have to account for stormwater and erosion and sediment control and buffers if there were buffers on the property.

[02:04:24] So I don't know that there's a – I wouldn't say that there's an increase in buffers because most of our projects exceed, even in the development areas, 10,000 square feet, that I've, in a majority of them, and they already have buffers on perennial streams. We're not adding intermittent streams within the development areas.

[02:04:44] So, yeah, that's my understanding of it. Great. I appreciate that. Thank you very much. And I really appreciate you understanding my question. Thank you. I do think that it would behoove us, this board, as we go through the next year, few years, that as we're agreeing to some of these changes or moving things around or creating new ordinances, that we should be looking at how that 5% is being reduced because we know it's now, I think, the last I heard, 3%.

[02:05:23] And I think that there's going to be a need at some point, and I just think for the county we need to follow that as to what we're doing because we can't keep doing the same thing for 30 or 40 years.

[02:05:41] and expecting the same result so anyway with all of that thank you very much i appreciate it i want to um make sure i'm correctly understanding how y'all are seeing the point that actually supervisor andrews made when asking about clearance of invasives um as a standalone activity right so if i have a stream just chock-a-block full of bittersweet and i want to go rip it out

[02:06:12] That is considered a land disturbance activity, but it is also considered a land disturbance activity that is permitted under subsection B of 7. And then under B8, it spells out that it is an exempted disturbance activity, but that exempted disturbance activity has additional procedures that are required.

[02:06:37] am i understanding that correctly is that the framework that we would apply for someone who wants to rip out existing invasives yes i believe so it's a permitted activity um so we would be looking at 8c i think is what you stated and permitted replacement and restoration activities and that talks about what's included um under the permitted structures improvements and activities section b and that um the planner narrative that's required that you'd be approving can that be a

[02:07:15] paragraph from like a homeowner like what does that look like because that that doesn't have a quite as onerous of form as uh 4.23 not in the mitigation plan it can can a narrative literally be a paragraph say mitigation plan it just says planner narrative so i think that would be scaled with the circumstances yeah and just to be clear i'm looking at uh 8a which is part of the requirements there which says it requires a planner narrative approved by the repair and

[02:07:49] buffer administrator yeah i think the reason that was left fairly general and not set to the same standards as a mitigation plan is those are going to vary wildly depending on the property and the and the

activities that gives the rba some room to establish what's needed so yeah if it's a small lot in a single house and somebody's just removed some invasives that can probably be fairly brief i'm going to do the thing where i'm going to bring a specific hypothetical in my district again and i want to make sure i'm getting it right so i can give correct advice i have a constituent

[02:08:21] y'all y'all probably got the picture this exact location um across from uh the intersection of thomas jefferson uh road and 20 right that intersection where we're going to put in a roundabout um on the city side as in facing the city um there is an intermittent stream that flows parallel to the road, as I'm sure y'all are aware. There is also a constituent of mine who has a ugly dead tree in that intermittent stream covered in bittersweet that he wants to get rid of.

[02:08:55] That would be a disturbance activity, and he would have to write a plan or narrative approved by the Riparian Buffer Administrator and have some probably additional plantings. Is that about right i hope not but i shouldn't have said that removing the stump or not that's probably important because you know moving invasives um i think we could probably do maybe a little better job and make that a little clearer if that's the point of your question um so i need to look at that more

[02:09:34] closely with our team to clarify a narrative for to remove a single tree for instance wouldn't require necessarily if it's an evasive anything other than to not, you know, destroy anything else while you're in there. So that could be the plan, for instance, as simple as that. And I think we allow for the narrative for these simple, straightforward, reasonable instances that, you know, when something like this would occur. Sure. Thank you for that. And I wasn't even trying to say that that was unreasonable. I just wanted to make sure that the process for that individual

[02:10:11] was fairly streamlined, hence why I kept coming back to the paragraph, like, can any email to y'all suffice? The other thing, kind of in a similar vein, and I caught this while I was sitting here trying to figure out this process, you also allow for a streamlined process for single-family home developments to not have to submit an independent mitigation plan, but it can be included in the building permit, either for the home itself or for any other activity that's going to result in disturbance that requires a building permit. I guess the thing, and this is me, I'm now going to ask an

[02:10:51] open-ended question, because I'm thinking, are there activities that would be land disturbance activities that a single-family homeowner would do that aren't exempted, that also don't have a building permit associated with them, so they wouldn't be able to include their streamlined narrative in the building permit? Because my worry, just as y'all are sitting there, My worry would be that those people don't have something to attach a more straightforward thing that meets the need of the mitigation plan and would instead have to submit the full, you know, requires an engineer mitigation plan.

[02:11:28] Yeah, I can look at that. But the idea is that if they're not doing, if they don't have a building permit, they would fall under the other section that does not exempt single family, right, or allow that for single family. So if we need to maybe have a similar and or option, we can do that.

[02:11:50] I would have to look more closely at that. If I wanted to build a treehouse for my kid, and it's close enough to the... I don't know that a treehouse for a kid requires a building permit. Maybe it does, and that ruins my hypothetical. But if I wanted to build a treehouse for a kid, that doesn't require a building permit, but it is a land disturbance activity.

[02:12:07] do i now have to i don't have somewhere to put the streamlined um am i making sense or is something else catching the concern i'm raising uh i wouldn't believe in that instance a treehouse is allowed in a buffer um so it's a structure could possibly i'd have to get with our zoning administrator on that but um i understand your concern and we'll need to look into it thank you

[02:12:41] Okay. Let me start by saying I think this is a great thing that we're doing to bring this up to update and to change it over and to expand the way in which we regulate the buffer zones beyond just land-disturbing activities.

[02:13:05] But there have been enough questions that I know there's going to be some additional work on this, but also does cry out for helping people understand it by perhaps finding a flyer or something, an education program that helps people get through some of the complexities.

[02:13:25] I do understand it to be, in many cases, except in land-disturbing activities, complaint-driven. And so some of these things, you know, there will be judgment calls. I mean, when you're talking about building in a buffer, but you're on a farm, that may be something that a neighbor will say, you know, no, you shouldn't be doing that.

[02:13:44] But then there'll be other instances where, and this example was given to me, where, you know, you may be haying a little bit into the buffer, but then, you know, there's another 20 feet to the stream. Well, we're just going to mow that. That's probably not a permitted activity is what I'm hearing you say, to mow for no reason other than to, but maybe the argument is that you're mowing there.

[02:14:07] because you don't want all those invasives and other things coming into your hayfield. And so I do think there's a lot to work through here. In that example, if it's an agricultural practice, we would accept that, for instance. I think that's a reasonable accommodation, right, under agriculture.

[02:14:24] So with regards to other activities, if they're not a listed activity, they're not permitted. And land disturbance, we got away from that in this ordinance so that it's not associated with land disturbance. So it's an activity, it's other things that are listed in here, uses, so it's not just land disturbance.

[02:14:46] Okay, thank you. I have no other comments or questions. You have next steps up. I'm not sure if we've given you what you need at this point. I think so. They're still awake, which is great.

[02:15:02] They're still smiling, that's good. It's a complicated subject. Good work. Thank you. Thank you very much. thank you very much the board with that i think we all could use a 15-minute recess

[02:15:17] thank you another minute okay sure so welcome back everyone um our next item is a work session on the proposed 2026 legislative program and this is being led by mr andy herrick our county attorney

[02:15:57] I'm not sure where I go from here with this file. Oh, your little cover is coming off. My cover is coming off. Oh, okay.

[02:16:13] And it does make a noise. It's on as far as it's going to go. No. Okay. Thank you. We appreciate your patience. Absolutely. We have to get the important work done. Thank you. Thank you all for having us here. This is your second work session of three for the legislative priorities for 2026, or heading into the 2026 General Assembly session. In local government, it is that time of year where you're wrapping up fiscal year 25 in fiscal year 26 and planning, starting planning for fiscal year 27. So what year it is is always a bit of a hard question for any of us to answer.

[02:16:50] I'm Emily Kilroy, Director of Economic Development, joined by Andy Herrick, our county attorney, David Blunt, with the Thomas Jefferson Planning District Commission. And James Douglas also is a huge participant and just a wonderful colleague on our team that works on the legislative priorities work.

[02:17:08] And so we're all here to serve as resources. We have, it looks like, 18 slides in this deck. We expect the presentation to be pretty quick and to leave plenty of time for a discussion amongst you all today. And the hope would be that coming out of today's discussion that we would have sort of a final round of edits that we would be bringing to you next month, at which point you would be in a position to adopt your 2026 legislative priorities.

[02:17:38] And then we would be hopefully quickly turning around and having a meeting with the local delegation in order to brief them on that and have a good dialogue about some of the challenges and opportunities for Outmoral. So with that, I will start the slides.

[02:17:55] So today we're going to talk about 2026 strategy updates since the last time that we were with you about a month ago. I will then turn it over to Mr. Herrick to walk through the draft documents for 2026, which were part of the packet for today's session.

[02:18:11] And then we'll talk about next steps. And so for 2026 strategy updates, again, last time we were with you about a month ago, we talked about focusing on the local program on Albemarle-specific items, really leveraging TJPDC for regional items and leveraging state organizations to include Virginia Association of Counties, the Virginia Municipal League, and others.

[02:18:36] So we are sort of putting the right priorities in the right place for advocacy in the hopes of being successful in that way. One of the items that we talked about when we were here a month ago was Ravanna Futures. Last year, your legislative priorities included a budget amendment request for site readiness work at Ravanna Futures.

[02:18:56] And when we were here last time, we shared that we were hoping soon to hear from the Commonwealth what the outcome of the Virginia Business Ready Sites grant program would be. And so towards the end of July, we did hear back from the state that we were successful in an award of \$9.7 million for site readiness work there.

[02:19:16] Thank you. We were very excited about that. Just for context, the amount of requests this year for that program was around \$250 million from across the Commonwealth. The budget for that program this year was \$40 million, and we were successful in getting just under \$10 million.

[02:19:36] So we're very proud of the work that went into that, and a huge team of staff participated in that. So we're very glad to get started on really the next phase of work there, which is moving some dirt around. The funding that we received will support site readiness, primarily water and sewer utility extensions to serve the sort of the full 105 acres that we've identified as being the most developable within the rezoned area of 172 acres of light industrial and office and then also clearing and grading a portion of the property because our application was for a larger amount than our award

[02:20:15] so we requested just under 14 million dollars and were awarded 9.7 million dollars we're still working through adjusting the scope of that project in order to understand what our final deliverable will look like. The performance period on that is 12 months, and that will begin in the next several weeks, again, as we refine that scope. And so based on all of that information, we have quite a lot of work ahead of

us on a relatively aggressive timeline. And so the recommendation from staff at this point is to not submit a state budget request for this year, but continue some of the work that we've done over the past several years, raising awareness

[02:20:50] and advocacy among members of the General Assembly locally and across the Commonwealth for this project. Any questions on that? Excellent. Okay. And at that point, I'm going to turn it over to Mr. Herrick. Very good. Thank you, Ms. Kilroy. Andy Herrick, I'm the county attorney. And if the board doesn't mind, I'm going to stay here in my current position, allow Ms. Kilroy to stay at the podium. That way we can both address your questions simultaneously without us having to switch places at the podium, except I'm going to need you to, there we go, the next slide.

[02:21:24] So as discussed at the prior meeting, we have tried to transition away from some of the documents that the county has used in the past as being overly lengthy that really have, in staff's opinion, detracted from the effectiveness of it, that their length has made it such that it's been very difficult for the county to focus both the county's attention as well as our legislators' attention on the things that are truly important to the county, that what we're trying to do with this draft of the legislative program is take a philosophy of less is more.

[02:21:55] And so part of that has been shifting away from positions. Last year's document had, by my count, 49 positions, and summarizing them with principles instead. And this slide tells you a little bit about the differences between the two. The principles are more of a broad sort of macro articulation of general priority areas, whereas positions are more specific, they require more frequent refreshing, they leave gaps in emerging issues not previously considered.

[02:22:23] And what we found is just over time that our position statement had sort of followed the course of least resistance, and over the years additional positions had been added and added and added without really taking away some of the stuff that no longer applied. So part of what you'll see in the proposed document that we have is, again, trying to focus and be more succinct on principles fewer principles rather than more positions so if we go to the next slide so attachment a to this item in the in the package is our proposed legislative program it consists of legislative priorities which in turn include both proposed amendments

[02:23:01] to the code as well as a budget amendment as well as again the statement of legislative principles we can have the next slide so then breaking down what specifically is in the program again this is part of Attachment A. We're asking for three code amendments. Based on the board's discussion at our prior work session, we've added the ability to enable localities to enforce the Virginia Landlord-Tenant Act. We heard very clearly from the board that many members of the board considered that to be a priority. We're asking to expand the authority to use photo speed monitoring devices. This is a legislative priority of the county in past years, and as we detailed,

[02:23:40] It has been introduced but did not make it out of committee in the 2025 General Assembly. As well as our final proposed amendment in our legislative priorities is to enable a referendum for the one-cent sales tax for school division capital projects.

[02:23:57] As we've discussed previously, this has gotten some traction in the General Assembly in past sessions, made it all the way through both houses only to be vetoed by the governor. But these three items remain on our legislative priorities in the draft program that you see in Attachment A.

[02:24:14] We also are proposing a budget amendment for state funding for Biscuit Run Park. I don't know whether Ms. Kilroy wants to say anything about that now. So again, this remains part of our funding request. As Ms. Kilroy indicated, we're not recommending that Rivanna Futures continue to be part of an ask this year.

[02:24:32] But we are requesting that state funding for Biscuit Run Park be a continued part of the county's legislative program. This, too, had made some progress in the 2025 General Assembly, but unfortunately it did not make it all the way through in that it was vetoed by the governor.

[02:24:51] So if we go on to the next slide. So then moving past what our priorities are, the Attachment A also has a more succinct stating of the county's legislative principles. We state up front at the beginning of the principles that we are basically supporting the programs of the Virginia Association of Counties, the Virginia Municipal League, the TJPDC that Mr. Blunt and his team leads in terms of the legislative program.

[02:25:19] And there are eight just basic principle statements that are included in this year's proposed program. We make principal statements regarding broadband and the Internet, economic development, growth management, environmental protection, land use and transportation, health and human services, housing, local government finance, public safety and solid waste.

[02:25:40] So it's our recommendation that the board go with some variation of what is attached as attachment A as basically being a nice, sleek, hopefully succinct statement of the county's position. Having said that, if we go to the next slide, we did also hear from the board at our prior meeting a number of individual requests that the board thought was important.

[02:26:03] And if the board is not prepared at this point to move on to just the attachment A, we also did prepare attachment B if the board chooses to continue to have a separate statement of legislative positions. Again, these are organized along much the same lines as the legislative principles.

[02:26:21] It has been slimmed down at staff's recommendation, and at the board's direction, we've slimmed it down from last year's 49 positions to 28 this year, which step in the right direction. But again, if the board is not comfortable going all the way to just the four-page legislative program, having legislative positions is also an option if the board wishes to continue with that.

[02:26:46] So before we go into next steps, I'll take a pause here and see what sort of input the board has regarding the draft program that we have as attachment A and then the positions as attachment B. Thank you. We'll go through our order. Supervisor Galloway.

[02:27:03] All right. So was that direction specifically to what you just said? Basically anything that I've said. I've saved a few slides for next steps, but at this point, this is where we'd welcome the input of the board is to the program. Got it. So I guess I'll start with the overarching.

[02:27:21] I'm fine if you want to do this new approach. I think it's smart. I understand it. Supervisor McKeel likes to say we keep doing things the same way over and over. And what has it yielded us, basically how we've done it? So I'm happy for a change, if for nothing else, that it puts something different in front of their eyes.

[02:27:39] Although I would caution, because I think VACO deals with this in some ways. We may want, if we're going to do it differently, when I look at these individuals, I guess, well, I'll do an individual piece.

[02:27:55] But being a Dillon Rule state, and like if you take housing, for example, it says support legislation that promotes the production and preservation of affordable housing, whether through state support or enhanced enabling authority. Because some of the things being bandied about up there would actually erode local control and force.

[02:28:15] And at VACO, yes, that would expand affordable housing, but the thing that each county says, which is why the state wants to do it, is that this, which is usually the local argument against, is, well, you can't do this in a one-size-fits-all approach.

[02:28:31] What works for a county of Loudoun doesn't work for Albemarle doesn't work for Smith County. You know, it's just going to be different. So I don't know about, you know, I can just imagine a state legislator sitting there and going, well, on one hand, you're arguing that you want less.

[02:28:47] You know, you want more local control, but if I do something to support housing, then you've got to take your medicine and just support that. So we have to be ready for that, and I think that we could probably figure out how to nuance that in this document, but we just have to go there or have to contend with that.

[02:29:07] I think another good point that was made, and I'm forgetting where the supervisor, what jurisdiction she was from, but she was trying to make the point in one of the committees a week or so ago about the state always trying to use the stick with counties versus trying to use the carrot, and can we maybe look at that as an approach?

[02:29:31] So I don't know if that fits in here or not, or if we could nuance that piece of it. But the other end of it is if the state does require something, then we have to make sure we state that we're not in favor of unfunded mandates. So maintain local control.

[02:29:49] If you do force something at the state level on the counties, then don't expect the counties to pay for it. You need to send along the funds with it. And I think those have to be general. Then we have to look at each one of these individual items and go, where's the conflict?

[02:30:07] So the housing would have been the example that I would offer for that. But otherwise, I support the approach. If I might, just in response to your statement against unfunded mandates, the local government finance principle does state that we support fully funding state mandates.

[02:30:26] So that is addressed, again, as a broad statement in the existing program. Yeah, and I see that because then my comments on transportation here in a minute I think will be similar to that point. I just I feel like what what I've been watching VACO, I think, struggle with is they have these individual topics or issues that they want very specific types of legislation that they're either for or against.

[02:30:50] But then the principle of unfunded mandate or local control can be a competition to that specific issue. So that's where I just like, wow, sometimes you don't, you know, you'd be willing to forego maybe some local control if you if it got your transportation funding better.

[02:31:10] Like, we're going to state, like, I think it's in the other version where it states how we don't want to have to take on maintaining funding and paying for road projects. Devolution. So, right there, we're saying, well, we don't want local control for roads.

[02:31:26] We want the state to handle it and do the responsibility of it. So, we just have to recognize that. So, that will take me into the transportation piece. I don't think there's a way unless you just did it

separately, and I'm not a fan of adding to it.

[02:31:43] But, you know, the Biscuit Run funding request is a specific budget item that we're going after and we want. Regardless of where each of us feels, that should be as a priority. You know, as the county, we're saying that's a project. We want that.

[02:31:59] We did it with Ravana Futures last year, et cetera. The transportation one, I'm going to beat this horse until it's reincarnated, and I'm going to beat it to death again. The thing, we have to change how we're, this is not a matter of Albemarle projects needing to be funded.

[02:32:18] This is a matter of I've got too many people, I've been trying this, been practicing this metaphor. Too many people at family dinner, I don't have enough dessert. So I need to provide more dessert. I can't keep slicing up the pie thinner and thinner and thinner. Or just say, you don't get any.

[02:32:34] So we have to figure that out. And one of the things I'd be walking into, I'm sure David wouldn't be surprised to hear it, and I'm happy to take this initiative to the planning commission or to the TJPDC board, is to start saying, well, whether it's how it's stated in here, whatever, we have to figure that out as our own board.

[02:32:54] But I'd like to see Albemarle, along with at least the other five PDC jurisdictions, to try to build some coordinated effort to get this point across to the General Assembly and then even break it out into SACAMPO and some of the other jurisdictions that are around here.

[02:33:15] Because this is something that I think has, I mean, you just cannot get \$30 billion in requests and only put through not even a third of the funding for it. They've got a problem. And if multiple jurisdictions could figure out a way to speak to that, I would love, whether it's my role at the PDC or here or something, it would be great if we could kind of spearhead that initiative as part of our legislative strategy beyond delegates, calls, and law for deeds to show that this is bigger than just our meeting with them and try to build a little bit of support for that.

[02:33:51] And, you know, David can respond to that now or later at the PDC. I mean, that's fine. But, I mean, and I obviously need support of other supervisors for that kind of strategy. But I think we need to hit the transportation piece big, gain that support, and I'd love that our packet could somehow state that whether we get that support or not from the other jurisdictions, that this is a big bleeping deal and that they need to do something about it.

[02:34:22] And I don't know. I just don't know that I've ever heard, and this is not pejorative, I'm not criticizing our local delegates and Senator. I just, you know, I know what their priorities are, and I've not, I don't know how they deal with transportation when they're at the GA.

[02:34:39] And that's just, you know, I'm not in the weeds up there paying attention to it either. So I guess that's my piece on this, on the panel. Thank you. Supervisor Lupito Curley. Could you go back to slide 10, please? I have some of the same concerns that Supervisor Galloway has regarding, I want to support VACO, VML, TJP, DC, but I want to make sure I know what I'm supporting.

[02:35:15] That, once again, they're not in conflict with what we want. I do really, because I don't think everything they present may be something, especially Vaco, may be something that we want to actually support or get into.

[02:35:31] I really, really like the broad, the legislative principles, because I think there are going to be localities out there that have some really good ideas that we have not thought of or we're not focused on, But they could really be beneficial to us, and why not support that, even though it's not, you know, we're not looking at it directly, but there may be something else that affects us that we could also support.

[02:36:02] So I like the whole principal issue. It's instead of going to individual, well, we like this one, but we don't like that one. I like the whole overall approach, the principal approach. Our three priorities, of course, I'm in favor of also.

[02:36:21] And regarding transportation, I want to ask Supervisor Calloway and actually Supervisor McKeel, bringing together other counties that surround us. I know we're doing the Regional Transit Authority, but I mean, is that in your thinking also?

[02:36:41] Is that what you're thinking? No, I'm saying we call in other jurisdictions to say your funding mechanism for roads in this state is terrible. weeks and you need to fix it and whether it's and you don't have enough money is coming in the door to do all the projects that are out there and that's something you have to contend with we didn't have enough money to support fire and police in this county and what did we do we had to make a decision and we decided to raise taxes to pay for that now we could have cut a hell we could have cut 13 million dollars somewhere to pay for it as well but we made that decision so that's the point it's like you got to contend with that decision and whether you want to call it a tax or a fee because we don't like taxes so we like to call them fees sometimes so i don't

[02:37:20] care i just want them to figure out a way to do the to do a better job of maintaining and building road projects in the common law totally agree totally agree um and could you go to the slide beforehand nine okay sorry which one i think we're good i think i'm good okay thank you Supervisor Malek.

[02:37:52] Thank you. I appreciate what Ned started this conversation off with the technicalities because it is tricky. The legislative principles, it is a really great idea. And I was keying in on those four bullets at the beginning as sort of the overarching, these are the most important things.

[02:38:15] And then within that, we can work on other stuff because I can just see Schuyler Van Valkenburg rubbing his hands like this and going, oh, I got him now. because it's just, I think all the things that have been concerning over the last several years are coming back this year, so we'll have to learn from our previous experience.

[02:38:35] My question to David is, are the positions useful for our lobbyists? I would not want them necessarily to be shared with our legislators because I don't think they're going to bother, whereas they ought to be able to manage the one-pager, And that would fit on a pocket card really effectively as the Roanoke people make one that's like three by six and it has big enough print to be able to really be useful.

[02:39:06] And I see people on the other side with those things stuck in their pockets all the time, so I know it works. I would love for us to copy that. But that's the only place where I would like to have an archive, useful archive, that at 11 o'clock at night he can reach in his file and go, okay, well, this is address here, and here's this bill that I know what to do with, rather than just setting them aside, because a lot of good work went into those, and there may be some good language that could be used to save the day in the last minute.

[02:39:38] So that's the only thing I have to be able to keep everything going in its own limited lane. The transportation, I love this idea, and if I've had any brains when I was sitting in for you at transportation, I

would have done something with it last week.

[02:39:58] But we'll have to figure out how to get you to where you need to go to advocate for that in November and maybe beforehand so that actually the committee has a chance to know, send it to Dan Stork ahead of time and James and see what can be done to get that better on the agenda. Because I know in the past I have failed miserably when I've waited until November to bring things to put into the program.

[02:40:19] It has to be sort of saturated in there first before that can happen. I will say when devolution was discussed, when Sean Connaughton was transportation secretary and Albemarle was offered \$1,000 a mile, Arlington gets \$16,000 a mile because they did their contract 50, 100 years ago, I don't know where, and Henrico gets nine.

[02:40:43] And those are the only two counties that do their own roads, but they got lots of money to do stuff with. \$1,000 a mile would have not done us, and \$15,000 a year, I mean, would be. So that didn't help us at all. But Billy Kiger is always saying there is no state surplus if they don't pay their bills.

[02:41:02] So pay your bills first, those unfunded mandates, get education back up where it was in 2008, and the per child and those kinds of things, and then talk about whether you have a state surplus or not. But anyway, I think this is great progress. I really like the philosophy of it and the way you've presented it.

[02:41:19] Thank you. Thank you. Supervisor McKeel. Yes, just to say right off the top, I really like the new format. As Ned says, I say all the time, you can't keep doing things the same way. So this is different, and I really appreciate it.

[02:41:34] I want to ask one quick question for clarification. Our priorities, the priorities we had last year, what we were talking about, we had two that were vetoed, right, by the governor. I'm going back to our, what we, our ask.

[02:41:53] There were only two that were. Well, there was the state sales tax or the sales tax referendum was vetoed. Biscuit Run was also vetoed. So I'm just saying that they actually passed, but they were vetoed by the governor with a different governor.

[02:42:12] I'm just saying, right? But I just wanted to make sure it was only those two because somehow or another I thought there was a third one vetoed, but that must have been my imagination. I don't believe that, you know, one of the other legislative priorities from last year was the civil forfeiture for false threats.

[02:42:27] I don't think a bill was even introduced in that one. It's okay. So just those two. That's good. That was just for my clarification. I really agree with the transportation piece. We have to make the pie bigger, not continue to just slice it in different ways.

[02:42:44] And if you think about it, the two biggest fundings, the two biggest areas that have to be funded by everybody in the state, transportation and education. And anything we can save on transportation and education, we get to use on other things.

[02:43:03] And Ned is exactly right. The way we have been funding transportation since way back when, take it back to the Allen administration, is ridiculous. So we've got to figure out how to do this differently, and I think that's a good approach, Ned.

[02:43:22] And so I heartily agree with focusing on transportation. Having said that, when I talk about education, I just don't want to lose track of the fact that Elmar County Public Schools, I say this every year,

has their own legislative packet.

[02:43:40] And I just want to make sure that we're sinking at least those portions somewhat together. Not that we have to, but I think it's good that we're all on the same page. I'd like them to be advocating for some of what, and I'm sure they are, for example, the Capital Improvement Program.

[02:43:56] And I know that they are. But it's just good to take a look at what they have, if you all don't mind. And I guess that's all I have. I've answered your question. Yes, ma'am. Thank you. We're good. Thank you. Yeah, I just want to make sure with the new format, I am correctly understanding it.

[02:44:17] My understanding is that the proposal is for the legislative principles, the one-pager, once we format it so that this little tab gets on the one-pager, is sitting in lieu of attachment B, the legislative position. That's correct. Attachment B was just for the board's option, but if there's a board consensus for jettisoning attachment B, then that's staff's recommendation.

[02:44:40] So I have maybe a little bit more pause with this than some of my peers, but I understand the principle and I can get behind it. I guess I'm weighing two concerns. One is I'm remembering back to when I first started on the board, we had a housing section that was one line, and it said we will support what is conducive with the housing albemarle plan.

[02:45:10] And there was concern that that actually wasn't giving any direction and it wasn't, like, helping articulate our vision. So I guess I actually would like some feedback on this from Mr. Blunt, who's actually executing our lobbying. Is it helpful for us to have, like, particularized policy positions?

[02:45:32] Is it helpful for how you do your job to have particularized policy positions? or would these principal like i i would like some feedback before i make a decision on this about like how this informs uh how the work is actually done on the hill because i might assume the principals don't get you there but i don't know please thank you yeah good afternoons chairman members of the board david blunt with tjpd um i think you all uh you and ms malik have raised a

[02:46:11] a really good point um i'm not going to give you a definitive answer probably because i think there There is value in both having the positions that are specific as well as whether you want to call them principles or just broader statements that provide some flexibility to be able to maneuver in terms of advocating either for or against something.

[02:46:34] So I think the idea, you know, that you're moving toward, if you were to move toward principals, but then also maintain those positions, you know, on your own that can be referred to and have, you know, some backing of the board that these indeed are the positions, I think that's fine.

[02:46:54] They don't necessarily have to be distributed. I will tell you that in any given day, you know, when I'm in Richmond, I will be reaching out to Andy, county attorney staff, other members of your staff, and other localities in the PDC region.

[02:47:10] If it's not clear to me, based on my work with the boards in the past, based on any adopted position statements that you may have, and also based on, you know, what's included in the regional legislative program, i will reach out to determine what is the position that you would like to take on this bill so that may not be the answer necessarily to specific questions but i think there is value in being able to be flexible have principles that will allow you to operate um you know in a very hectic you know as you know the very hectic pace of the general assembly um but also knowing that

[02:47:45] you know either you have them or you can determine you know through consultation you know what a particular position you know maybe you know on a bill you know i think going back and reviewing statements that were in the position is a very good idea in fact i constantly every year when i come around to to looking at the regional legislative program try to do that as well because things get in there and then they just stay in there and it may 20 years ago you know have been something that was pretty darn important and we wanted to make sure we had a position on but maybe it's not even in anywhere in the conversation now hope that is of some help that

[02:48:22] is um and i just want to reflect the board i i see a possibility if we straight up uh 86 attachment b uh i see a possibility a strong possibility for like a principal agent problem where where the will that is carried out on our behalf on the hill is actually not consistent with our own right i i can give you a very specific example which is um if we if we get rid of part b um you know board that i am in favor of not a study but of uh enabling legislation

[02:48:58] related to rent stabilization at the local level our principals call for that and would enable support for that while we're saying specifically that we want to study as as a board right so that that would introduce a principal agent problem if we did not have this um because mr blunt would be in the position of having to determine whether or not that would be something this board would accept would be reaching out to Andy or Emily for the board's will on that I see that as concerning and you seem to have a question well I just want to ask you are there any others like that or is

[02:49:35] it just that particular one that you that's what I'm thinking about that's what I'm thinking about but I'm just saying like if we don't have this list literally anything that's implicated in this list that is embraces almost every topic and has a a kind of direction on how we feel about them but embraces almost every topic, that puts our representative in the position of having to interpret this and think, I mean, it makes us all have a position, one, on almost every bill in the General Assembly, which makes it so he doesn't have direction on how to

[02:50:09] use his time, and two, it makes it so that he has to interpret normally maybe three vague principles, broad principles, let's say broad principles, in any given topic to determine where the board's heart is and and work with you know council uh to determine where the board's heart is who might have a specific piece of knowledge about the board but might not right um so that gives me concern and i would also flag you know this is an ongoing bugbear of mine but um i i think specific bill positions should be like a channeling function for our community

[02:50:45] right they're not because we have a political disengagement problem but like we should be getting i would hope i would want us to be getting from membership or like league of women voters sierra club naacp in a in a more engaged citizenry should be giving us what they think our legislative position should be neil should be giving us a list of what and so should pec right like i i would expect that we don't hear from the others um well i mean i don't even have a position statement from you i i know how you feel but i don't have one um and i think if we are only taking principles

[02:51:21] that permanently closes the door on this thing i do think we want to leave the door open for and kind of inculcate in our our citizenry this opportunity for engagement even if it's not being used um that's just me y'all can reflect on that how you want but that that's kind of my position i could see maybe the value in having this be what i'm handing our our delegation rather than this list of things but i think

without this list of things being approved and ratified by the board we're in a we're in a problematic position i would also actually echo um what b said um and maybe

[02:51:58] we're not in a position to do this but like i disagree with a lot of positions of vaco there's one position of vaco that i actively lobbied against um that they were the main adversarian and i'm not comfortable unless we think we have to be as a member of vaco automatically rubber stamping everything that comes out of uh these or specifically vaco um but that's me and i might be uh not joined by the majority of the board on that um on on more specific things um this is kind of

[02:52:33] you know a question for folks leading our program i would almost wonder with the i'm very excited obviously about the monacan indian connector trail park um i also know that the project itself is matured, right, it would be basically a retroactive, like it would be payment for costs incurred at this point. Does that harm our narrative? Do we want a differently matured project? So we actually updated the description that was in the packet for this project. So there was a refresh of the overall cost. So the dollar value increased by a bit this year and also

[02:53:13] recasts the project from what was envisioned last year based on the boards and the facilities environmental services is working on a stream restoration project in that in a similar section of the park that is that has shifted what a trail would look like in that portion of that park and so the the scope of work and the cost of that scope of work has shifted a little bit but that's been reflected in the updates in your packet okay thank you I did not catch that but makes sense um because i'm just like i think i'm speaking at like an inauguration of this park soon

[02:53:49] like we're not asking for money for it in a literal immediate way um great um the uh you know i would agree with the kind of thrust that we're we're getting on transportation that makes sense it is something that everyone assumes is our responsibility but we do not have the funding authority over it so it should be near and dear to our hearts and it should be near and dear to our funding requests I would just reflect what I think this board probably already knows, but circumstances have conspired to set up our trifecta for really hard times in our first year, right?

[02:54:24] I cannot have a conversation that involves money with Senator Deeds that he does not immediately tell me about how desperately we're going to be fighting to fill our Medicaid gaps, right? That is the most immediate threat. Fill our what?

[02:54:39] Medicaid gaps, right? Our Medicaid expansion is going to pass its trip wire to claw back unless we significantly increase state funding to Medicaid. But he's giving away money. Point being, just staring at my own belly button, I would see it will be hard for us to get our delegation and others in 2026 to give a damn because they're going to be looking at really big numbers

[02:55:14] that they have to fill and so that that's a challenge for us right that's a challenge for us to face but i just want to reflect i think a dollar uh a structural dollar cost uh item like that is going to be incredibly challenging in the year 2026 and when i said he i meant the governor yes giving away money yes um and that's almost it the one other thing you know i'm going to say i would want our line in section b related to rent stabilization to strike it being a study

[02:55:50] and support legislation that would extend local authority concerning rent stabilization that's all i have thank you let me ask that clarification on that where would this rent stabilization then would be, instead of a study, just enabling legislation.

[02:56:14] I believe two years ago that was Delegate Clark's bill. I think Delegate Clark carried another bill last year. I'm looking to the room for help. It's one that's pegged to, again, like CPI growth.

[02:56:32] So it effectively keeps you from raising your rent more than, I think, 7% plus CPI in a given year, which is a lot. I understand. Okay, just one other clarification. Okay, with what we've got here, I fully support the legislative program.

[02:56:52] I mean, I think that it does what we need it to do, and it's focused and very specific. The legislative principles, I have some of the same concerns that were expressed by Supervisor Pruitt. When I read through it, it feels like I can get behind all of this, but it doesn't seem specific enough to know.

[02:57:14] I don't have a crystal ball. I don't know what legislation is actually going to be proposed. and where it falls in this, and whether these broad statements would be seen as sufficiently targeted to apply to that legislation. So, for example, I'll use the environmental area.

[02:57:34] This says, you know, reduce waste generation, but, you know, we specifically mentioned extended producer responsibility legislation. if that were introduced, would this solid waste statement be sufficient for someone to understand that our board had said, yes, we're in favor of extended producer responsibility legislation.

[02:57:53] And I think that sort of falls in the same category as the rent stabilization and others, where the specific ask that the board has made in previous years has been kind of lost in just having the principles. That said, you know, practicalities are such that I don't know that the legislators are going to want to read our list of positions.

[02:58:18] But the idea that this board would, number one, I think, very great idea to update it. But update it every year and look at it so that we really have been conscious of some of the particulars. And I do think that if we go through that process, we may want to look at this again and say things like, well, to the extent that the positions become redundant with the principles, we don't necessarily have to state them again unless they're more specifics that we can get behind.

[02:58:51] So, for example, local authority and land use matters pretty much states what we already stated in our principles, in our priorities, and do we need to go through that again? Similarly, under Housing, the Locality Enforcement of Landlord-Tenant Act, that's in our sort of updated positions, but it's actually in our priorities now.

[02:59:16] So it doesn't need to be there again. It doesn't really help us. It just makes the document longer without necessarily being more informative. Although I will say, just as an aside on that one, The Landlord-Tenant Act probably includes more than just safety violations, and we have specifically made our program speak to what constitutes a fire hazard or serious threat to the life, health, safety of tenants or occupants.

[02:59:46] So we're more narrowly, I think, focused on those provisions of landlord-tenant relations and not just enforcing anything that might have been a tenant right that was being abused by a landlord and didn't want the tenant to have to bring the action.

[03:00:04] So that's a long-winded way of saying that I think the exercise of looking at attachment B, even if we haven't fully fleshed it out for our meeting with the legislators, is still something that I think is worth our time. And it could even be something that we revisit as legislation is proposed and we need to react to

it because, again, we don't have a crystal ball and it's helpful to know that the board has looked at some of these specific bills and said, or specific ideas in bills and said, yes, we could get behind that.

[03:00:39] I don't know if that's helpful. Should we go around again? Well, just based on some of the things I've heard, I mean, I understand and don't disagree with Supervisor Pruitt's points about the principles and the piece, but at the end of the day, it's a marketing campaign, really.

[03:00:56] So we have to do what's necessary for it. If we want to have the more comprehensive stuff that goes with the POM card, you know, you think of your, when we're, you know, you'll probably be doing this. You'll be handing out a campaign card that has three things on it, and then you're going to direct them to your website to flesh out those three things.

[03:01:18] So, I mean, it's perfectly fine to do that as long as the threads, per the chair's point, we can be drawn from the principals to the piece out there. As it speaks to VACO, there's nothing that beholds any individual supervisor to support what VACO has to say.

[03:01:41] But Albemarle County is a member of VACO. It has a committee structure of which we are given the opportunity to participate in. It has its own process. For example, in the land use last week or two weeks ago, you had the extreme. You had Ms. Malik, who is a member of that committee, a voting member, and we all know where she's at in terms of environmental priorities and preservation.

[03:02:06] On the other end of the spectrum, we had a gentleman say that climate change is a scam being perpetrated on the community, and you're going to have to prove it to him. So that was the range of thought. It was lovely, though, that even though that was the range, that the conversation remained professional, et cetera.

[03:02:26] There was a vote taken. There was a motion put forward by Loudoun County, et cetera. And the process played out. I guess long-winded way of saying that in any given General Assembly session, there's nothing to stop Supervisor Malick or Supervisor Pruitt from individually advocating as a supervisor as long as you're not speaking for the board, that the board has taken action on something.

[03:02:51] And I think it's one of the one places where you can still have some individuality as a supervisor because if the five of you vote on something I don't agree with, I can't go to the GA and say that I'm speaking for the board, but I can say I'm an Albemarle County supervisor and that I disagree with my board on this at the General Assembly level because then I still have individual advocacy as a citizen of the Commonwealth.

[03:03:13] So you have to just know your role between, well, I'm not speaking for the board. You can vote against the packet, I suppose, I guess at this level. But, yeah, I mean, there's plenty of issues that I've seen supervisors over the years advocate for and against that aren't necessarily something the board's either taken a position on or could be in disagreement of the rest of the board on.

[03:03:34] And they've always seemed to be able to thread the nuance of saying, well, I'm not speaking for the board. I'm speaking as an individual supervisor, individual citizen of the Commonwealth. Can I respond to that one directly? Because I do just think, like, the reason I'm reacting the way I am to VACO, I think, roots to the point you're making, because I don't know that I agree with, let me state just what I do believe, right?

[03:04:00] I actually do think it would be inappropriate for me if this board voted collectively on a policy position that I was a sole to center and vote on, right? I think it would be inappropriate for me to note in my capacity as a supervisor, even though I'm an individual, I think it would be inappropriate to undermine the board speaking before the General Assembly.

[03:04:22] I would not do that. But if you did, you'd say I'm here as a citizen of Virginia and nobody's going to disafford you of that right. I hear you, right? And you have some gravitas because you're an elected official. I understand the point, but I'm just saying I would consider that to be somewhat inappropriate because I would be undermining the unified voice with which we report out.

[03:04:45] And it is that same, like me placing myself in that comparable position vis-a-vis VACO, if this board endorses everything that comes out of VACO, that I would be kind of bound by that same kind of duty, if that makes sense.

[03:05:02] We've got faith that you'd be able to do it. I mean, it sounds like we're going to have to do it. You're going to be doing it a lot over the next 18 months, frankly. Anyway, so you'll be able to do it. I mean, whether you choose to or not, that'll be left up to you. But, I mean, there is a way for sitting supervisors to get involved in the VACO piece so that if an individual supervisor is not comfortable with VACO, there's a way to parse through that.

[03:05:29] And if you're not involved with VACO, I'm not saying that's part of it. It just has to be, well, okay, you can thread this line. You can walk this line in a way that I think is professional and appropriate for what it's worth. I mean, you have to decide what you want to do to do on your own.

[03:05:46] I don't think I had any other notes down. Mr. Professor Lupito-Curley. Okay, getting in on the VACO discussion. VACO comes out with a lot of proposals, And I would not feel comfortable unless I knew the stance that they're taking on a certain bill so that I would know also.

[03:06:14] I do believe we're going down to approve everything because if, okay, play out the scenario. Let's say a majority of VACO takes a really radical position that maybe we don't believe in.

[03:06:32] So then we have to say no or we have to go along with it. I'm not comfortable with that. I don't mind. I mean, I like supporting VACO, but I want to know what they're voting on because this is a large group of people. I've been to the conferences, large group of people, and it's the loud voice that gets in there.

[03:06:52] They come up with a lot of really, really good proposals, but 100% not so sure of. So that's what my concern is. And going through these principles, I'm just wondering, and I'm going to ask David whether or not is there, I like the principles, is there any way of finding out when something comes up that we would approve it?

[03:07:26] I mean, do you feel that you have enough information on how we feel as a board of supervisors to be able to say, well, yes, they're in favor of this, but no, they're not in favor of, you know, that I'd have to get back to you or that I'd have to find out about.

[03:07:46] Yeah, I think one of the things we didn't mention earlier, too, and I think James is responsible for this and does a good job of, in addition to the tracking of bills and the monitoring of bills that I'm doing at the General Assembly, I think he's doing the same thing for Albemarle.

[03:08:03] And there may be things that are on the list for Albemarle that I'm not necessarily tracking because he knows that there are specific interests, you know, to the county or to individual members. So that may involve, I don't know all the details of that process, but it may be that, you know, there's reach out then to different departments within the county that are helping to, you know, kind of flush out, you know, hey, take a look at this bill.

[03:08:25] What kind of impact does that have? Should we support it? Should we not take a position on it? Should we oppose it? Should we suggest A, B, or C? That would be my response. What you're saying is there's redundancy in a way.

[03:08:41] I mean, there's another, someone else looking. Right, yeah. Yes, I mean, any given General Assembly side, the more eyes, the better, I've always said. You know, you've got different people that are looking at the same things and coming to different conclusions, same conclusions.

[03:08:57] I would say, and you raised this early in your earlier remarks, You know, VACO goes through a legislative program and positions development process just as TJPDC does.

[03:09:13] And I will mention to you that process when I come before or when this legislative package is brought back before you in September. And then always bring back the legislative program for the region for your approval a little bit later on in the fall.

[03:09:30] You will have a vote on the regional legislative program. So, you know, your delegated representatives to VACO will have a vote on VACO's legislative program. You're also a member of VML. So likewise, everybody's process is a little bit different. I appreciate what Supervisor Galloway was saying with regard to an individual member being able to address an issue outside of what the majority position of the board may be.

[03:09:56] I don't want to say this is how VACO does it or VML does it. But I would also suggest that, you know, and I think you've alluded to this as well, you know, that the board, if the board itself wanted to take a position that was different from what you had said in the TJPDC, you know, adoption of its program or the VACO program, you could do that.

[03:10:17] I know there is one locality in the planning district region that approves its own legislative package in addition to what you do. But there are a couple of positions that are in the TJPDC regional legislative program that they do not agree with.

[03:10:34] And they state that in what they approve. And that's fine. And that gives me, you know, what I think I need to be able to represent that, you know, when it comes before the General Assembly. Thank you. Supervisor Malik? Oh, Emily wanted to say something.

[03:10:51] Okay, sure. Emily. Sorry. Just wanted to offer one more piece of perspective. When you look at what's in the positions and policy statements, as we've updated those over the past several years, we're often drawing from other plans that the board has approved to look for crosswalks to state-level issues.

[03:11:11] And so, for example, when housing bills are discussed, We would look at the housing plan that the board has adopted and approved to understand the articulation of what the board's priorities are for that particular area. So there is a lot. There's a body of work that staff is able to draw from as we look at specific issues that may have come up to say, has the board looked at this before and what did they decide?

[03:11:33] Thank you. Supervisor Malek. Thank you. So what you just described, Emily, is in the file that's backing up these single statements in the positions that we've done in the past. It's part of how we approach what edits to suggest, additions to suggest as we've updated those over the years.

[03:11:55] So it's we're drawing from a lot of body of work that the board has done and really on more specific targeted policy areas and looking for, again, those opportunities to raise those up in the positions and policy statements. So I think what I'm trying to convey is if the board was to shift to just principles, staff would still do the work of saying, you know, as this particular issue comes up, you know, everyone is doing their legislative program work at the same time across the Commonwealth.

[03:12:25] And so sometimes things will, when the bills are printed in January, it may be the first time that Albemarle is seeing this is an issue that has a lot of legs in the Commonwealth. It wasn't on our radar. And, you know, those conversations start to happen with legislators and, you know, David will reach out and we'll look at the housing plan or the work that, you know, our health and human services team is doing um in a variety of areas to say you know what can we draw from to

[03:13:00] understand where the board would be on this and that work would continue great well thank you i would just as someone who is frequently writing emails to david at two in the morning during session i would love to be able to be on the email i think the board members all might be interested to be on the email list for that sort of wrap-up that you send back to david for each one of these things because it's really impactful that there be more than just one or two emails to either a sponsor or to somebody who's leading the attack to defeat something because it's very easy for

[03:13:36] people voting to say oh it's just that organization they're a bunch of roofers but if there are 125 different people writing in and saying this is really going to negatively impact my constituents you know please don't throw our shared constituents under the bus basically that i've been told is a really meaningful approach so the reason i try to share my notes is to make it maybe helpful to somebody else to pick and choose what they like the best because i'm going through vaco stuff and vml stuff and david stuff and pulling out the things that i want to emphasize which makes it a little bit different perhaps than somebody else's and

[03:14:13] then that helps to get a better message across so um anyway that's all i have to offer thank you Supervisor McKeown. Lots of conversation about this. For me, I am really happy with the simple, and I think we're talking about a card that they can put in their pocket with our basic requests, right?

[03:14:35] I mean, that's where I am. And at the end of the day, we have a lot of people looking at these bills, and they change constantly. So trying to keep up with them right now, I mean, it is just. So I really have a sense that you all are knowing and you know when to reach out to us, because I've seen you do it for years, right?

[03:14:56] So I am comfortable with where we are right now. And I think, Emily, does that sort of answer the question? Yeah. Okay. Supervisor Pruitt. I actually don't know that I have anything further. My position vis-a-vis the position's vice principals has stayed roughly the same.

[03:15:16] I do think we need to, in some capacity, adopt the principles, or rather the positions, regardless of whether or not they're broadcast. We need to adopt them, because I think we need to have the debate on them to make sure that they're actually coming from us. And I would say that I agree with the idea of updating those for our purposes, just to make sure that we understand.

[03:15:38] And that means streamlining and doing what we did, maybe even more so to the extent that there's overlap. I do appreciate very much that, you know, when it talks about VACO, VML, TJPDC, one of the things we tried to do with the changeover a year or two ago is to say, look, rather than taking positions on everything, we're going to focus on what we focus on and then go on and offer our yes, go on support on other people's priorities as they overlap with ours.

[03:16:09] And so that's what I think this is trying to do, and I think that it does it fairly well. And so while I do think that, you know, we want to keep things simple with respect of legislators as to what we give them, I agree with that. I think that to the extent that we have these discussions and then revisit them, it's going to be helpful.

[03:16:31] And that, you know, I do trust you all to represent our positions based on housing album model and all the other different documents that we've discussed. At the same time, at some point at the end of the season, it would be great to say, you know, well these are the bills that came forward where we weighed in because of your positions and that would really be helpful to boards i think going forward to say yeah we know that there were some bills that came up that weren't necessarily in our priorities but we weighed in on them and we weighed in on based on what what guidance so that puts a little more burden on that process but i do

[03:17:08] think that one report out for legislation would be helpful is there anything else so if the board has concluded its discussion. If we could just go back to slide four briefly, and this will, I realize we're over time a little bit, but this sort of dovetails with what the chair said regarding, there's been a lot, I've heard a lot of discussion about the positions of VML and VACO and so forth, and the main reason that staff included those VML and VACO positions wasn't necessarily that the county was going to be in 100% unanimous agreement with the positions of VML and VACO. I will say that in my observation that VML and VACO generally

[03:17:46] speak, on most occasions, the vast majority of occasions, do a good job of speaking for the localities of Virginia, and most of the issues on which the county argues in Richmond or advocates in Richmond are shared by the vast majority of other localities, similarly situated localities in the remainder of the state.

[03:18:05] And our point really gets back to this pie chart here on slide four, that we wanted to shift the focus of the legislative program to the top left corner, really having Albemarle FOCUS ON ALBEMARL SPECIFIC PROVISIONS AND LEADING THE ISSUES OF LEAVING THE -- NOT LEAVING ENTIRELY, BUT ALLOWING VML AND VACO TO DO THE WORK OF ADVOCACY MORE ON STATEWIDE ISSUES AND TJPDC OF REGIONAL.

[03:18:29] SO JUST WANTED TO EXPLAIN STAFF'S THINKING ON THAT, AGAIN, NOT NECESSARILY ENDORSING 100% OF VML AND VACO'S POSITIONS, BUT JUST WANTED TO EXPLAIN STAFF'S THINKING. SO IF WE COULD GO FORWARD TO STEP 12, WE DO NEED TO WRAP UP SO THAT WE CAN GET ON TO THE NEXT ITEMS ON THE AGENDA.

[03:18:44] So in terms of next steps Our next step is to come back We've heard the with the the board's input is today. We will staff will go back and make further adjustments to the to the materials Including to the legislative positions based on the board's feedback today. We will be back before you I think we're scheduled for the September 17th meeting for final adoption of the board statement We are looking at setting up a meeting with the legislators at a date that's still to be determined at this point I know Mr.

Douglas is working very hard to try to get all the conflicting schedules to find the one or two dates that work with everybody's schedule

[03:19:22] We're shooting for a target hopefully in late September early October. We're told that those are the dates that the legislators prefer So we're looking at doing that we're looking at having engagement ahead of the meeting follow-ups after the meeting if we go on to the next slide and at that meeting we will be presenting legislative priorities we have heard about the importance of emphasizing transportation specifically in trans adequate transportation funding the the meeting with the legislators would be a great opportunity to impress upon them the importance of adequate transportation funding landlord tenant act other local priorities

[03:19:58] and it's a two-way street it's also time for the legislators to share some of their perspectives and priorities heading into the next session. So with that, I can wrap up. I realize we're over time, but if there are any other questions, we're happy to address them, or we're happy just to take the feedback that you've already given and work on an updated presentation for September 17th meeting.

[03:20:21] Thank you. Thank you very much. I think that's been very helpful. I do not propose to go around the order again, but if there are short brief comments, we are half an hour. Thank you. Is there anyone who participates in the policy development of VML? I never have in all these years, so I don't know if they have any thorough process at all.

[03:20:39] I know they've not been strong enough financially to partner with meetings anymore, and I just don't know what's going on over there. I believe they have a legislative committee, but maybe Mr. Blunt is better informed on VML's legislative process. Some similarities to VACO where they utilize, they don't call them steering committees, I think they call them policy committees, but they'll have a meeting of their legislative committee in the beginning of the summer, different items will get referred to a policy committee for further discussion.

[03:21:11] I believe each policy committee reviews those, and then they also, in addition to whatever position statements that they, or principal statements that they want to have, they're asked then to recommend several priorities from that subject area, whether it be transportation or health and human services back to the legislative committee for inclusion in the legislative program.

[03:21:36] So in VML, what gets presented and front and center is the legislative program, which is just kind of the top-tier priorities for these major topical areas. But then behind that, kind of behind the curtain, is also some very lengthy policy documents that go into greater detail about some of their specific positions on issues.

[03:21:58] So you see people that are on the legislative committee, and then there are different people on the policy committees. And I think that, like, the chair and the vice chair of the policy committees maybe sit on the legislative committee. Thank you. Because quite often cities and counties have very different priorities.

[03:22:14] So we always need to find out about that. Thank you. Thank you. Thank you very much for that. Thank you. I appreciate it. And, Board, we'll move on now to a presentation on our SPEAR report, the Strategic Plan Execution Analysis Reporting, by Christy Shifflett, Chief Operating Officer.

[03:22:32] Welcome, Ms. Shifflett. That's why we came up with SPEAR.

[03:22:55] Good evening, almost. I'm Christy Shifflett, Chief Operating Officer, and I'm going to talk to you about this SPEAR program that we have, which is longer term of strategic plan execution and analysis report.

[03:23:11] I want to acknowledge, before I get started, the team behind this data, And that is Gabe Giacalone, who's sitting over here. He is a performance analyst on our team, does a lot of the hard work.

[03:23:26] But I also want to acknowledge all of my peers and colleagues behind me. When we have any specific details, I'll be leaning on them. But all of this work I'm going to talk about today has a lot to do with the board's leadership and vision, and also a lot to do with hundreds of staff that do this work every day.

[03:23:48] So I wanted to make sure that we acknowledge all of them. Couldn't do it without them. So I presented similar information last year on this, but I'm going to touch quickly on the program, this report, and then what's next.

[03:24:04] And that's mainly for our public to understand what is this SPEAR program. So, you know, we want to make sure as a local government that we are measuring and that we are transparent and communicating our progress and performance.

[03:24:20] And so that's something that we started over, this is our second year of presenting this data. And so that's really the program and that we are using the data and the progress that we're making to help us make informed decisions as we move forward.

[03:24:38] And then we're going to go through the report today, goal by goal, and we're going to talk about what's next. and I'll make sure I'll go through the goals and then I will pause to get any questions that the board may have. So as you heard last year, why do we do this? It's really to have improved accountability, better decision making, but we've used strategic planning for many years to inform policy making and financial decisions. As an organization, we have pockets of excellence where performance measurement programs have been built and sustained due to industry best

[03:25:15] practices. But we're building on organization-wide program, and that is key to the success of the strategic plan. We're building those systems and those structures so that we can fine-tune because we believe in continuous improvement. But if we don't measure, we won't know, and we won't be able to take different actions. So that's the work that we believe in. And I'm going to actually borrowed this slide from something you saw last week that I believe Emily Kilroy or her team made but i wanted to show it again because i loved the way that they represented this it's something that

[03:25:51] we've been trying to organize across the county for a couple of years now these are not different plans and they're not different uh unrelated things they have importance and they have intention but they need to work together and so as you'll see and you'll hear through the performance measurements we're going to have all of those different plans identified and reported on through this SPEAR reporting, and that's part of the process improvement that we've made.

[03:26:22] Instead of all of this progress and data coming from lots of different reports, we're trying to make them succinct for our community. All right, so I'll get into the report, okay? And I'm not going to cover every metric that's in the report, as just like last year, we have this graphically pleasing report that we believe our community will find interesting, and then we have a long list of data that supports this and

so both of those things will be online i think they are already for anyone who's interested today i'm just going to cover a couple

[03:27:02] of things because in the interest of time and also in that transparency and building credibility is to acknowledge that we don't get it all right all the time okay and so we're doing a lot of great work. We're on track in a lot of areas, but we do have areas that need attention. So the first one I'm going to talk about today is safety and well-being. This is one that public safety has remained a priority and our well-being as well. And I want to call out really amazing news is,

[03:27:40] for example, the CPS data point that is not on the screen but is in the report really improved a little bit this year and the referrals to cps has also improved but i also want to call out the child protective service referrals moved from 87 to 94 of that target being met also during the march 10th work session on the public safety budget colonel reeves our chief of police reviewed the challenges the police department faces in meeting their response time

[03:28:18] targets. We heard that the overall volume of Priority One calls has increased 29% compared to the three-year average from 21 to 23. Most patrol time and resources are spent responding to calls in the urban areas. Priority One calls can be complex in nature, and that means that a responding officer may need to come from another beat, thus increasing that travel time. In looking at today, these results that are before you were not unexpected, and we have begun laying the groundwork to strengthen these essential services. You, the board, have been working in FY25 and FY26 budget

[03:28:58] processes. You increased taxes. For this specific area, we identified the need for additional staffing and local funding in both police and fire rescue to meet our community's evolving needs.

[03:29:14] While you approve those additional resources and they have been allocated, the benefits are going to take a little bit of time to fully realize as these staff have to be recruited for and trained before. So we are constantly staying on top of this.

[03:29:31] That's why these things are called out as needs attention, not because we're surprised, but because we're not giving up on improving these. To provide also, you know, there's more than just data and targets.

[03:29:51] There's also qualitative performance that you can talk about. And so I'm going to also share some amazing work that's been done. ACFR joined fire departments from across the country to promote the National Fire Protection Association's Fire Prevention Week campaign.

[03:30:08] It's called Learn the Sounds of Fire Safety. The campaign works to educate county residents about simple but important actions that they can take to keep themselves and those around them safe. More than 1,800 residents participated in fire prevention week activities, learning critical safety skills through open houses, pop-ups, a scavenger hunt, and social media outreach.

[03:30:32] We also had a big project last year, an in-house pharmacy system. It was a new state and federal regulation required Albemarle County to develop a system to control and secure medications used by paramedics in the field instead of using pre-stocked kits provided by hospitals.

[03:30:53] To adapt, Albemarle County built its own in-house pharmacy system that ensured safe access to medications, met our federal and state regulations, and reduced legal exposure. The county mobilized a

cross-departmental team and launched the system in November of 2024, well ahead of the mandated deadline.

[03:31:12] And I'd like to also brag a little bit that we got a VACO award for this. Also, I'm really proud of the cross-departmental work that it took to accomplish this, but ACFR led the way. The public safety staffing study is one that you've heard about previously, but the county launched a comprehensive third-party staffing study of the police and fire rescue departments in February of this year. The study assesses existing staffing levels and allocations being operational and administrative staff. Between them, interdepartmental relationships and integration

[03:31:51] and response delivery capacity in order to develop an implementation plan for appropriate deployment of public safety resources to drive improved visibility and response thresholds. The vendor is going to be delivering this study in the fall of this year, and the intention of that was knowing that we have some improvements and investments to make, and we've talked about that already, and we want to make sure that we're using the resources we have to the best of our

[03:32:21] ability, and we're also thinking for the future. Next up, we have goal two, resilient, equitable, an engaged community. We're doing a good job meeting the expectations laid out in goal two and we're slightly behind on the climate action one as you see before you but just slightly and they have we have worked as an organization to really align our departments in the work there.

[03:32:55] This is not just the work of a small team in our facilities environmental services group. This is the work across the county. And so we have a leadership team that we've developed. We're trying to be very intentional about the priorities of this work. And I'm going to talk on the next slide about more progress that they have made. And then as you can see, our work on engaging our community has been significant, as well as our stormwater management and making sure that we

[03:33:27] are resilient in some of these climate action and storm related things that we have. So there were several events that we had. These were just three of them. You're going to see more in the report, but we have collaborative efforts to address the Batesville flood risks and response.

[03:33:47] In September of 2024, Batesville experienced its highest monthly rainfall in 10 years, leading to impactful flooding. In response, county engineers and environmental services staff worked with Batesville residents to establish a flood resilience and response plan for the area.

[03:34:04] The county team conducted a community town hall to educate residents and strategize mitigation measures. The team also employed drone mapping to construct and submit an application for USDA funds to re-engineer and enhance stream beds in the six properties with the highest flood risk.

[03:34:22] The launch of the Climate Action Leadership Team, as I mentioned before, was done so that we could make that shift to make sure that as an organization, every department is looking at how we can impact this. And you'll see a little, in the report, there's a little icon that is listed on several things.

[03:34:44] To be able to identify all of the things that help impact climate action is very broad. And so you'll see we've put that on many things instead of putting it under one little category as you read through it.

[03:35:01] So the team has been meeting monthly since January to provide guidance to the county's climate action work, including Resilient Together. They've provided guidance and input on several

strategic and interdepartmental climate action projects. and this type of high-level coordination is intended for the climate action work to continue to make it more coordinated, strategic, and appropriately resourced. And last, I have the community risk assessment that I'll show you today, and that is completed internally for the first time this year rather than paying an external consultant for the work. It includes a deep dive

[03:35:40] into our county's emergency call volume, hazard distribution, and density. The results of this assessment inform the standards of cover agreement in which the county formally sets emergency response goals. For accreditation purposes, the benchmarks in our standards of cover must be informed by our risk assessment before they're approved by the Board of Supervisors.

[03:36:06] So I'll move on to goal three, and that is infrastructure and placemaking. And this is one that we are on track for several things. We have amazingly, and I saw broadband on our legislative priorities, we have made tremendous progress in our broadband work.

[03:36:28] As you'll see, 99.9% is served under a grant currently. And then the transportation updates that we have, we're recognizing here that the measurement talks about working together, But I want to also call out there's Crozet Square, Oak Street improvements, Library Avenue extension to Parkside Village, Commonwealth Drive, Dominion Drive, sidewalk improvements.

[03:36:55] We have Berkmar Drive bicycle and pedestrian improvements, and we also have the hydraulic road intersection improvements. So a lot of transportation work. The urban drainage infrastructure completion rate is due to priority being focused on implementing repairs and improvements to infrastructure identified in past assessments.

[03:37:17] So this looks at an annual progress, not a cumulative. But this, so we weren't doing new assessments this year, but finishing the ones from the prior. Also, the program, in FY25, the program completed 20 separate repair projects, also critical repair needs at the mint springs dams and that required the drainage program funding to be diverted to dam safety so the estimated construction cost for that project was 2.3 million and fes has applied for more and notified of awards so they're continuing to work on that infrastructure work

[03:37:56] so we all celebrated and some several you were in this picture uh opening of the free bridge lane promenade, but as guided by the Pantop's master plan, this free bridge lane was closed to vehicle traffic in November, and the project is part of Albemarle County's commitment to multimodal transportation, improving public spaces, and making recreational areas safer and more enjoyable. Located along the Ravonna River between Dardentow Park and Route 250,

[03:38:30] The new promenade always allows pedestrians and cyclists to enjoy the area without vehicle traffic. We also, along with the board, have worked very hard on zoning updates for utility-grade solar arrays presented to the Planning Commission.

[03:38:48] Because utility-grade solar arrays are a relatively new technology, Albemarle County is updating its zoning policies to ensure proper guardrails for allowing the establishment of utility-grade solar on land within Albemarle County. Zoning updates went to the Planning Commission in January and were approved by the board this fiscal year. So we're going to have that, be able to celebrate that. And then last, we have the completion of phase one of the Courts Renovation Project. This is a significant multi-year

effort that we have talked about for a very long time, and so we're happy to have this progress in here as a major initiative

[03:39:28] in partnership with the city of Charlottesville to expand and modernize the area's court facilities to better meet the needs of the community. Phase one, completed in June of 2025, included the construction of the new general district court facilities and the renovation of the historic Levy Opera House to house the Albemarle Commonwealth's attorney's office. The modernized facilities provide improved security, new waiting areas, dedicated meeting rooms, and increased

[03:39:57] storage. Quality of life. As you see this slightly behind, it's very slightly. The goal for with Parks and Rec, our economic development achievements being some of our most impressive stories, one area of importance where we are slightly behind is affordable housing, though the staff assure us that we are still on track for expected achievement of our goal of 10,070 new units by

[03:40:29] 2040, especially with the strengthening of the Affordable Housing Fund. Opening of Biscuit Run opened on December 14, 2024 at 1,190 acres in size. Biscuit Run is the largest park in Albemarle County, featuring extensive natural areas, heritage resources, 8.5 miles of signed and maintained trails, 75 parking spots, restrooms, and scenic landscapes that are uncommon so close to Atmar County's development area. Biscuit Run Park is a valuable new asset for our local

[03:41:08] community, our region, and our visitors. Second item, again focusing on the past fiscal year, was the competitive benchmarking assessment done with our economic development strategic planning work. The consultant synthesizes demographic and economic trends impacting the county. The assessment uses 50 plus metrics to compare the county to 12 peer regions as well as the Commonwealth of Virginia and the United States. The analysis allows the Economic Development Office team

[03:41:41] and consultants to inform stakeholder discussions with quantitative data and provided key takeaways that informed the overall economic development strategy that you and the EDA just adopted. So we wanted to acknowledge that work that we used to do so.

[03:42:00] And then strengthening the Affordable Housing Investment Fund in May of 2025, you, the Board of Supervisors, agreed to transform the county's Affordable Housing Investment Fund into a housing trust fund by dedicating a percentage of real property taxes collected to the AHIF each year.

[03:42:18] The dedication of this tax revenue guarantees the AHIF as a stable source of funding that does not rely on appropriations of county revenue to the fund through the annual budget process. Other changes to the AHIF include the ability to offer low-cost loans, grant funding to developers, and the implementation of a competitive application process to select the projects that receive financial support through the AHIF.

[03:42:45] Hope you're not getting tired hearing about all of this work that we've done because we're going to move into goal five, which is education and learning. And this goal is a little different because it focuses so much on county partnerships and the support of organizational partners that they're more milestone based.

[03:43:09] And so we will talk about the employee care clinics. Albemarle County launched two new employee primary care clinics in early 2025 to provide dedicated access to medical and wellness services to employees, retirees, eligible dependents from county schools, local government, and our service authority. Operated by CareATC and staffed by licensed medical professionals, the clinics are designed to

improve employee well-being, ensure equitable access to care, and manage rising health care costs. Organizational cost savings obtained from reduced medical insurance costs will support future clinic operations.

[03:43:47] And then last, you'll see these very exciting groundbreaking for the Southern Feeder Pattern Elementary School and the Albemarle Career Exploration Academy. The Albemarle County broke ground February 7, 2025 on the first new elementary school since 2002. At 72,500 square feet the new mountain view upper elementary school will accommodate up to 500 students alleviating current and future overcrowding with students and sustainability in mind the state-of-the-art

[03:44:22] facility will feature abundant natural lighting and bike and pedestrian connectivity ground is broken on february 25th of 2025 on the albemar career exploration academy i think they're calling Ace. Located on the same campus as Albemarle High School, the 60,000 square foot facility is centrally located amongst some of the county's most densely populated neighborhoods and set to open for the 26-27 school year. The academy will include labs, studios, seminar spaces,

[03:44:58] technology, and tools for students. The last goal is goal six, workforce and customer service. This is an area of strength, and we have made a lot of visible progress in our vision of stabilizing our workforce and modernizing systems in order to improve processes and customer service.

[03:45:21] I want to call out the positive news around employee retention. In particular, keeping our vacancy rate low is one of the keys to achieving organizational consistency and decreasing the costs associated with hiring and training new staff.

[03:45:36] This year, we implemented two new systems with impacts across the organization, and this was a major feat to have two big implementations, but we are beginning to see the impacts and changes to customer service, and there's great intention to make sure that this category next year has more customer service-related data that we can see that return on investment for that work.

[03:46:01] So, as I was saying, we launched the new community development system. It was a heavy lift from our departments. As part of our five-year system modernization effort, the county identified the need to replace this 20-year-old community development system, and it was launched in January of 2025.

[03:46:26] It is cloud-hosted to meet the changing needs of the department, integrating the areas of planning, zoning, engineering, building, inspections, and code enforcement. The new system also enhances the customer service experience for our community through internal processing efficiencies, mobile inspections, and increased transparency.

[03:46:45] And as you've heard previously from me, it's a continuous improvement effort. You launch, you learn, and we refine. And so we're in that process right now with the new enterprise permitting and licensing system, as well as the new financial management system.

[03:47:04] oops i'm sorry and then last i just have this modernized modernization of county office space the goal of space use standards is to regard office space as a critical county resource and develop ongoing policies to ensure that office space is provided appropriately and efficiently to support the organization's mission while creating the smallest possible impacts on taxpayer dollars. So between 2017 and 2019 we have had office space studies and then we are now in

[03:47:42] the effort of producing procedures and policies where we can make sure that as we grow and as our work changes that our office space can adapt. So that is all that I have on the goal. So I'm going to pause here and take questions and then when we're done with questions i do have just a little bit about how the information can be found and what we'll do with next steps but before that i want to take your questions thank you and urge the board to recognize that we're a little bit behind

[03:48:18] and there's a lot to digest here the first time we see we're seeing this so but really appreciate the presentation and all the information in here i look forward to reading it again and again so So starting with Supervisor County. So I have to be quick is what you're saying. Well, then I'll ask this question first.

[03:48:36] When do we see all the details that's behind this report? Today. So, like, where is that? Okay. So that's in my next slide. Oh, okay. Well, then hold off, and you get to that when you get to that. Yes. Because that's coming. I don't want trying to be brief to be understating how much I appreciate this report, both what is coming, why we're doing it. First off, that's critical. The value that this will hold for our community, which I already know started to come out during our budget town halls this year. So wonderful work to everyone. I'm directing it to you because you're standing there

[03:49:15] as the presenter, but I know it's because of everybody that works in the county to be able to deliver on this. For fire and police, for the public safety stuff, I'm assuming that some of the why behind the numbers we're looking at is coming in the fall report that we're going to receive.

[03:49:33] Is that a correct assumption? Yes. So I don't want to get down into the weeds today on it because it would be real easy to do it. But I will say this. You know, I think there's, you know, and I know that both our chiefs are here today, so Chief Rees and Chief Eccleston.

[03:49:49] I want it to be known that that needs improvement area, or I forget what the phrase was. Needs attention. both the development area priority one calls for police and the response time for fire you know those two departments especially are are very proud and want to deliver excellent results and i sometimes i and i think they also have strong enough egos to know that we just have to put out there what we're doing but my suspicion is that we're going to learn that it's not about the people or what's being done out in the field. It's going to be about resource allocation,

[03:50:27] and I want to call that out because, you know, when you put, you have to have such strength to be able to put out truthful information, but we as a board, I think that the responsibility for those particular metrics may be us looking to our left and to our right and not to those two departments, and I'm thinking that that's what we're going to learn when we get into the details.

[03:50:49] I've already got my own kind of figuring out the whys behind it, but thinking about it even since our budget time, especially in some ways how we deliver, well, not how we deliver, but fire service delivery in our county. So I want to state that, that I think there are some things there that are outside of their control that is bringing the needs attention piece to this that we're going to have to contend with at our level when we get this report in the fall.

[03:51:18] And I am urgently wanting to get to that conversation. I think I'm going to leave it at that. I think all of the things here, I think it's clear what the wins are and what we should be celebrating.

[03:51:37] And I think even more so, we should be celebrating those needs, attentions wins because we can say with confidence, yeah, this is it. And we've got it. And we've got a plan in place from our strategic

plan. And at the end of the day, the board has to make decisions about what's going to get funded from a resource standpoint to be able to get at these things.

[03:51:57] So I'm just proud of everybody that's put the work into it to be – there was a – Julia Cameron has a book, *The Artist's Way*, and other things that I've always used when I was a creative writer. And in one of her chapters, she talks about there's a certain vulnerability that you have to be able to stand on with confidence.

[03:52:18] and it's your vulnerability that makes you strong. So I think about that when I look at a report, when you start looking at the needs attention type stuff, because it says, well, look, we can't be a strong organization unless we recognize it, admit it, and you've said it in different words today. So I'm just celebrating that in some ways more so than the ones that we've achieved and we've already passed what our targeted metrics are.

[03:52:39] So nice work. Thank you. Thank you. Supervisor Lupita, please. Yes, thank you very much for the report. Extremely interesting. I love the metrics, and I love where we're going, and this would be very, very useful to share with our CACs and other groups that we meet with.

[03:53:02] So this is very much appreciated, and keep them coming. Thank you. President Malek? Thank you. And just to recognize this wonderful work is on top of the team's other management stuff.

[03:53:18] So that's just a tremendous accomplishment. and a step along the way and my only comment is i was really surprised to see the 10-minute rural area pd goal because i don't see how it's possible with geography so anyway i appreciate that and the fact that that it's a big big big area so i appreciate their efforts on that and look forward to getting more information. Thank you. Supervisor McKeown. Thank you for the report

[03:53:52] and a shout out to the team for all this work and I appreciate where we are and I look forward to the next discussion. Supervisor Pruitt. I have no questions. I would just reflect like we were talking specifically at both Ann and Ned's point. I imagine there's a lot of kind of random externalities that are going to govern whether or not some uh some of our goals even are achievable in a given year because i can think of places in supervisor malik's district places in supervisor andrew's district and places in my own district that you could have a whole crew sitting in a fire

[03:54:30] engine idling uh at every station that you cannot reach in 10 minutes so it's a luck of a draw whether or not you have a priority one call necessitated inside those areas thank you um i really appreciate this every time and i think it's a great process and one that we can use in budgeting and other things to not just show what we're doing but also to look at our priorities i heard supervisor galloway basically saying if it needs attention it's our problem if it's done a

[03:55:04] great job it's the staff's credit so a little bit of that maybe um and uh you know that that as suggested the needs attention things, it may be a question of also recognizing what's really achievable. And I appreciate looking at metrics in order to determine that. So thank you very much.

[03:55:27] You're welcome. Great. I know that you have more to do, so I'm going to real quickly, if the board is ready, I'll go on about what's next. So to answer Supervisor Galloway's question. So we will be, this will not be the one only time we talk about these metrics. So the departments look at them, they think about them. Our executive team will be reviewing them. And to your point, there are several reasons why sometimes we're not meeting the target. And it may also be that core services

[03:56:04] took more of a demand. Remember that this is only our strategic plan. And so we have a lot of core service demands that you're well aware of that especially in the last few years that we get redirected pretty quickly on on emergencies and different things that we need to resolve so we'll look into that we'll look into the way that we're managing our team and prioritizing the work and as we move forward but again this will come through our budget process and different conversations that we have um and so for that i'll just say um there is a promotional you know

[03:56:43] campaign that we that we did last year that we'll do again so all of the information is on the website um and actually in your report there's a qr code for it and also the link um to our website where we have we break it down by goal we have the data and then with each goal there's a full report of the backing metrics that support it so the report that you have today is only a highlight we have last year you heard us say we had 200 metrics i want to acknowledge this year we have

[03:57:19] around 80 and the reason is we have fine-tuned those metrics and we're focusing but also many of them were core service metrics and so they still are things that we're tracking and we're monitoring but uh and we're refining and those come through our budget process probably as well so but you'll see all of those as well and then we'll i'll get the board a full report of all of the data um and so again you'll see the 80 um we will be not only posting them on the web page but our lovely colleagues in cape are going to be helping us promote this as well to ensure that

[03:57:58] our community is aware and that they see it and that we can get input. So with that, I don't have anything else for today. I appreciate your time very much. Thank you. Thank you. I appreciate that very much, and if it's okay, we'll move on now to our closed meeting if Supervisor Pruitt has a motion. Yes, I would like to move to the Board of Supervisors to convene a closed meeting pursuant to Section 2.2, TAC 3711A of the Code of Virginia, first under subsection 5, to discuss and consider prospective businesses or industry in the expansion of an existing business or industry

[03:58:34] in the vicinity of Seminole Trail in the Rivanna Magisterial District, where no previous announcement has been made of the business's or industry's interest in locating or expanding its facilities in the community. Second, under subsection two, to discuss and consider the investment of public funds related to a performance agreement with Bonomos Incorporated, where bargaining is involved and where if public, if made public initially, would adversely affect the financial interests of the county.

[03:59:01] Third, under subsection 8, to consult with legal counsel regarding specific legal matters including both a performance agreement with Bonomos Incorporated and the prowess and duties of certain police officers requiring the provision of legal advice by such counsel. And fourth, under subsection 29, to discuss the negotiation or renegotiation of a public contract with Bonomos Incorporated involving the expenditure of public funds where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the county and the board. Second. We have a motion from Supervisor Pruitt. Second from Supervisor Malik. Without objection, the clerk will call the roll. Mr. Galloway? Yes. Ms. LaPiesto-Kirtley? Aye.

[03:59:39] Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Thank you.

[03:59:56] Okay, thank you. Good evening. We first need to come out of our closed session. Supervisor Pruitt has a motion. Yes, I would like to move the Board of Supervisors certify by our recorded vote that, to the best of each supervisor's knowledge, only public business matters lawfully exempted from the open

meeting requirement of the Virginia Freedom of Information Act and identified in the motion authorizing the closed meeting were heard, discussed, or considered in the closed meeting.

[04:00:22] Second. We have a motion from Supervisor Pruitt, 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. And with that, I will turn to the county executive who has a report, I believe.

[04:00:41] Yes, sir. I sure do. Thank you, Chair Andrews. Thank you, members of the board. This is the Progress Alvarado August 2025 report that we bring to our board on a monthly basis. We have a lot of moving parts this evening because it's packed with information that I hope you find timely introductions celebrations the board I'm going to tap the brakes because this this report is really themed with public safety and we have our chief of fire service here with us this evening

[04:01:15] Dan Eggleston and this young man and our public safety folks have been tremendously busy over the last 24 hours and so I'm going to ask Chief Eggleston please if you if you would approach the board and I'd like to ask dan he did do a press conference earlier today yes sir uh for our community uh assessing the the situation that happened uh approximately 24 hours ago at this minute and so dan if you could walk the board through where we've been where we are and then what's in store for us as we move forward and then we'll see if the board has questions and then i'll

[04:01:53] resume my report. And thank you very much for being here. Certainly. Good evening, board. My name is Dan Eggleston, Chief of Fire Rescue. So as Mr. Richardson said, about 24 hours ago, around 6 p.m., we were notified of a major explosion in the Glenmore community. The fire rescue staff who were at Glenmore Station, East Ravanna Station 2, told me that they felt the blast and heard the blasted and were on their way to mount the apparatus to respond when they were dispatched.

[04:02:23] So teams arrived on scene within about four minutes, very rapid response, and found a house completely leveled and debris field about a mile in diameter. They did a quick search and found one victim, a man alive but critically injured, so they extricated him from the debris and treated him and then transported him to University of Virginia Medical Hospital. He was also transported soon after to VCU Medical Center at their burn units.

[04:02:52] We suspect he has burns over a significant portion of his body. Also, we continued the search in the homes adjacent to the home. About 12 homes are severely damaged, maybe even condemned. But we were able to, in that part, to ascertain that we had one more missing person.

[04:03:10] So crews continued to search the debris and remove some of the debris. I will tell you, for a moment, we have our newly staffed heavy rescue that was involved in that last night. So these are four highly trained individuals that were there.

[04:03:28] We were lucky they were because they were instrumental in helping us find the last victim, unfortunately, was deceased. So we were able to work with the family in the medical examiner's office to get her transported to Richmond last night. So last night, we started the investigation.

[04:03:45] We continued it this morning. We have wonderful support regionally, including members from the Alcohol, Tobacco, and Firearms Division out of Washington, D.C. I met with them today. They're going to send more agents in tomorrow. We're going to have heavy equipment, and we're going to focus in on the point of origin in the home.

[04:04:06] We're also, at the same time, working with the community on getting people back in their homes where they can occupy their homes and work with CDD on those who are damaged beyond repair. We're also working with the Homeowners Association to help communicate all this information out to them. I think things are moving in the right direction.

[04:04:24] We are opened up the road this afternoon at 5 o'clock. So tomorrow we're going to push out some more information, updated information, along with any pertinent information related to the investigation. But I'd be more than happy to answer any questions you all have, and I appreciate the opportunity.

[04:04:42] Thank you. I'll just turn to the board and ask if anyone has any questions. Obviously, a tragic situation. We just really appreciate all the work. Thank you. I appreciate it. We've had really good support, so we're very fortunate in many different ways, not only the community but other county departments, and be able to help us work through this very tragic issue.

[04:05:08] So we want to keep it engaged with the community and move forward. Thank you. Thank you. Chief, thank you very much. Appreciate that. And we'll come back to Chief Eggleston a little bit later. At one point in time on the scene last night, we believe that we had, with both paid professional and volunteer professional, along with our police department and some utility partners, as well as building inspectors, we had over 80 staff present at the scene as we entered into hours four and five of the event.

[04:05:45] And so it was quite a response across the county. would be remiss if I began to list all of the responding companies that came from across the county it's just amazing okay so Dan thank you I'm gonna jump in and again this is a public safety theme and we've got a lot to share it's an exciting time of the year board members when you do your updates you'll see some of the things that you've talked about and it will connect with some of the things that we want to share in terms of our partnerships with Progress Albemarle we've got a new school year and we've got SROs school resource officers public schools went back in session last week on wednesday august 13th

[04:06:23] we'd like to commit it to highlight a few ways that we're working with our school partners to keep students and their families safe our community expects both high quality school system and safe learning environments the sro program reflects our commitment to meeting those expectations through a partnership with our albemore county schools highlight the school resource officers by talking about that our public school system is funding three sro positions at each high school acpd our police department will continue to fund and staff an additional certified sro in the special operations division who will support

[04:07:02] who will support our three school resource officers unit by responding to calls for service at schools across the county our sros serve as mentors they serve as role model models trusted partners and and they're highly dedicated to the safety and well-being of every single student in our county as well as our staff members and any visitors that come to Almar County Public Schools. So in the picture from left to right Officer Lilly will be Western Albemarle High School, Officer Joiner will be at Monticello High School, Officer Profitt will be our special operations support for our SROs, and

[04:07:40] Officer Kwasinski will be at Albemarle High School. And so I'll transition as the students return to campus that we've also had a focus on their safety as they travel to and from school. And so we're going to talk just for a minute about speed cameras along with stop-arm cameras.

[04:07:59] This school year, speed cameras were installed at the school zone at Rockfish Gap Turnpike near Western Albemarle High School, Henley Middle School, and Brownsville Elementary School. The location is in addition to the existing one on Hydraulic Road that launched last year.

[04:08:15] Just a piece of data. Last school year, Albemarle County observed a 49% decrease in speeding events on the northbound side and a 42% decrease on the southbound side of hydraulic.

[04:08:33] This program is fully self-funded through violation fees with any surplus supporting traffic safety initiatives in Albemarle County. Also new this year, the partnership of Albemarle County Police Department and Albemarle County Schools, four school buses are now equipped with stop-arm cameras to catch illegal passings, one of the biggest safety risks to children.

[04:08:56] After a 30-day warning period, the camera violations will carry, just as they do at hydraulic, a \$250 fine. Any revenue beyond program cost is paid to Albemarle County Public Schools. The goal of the automated traffic enforcement is to encourage a change in driver behavior and to increase driver awareness on the impacts of speed-related crashes.

[04:09:18] These initiatives are possible through the partnerships with Albemarle County Public Schools Transportation, our police department, with everybody working together to ensure our students and families get to our schools and home safe, and while they're at school, they remain safe.

[04:09:34] I want to switch gears, but we're still in the world of public safety, and I want to talk for a second about our Sugar Hollow flood siren. And our Ravana Water and Sewer Authority, one of our key partner agencies, has installed a new high water alert siren at Sugar Hollow Dam.

[04:09:54] The system is designed to give an audible alert when there may be a high water issue and those nearby should move away from the water. The siren will be tested on a monthly basis to confirm reliability and with public notice provided to nearby residents so that they can distinguish a test from an actual emergency.

[04:10:13] This alert system adds another layer of protection alongside existing emergency communications, and it reflects Ramana Water and Sewer Authority's commitment to public safety as well as environmental stewardship. So now I'm going to transition to the next one and talk just for a minute about emergency management.

[04:10:35] Over the past few years, the work of the Office of Emergency Management has expanded through training, exercises, and partnerships. Strong collaboration with agencies like Ravana Water and Sewer, VDOT, the City of Charlottesville, the University of Virginia, Dominion Energy, and others has contributed to the Office of Emergency Management's work and success.

[04:10:59] The program continues to build capacity for incident management and community preparedness. Some highlights from past years include establishing the county's first continuity of operations program, ensuring services remain available during disruptions.

[04:11:16] Built and hardened the county's first emergency operations center, our EOC, which is designed to withstand operational vulnerabilities and keep us functional during crises. We formed the county's first incident management team, we refer to that IMT, to provide organized, scalable leadership during emergencies.

[04:11:37] So what that basically means is we run parallel organizations with a focus on operations, but with a parallel track of working through our IMT to be able to address whatever the emergency is. And then finally, launched the initiative with Albemarle County Public Schools to enhance coordinated response to active threats by strengthening our crisis policies, our tactics.

[04:12:01] We've also done training in partnership with schools. We've brought in state experts. We've brought in federal experts. We've looped in over at Zeemer Hall and had Zeemer Hall full of folks working cross-agency to help ensure that our public school system remains safe.

[04:12:19] So, board, I'm going to, again, tap the brakes, and I'm going to talk about not just the emergency management program, but now I want to take a moment to recognize our emergency management director, Mr. John O'Prandi.

[04:12:35] And John O'Prandi, and he's here with his wife, Claudine, who also works for Albemarle County. She works for the Albemarle County Public School System. I want to talk about John for a couple of minutes. He's been instrumental to this organization's success both with our key partner agencies but also with Albemarle County and our continued improvement as this board has expected us to be better in the world of emergency management.

[04:13:00] So John, and he's not leaving our community, this is good news for John, good news for the county, and it's good news for the city. After 26 years of service to Albemarle County, he will retire from Albemarle County Fire Rescue. John has been instrumental in strengthening regional public safety coordination and building trusted partnerships across jurisdictions.

[04:13:21] He was part of a cultural shift in fire rescue, prioritizing hiring based on character and values, not on just certifications. That shift continues to shape our fire rescue's identity today by hiring people dedicated to public service who are trained in-house to get their skills they need to serve the community as firefighters and EMTs.

[04:13:44] He witnessed and supported the department's growth from fewer than 20 people to more than 200 during this time in Albemarle County Fire Rescue. He worked in operations. He's led both the training division, the community risk and resilience divisions, and he finally headed up the Office of Emergency Management.

[04:14:03] John, I'd like you to come up. I don't know if you knew I was going to ask you, and I'd like you to certainly say a few words to the board, and I'd like for the board to have an opportunity to thank you for your service. But, John, I can't thank you enough for what you've meant to this organization and this community. And Bordeaux, by the way, he is one nice guy.

[04:14:22] We know that. We know that. Thank you very much, Mr. Richardson. John O'Prandi, Deputy Chief of Emergency Management, for the next week, just over the next week. I am with mixed emotions that I stand here that those 26 years have been really phenomenal.

[04:14:42] I mean, working with Dan, my mentor, my really good friend, I feel like we accomplished so much. We could not have done that without the support of a lot of people, but particularly without the support of the county executive's office and the board all along the way, working with so many different people to accomplish what we have.

[04:15:07] When I came here, I did not intend to continue a career in firing EMS. That was not my initial intention. I thought it was a stop along the way, but working day to day and working with Dan and working with the team that was assembled and working to improve the service here in the county meant so much, and it rekindled my desire to stay in public service.

[04:15:35] And so I've been here ever since and am finally gone. But thank you all very much. Thank you. If you take a moment, more of what I'm sure say. We're not done with you yet. Stay here. Supervisor Gallo. Wow.

[04:15:54] These are always, while we're happy that you're moving on to the next thing, it's always still a gut punch when you have somebody that you value and know has done and is so much valued in your community. So, sincerely, just appreciate everything you've done for our county and for the fire department here.

[04:16:16] So, you will be missed tremendously. I'm glad you're still going to be around. And leaving that part behind now, saying that I wish you all the best with what you're going to be focused on next, because you've certainly earned it, sir. Thank you. Thank you. Supervisor Leope, still quick.

[04:16:33] This is very bittersweet, and we didn't know. So this is, I don't know, we love the fire department, fire rescues so much. And you've been such an integral part of it and working with Dan and all the other firefighters.

[04:16:54] It's so, we so appreciate you, what you all have done for our community, saving lives. And you've always been there. You've never shorted your duties. Nobody has. but you've been wonderful to work with and um i personally i think i can speak for all of us we are going to miss you greatly um congratulations on your retirement uh if you change your mind let us know be glad more than glad to accept you back supervisor mallo not fair twice in one week

[04:17:33] two croissants this is not right anyway i feel like i've known you since you were 12 and i know pete is incredibly proud of all that you have accomplished as well but this these two fellows are people whose core was in the volunteers until they grew up and went on to other things and established this career this combined system that we have that that you two have brought to fruition so i will just i'm not sure all of you were aware john had been in his new emergency

[04:18:03] roll a whole 48 hours when the January snow happened several years ago. And 55 units of my residences were totally without their landlord's assistance for 72 hours. And he saved the bacon by getting everybody there, the volunteers, the people who came and shoveled them out, the people who broke into the community building to get power. I mean, it was just amazing. And so that's just one tiny example of all the wonderful things you've done and thank you very much thank you and

[04:18:35] don't go away I think we're all shocked and you've seen all this growth in the Elmore County Fire Department and you still look so young I attribute that to my father that's James right he does not look his wow you are going to be missed I think all of us in some way or another have worked with you along the way, certainly at the dais, but, I mean, individually with our different

[04:19:07] areas, and it's just, well, we're happy for you, and we hope you aren't a stranger, and you can't take her. She can't retire. Just saying.

[04:19:24] Yes, ma'am. All right. Well, like I said, don't be a stranger, and you will surely be missed, then. Thank you. Supervisor Prove. Thank you. You know, our working relationship is maybe not as storied as some of the other folks on the dais, but you will certainly be missed.

[04:19:42] And, yeah, truly what a gut punch, two big retirements in a week. Thank you so much for your contributions to this county, and I hope you enjoy your retirement and whatever comes next. Thank you, sir. And I will echo the comments of the other supervisors. I must say they probably have comments to say, but one of the things that I thought at that moment was we have such great people.

[04:20:06] The depth, and I know here you're going, it is bittersweet, but I very much congratulate you and hope all the best. Thank you, sir. Thank you. Appreciate it. Thank you all. So, Mr. Chair, thank you.

[04:20:36] We're going to continue, and for John and Claudine, they are two special people in this community that serve Alamar County Public Schools and Alamar County Government in a wonderful way. I've got several more slides. The next slide is a preview slide. Can't talk about Mr. O'Prandi and not talk about Dan Eggleston.

[04:20:55] Dan's still got a little bit of time with us. Dan's going to be with us for about two more months. And so we've got time to plot and to get our heads together on how we're going to recognize him. I'm not going to go into his accolades tonight, but I am recognizing that this was a monumental announcement in our community earlier this week.

[04:21:14] And Chief Eggleston along with John are going to be missed. And again, we've got some time to work through how we're going to appropriately celebrate Chief Eggleston. And I'll reserve the right to come back and speak about him with you at a later date. And I do want to assure the board that we will plan accordingly with all of you and we'll look forward to celebrating Dan Eggleston's career with Albemore County.

[04:21:38] All right, so I'm going to move on. We've got a couple more slides and then we've got another special guest that we want to introduce to the board. Before we do that, though, I want to talk just for a minute about mental health calls and time spent. A few years ago, our police department identified that officers were spending a significant amount of time on mental health-related calls.

[04:21:58] These calls require long wait times at hospitals, complex coordination with service providers, taking our officers away from patrol, off the road, and delaying the need to support for individual crisis. In response, the county developed the H.E.R.T.S. team. This board is fully aware of that.

[04:22:16] HEART stands for Human Services Alternative Response Team. It's a partnership with our police, our fire, our human services, and it's an interdisciplinary team, and it's designed to provide specialized on-scene support for mental health crises.

[04:22:33] HEART ensures that individuals receive quicker access to appropriate care while allowing patrol officers to return to their normal duties. The results are now clear, Board. In the first half of 2025, officers spent 24% less time on mental health calls compared to the three-year average.

[04:22:51] This demonstrates how identifying an operational issue, piloting a target solution, and investing in partnerships can produce measurable improvements for both public safety and our community well-being. And, Board, I'm going to take a minute because we ran through spirit pretty quickly this afternoon.

[04:23:08] We had to. But I want to point out the fact that we know that now in the first half of 2025 that our police officers are spending 24 percent less time on mental health calls compared to a three year average. How do we know that? Because we measure it. You can't manage what you don't measure. And we're measuring things. Ms. Shiflett talked earlier today about our metrics going down to 80 from over 220. So we're still refining what's most important that we measure. Let's don't measure for measurement's sake, but let's do measure things that matter, where we're trying

[04:23:44] to put resources in and get results that matter to our community, and it helps us to be able to determine how efficient we are with our resources, okay? Board, some of you were able with your schedules to recently be a part of Putt-Putt with our Police National Night Out, this year's National Night Out event, Putt-Putt with our police, again drew over 1,000 community members.

[04:24:14] Families enjoyed mini golf, meeting ACPD's canine officers. They explored police vehicles, and they interacted with officers from throughout the department. Thanks to the generosity of the Albemarle County Police Foundation, and they're amazing by the way, and community partners. There were giveaways, school supply distributions that helped local kids prepare for the start of school, which was just around the corner. Events like this are more than fun. They are about building relationships and trust between officers and the community that we serve. The turnout demonstrates strong community support for public safety, and it highlights the police department's

[04:24:52] commitment to connecting to our residents in meaningful ways. Board now, I've got my last slide, and I'm going to turn it over to Trevor Henry, our Deputy County Executive. Thank you, Mr. Richardson, Chair Andrews, members of the board, Trevor Henry.

[04:25:09] My distinct honor and privilege to introduce our newest member of the, I'll say the team, Executive Director of our 911 Emergency Communications Center. As you all know, it's a regional ECC managed or funded by the city, county, and UVA.

[04:25:31] I think we're in our 40th year of a joint powers agreement that created that. Heather comes to us from the past several decades, the New Orleans area, and has been involved both with emergency management and ECC in New Orleans.

[04:25:50] And so we've seen a lot of complex issues down there. I will say any time there is a, you know, drop in barometric pressure in Atlantic, we usually get an update from Heather on what the likelihood is of a hurricane.

[04:26:07] She's well attuned to, you know, to preparedness and, you know, communications, but also emergency management. She originates out of western Pennsylvania, Pittsburgh area, graduated from Tulane, and I think an MBA from University of Pittsburgh.

[04:26:25] And so Heather started on July 7th, has jumped in with both feet, has experienced already multiple emergency response, big, significant responses here in the community, and was active.

[04:26:40] I know she called me as she was driving from her home into the ECC last night a little bit after 6 and stayed there for several hours to support. You can imagine the inundation of calls just from last night's event and how she managed through that from a leadership perspective and then made sure that her staff were all right.

[04:27:02] So without further ado, Heather Hilliard. Welcome. Thank you so much. It's been a wonderful seven weeks. you know, moved into the area two days before I started. I am familiar with 901 systems and a collaborative leadership model where you've consolidated agencies, Chief Eggleston, his team, and the other ones that we have, too, that support. I think the first week we had the road washout we had last evening, the team has been great. They have been awesome and supportive of one another,

[04:27:39] stepping up. We do have a system where we get inundated, as was mentioned. I was there last night. We only rolled calls for six and a half minutes, and we were able to catch up again. By that time, we already had fire on the scene and the other agencies rolling. The team was fantastic.

[04:27:56] The night crew came in early to support. The day crew wanted to stay just to help transition, so it was really great to see as I was giving not only Mr. Henry but our board members updates for those who weren't on the scene so that they had full awareness of what was going on and what the system was handling at that point so it has been a pleasure I'm looking forward to it I moved very close to this building though I am technically in the city but I said in case of snow I can walk here to work I'm not prepared to drive in the winter yet but I also have a few agencies that have offered to help me get to my office so with the KSB so I'm very pleased to be here happy to

[04:28:35] help um you know mr brandy knows too that if anything em comes up pick my brain sadly i might have seen it before happy to help um in a supportive role but really looking forward to making our team stronger and letting the word get out um we've had some great media interaction we postponed the one for today um out of concern for the community but recognizing some team members who have done some great light saving efforts um we're there on everybody's worst day and they make their worst phone call that's what our team hears every single call and they're fantastic so

[04:29:09] i'm so glad to be able to leave them and thank you for the opportunity to work here thank you for all you do and board members want to make a comment i just welcome you to the team and it's it's wonderful to have somebody of such confidence to be able to come in because as you did you hit the ground running so we're very appreciative of that it just seems like this local area keeps getting more and more stellar fans i don't know if you're if you're an actual That was not discussed but was definitely appreciated after the hire.

[04:29:37] Yes, go Steelers. That's made you take it over here. It snows in Pittsburgh. Well, when you go back, yeah, I was going to say, go up and visit there back in January, and you might have to go up there to practice your driving. But welcome and thank you. Thank you so much.

[04:29:53] Welcome. We appreciate you being here. Your extensive experience is really good. Following on Women's Equality Day, The best man for the position is a woman, so we're glad you're here, and we know anything we can do to help you.

[04:30:13] Thank you so much. Thank you for throwing in your lot with us, and I saw on the news either last night or the night before about the training that your new staff is undergoing, and that was very well done and really got a word out about all the new people you're bringing on, so well done on that. Thank you. Very proud. That's the 10th Academy, and we have actually members already signed up for the next one in January, And I assured the team that has started now that just because you see the same job posting does not mean we're replacing, we are adding.

[04:30:41] So we are actively hiring in that so that they were confident, hey, you're going to be the next class, and I already have one starting after you. And you have 60-some seats in a place that was built for 25, so that's a new challenge for you. That will be an upcoming discussion that we will bring to committee as well.

[04:31:02] Welcome. Thank you. We're really glad you're here. you'll probably find us somewhat different from New Orleans but I appreciate that in many ways I also like living above sea level so thank you yeah well as a supervisor who represents a very dense part of the county lots of density and challenges that come with urbanization and density I do occasionally call the non-emergency 911 number and I just want to say that I have always been so impressed with the professionalism of the team and they do just an excellent job

[04:31:37] and they also are constantly i don't think people think about it but they're constantly fielding whether it's 9-1-1 or the non-emergency calls from people that are whether it's tourists right or people that live in louisa and come in here to work i mean our community really absorbs There's lots of folks during the day, and then they go home.

[04:32:03] Right. But many of them need access to 911 calls or even non-emergency numbers. So it's really important, and we appreciate you being here. And I'd love to chat with you at some point because the Almar County Public Schools now has a career academy.

[04:32:20] And I would love to binge your ear and talk to you about that at some point, but not now. I would love that. I will also say Thursday we're getting 30,000 more residents with UVA's moving. So we are preparing for that as well. So one of the media things we're doing is teaching them about text to 911.

[04:32:39] They are first and early adopters, and we can answer them texting 911 or doing video calls as well. So that's another education opportunity we have coming, and we're specifically targeting them because, as you could imagine, our call volume increases. And you do have experience with higher education coming from here.

[04:32:57] I do. I actually have also been an adjunct professor since 2009 in the fields of emergency management. So I have that experience as well. So I'm thrilled that we are focused on learning, focused on training to make the community service that we do better. Well, thank you.

[04:33:12] Thank you. Thank you so much. Welcome to the team. you know i sometimes talk about and think about you know as a democratic society what are the parts of government that people interact with first and form their opinions of government based on and in in local government it's really uh tax tax office um police and your team um so uh i know that your team is really out there setting the standard for what people think about moral county government and from our new you know uh public feedback survey we just got we we know those

[04:33:48] impressions are positive so thank you thank you i'll add my appreciation for what you're doing and welcome to helping us here at elmo county thank you so much and i will share with archie chase on that we stole someone from that you can feel free to tell yes thank you so much thank you Jim, I just want to add, speaking of the survey, I just brought this with me and then forgot I had it with me.

[04:34:16] We had a survey, the Elmira County residents, and fire services, EMS, and parks and trails and fire education received the highest satisfaction rating, with over 75% of our respondents rating them as excellent or good.

[04:34:35] So that's really cool for all of you that are in this room, I see, that participate in those departments. is really great thank you thank you mr chair that's all that i've got for this month and i know it's it's it's unusually long but we had two things we had some people moving in and moving out that we need to take a minute and this board is always so gracious and so i certainly thank thank the board for that and also there's a lot going on so we've got we we are very busy right now the tempo is high so i do again apologize for the length but i'll be happy to answer any questions And as always, we will provide any of this information to our board in the event that you've got community meetings

[04:35:13] and things that you want to share this information for. Sure, we certainly would appreciate it, and I appreciate the focus nature of this on public safety board. If we're okay, then we will move forward to our – thank you. Thank you. Public comment on matters previously considered are currently pending before the board other than scheduled public hearings.

[04:35:33] And Vice Chairman McKeel will read the rules and introduce the speakers. All right, and I will say that we have three speakers and no one online. So with that, during the time set aside for public comment on matters previously considered or currently pending before the board, excuse me, but not listed for public hearing, individuals are allowed one opportunity of up to three minutes to speak at each board meeting.

[04:36:00] 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. The red light indicates your time has expired, and you will be asked to end your comments.

[04:36:18] 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 Elmore 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.

[04:36:35] 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, and please do not speak from your seat or out of turn. All comments are live streamed, recorded, and published on the Almar County website. And with that, our first speaker tonight is Alicia Linehan. Good evening. My name is Alicia Linehan. I live in the Scottsville

[04:37:13] District. I've been speaking at board meetings regularly since April of this year. Every presentation has focused on the imminent threat to our refugee and immigrant neighbors and by extension to each of us. A resolution entitled Condemning Non-Transparent Federal Immigration Enforcement Tactics and Affirming Community Safety Principles was submitted to the board on August 6.

[04:37:38] I followed up with each member seeking comments and guidance. One member responded yesterday. At this time, it is worth reviewing the landscape as we know it. The county has signed two MOUs with Homeland Security and ICE, one in 2021 and the other in January of this year. Both cooperation agreements are still in effect. In May, I raised concerns about the county's receipt of grant money from the federal government for a data acquisition system called Analyst's Notebook. I also noted the

[04:38:13] county's use of surveillance cameras called ALPRs, and my question is, is it possible that the data collected by both systems is being shared with ICE as part of the cooperation agreements? The

administration's attacks on democracy now include using the military as law enforcement. The National Guard is deployed at ICE facilities in Caroline and Farmville. They are patrolling the streets of the nation's capital. To date, over 1,000 people have signed the petition in support of

[04:38:46] the resolution. Please explain to them what the county will do when masked ICE agents return, perhaps accompanied by the military. Please explain to them how the county will ensure the safety and civil rights of the people who live and work here. If the institutions built to protect democracy remain silent, then the burden falls on ordinary citizens, pro-democracy advocates and independent voices willing to speak up. For us, silence is not an option because it normalizes

[04:39:21] the unacceptable. The warning signs are flashing. The alarm bells are ringing. The question is not whether the administration is serious. The question is whether we will take the threats seriously enough to stop them before it's too late. Our next speaker is Gary Grant.

[04:39:45] Welcome. Evening. I'm Gary Grant, Rio District. I have to say kudos to Dan Eggleston. I wish he was still here. I think in 2009 it was he gave our son his first career firefighter's job here in Albemarle County. He's now with Henrico County. The results of your statistically valid and

[04:40:22] reliable 2023 community survey, which has historically been available to the public for input to annual budget discussions and formulations, was finally made public just yesterday. Two years. Conveniently, your late but valid and reliable survey results were only made public after your current budget was approved by the six of you three months ago. Here are some of

[04:40:53] the results in your late but valid and reliable survey done by the UVA Center for Research. 52% of your county residents say the quality of life in Albemarle will get worse over the next five years. In your late but valid and reliable survey, only 11% of your county residents say they are very satisfied with the value of Albemarle government services they receive for their tax

[04:41:28] dollars. In your late but valid and reliable survey, 31% of your county residents say customer service from Albemarle employees is only fair or poor. In your late but valid and reliable survey, 62% of your county residents rate your Albemarle County Executive's leadership as fair or poor.

[04:41:57] In your late but valid and reliable survey, 65% of your county residents rate the Albemarle Board of Supervisors' leadership, the six of you, as fair or poor.

[04:42:14] Among complaints quoted in your late but valid and reliable 53-page report are the following, and I'm quoting, there is mismanagement by local government, there are high taxes, onerous regulations, and a lack of fiscal responsibility, and the county is becoming too liberal and progressive in policies. Delaying or hiding valid and reliable information

[04:42:45] is on you. Voting for you is on some of us. Thank you, Gary. The next speaker is Dylan Taylor.

[04:43:02] Hello. My name is Dylan Taylor. My name is Dylan Taylor. I do not live here in Charlottesville. I live over in Petersburg, Virginia. But I am representing an organization called Energy Right. We're a clean energy nonprofit that aims to help communities and citizens navigate the clean energy landscape.

[04:43:28] And we are partnering with the ASGA, which is the American Solar Grazing Association, through a grant funded by the Charlottesville Area Community Foundation to put on a film event at the Common House here in Charlottesville to showcase solar grazing.

[04:43:46] There's going to be a lot of different solar grazers in the state, from Graze Landscaping down in Pennsylvania County, John Campbell, as well as Matt English, the very prominent solar grazers throughout the state of Virginia. And we are here to invite you guys, since it's here in Charlottesville, to attend our film event.

[04:44:07] We're going to have a panel with the solar grazers to feed questions from a moderator and from the crowd. Some organizations that plan on being there is the Seville RIA, Piedmont Environmental Council, C3, Farm to Power, Farm Bureau, and a lot of other counties are also supervisors are coming.

[04:44:26] Madison and Greene County, Nelson and Fluvanna County supervisors are also coming to attend. So again, this is an invite for you guys. It is a free event. There's going to be free food and drinks provided by Common House and ourselves. It's from 5 to 8 p.m. on September 3rd.

[04:44:42] we do have some flyers for y'all and i also left a couple flyers out on the table because we do want the citizens to come and come and uh see what all this is about we just want to help educate and promote that type of uh dual use instead of just taking away the farmland farmers can still be a part of this development so again that's uh september 3rd from five to eight love to see you guys there and if you'll give those flyers to our board clerks distribute them to us thank you thank you that's it thank you uh board will have our first public hearing of the evening

[04:45:18] this is the virginia community development block grant and presented by dr stacy pethia director of housing welcome good evening stacy pethia director of housing and this is a second public hearing for a community development block grant application i will refer to community development block grant as cdbg throughout the rest of this presentation because it's much easier to say

[04:45:53] um tonight we'll go over just some really quick information background information on what the cdbg grant program is uh and then a brief description of the proposal the proposed project that we wish to seek funding for and then open it up to the board for any discussion or questions you may have i would also like to note that the resolution that you do need to take an action tonight the resolution that was included in the agenda packet was written prior to having a finalized project proposal so you should have been provided with a new one that better reflects what

[04:46:30] the application is about so the cdbg program is a federally funded grant program which is administered in virginia by the virginia department of housing and community development cdbg funding cdbg program provides funding for projects that meet one or more of three national objectives and those are activities that benefit low and moderate income persons so those are households or individuals that earn between 80% AMI or less. Activities which aid in the prevention or elimination of slums or blight. And activities designed to meet community needs having a

[04:47:07] particular urgency. And so that could be a dam bursts or there could be some other emergency that happens after a flood or a fire that we could access CDBG funds for. The program does require two public hearings. The first public hearing, which was held with you on August 6th of this year, really described, just opens up a call for application proposals. Tonight's public hearing is to present for your consideration a project that Albemarle County would like to

[04:47:41] partner and submit an application for. In calendar year 2025, DHCD is making \$16.3 million dollars available for the cdbg program and that's for their competitive grant application process albemarle county is eligible to apply for up to two million dollars this year the proposed project will be a partnership

with habitat for humanity of greater charlottesville and it is the southwood sanitary services project the project itself is an installation of approximately 3 000 linear feet

[04:48:16] of new sanitary sewer main and installation of three lateral connections to existing public sewer mains. The project would serve 63 households of existing Southwood residents or approximately 233 individuals living in those households. Here's a map showing where the work would take place and it is the green line. So you can see over here on this edge and I'm sorry I don't remember which directions those are but these are connecting existing trailers to the new sewer main that

[04:48:52] has run along the perimeter of the park as well as over here this red line is the existing privately run sanitary sewer that has been there for probably 40 years and is failing the green lines would be the replacement for that so the idea is these these sections particularly this one in the pink those are the residents that are slated for redevelopment last so that could be another 10 years where they're living with failing sanitary systems

[04:49:25] and this would provide them with a safe and healthy alternative the proposed budget and timeline for the project the habitat in the county would be requesting two million dollars in cdbg funds 1.8 million of those would go towards construction of the project while 125 000 would come to the county to administer the grant habitat would be contributing 1.7 million dollars towards project for a total project cost of three about three million seven hundred thirty five thousand dollars habitat anticipates that engineering design of the

[04:50:02] project would be finished by the end of this year and project completion would be finished in april 2028. Staff does recommend that the board approve a submission of this application and that's the end of my presentation. Thank you. I'll go to our order of questions. Supervisor Galvin. Thank you.

[04:50:24] I have no questions. Supervisor Lupita Curtin. I have no questions. Thank you. Supervisor Malek. No questions. Can't wait. Supervisor McHugh. I think actually your presentation answered the questions that I had so thank you very much. Supervisor Pruitt. I have a question. This is actually you know i i love to ask housing related questions it's not really a housing or a grant related question but more of a technicality about how the end product um do the do the individual homes that are not slate that are in the final phase of southwood do they not need to pay the

[04:50:58] like fairly costly uh sewer hookup fee no that is included in the rent they pay to habitat part of the reason habitat wants to replace the private sewer system now instead of waiting for the final construction of those phases is increasing cost of maintenance which would then require them to raise the rent so they are not going to raise the rents for those um mobile home pads uh throughout this project and residents are not responsible for connection fees here's what just happened in my head um i did not fully catch up mentally with the fact that of course these are

[04:51:34] privately held the new sewer will still be privately held sewer it will not be rwsa so it will not have the cost to hook into an RTSA. No, it will be public sewer, but Habitat is absorbing that cost.

[04:51:50] Got it. Okay. That is better. ACSA. Got it. Yes, ACSA, not RTSA. Thank you. That's all I got. I just want to say that I had called you earlier, and the understanding is that sewer hookup would then coincide with where the homes are to be built even in 10 years.

[04:52:14] So they would have had to do that anyway. So it's just being done now, and then it helps those 67 Southwood households, and then in the future it will be hooked up to the new homes. FYI. Thank you.

[04:52:29] I have no additional questions, so with that I will open the public hearing. Do we have anyone signed up to speak? We do not. So I will close the public hearing. Well done, Susie. The matter is back before the board, and I think we're looking for a motion in the form of the fuchsia, if I will.

[04:52:49] I have provided one for you, or unless you have one that is better. So my suggestion is it could be done more simply by just a motion to adopt the proposed resolution provided by staff on the pink sheet. I think that would, as long as Ms. Pethia says it. That works for me.

[04:53:05] I would like to move that the board adopt the motion contained within the pink sheet. Second. The resolution. the resolution contained within the fuchsia sheet. Second again. We have a motion from Supervisor Pruitt, a second from Supervisor Malik. Without objection, if the clerk will call the roll. Mr. Galloway? Yes. Ms. LaPista-Kirtley? Aye. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt?

[04:53:28] Aye. Mr. Andrews? Yes. Thank you. Thank you very much. Board, our next item is, I'm looking for excellent our next item is a spotlight declaration 2632 hydraulic road but as you may have heard a lot of the issues there have gone away uh potentially uh certainly for the time being and so mr sabota will come and just give us a little update and we will then uh hold the public hearing but then i assume take a can entertain a motion to defer yes so we did have a

[04:54:06] Hey, Bart Swoboda, Deputy Director of Community Development. We did have a presentation prepared for you tonight, but we're going to forego that because we don't want to give the impression that we're moving forward with the blight ordinance. With the progress that the property owners have made, we're at a point now where basically staff is requesting a deferral to the November 5th meeting.

[04:54:29] So that'll give us time to wrap up what's going on on site and kind of dot all our I's and cross all our T's compliance-wise. I believe you all received an e-mail from me earlier today that has the photographs that show the progress to date as of Monday. So the property owners did a lot of work over the weekend, and they had a little bit of catch-up with you all, but here we are.

[04:54:50] Thank you. Yes, sir. And let's see if there are any questions. Supervisor Galloway? I have just a comment, but it's not related necessarily to this specific one. Is that appropriate time? Sure, go ahead. As at the last spot blight one talked about as an end game, the county getting the property.

[04:55:13] So I know this defer, I have no problem with this and the deferral and all that. But at some point, and I had a casual conversation yesterday, I think it would be helpful to understand as a board what that would mean or what that would entail, like the actual process that it would take, timeline, et cetera.

[04:55:30] And basically what I'm meaning is an option that the board take on and take ownership of the property. and then decide what to do with it from there. This one, obviously, it doesn't even come close to that particular piece, or at least based on the recent actions. But I'm not looking for a response tonight, but I am looking for, or if I've made this request before, I'm going to make it a second time.

[04:55:51] If it's the first time, then this is my first request to say, hey, I want to understand how that we can start owning some of these blighted properties. Okay. Sir Professor, Mr. Curley? We'll have... No other comments. Okay. Supervisor Malin? Nothing like a deadline.

[04:56:08] I don't have any questions. No, I'm just thrilled to have this action being taken because it certainly has been a blinded house for a long time. Having said that, Ned, this is the second time you have mentioned this, and I remember because I thought to myself at the first time you mentioned it, I have a

couple of houses that I would like to have, but that would make great affordable housing for folks in the urban area.

[04:56:35] And I'm thinking that same thing again. So I think that's a great idea. Just saying. And that's all I have. Thank you. Supervisor Pruitt? I have nothing. Then just to keep this going, I will invite Ms. Filardo up to, I think, entertain this question before we open the book.

[04:56:52] Thank you, Chair Andrews. Jody Filardo, Community Development Director. And Supervisor Galloway, yes, in fact, this is your second time. And we have been researching the options available to the county. And we'd be delighted to bring this back to the board at a later date.

[04:57:11] It's kind of fresh, so I'm not picking on y'all. But when we were at the Vaco, there was some conversation about this and seeing what other counties do. So it truly is like, oh, I want to understand this better. Thank you. Can we send you addresses? Feel free.

[04:57:27] I will. So, board, because this was scheduled for a public hearing, I would like to say that, you know, make an opportunity if there is anyone. So I will ask to open a public hearing and ask if there's anyone signed up to speak, and then I will close the public hearing. But at this point, because there's really no reason to pursue this, what we have opted instead is to ask for a motion to defer to November 5th at 6 p.m.

[04:57:54] At 6 p.m. So moved. Second. So we have a motion from Supervisor McKeel, second from Supervisor Malek. Without objection, 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. And I would like to thank you guys for the work because you've been working on this for a good while. Thank you very much. Excellent. Board, that brings us to our final items and we have this in the schedule, just a little different than we have done in the past, but we'll do the from the board committee

[04:58:31] reports and then go to the additional item. Supervisor Gallo? I have none this evening. Supervisor Lupisto Kirby. Nothing this time. Supervisor Malek. I have passed down the race, some information from the BACO board meeting for you to read at your leisure about this J-LARC study about consolidating all of our elections to chase the god of turnout.

[04:58:53] But, you know, wow. So lots and lots of years of work if this goes anywhere, but I want you to have the latest information I have. Thank you. Thank you. That's good. Thank you, I ask. Supervisor McKeel. Supervisor Rip. Nothing. And I have nothing, so with that I will then turn to, I think, Supervisor McKeel to introduce our next item, which is a supervisor-led discussion.

[04:59:18] Yes, I did. I sent everyone an email, and I think I spoke to almost all of you about this. I'm asking today to look at a possible ordinance to control running bamboo.

[04:59:36] Now, I'm not asking tonight, I'm not asking for any vote on specifically a specific ordinance or anything. I'm just asking if we could have a work session at a later date with staff presenting information for a possible ordinance as permitted under the Code of Virginia, under public health and safety, newest section, that would help us with the control of the running bamboo that's in this community, and I have noted that there are several locations in Virginia that already have an ordinance.

[05:00:14] When we were given permission by the General Assembly in 2017, there was a draft ordinance that was given at that time, But Fairfax, Loud, and Falkir already have ordinances that they've crafted

somewhat to their individual localities.

[05:00:33] And I will say that I have learned a lot in this process because I wondered why was bamboo often referred to in these ordinances as running? And what I've learned is there are two kinds of bamboo.

[05:00:50] There's cluster bamboo, which is not a problem. And there's running bamboo that spreads by rhizomes, and that's the problem one, the one that's right. And we all know that the problem with bamboo, we've all talked about, or the way it spreads with rhizomes.

[05:01:06] But the cluster bamboo just kind of sits there in a cluster, and it's not. So it's important to differentiate the running bamboo. I learned that, yes, in this process. So I'm going to just open this up, I guess, to see. So I'm asking if we could ask staff, direct staff, to come back to us at a later date for more information on what this might entail.

[05:01:30] This board actually dealt with this back in 18, 18, no, in 2018, I think. Sorry. There were a couple of us here. 2018. Okay. Because it was passed by the generals.

[05:01:45] We were given permission in 2017, and we dealt with it in 2018. And the problem was at that point that there was not enough staff time. It was too much staff time and not enough bandwidth to deal with this. I would like all these years later to go back and see what staff might come back to us with.

[05:02:05] Just throwing that out there. Thank you. And I'll look to the board to just provide some feedback. Yeah, absolutely. And any questions. And this is not something we expect the staff to be prepared for. No. But just for discussion at this point. Great idea.

[05:02:21] and hopefully soon there will be more bandwidth as some of the other major projects get wrapped up. Is it, and I can look it up, I suppose, is it specific to running bamboo, like the ordinance? It is specific to running bamboo.

[05:02:37] It's not plus some other type of, okay. Yeah, I have no problem with it. I get it. I've got places in Woodbrook that are certainly like, it's just taken over. I don't even know what running bamboo looks like as opposed to regular bamboo.

[05:02:52] If you drive down Preston, you'll see it right over here as we're coming into the – it's everywhere. It's bamboo is what you're thinking about. It looks almost – it's a little different, but it's the way it grows. So the running bamboo spreads with the rhizomes. Right, right.

[05:03:07] You told me that, but just looking at it, can you tell it's running or not, running bamboo or not? It looks slightly different, but if you were dealing with it, you would know. You can look at pictures. Okay. I don't have any problems. Sure. Okay. Supervisor Mellon? I butted in.

[05:03:23] I'm sorry. I thought we were just having a general conversation. I'm sorry. No, no, no, you're fine. Supervisor McKeel, anything you want? Anything additional you want to add? You know, I will add that one of the reasons why I am really interested in this is about three years ago, well, you know, you lose track of time, maybe three to four years ago, I had a constituent that contacted me from over in what I call the Hessian Hills neighborhood, a very urban neighborhood.

[05:03:55] And he said that the family behind him had planted bamboo in their yard. And since the time that they planted it, it had gone across their yard under the fence and was now attacking his foundation.

[05:04:12] And he asked if we had an ordinance against bamboo and how we could, invasion of bamboo and how we could help him. And I said, unfortunately, we don't have an ordinance and all I can do is tell you that you're going to have to hire a lawyer or not, but go to court.

[05:04:28] And he did go to court, and the judge ruled in his favor, but only awarded him \$2,000, which was, when he called me back, he said, that is a grain of sand in what I'm going to have to spend on my foundation.

[05:04:52] So I guess what I'm saying is that one of the reasons why I'm really interested in this ordinance is I know how it's impacting some of the folks in my urban area. What is the enforcement mechanism in Loudoun and Falkir? I've read the ordinances, and I'm trying to remember.

[05:05:13] But we have them. You have them in an email. You have them all, and you can go back and take a look at them. And I'll reshare that email with you if you want so you can look them up. There are links to the – and maybe – Right. So the state enabling authority provides for a \$50 civil penalty for the first violation, a \$200 civil penalty for subsequent violations, not to exceed a total of \$3,000 in a 12-month period.

[05:05:39] But the issue is to just try and help keep it on property and not allow it to go into other folks' property. A do not plant would also be really helpful. A do not plant would be very helpful, but we haven't been able to get that through the General Assembly.

[05:05:57] It's declared an invasive, right? We know that. So that's the parallel process of the noxious weed side and what you have as a separate ordinance. So it would just be great if we could ask staff to come back to us with some more information. That's all I'm asking for. Works for me?

[05:06:13] Yeah, I'm fine with hearing additional information from staff. I'm not sure where we're going to go with it. No, and I don't know either, but I'm bringing it up again. I just wanted to bring up that from the SWAC committee, I'll be bringing forward something that has passed the state regarding regulating the use of styrofoam, which is very bad.

[05:06:38] So it's not for in all areas, but it's in certain areas. The state has already passed this evidently, but I'll be bringing that forward next time. and this request has come to us the bamboo request has come to us several times from the natural heritage committee yeah thank you thanks and if you like i can send out an email talking about the styrofoam with the status facts i can send that out if you'd like to put it on the agenda at a future date and just have to give notice to the board and the clerk right right

[05:07:14] oh yeah yeah okay no it's gonna be yeah doesn't have to be right away okay um with that board i think we're through, but I'm looking to the county executive to learn if there's anything else. Yes, sir. Nothing further. And in that case, we will adjourn to September 3rd, 2025, 1 p.m. here in the Lane Auditorium.

[05:07:34] I'm loving these meetings. 7.15 is great.



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