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Albemarle County Board of Supervisors Regular First Meeting, Wednesday, September 3, 2025

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[00:00:00] all right recording in progress good afternoon i am pleased to call the order of this meeting of the alpano county board of supervisors the third of september at 1 p.m in lane auditorium in the entire office building note at the dais we have supervisor ann malik of the white hall district supervisor ned galloway of the rio district supervisor diantha mckeel of jack jewett district supervisor bila pisto currently of the ravina district supervisor mike prude of the Scottsville District, and myself, Jim Andrews, representing the Samuel Miller District Quorum is present. We are also joined by our County Executive, Mr. Jeff Richardson, and our County

[00:00:37] Attorney, Mr. Andy Herrick, our Clerk, Ms. Claudette Borgerson. Also, let me please welcome Abmal County Police Officers present, Officers Joanne Woodson and Caden Painter. Thank you for your service today and every day, and of your colleagues for our safety and security throughout the county. If all present could now stand as you are able, and join us in the Pledge of Allegiance.

[00:01:04] Pledge of Allegiance to the flag of the United States of America, and to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all. Thank you,

[00:01:21] and I now ask if you'll join us in a moment of silence. Lord, as usual, our first action is to adopt our final agenda. I've heard no suggestion of any changes to the agenda today, so I'm looking for a motion to adopt the final agenda. So moved. Second. We have a motion from Supervisor McKeel,

[00:02:00] second from Supervisor Malek, without objection for court to call the roll. Ms. LaPiesto-Kirtley? Aye. Ms. Malek? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Thank you. And board, we'll turn to brief announcements by board members. Our speaking order today begins with Supervisor Lapisto-Kirtley. Yes, thank you very much. This is coming from me directly, the styrofoam lady. I'm hoping to bring back at our October 2nd meeting, I think it's

[00:02:35] October 2nd meeting, a support for what the state has already passed regarding styrofoam uses by vendors. This took place July 1st, 2025, and it's going for those who have 20 or more restaurants, and then it's going to take place again July 1st, 2026 for all restaurants. But what I would like to do is the SWAC committee will be looking at a letter to send to the board, and I'd like to present that letter on the consent calendar, or I'm going to present that

[00:03:12] letter on the consent calendar as soon as the SWAC passes that letter. Other than that, everything, the CAC meeting went well, a lot of questions on data centers. Frankly, that was the big topic, which is okay, and a lot more understanding of data centers and how they're going to be used, different sizes, what we're going to do, how that helps the economy.

[00:03:38] So a lot of people had a lot more information, which, frankly, was very helpful. And I think that's what our role is, is to educate everybody and not make brush judgments on anything. And that's it for right now.

[00:03:54] Thank you. Thank you. Supervisor Malek. Thank you very much. A couple of quick things. I assume that others will talk about the elections and the solid waste stuff, so I'm not going to go there. But I will say we've had a really long time without any rain.

[00:04:13] And I think I personally forgot that it was not raining because we've had so much rain previously. But the earth is really, really dry out there. So everyone, please be super careful about any kind of combustibles and fire. And our trees are already starting to suffer.

[00:04:29] And so this is the way of our world nowadays. But it is something we need to be really paying attention to. On a more fun note, Wednesday, September 24th from 9.30 to 3.30 will be, I think, the 10th River Basin, Ravanna River Basin Conference.

[00:04:45] And speakers will include from state-level water supply planning topics, DEQ perspectives, planning at the local level with RWSA, local drought and flood records with Dave Hirschman, and then more information about data centers and RCA, Ravanna Conservation Alliance updates.

[00:05:04] So it should be a great day, and it will be at the center, and there will be food, breakfast available, and lunch available. So hopefully people will register at rovanterriverbasin.org, and I look forward to seeing you there. Thank you. Thank you. Supervisor McKeel.

[00:05:19] I don't have anything today. Thank you. Supervisor Proett. Thank you. I want to begin by thanking our police and first responders. There was an incident on Scottsville Road, just north of Carter's Bridge, earlier this week involving an active pursuit and closure of a main arterial road in this county that did end with the apprehension of a very young man who had done some crimes or is accused of doing some crimes.

[00:05:52] So thank you for that work. I also want to put on everyone's radar, first, the Loop de Vil, the annual celebration of the Rivanna Trail, is coming up. So that is at the end of this month.

[00:06:07] It is going to be on the 27th of September. There are events all day, starting with quite early, for the folks who actually want to run or hike the trail, because it takes a while. But there's also going to be, you know, a block party. It's a great event that gets thrown every year.

[00:06:23] You can go to their website to learn more, and you'll probably see posters around town. Additionally, it is Charlottesville Pride Week, because we get a whole week, and we're a college town, so we do it in September, despite everyone else doing it earlier in the year. And that is going to be punctuated, of course, with the Charlottesville Pride event at Ting Pavilion, starting at noon 30 on the 6th of September, this Saturday.

[00:06:50] And additionally, of course, every year is election year in Virginia. We have three districts that are having local elections. That's the Jack Jewett District, the Sam Miller District, and the Rio District. But, of course, there are statewide elections that are contested on every single person's ballot.

[00:07:08] And early voting is about to start. So early voting runs from the 19th through the 1st of November. Early voting can be done in person, of course, at the Albemarle County offices on 5th Street. And you also, of course, can do mail-in voting during that time.

[00:07:28] And the actual election day will be on Tuesday, November 4th. Again, so we are going to have contested races for governor, lieutenant governor, and attorney general. And both of Albemarle County's local delegates will also be on the ballot, albeit uncontested.

[00:07:44] Thank you. Thank you. Supervisor Calloway. I had the pleasure of attending the grand opening of Home Depot this past week, which I have to say I've been sharing with folks that this has been, this is the most energized grand opening that I've ever attended.

[00:08:01] The employees were hopping. They did some employee appreciation type of things as part of the presentations. I was joined there by Supervisor Lapisto Kirtley, Senator Deeds, Delegate Coulson, and Congressman McGuire were all in attendance and were able to share some words.

[00:08:20] But as I remarked to the Home Depot team, I said that if the store is as half as successful as the energy they had that day, it will be the most successful Home Depot in the country. It was just a phenomenal welcome. It was also nice to visit with some constituents that day to hear about some concerns, folks that I haven't seen.

[00:08:43] and I appreciated their patience because, one, I couldn't remember the last time. But it was good to hear that. It was also just good to see folks that were in the community and not just attached to the Home Depot employees to come out that evening, and they were open for a couple of hours.

[00:09:02] Of course, there was plenty of county staff there. I also just want to remark that I mentioned to my CAC last week, and they agreed that for all of the board meetings that I spent railing about weeds and our medians, the medians, I just want to comment at the end of the summer when we have had rain more than we've had over the past summer, not recently, of course, that things are looking pretty good.

[00:09:26] Issue under the grade-separated interchange that I know is being addressed, but it's not because of the medians. It's because they're coming out of places that we weren't expecting them to come out of. that's good you know we just have to address it but overall the the roads and everything are looking are looking really good and i just uh want to take the chance to remark on that to try to make up for all the

times i complained about it prior thank you thank you um and before i get to the solid waste announcements um i just as far as events go um i participated

[00:10:02] paid it for the i don't know how many years in a row as a volunteer at the charlesville women's four-miler, which is at the Foxfield racetrack. About 1,700 runners came out for the in-person portion. And that race, since its inception, has raised \$4.2 million for women's breast cancer research. It's impressive. It's very impressive. And the numbers are impressive. And the number of volunteers out there was incredible. We were parking the car every three seconds as they came in from two directions. It was an exciting day. Of course, I always want to remind people about

[00:10:41] fall cleanup. The 13th of September is the electronic waste day. It's full, but there is a wait list. And if you have signed up and don't think you'll make it, please tell them so that they can pull somebody off the wait list. After that, the 19th and 20th of September are household waste days at the Ivy Solid Waste and Recycling Center. The 27th is furniture, the 4th of October is appliances, and the 11th of October is tires. So this is your chance to get rid of that stuff

[00:11:17] without paying a fee. Is there anything else? Yes, really quickly. I just want to turn back to Ned. I am so sorry that I missed the Home Depot event. I had a conflict and I just couldn't make having said that I was fascinated because it was not a ribbon cutting it was a board cutting and when I saw the invitation I said what do they mean a board cutting I was thinking about us as the board but can you tell me just a little bit about how that worked I just think it's great fun yeah it was a two by 12 right and they they had it with you know different things marked up on it and then they sawed that sucker right in half right there did you get to saw us no we you're

[00:11:55] are you kidding they wouldn't let us around that was what i thought it would have been fun to have i'm happy i'm happy to say but i did want to mention i forgot you bringing that up reminded me i don't know if you all recall but when we approved the permit that they needed because they have the garden center outside and some other things that home depot had created this fencing and this screening for the fencing specifically for albemarle so if you're out there at the garden center take a look at the fence because that is a jody just made a comment so i hope i'm still this is still right about it but the home depot folks have said they're going to start using that

[00:12:33] as their standard everywhere i said well they should call it the albemarle fence yeah that's good to the design that's great that's great well i've been out there twice since they opened just don't say but but uh it is a great it's a great business for the community so it's all good yeah Thank you.

[00:12:51] Board, this brings us to proclamations and recognitions. We have one today, a proclamation recognizing September as National Suicide Prevention Awareness Month, and this will be read as a motion by Supervisor Malik. Thank you very much. I move adoption of the proclamation recognizing September as National Suicide Prevention Awareness Month.

[00:13:10] Whereas every year nearly 26,000 people in the United States die from firearm suicides, An average of 704 people in Virginia died by firearm suicides and 24 are wounded by gun suicide attempts. And during the last two decades, youth suicide has reached its highest rate in more than 20 years.

[00:13:29] Firearms account for more than half of all suicide deaths nationwide. And whereas Albemarle County joins in observing National Suicide Prevention Awareness Month by raising awareness to foster a culture of understanding and empathy and encourage community members to become better educated on

the signs of suicide risk factors, elevate local suicide prevention resources, and de-stigmatize conversations around mental health.

[00:13:54] And whereas the 988 Suicide and Crisis Lifeline plays a helpful role in suicide prevention and mental health support by offering immediate confidential assistance 24-7 to people in suicidal crisis or emotional distress. And whereas Albemarle County has played an important role in suicide prevention with the Commonwealth's Attorney's Office, hiring a new prosecutor for emergency substantial risk orders, University of Virginia law students working with state lawmakers on legislation to protect at-risk school children, and Albemarle County Public Schools launching the HELP Me app and Lightspeed Alert.

[00:14:31] And whereas there are many local organizations including Moms Demand Action for Gun Sense in America, Students Demand Action, the American Foundation for Suicide Prevention, Region 10, and the National Alliance on Mental Illness, dedicated to saving lives and bringing hope through research, education, policies, advocacy, and resources for those who have lost someone to suicide, who struggle with suicidal ideation, or who have otherwise been affected by suicide.

[00:15:00] And now, therefore, be it proclaimed that we, the Albemarle County Board of Supervisors, do hereby recognize suicide as a public health problem and designate September 2025 as National Suicide Prevention Awareness Month. Signed this third day of September 2025, Jim Andrews, Chair.

[00:15:18] Second. We have a motion from Supervisor Malick. Second from Supervisor McKeel. Without objection, the clerk will call the roll. Ms. LaPiesto-Kirtley? Aye. Ms. Malick? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Thank you. And I believe Mr. Mike Fox from Virginia of Moms Demand Action for Gun Sense in America, Virginia, chapter. Welcome.

[00:15:44] Thank you, Mr. Chairman and Supervisor Malek and all of you for your support. Suicides are never inevitable and are entirely preventable, but means matters. Removing access to firearms is one of the most effective ways to intervene. The majority of gun deaths each year suicides, and guns are the leading method of suicide in the U.S. The problem is especially acute with our rural and veterans communities, and now with young people with the fastest-growing gun suicide rate. So what can be done? Storing firearms locked, unloaded, and separate from ammunition is one of the key principles of responsible gun ownership. People in crisis

[00:16:20] can hand off the keys or let helpers change the combinations on their safes and lock boxes. They can put more time and space between themselves and any household firearms by voluntarily storing weapons outside the home. They can take advantage of Virginia's do-not-sell law with which people at risk for suicide can voluntarily block themselves from purchasing firearms. And lastly, Virginia's red flag law allows law enforcement to intervene by petitioning a court for an order to temporarily prevent someone in a crisis from accessing guns. Suicidal crises are often very brief, and ensuring that someone experiencing a crisis does not have easy

[00:16:56] access to lethal means can prevent a moment of despair from becoming an irreversible tragedy. Thank you. I'm sure the board will have comments, starting with Supervisor Pisto-Kirtley. Thank you very much for coming, and it's really, I'm glad we can support you with this proclamation.

[00:17:16] And I wish the laws would change, and frankly, in Virginia and all over the nation, that we could do more to lock up firearms or not have them available as much. So thank you for what you did. I think you've phrased everything extremely well.

[00:17:34] Thank you. Thank you, Mayor. Supervisor Malek. Thank you so much for helping us to stay current with all these recent efforts and all the community and collaborative community that you all have developed around here. I was especially interested in your comments talking about veterans and how that transition from active duty to civilian life has put a real strain on the VA system as well as individuals.

[00:17:58] And fortunately, we do have Living Free Together and many other organizations in our region who try to help intervene as well, but this is important. Thank you. Thank you, ma'am. Thank you. Supervisor McKeel. Welcome back. It's not been long since you were here before around guns and safety for guns.

[00:18:17] I think there are not very many people, probably even in this room, that haven't been affected in some way by a suicide, either by a family member or a friend. I know I've lost three people that were close to me or their family was close to me.

[00:18:40] of those suicides by gun. So it really is an important issue. And the only other thing I would add is I would have put hearts on this list as well because our hearts team, I think our local hearts team that works with social services and goes out to answer calls from mental breakdowns and mental illness calls, I think they're helping a lot in our community too. So we have to think about next year putting the hearts team on this list make a note but thank you very much for coming this is a really important issue thank you ma'am yeah thank you supervisor prude uh thank

[00:19:19] you for your continued advocacy on this important issue um i think that's actually all i have today thanks thank you sir i appreciate those that are in the professional support roles but the point about all the encouraging the community to become better educated on defined signs you just never know what people are going to go through.

[00:19:39] And in a culture where we are fast becoming our own dopamine addicts to watching people experience negative things, to be able to reach out and say, hey, are you okay? And then to be able to follow up. Because if you're in that situation, you've lost hope, right?

[00:19:54] And it's contingent on the rest of us to be able to see it and do something about it. So I appreciate your efforts in that regard. Thank you. Thank you, sir. And I'll echo the comments of my colleagues in appreciation and especially their comment. regarding the fact that it's becoming on all of us to be aware of this issue and when people are in need and what we can do to help them. So thank you. Thank you, sir. Supervisor Malek has the

[00:20:22] proclamation. Thank you. Board, next up is a public comment on matters previously considered or currently pending before the board other than scheduled public hearings. And Vice Chairman McKeel will read the rules and introduce the speakers. I will. Just let me get myself adjusted here a minute we have um one two three four five speakers all in person and no one online

[00:20:57] and so i will read the um the request for the way that this will proceed during the time set aside for public comment on matters previously considered or currently pending before the board other than scheduled public hearings individuals may address the board um individuals are allowed one opportunity of up to three minutes to speak at each board meeting. A sign-up sheet is managed by the clerk's office. Timekeeping is conducted through a timer and light system at the podium.

[00:21:30] The green light will go on when you begin speaking, which starts your allotted time. The yellow light indicates you have one minute to finish speaking, and the red light indicates your time has expired,

and you will be asked to end your comments. In order to give all speakers equal treatment and courtesy, the board requests that speakers adhere to the following guidelines.

[00:21:49] When addressing the board, state your name, and if you live in Almar County, your magisterial district. Address comments directly to the board as a whole. Any written statements or other supporting material may be given to the clerk. If representing a group or organization, you may ask others present to raise their hands in recognition.

[00:22:07] 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 our first speaker for today is Mark Ewer.

[00:22:26] And maybe I'm mispronouncing your last name. Perfect. Great. Thank you. And do adjust the mic so that we can hear you clearly. Thank you. Yes, sir. Thank you for this opportunity. You have my expanded written comments.

[00:22:43] First, I'd like to publicly thank former supervisor, my former supervisor, B. Lepiso Kirtley. Last year, you not only instantly replied to my email regarding my Barbersville property tax questions, but also called me the same day welcoming me to your beautiful county.

[00:23:08] That's public service at its best. Next, kudos for the action on suicide prevention. Suicides in America are at epidemic levels, primarily due to our inability of our human brains to process the massive amount of information available in our new technology and social media area.

[00:23:32] Too much information without enough love, empathy, and compassion is poison, toxic for the brain. Males represent 77.9% of all suicides.

[00:23:49] Our tough manly ego prevents us from reaching out when we need help. Suicide is the second leading cause of death for youth between ages 10 and 19 with males as a high risk.

[00:24:04] Finally, I would like to enlist your support for the inclusion in the upcoming Virginia budget next year on capital expenditures, The expansion of healthy aging opportunities in the Commonwealth, including funding to eliminate our \$5.8 billion debt for our award-winning center at Belvedere, one of the five best senior citizens centers in North America.

[00:24:35] An important factor in retiring from Columbus High was a report by Kiplinger recommending your beautiful community home to Thomas Jefferson as the best place to retire in the United States.

[00:24:51] The report highlighted the center at Belvedere's healthy aging, social and intellectual travel, physical and spiritual activities. According to the U.S. Surgeon General in an 81-page report, widespread loneliness and social isolation proposes the health risk as deadly as smoking 15 cigarettes daily, costing healthcare industries billions of dollars, declaring it a public health epidemic.

[00:25:24] All of us, half of us old folk, have indicated we've experienced loneliness and social isolation. an investment in virginia to prevent health care will resolve thank you yeah thank you appreciate you can provide the comments that you couldn't read to this clerk if you need to if you need to you can provide comments to the clerk if you're unable to read thank you our next speaker is maria costs and do bring the microphone down so that we can hear you clearly there you go thanks okay

[00:25:59] Maria Koss, Jack Jewett. I wanted to talk about the cars on the road with loud stereos. I find it very distracting and jarring. Last week, I was on Rio Road, and I was next to a car, and we were stopped,

and the stereo was really loud, and I made motions like, can you turn it down? And he reached for the dial, and I thought, oh, he's going to turn up, and he turned it up. And I wrote down his license tag number and I called the police. And there is nothing that the police can do about

[00:26:37] it because it's against the first amendment, freedom of speech. And same thing as on the light at Commonwealth and hydraulic. Sometimes there's three or four cars lined up at the light and they're all playing music really loudly.

[00:27:09] Oh, I have two minutes. Also jarring is adjusting mufflers, engines, and racing. I've seen racing on Commonwealth Drive.

[00:27:27] Thank you. That's it. Thank you very much. Next speaker is Neil Williamson. You have to take it up.

[00:27:44] Good afternoon. My name is Neil Williamson. I serve as president of the Free Enterprise Forum, a public policy organization focused on the local governments of central Virginia. Albemarle County has had a number of economic development wins in the last few months including your strategic plan home depot after scientific and more adding to these wins the potential job creation in Rivanna. The long-term outlook for jobs and demand for housing seems high now you have another potential economic development win.

[00:28:20] That, because it's not finalized, you are unable to discuss, let alone consider, as you examine your development area capacity analysis. On July 22nd, Virginia Governor Yankin announced both Eli Lilly and AstraZeneca would be establishing significant operations in the Commonwealth.

[00:28:41] Virginia is dedicating \$10 million to each of these organizations to support this expansion. While not officially announced, several media outlets have suggested Lilly will be in Henrico County and AstraZeneca has plans to locate in Albemarle.

[00:28:59] I'm curious if this would qualify as a so-called black swan event. A black swan event is explained, it was popularized by economist Nassim Nicholas Taleb. He thought a lot of these things in the context of the financial markets in the early 21st century and then expanded his scope to include historical, scientific, and other events.

[00:29:23] Taleb argues, while human beings are good at turning environmental stimuli into meaning information, they tend to be narrow-minded in their beliefs about the world. Being dogmatic about beliefs makes humans blind to concepts that fall outside of accepted use.

[00:29:40] Today, you are not allowed to speak of AstraZeneca. It's kind of like Voldemort, the word that cannot be said. I just hope that as you review the 2025 update of a somewhat flawed 2022 analysis of your development areas, you will ask what impact the AstraZeneca or any other black swan in the next 20 years will have on the simple trend demand line that you're utilizing.

[00:30:12] Thank you for the opportunity to speak. Thank you. Stuart Overby? Hello. Welcome. And you do need to adjust the mic.

[00:30:28] I will. Yeah, thank you. Okay. Okay. Hi, I'm Stuart Overby with Don't Spread on Me. We're a group of citizens working on the issue of sewage sludge being spread on local farms as fertilizer. I live in the Samuel Miller District of Albemarle County. I said two quick things today. First, I wasn't here for the

last work session on legislative priorities, but I watched the video, and I'm here to express our support and encouragement to you all to adopt both documents under consideration. The legislative

[00:31:03] program as well as the legislative positions. Please don't consider the legislative positions document as optional. I understand that during general assembly, our state reps are running from one thing to another with little time to listen to anyone about anything. So I agree with your assessment that putting the county's priorities as bullet points on a card that can fit in a pocket is a good idea. But, and also doing that without having a more in-depth document available to explain those bullet points is a bad idea because, one, there may be an occasion when a legislator or one of their staff asks for information about your position on an issue, in which case you

[00:31:42] better have that information available for Mr. Blount or anyone else to distribute. And two, there are items in the legislative positions document that are not explicitly mentioned in the program document, for example, biosolids. We're really excited and grateful that you included that paragraph in there about biosolids, and we definitely want to make sure that our state reps have a chance to see that. It's especially important now because our reps are becoming more and more aware of what a problem this is, and some are willing to take action. And three, thinking about the future, that positions document represents a bit of institutional knowledge that will be

[00:32:19] important to preserve as the composition of the board and staff inevitably changes over time. You'll need to have a more complete record than what the legislative program document provides on its own for future staff and supervisors to be able to reference when the time comes for them to craft their annual legislative priorities.

[00:32:39] And second, a while back, I sent you all an email invitation to write me if you were interested in seeing a draft biosolids ordinance that we created for the county to use as a starting point. I'm sorry to say no one has responded, and I'm excluding Supervisor Malik because I gave her a copy already.

[00:32:55] So I'm crying, uncle, and distributing hard copies of it to you today with a cover letter explaining some of the thinking behind it. I hope you'll read it, at least thumb through it. Reach out to me with questions. There's an e-mail address at the bottom of the letter. Thank you. Thank you, Stuart. Thank you.

[00:33:11] Thank you. Who gets the honor? You can give it to the clerk. Thank you. And our last speaker today is Renee. Is this Schlingdinger? No, I'm not pronouncing your name right, but you can come up and help me.

[00:33:27] Oh, and you have a friend with you. That's great.

[00:33:37] Scheidecker. I did blow it. I'm sorry. Renee Scheidecker. Scheidecker. Okay. Yeah, I'm just going to read this. I have never been before anybody before. I'm not sure how this process works, but I'm just kind of in a little emergency situation at the moment because I'll read this to you.

[00:33:56] I am one of the people of Abnamari County VA. I stand here today to inform and give notice of harm. The county has installed a new pole on the easement of my property, and the power company tells me it's a 5G cell tower.

[00:34:15] They also said the safe zone is 150 to 250 feet from the base of the pole. My home is 125 feet from the base of the pole. This creates an emergency for myself, family, and others depending on my

services, as we must move immediately if 5G gets installed.

[00:34:37] on my property, which could be any day. I need to know who is installing the tower and a description of the planned units. I don't know where to go.

[00:34:53] I need to ask for advice of getting-- maybe they can move the tower elsewhere. Or if they're earning revenue off of this tower, I won't consent to that.

[00:35:10] and we'll file something that's called a use of fruct so i'm asking also the board to exercise due diligence and spend some time reviewing some materials that i can provide a few now and via email this week to help understand why more and more people are having difficulty living close to

[00:35:43] these frequencies and the reason some of us are moving away from them thank you thank you where's the clerk the clerk is right over here she's coming to you thank you that's all we have board this brings us to item eight our consent agenda i have not heard of any request to pull anything from the consent agenda so i'm looking for a motion to approve the consent agenda as written? So moved. Second. A motion from Supervisor McKeel. Second from Supervisor Malik.

[00:36:22] Without objection, if the clerk will call the roll. Ms. Lapisto-Kirtley. Aye. Ms. Malik. Yes. Ms. McKeel. Yes. Mr. Pruitt. Aye. Mr. Andrews. Yes. Mr. Galloway. Yes. Thank you. Thank you for being very quick to get back there as well. Thank you. Board, our next item is board to board. Quarterly report from the Albemarle County School Board. Kate Acuff is here. Welcome, Dr. Acuff.

[00:36:57] Lots of people coming in now. Good. Okay, it is up. I'm impressed, Kate, with how many people you brought with you. The backup band. This is the backup band, and I'm not sure I know how to work. Just press. Okay, I've got it. Good afternoon, Chair Andrews, Vice Chair McKeel,

[00:37:35] members of the board and county staff. I'm Kate Acuff, chair of the Albemarle County School Board, and with me is Dr. Rebecca Berlin, vice chair of the school board. Dr. Haas is our superintendent. He is here, along with much of the cabinet. Two of our colleagues, Judy Lee. We can't hear you.

[00:37:55] I'm sorry. Two of our colleagues, Judy Lee and Leslie Pryor, are here also. Should we not be able to answer your questions, we've got a team with us that can do so. This is what we're going to cover today. I think that's pretty self-evident. Secondly, we nod to, whenever we do a presentation, we give a nod to our strategic plan, which guides the work that we do on the school board and the school division. And I'll just read our mission, which I think is very important. Working together

[00:38:29] as a team, we will end the predictive value of race, class, gender, and special capacities for our children's success through high quality teaching and learning for all. We seek to build relationships with families and communities to ensure that every student succeeds. We will know every student. You may know that we started school a week early this year. We changed the calendar, We've shifted the calendar to align better with neighboring counties in Charlottesville.

[00:39:00] And although there were a few grumbles about a shortened summer break, it's gone relatively smoothly. And just to remind you of how exciting the first day of school is and why we on the school board do what we do, the division does the work it does, and why your support for public education is so important, we have a very brief film, if I can get it to work.

[00:39:44] - Today's the first day of school. We're so excited to welcome all of our students. There was a little bit of nervousness going on, but for the most part, everybody was really joyful and excited to be here.

It was just really great to see some of the faces of the students we haven't seen since June and welcome them back.

[00:40:01] And students are just really excited to start a new year, ready to learn. And Ms. Morris and I are just really happy to welcome them to the school year here at Ivy. We are really proud to be the Bluebirds. We know it's gonna be a great year. I hope that everyone has a great first day.

[00:40:21] About the first day of school, we're welcoming our Jaguars back, getting everyone adjusted with their lockers and their schedules. It's a big day for middle school. So I hope everyone else is having a great day as well, and let's have a good year. First day of school is awesome. It's amazing.

[00:40:39] It's like the Super Bowl for educators and teachers, and we are just so pumped to be here. Good morning, everyone. We're here at the number one middle school in the nation, Journey Nation. We're excited to be here. Our students are excited. We're excited for the 25-26 school year, and we're going to have an awesome school year.

[00:40:56] Journey Nation. I love the comment that the first day of school is like the Super Bowl for educators.

[00:41:31] I'm going to now spend some time just giving you an overview of some of the safety and security initiatives that we are putting into place this year. First is personal device-free education.

[00:41:48] We had already, as a school division, limited cell phone use in elementary schools. We were piloting, putting devices away for middle schools. And we had a rule, a policy, that high school students were not to use them during class.

[00:42:03] But that was problematically enforced, let's just say. And it really depended teacher by teacher. And with the governor's executive order in the fall, Executive Order 33, they required everyone to have a cell phone restricted policy as of January of this year, which, of course, we did.

[00:42:25] But we did implement a bell-to-bell policy for K-12. Bell-to-bell policies mean no cell phones, leave it at home. We had some pushback from some high school students wanting to at least have access during breaks or during lunch.

[00:42:43] But we said no, that this is from the time you get to school until the time you leave. My understanding is we have a committee of staff and community members and even students to monitor how well that's going. But so far, we're only three weeks in.

[00:43:00] But so far, the principals report that it's going very well. A second item is our new visitor management system. If you've been in a school in the past several years, you know that you always had to buzz into the main office, sign in, and maybe get a name tag.

[00:43:16] We've dramatically improved that system, and we have, starting this fall, a visitor management system called Visitor Safe as part of our efforts to keep our students and staff safe.

[00:43:32] this updated check-in system offers greater convenience improved security for all guests including parents contractors and volunteers what it does is let you know who's coming in the building by scanning an id visitors will be their information is screened against the sex offender registry and other custom databases including custody orders and banned visitor status it also keeps the data so you know if they've tried to enter other schools or what the situation is going forward. And if a visitor is flagged as a security risk, we can intervene at that moment and not let

[00:44:12] them in our building. Third is our new weapons screening technology. It's not metal detectors. It's more broad than that. We piloted these weapons detector systems at our high schools in their athletic events, in varsity football, basketball, girls and boys basketball.

[00:44:34] And really, they were remarkably trouble-free. People seemed to navigate them very well. And the good news is that we did not detect any weapons. I think they have a significant deterrent effect. I think they were navigated very well because they're already pretty common.

[00:44:52] To go to JPJ Arena for an event, you already go through more bush gardens, I'm told. So that has gone very well. I think they're going live this week after some training, but that is another level of security for our kids and staff. We've also reintroduced SROs and expanded the program. We had SROs, as you may recall, four or five years ago. We pushed the pause button after there was a lot of national media about some bad actors, frankly. We did not

[00:45:28] at Albemarle schools have any reported problems, and we also have other security staff, which we can talk about during the Q&A, but we piloted reintroducing an SRO at Albemarle High School last year, had few problems, and now we have them at all three traditional high schools.

[00:45:51] If you look at the photograph, you can see there's, I said we had three SROs, but there's four people. I will explain this mystery. Officer Lilly on the left is, on my left, yeah, on the left is at Western Albemarle. Officer Joyner is at Monticello. I'll skip the next one. Officer K Farkowski, I think I've come close to pronouncing his name. He's at Albemarle High School. Officer Profit is a floater. She is not one of our SROs, but she is SRO trained. She's with the Special

[00:46:29] Operations Unit at ACPD. And when there's a call at another one of our schools where an officer might be needed, she can be dispatched to that. I suppose she also provides cover or backup for the other SROs. What we did when we reintroduced the SROs is we revisited the MOU to be very clear about candidate selection, training, and the scope of authority or scope of duties within the schools.

[00:47:01] And we have modeled it on best practices, and we're two weeks in to this expansion. But we had no reported challenges or impacts last year. Two other things I'll briefly mention.

[00:47:18] At Bayron Safety, but I think it was partnership with the county and VDOT, We instituted speed zone cameras along Hydraulic, along Lambs Lane Campus last year. I know Ms. McKeel and I heard a report from VDOT.

[00:47:38] Given that these cameras are only on two hours, maybe in the morning, two hours at night during the school year, only on weekdays, they generated almost half a million dollars worth of tickets at \$100 a ticket. Unfortunately, the school division doesn't get that funding, but that's another story.

[00:47:57] But the most important thing was that it did result in a 40% reduction in speeding. And speeding was defined as 10 miles over the 25 mile an hour speed limit.

[00:48:15] So it did reduce it. If you were going north, it didn't reduce it as much as if you were going south. but it's still a significant improvement in safety for our kids walking to school along those routes. It has now been expanded to the Western Albemarle campuses along whatever the Rockfish Gap Road, sorry, and that has already started.

[00:48:40] After a month's sort of introduction to the community, it will go live on the 15th. monitors the highest speed that was recorded was 68 miles an hour during the school day when the lights were flashing

i think that's remarkable additionally i know that one of my colleagues on the board of supervisors had a call from a constituent complaining he had been he had been ticketed multiple times and therefore was complaining about the cameras i think he was

[00:49:18] advised to slow down, which is very excellent advice. And finally, the stop arm cameras. We've had the ability to have stop arm cameras for a long time, but only recently have we had the authority to issue tickets. Well, someone has the authority to issue tickets. And these have been installed on four of our buses in sort of the high traffic areas. And those tickets also will start next week and they will be \$250 per. We did a study several years ago, Albemarle County

[00:49:54] Schools, and they did a sample and estimated that there were at least 6,000 incidents of cars passing stop school buses in Albemarle County, which is extraordinary. So I hope this is helpful. And now I'll turn it over to my colleague, Dr. Berlin. Welcome. Thank you so much for this opportunity.

[00:50:17] I'm going to just take a couple of moments to update you on our new buildings that are under construction currently. So we have Mountain View Upper Elementary School and Ace Academy at Lands Lane, which was formerly called Center 2.

[00:50:33] So I'll start with Mountain View Upper Elementary School. So both of these schools are planning to open for the fall 26-27 school year. And just a note, if you haven't already received an invite, we'll make sure that you have one. We are doing a topping out ceremony tomorrow on Thursday beginning at 11 a.m., and that is when they place the final beam on the outdoor construction.

[00:50:57] So we'd love to share that celebration with you, and if you don't have that, we will make sure that you have that in your inbox before the end of the day. I believe we're doing lunch, and we will also be doing a site visit at the time. Just a little note, if you come, make sure you wear closed-toed shoes because we are at a construction site.

[00:51:16] So just a couple notes about Mountain View. So as a reminder, this is at the Founders Place plot of land, and it is in direct proximity to Mountain View Lower School. And that is a school that has been seeing significant overcrowding.

[00:51:33] And so the decision was made, instead of creating two elementary schools near each other, Mountain View lower school will be pre-K to two, and then when it opens, Mountain View upper will be three to five. In addition to this land, ACPS purchased two plots of land, actually a plot of land and a house, that will allow a walking path to be constructed between the two schools.

[00:52:00] So that will allow children, families, teachers who maybe have, and administrators who maybe have a student at one school, as well as the second school, to be able to walk. Right now, there is not a way to drive between the two schools without going on an exterior road, but we wanted to make sure that it would be, students would be able to walk down the path.

[00:52:21] So that will be part of the plan and will open, I believe. You guys can correct me when the school opens. The size of the school is about 60,000 square feet. Apologies, it's 72,000 square feet.

[00:52:38] It will hose up to 500 students, and when it opens, it will be at least lead silver. It's tracking to be lead silver, but could be additional. The estimated construction cost right now is \$47 million.

[00:52:57] So there's a few construction sites. It is an active construction site. If you are going down that road, it's very exciting to see the progress that's been made. And then the second is on Lanslame Campus.

It is ACE Academy. And just a reminder, that's Elbermar Career Exploration.

[00:53:17] Previously, we'd been using the designation Center 1 and Center 2, but all the schools want a very specific identity. And so the determination was made to use the ACE. And this will be at Lambs Lane campus. This will house 400 students a day.

[00:53:34] And because of alternating A-B schedules, that would mean up to 800 students would move through this every week. It is, again, for grades 9 to 12, will be open to all students at the high school level in the community. And it will feature six of our 12 scholar studios when it opens.

[00:53:54] And, again, it, too, is tracking to be LEED Silver. And the last piece about this is that it will also be housing our data center, our ACPS data center, as that is something that we have been looking at a home for over the years. So a few pictures of that.

[00:54:11] If you have been driving down hydraulic, you will see this moving forward, and we are making great progress. The last thing I wanted to share is, as you know, we have student representatives on our school board. These are non-voting members.

[00:54:28] They sit on the dais with us. And they participate in our meetings. And we have five amazing representatives this year. We just did an overview of school board policy for them.

[00:54:44] So from Elbermar High, we have Amy Wang. From Monticello, we have Maximilian Kolfer. From Western, we have Claire Curry. Community Lab, we have Leighton Cox. And then we do have an alternate from Elbermar High. That's Maxwell Keyes. And they will all be alternating, sitting on the dais throughout the year.

[00:55:04] And they have been an excellent addition to our discussion. They are not able to vote, but they do participate in our discussions. And it is a way to get student voice. So they're all part of student sentiment and actively involved in their community. So part of their job is to get voice from their fellow students and to bring that to us and to participate in those discussions.

[00:55:29] And then last, these are my amazing colleagues. As Member Pruitt mentioned, we do have voting, and our Ryo, our Samuel Miller, and our Jack Jewick District are up for voting this November.

[00:55:45] So thank you so much, and I will open it up to questions. And Ms. Apecoff and I have brought our school cabinet colleagues to help us with any questions that you may have. Thank you, and welcome to all.

[00:56:02] It's great to see all the people here. So we'll go through our order, starting with Supervisor Lapista quickly. Thank you very much to both of you for a wonderful presentation. It's good to know all the things that you are doing, everything you're accomplishing, and I also thank everyone that you brought with you because I think that entire team there is representative of what can happen with our schools and how well they're run.

[00:56:33] I don't really have any questions, questions, but I just wanted to say thank you. Thank you. Thank you so much, and thank you for your support. I appreciate it. Always. Professor Malik. All right. Hello, neighbor. So thank you for this information. It's really very helpful to me and hopefully others to have these presentations for us.

[00:56:55] So a couple things I wrote down as you were speaking. What is the training and are they armed for your non-SRO security people? I'll give it a shot. We have two levels.

[00:57:11] We have school safety coaches. They really might be a social worker or something like that. They're really focused on mentoring the kids, working with teachers to teach the students conflict resolution and recognizing their emotions. They can interact with our mental health teams if there's an issue that, you know, can have an intervention before it gets to be worse.

[00:57:37] The school safety officers have more of a focus on enforcing school policies, like you really aren't supposed to be vaping in the bathrooms, or you really need to. That's what they do.

[00:57:52] We have vaping detectors in the bathrooms. Or, you know, you can't actually be talking on your phone during school hours. But they also interact with, if we have emergencies at the school, they interact with first responders. And as you know, the SROs are sworn police officers, and they are focused on letting, informing staff and students what the law is, intervening when there's signs of criminal activity, dealing broadly with security of the building and such.

[00:58:27] All of them have perhaps slightly different, but they all have training in child and adolescent behavior, in conflict resolution, cultural sensitivity, and now also in special education and needs of special education kids.

[00:58:47] Great. Thank you. That's really helpful. And just sharing the kudos on the success of the first year of the speed cameras. I know lots of people who have gotten tickets, and they're ashamed by it, but have also learned their lesson, because there's nothing like changing behavior with a steep expense.

[00:59:08] So I'm really grateful. I remember the early discussions on having to go back to the legislature a second time to get the permission to use the ticketing for the arms. And so hopefully that will be equally successful right away.

[00:59:24] I mean, I remember the 1,000 cars a day on Georgetown passing the arm. I'm going, that seems hardly possible. But, of course, it was, and it's terrifying to be putting kids at risk that way. So I thank you, and I think. And off the top of your head, the Scholar Studio topics, are they?

[00:59:43] I know one of them is environment or agriculture or combined, but I don't know if that's out at Western. I can do six of them, and I can do the rest. So actually, at ACE Academy, there will be Venture, which is Entrepreneurship, Business and Innovation, Solve, which is Science, Technology, Engineering and Math, Thrive, which is Education and Human Development, Blueprint, which is Architecture and Urban Design, Building and Construction, Impact, which is Global Leadership, Law, Social Justice, and then Saver, which is Hospitality, Eateries and Recreation.

[01:00:22] And so when the committee worked with students, teachers, the community, business leaders about what makes sense to be at Ace Academy Lambs Lane, those are the ones that will be there. And then there are six additional that are within the other schools.

[01:00:40] And I may ask my colleagues to, can you add a couple? Apologies that I can't name all the 12 of them. I mean, we have Pulse, which is going to still be located at Monticello, and that is Health and Medical Sciences. What else do we have?

[01:00:57] We have Terra, which is out at Western, which is Environmental Studies. Okay, we've got, this is a pretty show. We've got eight of them. I'll just go through them all over again because I don't remember exactly which ones you all shared. Would you introduce yourself just for the record?

[01:01:13] Absolutely. I'm Dr. Hayes, the Assistant Superintendent of Instruction. So we have Blueprint Studio, Encore, Impact, Saver, Solve, Tara. I guess I should have told you what they represent.

[01:01:28] Sorry. So Blueprint is around design and construction. Encore is music, theater, the arts. Impact is around social justice, civil discourse, and leadership. Saver is culinary, lodging, travel, hospitality.

[01:01:46] SOLVE is STEM, science, math, technology, and engineering. TERA is forestry management, ecology, and plant studies. We have Vivid, which is photography and digital design. Venture, commercial arts, hospitality, consumer science.

[01:02:04] Thrive, which is education and human development. PULSE, biological sciences, biomedical terminology and technology, and medicine. Nexus is geospatial technology, robotics, and computer science. And LINC is cybersecurity, entertainment, media, and video game design.

[01:02:24] That's exhausting. Just another word about this. These were all taken from the state's 17 different career pathways. We selected, as Dr. Berlin said, after conversations with the community, with parents, with businesses, what jobs might be most readily available in this area.

[01:02:43] And we have selected and rebranded 12 of the career pathways. It'll take a while to get used to the names, but they're supposed to suggest what's underneath. But that's where we are. Great. Thank you very much.

[01:02:59] I know the kids at Western are very excited about the ag teacher out there. And we can send you the sheet and a link so you can have those as well, the cheat sheet that we are all using until we get them into our brain as well. Thank you. Of course. Supervisor McKeel.

[01:03:16] My turn. Just a quick question to go back to the cell phones. You all brought in a pouch at the last board-to-board last year. So that's what you all are using now for the cell phones?

[01:03:31] I'm just curious. No. I think we tried that, but once we decided to go bell-to-bell cell phone free, I actually don't know how we monitor it yet. Who wants to take that one?

[01:03:48] But they're not supposed to have them. And if they have them in their backpacks, they have to be turned off. I just remembered seeing the pouch, and I was wondering if you were using those. Yes, so Walton Middle School piloted the pouch last year, and currently there are different options for schools to monitor.

[01:04:07] Of course, the teachers have conversations with students to put them away in their backpacks. If students have lockers, they can put them in their lockers. And really just constant monitoring, just making sure that all teachers, our counselors, our administrators are sending the same message.

[01:04:24] Messaging is going home to parents as well and families to let them know that this is what will happen. And then as students violate that policy, then either the phone is maybe the first time put away, then it can be confiscated and picked up after school by an adult, or depending on the situation, it could be given back to the student.

[01:04:46] That's great. So you're making the students responsible for obeying the rules. Absolutely. Yes, ma'am. Kind of what you do in your house. Okay. Thank you very much. I will say that I just want to piggyback on the speed cameras, because what I have noticed, obviously, the Lambs Lane campus and hydraulic road is in my hood, so I'm out there all the time, and it really is wonderful how those speed

cameras, two hours in the morning, two hours in the evening have changed the driving culture in that area. Certainly there's still

[01:05:22] some speeders, you know, it goes without saying, but what I notice is a reduction in speeding through that area anytime during the day, which is really wonderful. And I hope that that happens out at Western Albemarle as well. Changing the culture is really what we were after, not money.

[01:05:40] trying to make that area safe for children and for adults as well. So thank you for that. And I have two other items that I wanted to just mention. Could we have, just for our knowledge and for the public as well, a quick update on your foundation for education?

[01:06:04] I see Daphne. I don't know if Daphne wants to take that cake, but I know you have a foundation now for education. And you have hired a director, and I just wanted to let folks know. Three years ago, we established, launched the Albemarle Foundation for Education.

[01:06:22] Dr. Berlin and I are the school board members who are also on the foundation board. That board is designed to provide for more systems changes in schools that are not easily incorporated into the operating budget.

[01:06:38] We recently hired a new executive director, Atalia Sergi. She's been there for two weeks, so it's pretty quick. The most recent project that we did is we took over the to-school backpack bash that was held at Ting Auditorium and handed out.

[01:07:00] And here, Dr. Kaiser can probably be a little more specific. I know we handed out something like 1,400 backpacks. We packed, I mean physically packed in a very hot warehouse, 1,400 to 1,700.

[01:07:17] Wow. 1,700 backpacks, about 1,400 of which were distributed on the day of the event. And the others were distributed at various schools because we get a lot of latecomers into the schools. And I'm not sure if they've all been distributed yet, but it really is a signal of the level of need.

[01:07:38] But the foundation itself, you'll be hearing more from us. Thank you very much. And getting back to, and I'm going to get used to saying it, the ACE Academy. I'm just now starting to feel comfortable with the changes with the elementary schools and the school names.

[01:07:58] So I'll try real hard with this one, ACE Academy. Can you talk to me a little bit for the public to understand what your all's work is at that academy with, say, the chamber and the community and what the community job needs are?

[01:08:18] In other words, I hear folks saying, well, I certainly hope that they're looking at what jobs we need in this community so that our kids don't have to leave the community to find a job. So just like a quick 101 on that. And this is an ongoing conversation, right?

[01:08:34] So in the uptick to the planning for ACE Academy at Lambslade and these 12-cell-dollar studios, that is part of it, is working with the business leaders one-on-one, as well as at the, we do quarterly, and correct me if I'm wrong, business breakfasts where we bring in business leaders from around the county and people from the cabinet and others from the school system to listen to hear about what their needs are, as well as talking to students and parents.

[01:09:06] I mean, part of my personal belief is that we have to raise those student and parent voices as well to see what are those positions that they want. And so as the AIDS Academy at Lambs Lane was being

designed, it is designed, so for example, it will have a culinary home so that that studio will have a place to train students as well.

[01:09:33] And that will be a continuing conversation with businesses as our demographics and our needs change. Because I think that's the important thing for us to remember is when we do this, it's one point in time, but as we think about that changing demographic, that changing agriculture, what are some things that are continuing to grow that we need to stay on top of?

[01:09:53] And so I think it's important to remember that this is what we designed then, but we designed it in a way that other things could come in as needed because I think it's important. We often think about it's just teachers returning, but no, it's custodians, it's business leaders, it's medical leaders.

[01:10:12] And so what are those things that we are creating within ACE Academy, but also what are the things that we have within our career and technical program, which we're still a part of and have the majority of the students there, as well as what is happening at Western, at Monticello, and at AHS, because some of those studios will remain within those local school districts, those local high schools.

[01:10:38] And obviously you're all operating within the framework that's provided by the state. Exactly, exactly. Because the state always gives criteria and performance. And then with the new criteria that we will talk about kind of at a later briefing, that's always changing.

[01:10:58] And they're putting a much higher influence in that as well, is what are we doing to train our students in future careers that are not necessarily going to college. Yeah, with a focus. That's great. And just one more quick question. Oh, yeah, sure. I was just going to add a couple things.

[01:11:17] Most of you probably remember our academy model, the MESA or, you know, the Environmental Studies Academy. What we're trying to do with these career pathways or these scholar studios is to touch all of our students.

[01:11:33] I mean, at best, having those three academies became very elitist, and maybe we had 400 students out of our 4,000 high school students that were able to participate. The Scholars Academies do two things that I'm particularly supportive of.

[01:11:52] A, it broadens the avenues for students to pursue, and it has a lot of on and off ramps. You can do the Pulse Scholars Studio, and you don't have to have the goal of becoming a physician. There are off ramps and other jobs you can do.

[01:12:08] With respect to connecting with the community, we're also working within each of these studios to connect speakers from the community, job shadowing, having interactions about the job possibilities while you're going through that pathway.

[01:12:26] So that brings up just a comment that we really need the community to step up to the plate to help with those entrepreneurship and speaking to students about career pathways. Yeah, so that's great. And I guess that's all I had with just a kudos for the SRO piece.

[01:12:45] I think that's great. And it's a good move back into the schools. So with that, I think I'm through. Supervisor Pruitt? Thank you. Just a few very brief things. First, I really loved hearing a little bit more in depth during this Q&A component about the Scholar Studios.

[01:13:05] And something that really stood out to me and excited me was how many of them seemed to focus on elements of the arts, which is something I feel like as a country we're stepping back from. I think

at least three of them touch on, because you had one for the performing arts, you had one that was about construction and design, and there was one other, photography, right?

[01:13:28] There might even be more, but those are the three I caught. Arts is very important to me. I talk about the trades a lot because it affects our work more, but I went to a residential boarding magnet school in high school because I wanted to be a novelist when I was a kid.

[01:13:44] That very much completely set my path in my personal life. It is the real turning point that was, I think, able to enable my success in life. So I think that's deeply important. And I do want to just, on that note, ask a question, which is, it doesn't sound like any of them actually focus on creative writing in their portfolio is that right or is that contained in encore dr he's why don't you just stay here i know i know you have the state framework i'm just now curious i'm curious yeah so there are multiple opportunities for students to engage in creative

[01:14:21] writing excuse me whether it's in a high school classic journalism theater arts it could be through the studios the pathway so we try not to limit it to one particular area but that is something that's embedded in our curriculum in different courses thank you um the other thing i was curious about so there's two changes that y'all briefed on that um one of which i see is very exciting and positive the other i see is maybe necessary but kind of grim right and that's

[01:14:56] the bell-to-bell policies on cell phones. I think that's a pretty unmitigated positive for mental health, for the culture in the schools. And the other is, of course, the weapons detection system. I see how it might be necessitated, but it's bleak, right? It's a bleak thing.

[01:15:13] And both of those, the thing I was curious about was kind of to delve into the technical implementation of it. We already talked about how apparently we're not using the yonder pouches anymore. Fun fact, we have to use yonder pouches in courthouses now, which is wild, I think.

[01:15:32] But so I gather that it's kind of an ad hoc kind of just disciplinary enforcement seems like the direction it's going. Is that unfair rather than like come in, get your yonder pouch and then come mouth they magnet you out rosalind schmidt chief operating officer um so the yonder pouch was a pilot at walton one of our smaller schools um and so the point of that was to see how how manageable that was and one of the feedback was it was just one more thing to ensure compliance of you know

[01:16:11] kids were not putting their phone they're keeping the phone away but not in the in the pouch so realistically it was not a necessary tool uh we've had success with the other strategies that dr hayes mentioned that the pouch wasn't necessary to enforce it i think that makes sense it seems like one other kind of just thing to manage technology to manage personnel involved to manage which which brings me into the parallel question with the weapons detection systems um that seems like it could introduce some similar challenges as far as operations um i could for one

[01:16:49] i would assume it it seems like it assumes that students are all arriving at the same time which i imagine is not accurate and not true a student i might be most worried about would be the student who rolls in at 10 30 um when i wouldn't imagine this is operating or manned um and then the other thing is just what does that what does that throughput look like what does the manning look like i i just don't understand it is the sro doing it um so i first want to echo your first sentiment and this is unfortunate that we need this.

[01:17:22] Today was the first day. Moncello went live today with it, so we were learning all the logistics of it. Beginning of the day, the majority of the students do arrive on time, so we have multiple stations set up. Then there will be a single station at the front door the rest of the day for any late-arriving students, any visitors that arrive.

[01:17:44] All of our doors remain locked during the day, so the front entrance is our only point of access during the day. So that's how we're managing that piece of it. Is this front desk staff who's operating them? Yep, so both during arrival and then during the day, it's staffed by our school security officers, which are our school-based security positions, and some additional staff members.

[01:18:07] The SRO is not involved in that until there is a weapon identified. Got it. Thank you. Yep. Sorry to ask any prying or difficult questions. I just find that these things touch the culture of the community as a whole a lot more than almost anything else we do, right? Like the presence of yonder pouches, a silly thing, becomes something that people who don't even have kids in the schools know about and talk about. It's like deeply ingrained in our culture. I tell people sometimes the very first day I ever went door knocking as a politician, every single person I knocked the door of was talking about school buses, regardless of whether

[01:18:45] not they had children in our school systems. So it is helpful for me to make sure I have as much context on these things as possible. Thank you. Thank you. Professor Galloway. Oh, I just wanted to add one more thing, Mr. Pruitt. One of the biggest advocates when I first came on the school board for keeping the arts in the schools was Mr. Galloway, who has a background in the arts.

[01:19:07] I could ask a lot of questions about your writing curriculum. So I just want to follow up on the metal detection. So I dropped, because I noticed today at nine o'clock the lines that were still out Monticello High School so obviously it was the first I went oh something's different today um and I really am you all take when students miss instructional time very seriously um as a parent who's had a few students miss some instructional time I know what they have to make up at the end of the school year so in this regard I can't imagine they all got into that building by 9 10. what what's the expectation to have everybody in

[01:19:47] the building by. Yes, today was our first day. We did anticipate it going a little slower as everybody learns routines and what to take out of their backpack and this and that. So it is our goal that this is not going to impact instructional times, and we will tweak the logistics to make that, to ensure that happens. But you did witness the very first day of it, which was today.

[01:20:13] Well, we'll see, right? We'll see how it goes. I want to commend Principal Barfield at Albemarle High School. It's my understanding that the business across the cross hydraulic from the high school have had enough of people getting dropped off and picked up in their parking lots and have taken put their own security people out there to keep that from happening which means even more people have to cycle through the front parking lot because they can't do that little trick anymore. He was actually out there directing traffic himself yesterday but his his security The coaches, is that the right name?

[01:20:47] They do a great job, and they seem to not be rattled and get too, I mean, I don't know. I wouldn't have the patience to be able to do that job, directing traffic and all of that stuff. But I said this last year, and I think it's the same this year, and I know there's bigger constraints or obstacles with the parking situation and everything.

[01:21:05] You just have more people cycling through, and Principal Barfield, of all the principals I've seen, try to deal with that has done the best job of it. Yeah, absolutely. And we'll pass that along to him, as well as, I mean, I think it shows what all the jobs that our teachers, our principals, our counselors, our safety coaches do, right?

[01:21:24] Like, they have their job, but they all are going over and beyond to make sure our kids are safe, kids get in for instructional time. So a huge thank you, especially during these first three weeks of school, which are so busy for everyone.

[01:21:39] So we'll pass that along. I haven't met Principal Barfield. It's my hope this year to be able to tour Albemarle. I know back in 24, we were told to go through Ms. Bolton to set up school tours. Is that still the appropriate contact to set up school tours through the central office?

[01:21:55] Yeah, that I tried to set up a school tour. And you all, I'll, yeah, you can send that back. We will, when we get back to you with the schedule for tomorrow, the studios and that. And I know all of the school board members would also love to do those in conjunction with you as well.

[01:22:16] So we'll make sure it's as easy as possible, but we'll also try to, when possible, pair and do it together. Ms. Malik and I did one at Western last year, and it's very helpful to bounce ideas off of each other as well. So we'd love to do that. Great. Thank you. There was a land use application we did with the apartment building that's going next to Agner.

[01:22:35] It's probably not started yet. Part of that application or process, the person doing the building had opted to allow that building of a staircase up the back of his building to connect to Agner. And the school division at the time, we were told, didn't want that. And then the school, that would reroute the students around to have to interface with cars if they had to walk or go way up around the loop to the back.

[01:22:58] I made it a point that evening, and the supervisors agreed to keep that provision or condition in there, and the property owner is certainly willing to build that staircase. So I'm hoping for some follow-up on that. I don't think that's something that will necessarily hit the school board again, but if we could find out if that could happen.

[01:23:16] Because really, if they have to walk on Birkmar and down, you're putting them to have to cross the traffic of the cars coming in, which I didn't think. and then otherwise they have to walk all the way up to Woodburn through that new piece because this is the smaller there's a dentist office and they're reconstructing building up over there. I think it would be a way to get conflict away from pedestrians and cars for both staff and students especially if they're living in either place so just hoping for a little follow-up on that one and if the decision whichever whatever the decision is just so I can follow up on it. Absolutely. And then the only other thing i think would probably come up on um uh i don't even know what that word is um

[01:23:55] just because it i know you all were going through collective bargaining uh piece is there it's a campaign year so i'm getting questions about school stuff that i don't know the answer to do you all have a sense is that something that you think will come to agreement this year or like what i just haven't been paying attention to it so i don't know what the timing is of the school board is getting a briefing on it next thursday so i will have Good afternoon. I'm Dan Redding. I'm the chief HR officer for the school division.

[01:24:27] We are in negotiations with our union, the Albemarle Education Association. Our goal is to come to tentative agreement over the next couple of months. Employees would have to ratify that

agreement, and the board would have to approve the agreement. But the goal would be about two months.

[01:24:45] So the school year. I mean, it's not going to be much longer. Awesome. Thank you. And the only thing I'll put out there real quick is that don't need it right away, but I know as we get to our joint meeting in the fall when we start doing our outlook and get into budget, the last, I'm looking at Rosalind, the last trailer report that you had provided, that's actually been shared with and discussed amongst our planning commission recently.

[01:25:09] But if there's any changes, because that was December of 24, of how they're being used in the current school year, because I know sometimes things can shift, it'd be great to have the most up-to-date usage of that if you all were willing to share that in the next 30 days or something. Thank you so much. This was great.

[01:25:24] Thank you. And I love seeing the video of the first day. And with my final child going through and he's a teenager, they just get a little different with their energy. But I know when I used to be in the classroom that, boy, did I enjoy the start of school year. So thank you for sharing. And thank you so much for the time, and please let us know any questions that you have as we go through the school year.

[01:25:44] And I also want to thank you for being here. I don't have additional questions. That's fine. I appreciate all you're doing for focusing on safety and on learning opportunities throughout the schools. I appreciate the connection of walking path between the mountain views as an example of where you're obviously focused on the safety of getting from one place to another there.

[01:26:09] again thank you all for being here uh appreciate staff and and board members that are present so jim just yeah just quickly and i know we're running short on time but a really good example ned of what you're talking about is at stonefield where they connected the apartment complexes with a staircase going up the hill to the to the strip mall that's up on uh commonwealth that's a great example of what that staircase and it has been wonderful for the community to be able to connect back and forth and not have to go all the way out and around.

[01:26:42] Just saying that that's a great example of what that staircase could do. And I do have a quick question about, and it's gone out of my head, and that's what happens when you get old. I was so focused on the staircase.

[01:26:58] It's okay. We'll just let it go. If I think about it, I'll send an email. Please send it. Please send it. Yeah, sorry. Oh, my gosh. Any questions, just send them through. It's probably good for timing anyway. Supervisor Lupisa, quickly. Jess, I was just wondering regarding you went through all the different specialties that you're offering with the acronyms and such.

[01:27:18] Is there anything for farming 4-H? Because I understand there was a 4-H in, I think it's been just, yeah. Yes, the Farm Bureau. The Farm Bureau and everything. The Terra Academy. Oh, okay. Is it the Terra Academy? It's focused on agriculture.

[01:27:35] I'm sorry. Terra Scholar Studios. We're all relearning our language. Tara Scholar Studio. Okay, and that would address the... Correct. Because I was listening for animals, and I didn't hear animals in your three words. Tara would be earth as well as...

[01:27:50] Okay, okay. And just wanted to know that if you... Regarding cell phones, and you have to take them away from students, my experience, if you tell them, I'm taking it away, I'm giving it to the principal,

and you can have your parents come and pick it up, that will.

[01:28:11] That eliminates, they don't want that to happen. But thank you very much. Thank you very much. Appreciate your time. And I'm sorry, but I just thought about my question because you stalled long enough. Ned talks about this a lot in different venues, and I just mention it in that one of the number one complaints that we hear from businesses is the lack of soft skills.

[01:28:37] Children don't know how to get to work on time. issues like that. And I know that's just another level of what teachers have to do. But I hope as we go through some of these, some of the years with schooling, that we can think about those soft skills that are really important as kids grow into adulthood and have to show up for work and other soft skills as well. Ned talks about it. We were meeting with the chamber not too long ago

[01:29:08] And Ned was talking about the soft skills and how critically important they are because businesses are happy to train you to do the job they need you to do. But you have to be willing to work and to show up on time and do all those things that are critical for employment.

[01:29:28] Absolutely. And I had the ability to participate in some of the conversations at our community breakfast with business owners. And that was one of the things they discussed as we were doing some of the work around the Scholar Studio Studios, including writing skills.

[01:29:44] And those are, instead of having a Scholar Studio about just those soft skill things, those are entwined into everything. And because, as we spoke about in some of them, in all of them, there are internships, there are projects, those are requirements, right?

[01:30:03] So if they're doing the internship, part of that internship is learning about those time skills. And then just in general, Mr. Galloway spoke about being on time and instructional time. Part of just what we do and the stricter enforcement of being on time for school, being on time in your class, are also teaching those foundational skills.

[01:30:25] And I know we've all talked and we've heard constituents talk to us about how those were a little lax as we came out of the pandemic. and those are things that we are working on and what we have been doing um as a school community has improved um both our chartiness as well as our attendance um which is a is very important for school if kids are at school they can learn um and so making sure they are aware of that we are working on that will also lead into well and i don't want to leave parents out of this because parents are their children's first teachers and making sure that the parents understand that Role modeling is a good thing.

[01:31:05] Yeah. All right. Thank you so much. Thank you. Appreciate it. Thank you. Thank you all for being here. And the board will move on. Our next item is a guest from Shenandoah National Park giving us an update. John Mahoney, Chief of Commercial Services.

[01:31:21] Welcome, Mr. Mahoney. Hello, everybody. How are you? Thank you for having me here on behalf of the park today.

[01:31:38] My name is John Mahoney. I represent the Commercial Services Program for the park. But not only that, I deal with lands, utilities. I work out at the superintendent's office and handle just about all external affairs as they, you know, a park that stretches 110 miles and 300 linear miles of boundary.

[01:31:55] We tend to have to do a lot of community engagement, which is interesting because over the summer, the administration issued secretarial order 3434, strengthening coordination with gateway communities, which is kind of funny because I came out the same time that our leadership turned over in the park and we're all kind of getting up to speed and trying to figure out how we were going to divide and conquer and meet with the eight neighboring counties that surround the park.

[01:32:18] That said, representing the neighbor to the west, Shenandoah National Park, just as a brief background, although most of you, you know, we see it as the mountains to the west of here. You know, 198,000 some odd acres, roughly 14,000 of those acres fall within Albemarle County.

[01:32:36] Just for just brief statistical purposes, Rockfish Gap, which is the closest entrance station to here, accounts for about 175,000 entrances into the park each year. And the South District of the park, which we define as from Route 33 south to Rockfish Gap, accounts for roughly 284 boundary access entries. Keep in mind that's most of this county. About half of Augusta, although it's tough to equate Augusta into that because we've had a lot of boundary disputes over there. Most of those boundary accesses are blocked right now.

[01:33:12] About half of green and about a quarter of Rockingham County. Of all of those, of all of that, I mean, last year, 2024 visitation, we were, we had about 1.7 million people come through the park last season. That's a little bit of a downward trend from our peak bubble during COVID, which was around 2 million annually. Accounted for a total of, once it was all accounted for, roughly \$11 million annually comes back into our rec fee revenue.

[01:33:41] When I mentioned also just when I mentioned the rockfish gap, the dynamic, when it's about 175,000 entries for the entire year, as part of what we're looking to do is implement changes and kind of move the flow of people a little better, especially as we're looking at work with gateway communities because, again, we're a big part of the local economy in that context.

[01:34:07] Keep in mind that Front Royal, about 100 miles to the north, The month of October alone, during our peak busy season, we put, that we're aware of, 112,000 people, 112,000 cars, rather, through that entrance station. Anyone that's been through Front Royal in the month of October, I'm sorry.

[01:34:29] My counterpart, our chief ranger, Eric Yant, is meeting with them tomorrow regarding what we can do to kind of help the flow of traffic up there and make life a little easier for the people that live in that community. Regarding tourism, you know, the last time the National Park Service did an economic impact study.

[01:34:47] We account, General National Park alone, accounts for \$104 million spent on local gateway communities adjacent to the park. Supports 1,240 local jobs with a cumulative benefit back to the local area of \$145 million. On the topic of tourism, we are one week out from final submission for our concession prospectus about a year ago.

[01:35:12] Many of you may have noticed that was some local news. It got recalled. We were three weeks out from announcing, but due to just turnover, of course, and a lot of additional legal compliance reviews, it got pulled back. We had to do a re-advertisement, went out late May.

[01:35:28] But all bids are due next Friday. We're paneling it shortly thereafter, and we hope to announce that contract is for all lodging, food and beverage, all four campgrounds in the park, which was a huge

thing for us. Gas station, Lewis Mountain cabins, three fast casual restaurants, Big Meadows Lodge, Skyland, you name it, the full gamut is in there.

[01:35:53] That contract is valued at close to \$530 million gross revenue over 15 years with the minimum franchise feedback to the National Park Service of 14% annually. That contract is also going to cure \$10 million in deferred maintenance in required capital improvements.

[01:36:12] Where is the impact in Albemarle County on that? Well, I mentioned the campgrounds. Currently, the campgrounds, we have four of them, Loft Mountain, Big Meadows, Lewis Mountain, Matthews Arm, are all managed under Federal Lands Recreation Enhancement Act. You don't collect any tax on that.

[01:36:28] Once that gets privatized as it pertains to Loft Mountain, specifically for Albemarle, those campgrounds will be privatized by the concessioner. Those do fall within the boundaries of this county, and there will be an opportunity for taxable revenue there under the lodging tax.

[01:36:43] Just for your own statistics, we do roughly 25,000 stays, stay nights in that campground. Projected revenue annually, we sit about 600,000 in revenue just out of that campground alone. And I'd be more than happy, you know, if you want to send me emails offline, you know, the group, of course, we can provide more information as the statistics on how that goes, so forth.

[01:37:10] You know, that said, how can we support each other, you know, as, you know, specifically as it pertains to this county, You know, I see one of the uniformed officers in the back. We're all aware of the sugar hollow. They use issues.

[01:37:25] You know, it's a city of Charlottesville Island in the middle of the county adjacent to the park. We're a federal enclave with exclusive jurisdiction. County can't go into the park. We can't go out and enforce on county land. It's a weird dynamic. I'm not from here.

[01:37:41] I'm from New York, which is a home rule state. It was very unique for me to understand all of this. was actually also really weird for me to understand that we actually didn't really have formal relations with any of our neighboring counties. I mean, the last park I was at for 13 years, Fire Rental and National Seashore, which only we got things done was working with local government.

[01:37:59] You know, we were also, as I mentioned, Rockfish Gap. We are working through a comprehensive federal highway study to ease the flow of traffic. Not only is Front Royal an absolute disaster to get through during peak October, 211 coming out of Sperryville is no bargain. 33, it's not bad, it's not great you know we're working creatively to see how we can shift the flow of traffic south to better spread the demand I mean everybody wants to be in the central district big meadows skyland where all of our commercialization is but you know we have hundreds of miles of hiking

[01:38:36] trails throughout the entire park south district seldom development and we recognize that we're working with the Shenandoah National Park Trust who is actually their their base station is right here in town. They're working with donors to get an accessible trail constructed in the Loft Mountain area, and we're working to improve, create improvements there just to, again, make more visitor attraction. Regarding lands issues, you know, we are, we're working proactively to stay ahead to block any blocked access issues. Supervisor Malik, it's my understanding,

[01:39:12] I think you may have met with folks from our staff maybe about a year ago regarding something western part of the county. We're trying to stay ahead of these issues before they become major issues. You know, we have some trails where we have files this thick in the solicitor's office with post-its, you know, because of turnover. What happened? Where do we go on that? And that's just the pitfall of being a condemnation park. I mean, you know, we recognize that, you know, there was there was infrastructure here before the National Park Service came along. There were roads that, you know, there were lives that were there. You know, the park came in, it became parkland, and then all these trails and cul-de-sacs became roads to nowhere.

[01:39:48] Lands changed over time. There were handshakes, deals for hiking. And then somebody purchased the property and says you're not allowed in. Our goal is to stay ahead of that. We will do all of our due diligence to make sure that we're not trespassing on someone's private property rights. But if there is a right of access and there is a right of public access for someone to get in, we'll also do what we have to do to make sure that that public access is preserved.

[01:40:16] As it also pertains to just business in the county, you know, we're working with the city of Waynesboro, the Blue Ridge Tunnel, which has been a huge tourist boon the first few years it opened. I think people have realized, like, cool, I just walked through a tunnel under a mountain.

[01:40:32] Now how do I get back to my car? I've got to walk through that tunnel again. It's like, okay, now what? Waynesboro realized that, and they're actually working to create a connector trail, which goes up along 250 through the park, down the county side, uses the AT as a bit of a spur, back into Nelson County, where it connects to the trail.

[01:40:53] The city of Waynesboro is working on that. I don't know through your contacts if you're aware of that, but again, just something to keep on your radar. And lastly, as someone mentioned at the start of this, that data centers have sort of been a local point of contention and power and everything else.

[01:41:08] You know, we are, you know, just for awareness, transparency, we've been in contact and coordination with both Dominion Transmission and First Energy. Going back to that whole name of condemnation, utility companies have easement rights across the park. First Energy is rebuilding the 211 transmission line.

[01:41:28] That's just because it's 100-year-old infrastructure. Dominion reached out to my office about two months ago regarding the Jarman's Gap Line, and that is also on the path forward for them to rebuild. National Park Service, we are supportive of this, independent of what goes on outside the park boundaries.

[01:41:48] The reality is we see these fires happening in California. It's 100-year-old infrastructure with overgrown trees right up against the power line corridor. any opportunity that we can have resilience in the park, we are all for it. I mean, we had the Madison Run Fire, the Quaker Run Fire last year.

[01:42:04] We had another, you know, the day in March when two years ago and everything was burning on the other side of the mountain. You know, being cognizant of that, making sure the power lines are redundant and that we can improve that, you know, we're doing what we have to do. But regarding those two lines, often, you know, we make headlines for, you know, positions and so forth.

[01:42:21] I mean, they're on deeded land. If we legally try to do anything with it, the National Park Service would be guilty of a land take, which puts us in a very precarious position. So we're working with

these organizations to protect their land rights while also simultaneously protecting their resource.

[01:42:40] I didn't have a fancy PowerPoint. I'm used to, you know, the resources are backdrop, you know, so I don't roll that way. Any questions? Thank you. We'll go through our order for questions. Supervisor Lupisto-Curgeon. Thank you very much for that wonderful update.

[01:42:57] Wow, I wouldn't mind hearing it four times a year, your updates and what you're doing, because that was very informative. And I'm glad to see there's a lot going on. I do worry that if you don't have enough personnel, that's a concern.

[01:43:13] But I don't know if that's true or you're managing everything. Walking a fine line here with public statements and such. Okay. So we're currently under a hiring freeze, which has been extended. We are allowed to recruit emergency life safety positions.

[01:43:30] So our chief ranger is currently advertised on the street. Through Operation Opportunity, we are allowed to advertise lateral reassignments within the agency. So we do have a couple positions out. We've made a selection for a deputy superintendent.

[01:43:47] It does need approval from the secretary's office because she's coming from another agency. We also did make a selection for an administrative officer who handles budget and HR for the park coming out of D.C. So we do have we have movement coming in to support new positions. You know, it's a challenge to get org charts approved right now.

[01:44:04] Also, we're looking to just optimize and see what we can do that's most efficient for the park operation. Well, I like that. I think that's very good. And I commend you for keeping everything going. And I think you all are being very successful.

[01:44:20] So congratulations. in these times. Supervisor Malek. Thank you very much for being here and giving us the update in addition to what we get at the Blue Ridge Committee now and then. That's on my calendar next week. You mentioned Sugar Hollow, and I just wanted to, we've had really good collaboration in the past with rangers working with our ACPD and fire and rescue when we've had people have to be carried out, et cetera, and during COVID was a spectacular seven-hour rescue that really made everybody very aware of what our issues were up there.

[01:44:55] So I want you to be optimistic about that so that you know you can count on us. One of my dreams is that someday we would have a kiosk and a weekend ranger similar to what they have at White Oak Canyon at Sugar Hollow because I think that would be a welcome.

[01:45:11] And also, once we get all the other changes made and sort of provide a bit of official welcome to the travelers who come and go up the North Fork And regarding Old Browns Gap, the 637, which was the meeting at the neighborhood, we were talking about the formerly VDOT section, which is now seriously eroded away, and there's really no way to get equipment in.

[01:45:36] So managing, I mean, it's going to be dicey for foot traffic, but I think that's the best we can do right now, unless we can find another way around. but having the there is also great interest among the community members to have a historic marker to show to talk about at the entrance of 810 to show people who want to hike this is public access and it looks a lot like a private farm driveway right now but we need to be able to inform people who would like to walk up and over the mountain to Goshen that this is their

right to do so there's a group of people working on that and we'll get you more involved when we can. I appreciate that

[01:46:15] and I think it would be beneficial probably to include the Shenandoah National Park Trust as they're allowed to do a lot of things off property that, you know, it's a challenge for us to work through. So working with the trust is, you know, they're our third-party philanthropic arm. The last thing, you mentioned First Energy. They're not a eminent domain owner. I mean, Dominion is the owner of the eminent domain, so this is a private venture capital something or other, and what are they doing?

[01:46:43] First Energy is on 211. That's between Page County and Rappahanna County. But also working, you mentioned they were also working on the Doods to Cunningham line at Jarman's Gap? That's Dominion. It's two different organizations. All right. I just wanted to make sure, because that low catenary on Jarman's Gap, when you're up there hiking, it makes your hair stand on straight.

[01:47:01] It's really, I don't want any amateurs up there doing anything. No, and Big Meadows, the line coming out of Madison on that is also Rappahannock Electric is rebuilding that. I mean, everybody's cognizant. Nobody wants to be the utility company responsible for burning Shenandoah National Park to the ground, I've learned.

[01:47:17] Or many communities all around. Yes. We appreciate their help. Thank you very much. Thank you. Supervisor McKeel. Yes, to piggyback on that, I had multiple notes about fire. So the concern about fires in the forest, what's the condition of your trees?

[01:47:38] Can you give us a little – because when I drive aft and I see what looks like swaths of – There has been a significant tree mortality that's been occurring between the hemlock willy delgia, between the spongy moth defoliation, between – there was – oh, there were two other tree blights.

[01:47:57] I'm not a botanist or biologist by any stretch of his imagination. the emerald ash borer, there's been a pretty significant tree die-off. Generally speaking, we're not in a high fire danger right now. It's been wet. It's what we do see around here when we do have fire.

[01:48:15] It's what occurred last year, especially a medicine rather two years ago where it tends to creep. It doesn't crown. But still, that doesn't make it any easier or make it any calmer. We're looking at revegetative efforts in some of our developed areas. But, you know, it's a lot of its natural processes occurring.

[01:48:34] But we have noticed that there has been a pretty significant vegetation die-off. Well, I've noticed that just behind my house. Yes. Oh, yeah, absolutely. The urban rain. Oh, yeah, yeah. And I would say that it is very dry in Albemarle County, certainly in portions of Albemarle County, very dry. Yes. Even though we've had a lot of high humidity and moisture in the air, we've not had any really good rainfall.

[01:48:55] So, and that kind of leads me to my second question about campfires, cigarette butts. We see our fire department responding constantly to fires started along the edge of the road with cigarette butts.

[01:49:15] Really concerning, and some of them have gotten out of control. Just a question about what are you all doing around, because it is dry, and we often have dry periods. What do you all do with regards to campfires and even people smoking along the trails?

[01:49:32] I'm just curious. So when it comes to backcountry use for camping, of those 200-some-odd thousand backcountry entrances and folks that are using the EAT, getting backcountry permits, there is a

burn ban 365 days a year. There are no open fires permitted in the backcountry.

[01:49:49] For the front country, if fire conditions get to the point where we are in a high fire danger, we issue a burn ban park-wide. We instruct our concessioners, you're not allowed to sell firewood. Rangers are actively patrolling through the campgrounds, making sure that folks are not burning and issuing tickets accordingly.

[01:50:07] What we also do, if it really gets extreme, we call the utility companies and tell them, just, you know, kill the meters for the day. Thank you. Yeah, we just have them shut it down. Excellent. Big Meadows, Loft, it doesn't matter. I mean, they're all on my speed dial. There are some weeks I talk to them more than I talk to my own family.

[01:50:24] Yeah, yeah, yeah. That's great to know. I have been, at least in one area, and I don't have to go into details, where it was so dry that the pond was dry, had no water in it. And they did, at one point, we did lose power, and that may be what happened.

[01:50:41] I don't know, but that's interesting. Two years ago when there was day in March when there were all those fires all over the area, there was not a single fire that originated in the park because of that deliberate action where we made the call ahead of time and said, these buildings are empty. Why are we powering empty buildings in the middle of March?

[01:50:56] kill it and we'll see what it looks like afterwards and there was some pretty significant damage most of our buildings were offline for two or three weeks after that day because of all the power line damage so we're pretty proactive on that right and we are because we are always concerned in this community about fires up there because we have houses that just run right up right up to the park boundary yes um so i really appreciate your comments about the power lines aging infrastructure whether it's old water infrastructure or old power line infrastructure needs to be upgraded. So that's great to know that some of that work is going to happen.

[01:51:30] This sounds wackadoodle, but it's been a long time since we've had anyone from your department to come in and chat with us. I remember the last time the ranger was talking to us about a huge concern, and he scared all of us to death, about wild boars. So that expression that you just gave me explains it all.

[01:52:00] Not a problem anymore. We've got deer. We've got bear. Okay. Ian probably remembers that discussion. Way down in that western North Carolina. But the message was that they were on their way and they were coming to us. Not that I'm aware of. Thank you very much. Not that I'm aware of.

[01:52:15] That's the legal term I say. Not that I'm aware of. Well, you would have thought they were going to be here within the year, right? And so thank you very much. Like I said, whack-a-doodle question, but following up from the last presentation we had. and i think that is all oh let me just ask you a quick question if you had your druthers what is the one thing that you would like to see happen what change or what new i'm just if you had your druthers and you could name one thing with the with the park yeah you know it's it's probably fresh off because as i was walking in here we actually had our check-in with federal highway

[01:52:53] and just with all the crowding as we're going into october i mean i would love it if we could figure out a better way to control access to better control egress and ingress coming off of 211 and 33 okay um fortunately these are not problems for this group to figure out um but again we're working with vdot

we're working i mean with with federal highway to figure out how we can better get people into the park you know front royal as its issues getting in um coming in off of uh 211 from spurryville um it's not uncommon it backs up three miles down the mountain uh in october well three miles is a setup for a lot of problems too yeah yeah interesting okay

[01:53:32] thank you very much and i do appreciate your outreach to us and coming to chat with us yes and we're going to make this a point um to to to be visiting at least once every few weeks um you know and part of the guidance from the secretarial secretarial order try saying that fast uh is you know it is as we're you know considering big changes to present those changes you know beforehand so nobody's called off guard and so forth so thank you consider me your point of contact thank you thank you surprise proof uh thank you for the presentation the one thing that kind of left out to me that um my peers have not asked about yet so i i will um you mentioned about

[01:54:11] the um the privatization of some of the uh some of the short-term stay opportunities that are available inside the park and how that is going to make them potential revenue sources for those counties, including ours, which is very cool. We have in Albemarle County an uncommonly high transient occupancy tax, which we are generally comfortable with because we have amenities that are only available here. So there's not much option. And we move in lockstep with Charlottesville.

[01:54:42] We do not move lockstep with Rockingham County or Augusta County or wherever the other three campgrounds are. And I'm curious if that is something that you know has come up, right? Like the one short-term stay that is in Albemarle County will necessarily be much more expensive.

[01:55:03] And if that is something that y'all have grappled with as you're looking to privatize these. When you say expensive, do you mean rates? We have a higher tax rate. On transient occupancy by a not insignificant margin. Okay. Like a 30%, 33% higher than one in Augusta, higher than Rockingham.

[01:55:25] That's the tax, not the rate. I mean, it's a couple bucks. Sure. Point being, it is a difference. I don't know if that matters to people. I'm not sure I understand the question. So in terms of our counties where our overnight facilities are, most of them are Page County.

[01:55:41] Page County does roughly \$1.2, \$1.3 million in lodging tax annually from Delaware North. That's comprised of 190 hotel rooms at Skyland and other 130 hotel rooms at Big Meadows. The Big Meadows campground is 100% located within Page County, so Page County will be the benefactor of that.

[01:56:02] I don't know what the lodging tax rate is for Page. The Matthews Arm campground, which is about 10 miles north on 211, is also in Page County. SO THEY'LL ALSO BE THE BENEFACTOR OF IT. THE OTHER CAMPGROUND, LOUIS MOUNTAIN, IS WITHIN GREEN COUNTY. AND THEY'RE SEEING ROUGHLY 30,000, 40,000 A YEAR COMING IN AND LODGING TAX FROM THE SEVEN LOUIS MOUNTAIN CABINS.

[01:56:24] REGARDING ANY OF THE FINANCES ASSOCIATED WITH IT, SO WE DID A COMPREHENSIVE FINANCIAL ANALYSIS THROUGH A THIRD-PARTY CHM GOVERNMENT SERVICES PREPARED ALL OF OUR PERSPECTIVE DOCUMENTS AND, I MEAN, THEY WENT THROUGH EVERY ASPECT OF ACCOUNTING THAT DELAWARE NORTH HAD AND THEY WENT BACK TEN YEARS INTO OUR RECORDS AND DID SIGNIFICANT MARKET COMPTS OF OTHER CAMPGROUNDS IN THE AREA.

[01:56:47] SO WHEN THEY DETERMINED THAT THE REASON -- THEY LOCKED IN ON THE MAX PRICE THAT ANY OF THOSE CAMPGROUNDS COULD SUPPORT WOULD BE \$50 A NIGHT AS IS WITHIN THE

NEXT THREE YEARS ASSUMING OF IMPROVEMENTS HAPPENED. AND WE DO RECOGNIZE THAT THERE'S GOING TO BE SOME GLAMPING AT OTHER IMPROVEMENTS THAT that a concessioner is going to want to bring in, and we do have that accounted for in our modeling.

[01:57:07] Great. Thanks. Thank you. Supervisor Calloway. Ten percent in Tran-Page County, if the Google machines were. Oh, really? It's not going to sell them. And it looks like they just raised it from five to ten two years ago or a year ago.

[01:57:23] Thank you for the report. Lots of good information. I don't have any further questions. Thank you. Thank you, again, for the report, for this idea of building relationships, and I appreciate you being here. i do think that annually would be great uh i am curious whether the uh park would do something like this maybe with the visitors bureau uh board or something like that because the tie in the touristy oh absolutely yeah if this group could facilitate that conversation and um you know the blue ridge committee i'll be happy to do that for you oh yeah if you can leave your information

[01:57:58] phone number or anything i'll get in touch with you okay excellent thank you thank you very much thank you thank you great uh board in light of the time and what we have left i think we should do a recess yeah and come back in 15 minutes and proceed to our next item okay welcome back board our next item is the discussion ac presentation on ac 44 2025 built out analysis

[01:58:33] i'm kicked off by jt newberry senior planner too welcome thank you chair andrews and members of the board my name is jt newberry i'm a senior planner in the department of community development i'm joined this afternoon by deputy county executive and wall as well as um who's sitting by my side and then in the audience i have a legion of um colleagues from the department of community development to help me answer questions that may come up as a result of today's presentation.

[01:59:08] And also with us is our consultant on the project from line and grade, Jeremy Goldstein. So as the board is aware, we are currently in phase four of the AC44 process. And attachment A to today's materials was actually published early on in the AC44 comp plan update. That's the 2022 land use build-out analysis. And that document proved to be very integral to how the AC44 process has moved forward through phases two and three. And as the process has gone on, the board has

[01:59:47] asked for updated information about what's happening in our development areas. And so today's presentation is aimed at providing updated information about what's happening in our development areas. It will cover the time frame from when the 2022 land use build out analysis ended. So we'll be looking at development information from January 1st, 2022 through the first quarter of 2025. There's no action that needs to be taken today. So we're really looking

[02:00:27] to receive your feedback and questions on the analysis but we'll be returning again in january of 2026 to look at other information that the board has requested such as a draft scorecard there'll also be an updated capacity analysis that uses more of a market-based lens to look at this information and we'll also have the opportunity to respond to any questions or feedback that you've given us today. Why is this information important? This information is

[02:01:02] essential to implementing the goals of AC44, as well as several of the board's strategic plan goals. And the way we've been thinking about it internally is that both the 2022 analysis and the 2025 analysis are really snapshots in time that kind of give us a sense of where we are currently, and they help orient us to how far are we from where we want to go in the future.

[02:01:29] And so in that way, it kind of reveals to us what are the questions that we should be asking, what are the strategies that we should be pursuing if we want to reach those goals. And so there's strong connections to those goals related to housing and economic development.

[02:01:46] This information will also be helpful moving forward as the board considers current development proposals like rezonings and Special-use permits as a reminder this information only looks at development within our designated growth area and our five master plan development areas and so The graphic on the screen was included in attachment B but it outlines the different neighborhoods and communities that are included in each of our various master plans.

[02:02:18] I thought it would be helpful to just look a little bit at some brief history of this analysis. There have been different versions of this over time. So over the past 15 years or so, there have been two staff-led analyses.

[02:02:36] The first one in the 2015 comp plan, and the next one was the 2019 growth management report. Those were both similar but not quite exactly the same. And then, as I said, attachment A is the 2022 report.

[02:02:53] That was developed by Kim Lee Horn, and we've replicated that methodology and approach for the 2025 analysis so that for the first time, we can actually look at these numbers over time and try to have an apples-to-apples comparison of what we're seeing that's happening.

[02:03:13] And so before we look at the results, I think it would be helpful to go through some of the terms and exact methodology. One of the terms is developable or redevelopable. On page 5 of attachment A, you'll see the beginning discussion of the criteria that's used for different land use types for parcels that are considered developable and redevelopable.

[02:03:40] A common factor is often that the land value is greater than the improvement value, but there are some specifics depending on the land use types. And those would be residential, office, industrial, commercial, and hotel.

[02:03:58] Another term we're going to talk a lot about is theoretical maximum build-out. And that's really looking at what is the maximum amount of development that's called for in the comp plan. And so these results are based on the 2015 comp plan.

[02:04:14] Just to give one example, if we were to look at one acre of developable land that was designated urban density residential, the comp plan calls for a density range between six and 34 units an acre. And so we would be looking at that as having 34 dwelling units per acre.

[02:04:34] And so at its highest level, there's, you know, the 2022 report is, you know, over 70 pages of information and analysis. But at its broadest level, it's adding the development pipeline.

[02:04:51] Those are projects that are either approved but not yet built or currently under review. And it's adding it to that calculation of that theoretical maximum build out. And that gives us our total capacity. So one example of a project that would be within the development pipeline, you've probably seen the construction happening, would be at old ivy residences.

[02:05:17] That's a good example of a project that's currently under construction, approved, but not yet built. That would be captured in this analysis by the development pipeline. There's a little bit of a sophisticated calculation that's involved with the theoretical maximum build-out calculation.

[02:05:36] So first, those developable parcels are identified. Then there are some assumptions that are applied to those parcels that remove area for things like steep slopes or floodplain. It provides area for roads or other infrastructure, as well as required open space.

[02:05:59] That gives you a developable acreage for that particular parcel, and then the analysis includes a set of assumptions of how densely that would develop. So the graphic on the screen here shows a few of the different land use types, and as one example, that top line, that neighborhood density residential low, includes only residential uses.

[02:06:31] So we would look at the recommended density for that land use and apply 100% of the developability to residential uses. If it was more of a mixed-use category, there would be a portion of that developability that would go to office uses and commercial uses as well as residential.

[02:06:53] We can go through a specific example if you'd like, but this is just kind of broadly theoretically how it works. So let's look at some of the residential findings. For both residential and non-residential, I'll quickly go through the 22 information because it's been a little more than three years since we've reviewed that.

[02:07:14] We'll pause briefly on the 25, and then there'll be a comparison slide where you can see it all together. So the 22 analysis determined that the total theoretical maximum buildout would result in just over 24,000 residential dwelling units.

[02:07:37] And so the different columns on the screen, the development pipeline are those first two. And then the middle, the third column is that theoretical maximum. And the final number circled in red is the total.

[02:07:52] In 2025, we see that that's a decrease to just over 21,600 units. And here's the slide that compares the two. And again, for the first time, we have a chance to compare some apples to apples numbers.

[02:08:10] And we can see one portion of the development pipeline has gone up. The number of units that are approved but not yet built, those that are under review, have decreased.

[02:08:27] And then the overall, the theoretical maximum buildout has also decreased. As you probably saw in attachment B, one significant portion of the explanation of this decrease in capacity is going to come from those units that have been built over the past three years.

[02:08:48] And there's been some healthy construction activity that's taken place. In total, there have been nearly 3,000 units that have been built. And the 2022 analysis says that to meet the projected demand over 20 years, we need to be building about 675 units a year.

[02:09:10] And over the course of this time frame, our average has been well over 700 units. So we are currently developing at a pace that would meet the projected future demand based on those findings.

[02:09:28] So let's look at non-residential really quickly. In 2022, these are the totals for those non-residential categories. In 2025, we have these updated figures.

[02:09:46] And then finally, here's how the two reports compare on non-residential findings. Now I'd like to talk a little bit about some overall findings.

[02:10:05] The 2022 analysis calculated that there was about 6.9% of the development areas remaining for future development. This updated analysis finds that there's just over 6%, about 6.1% and 1,446 acres.

[02:10:29] Just over half of that is vacant. So 813 of that 1,446 acres are vacant, and we'll talk a little bit more later about some of the implications of our remaining development capacity.

[02:10:48] Another figure that has been talked about quite frequently throughout the course of AC44 is the degree to which we're approving projects towards the maximum recommended by the comprehensive plan.

[02:11:09] And so the language shown on the screen here comes directly from page 46 of attachment A, and it just gives you the full context of that 58% figure, where it ends by saying that over from 2016 to 2021, the actual approval of residential rezonings was 58% of the theoretical maximum buildout.

[02:11:40] As you saw in attachment B, the 25 analysis found a very similar figure that overall for all of the residential rezonings and one special use permit that provided for more residential units, that we're now at 56% of that theoretical maximum buildout.

[02:12:04] That said, I think it's important for the board to consider the full distribution of all of these approvals, and in particular, I want to draw attention to one of the approvals that I think the board will remember, and that's related to North Fork.

[02:12:23] So in that first column on the screen, you can see there's 1,403 dwelling units that were approved at less than 50% of their theoretical maximum density. But nearly all of that figure is dedicated to the residential that was approved at North Fork.

[02:12:44] That approved up to 1,400 residential units on 172 acres on neighborhood model district zoning. And so the way this analysis would look at residential within that very large park, over 550 acres are within North Fork, there was a little portion in the 2015 comp plan that was dedicated to residential units, and it was called for at a density of 34 units an acre.

[02:13:16] And so the area that was approved for residential units within North Fork recognized that the park contemplated some residential, but it really skews this figure in a way that doesn't feel like it is accurately capturing the vast majority of the work that the board has approved between 2022 and the first quarter of 25.

[02:13:45] So if we remove just that one project, for example, that 56% goes to 70%. And so I think for me personally, having looked at this data closely, that feels like it's more of a representative figure of what the board has been approving.

[02:14:06] And you can see the distribution of those other projects. The vast majority of units fall within that 50% to 79% range. but you have many that even go above that 100 percent figure. So as we think about these numbers, I think it's really important that we recognize we're talking about theoretical maximum capacity and that it's very difficult for projects to do that consistently throughout the development area.

[02:14:38] The 2022 analysis includes a number of constraining factors that are still very relevant and applicable to the remaining capacity that we have today. Things like the cost of land, the mismatch between existing zoning and our comp plan are just two examples.

[02:15:01] So as I mentioned, the analysis is really revealing for us where do we need to be looking if we want to be closer to reaching our comp plan goals. And that's, you know, some items that we've identified

so far are related to redevelopment activity.

[02:15:21] You know, approximately half of that remaining capacity are parcels that have structures on them already. And so how can we support folks that are going to be redeveloping their property in a way that more closely aligns with the comprehensive plan?

[02:15:38] That's especially true within the activity center areas. We want to think about how can we make sure that we're being strategic in investing in public infrastructure in a way that's going to leverage private investment as efficiently as possible.

[02:15:55] We want to evaluate opportunities to align our land uses in a way that can spur development activity. And we also have, you know, strong recommendations from the recently adopted Economic Development Strategic Plan, and we also have other steps of the AC44 process that are aiming to improve review processes.

[02:16:23] So one big takeaway that I want to make sure isn't lost in today's presentation is that I mentioned the history of this analysis. With the help of our consultant, we're moving away from these sort of static PDF reports that we'll be capturing one snapshot in time every few years.

[02:16:45] We now have an editable, Excel-based digital tool where we can run different modeling scenarios. We can use this to evaluate current development proposals. It can be especially helpful not only for community development, but other departments, such as schools.

[02:17:06] We have other agencies that are constantly interested in updated information about our development areas. So things like ACSA and others. And so we're really excited that this is now moving from kind of a static method to one that's more dynamic.

[02:17:29] So at the next meeting scheduled for January 26th, we'll be bringing forward using this digital tool, integrating more of a market-based approach to try to figure out in a more detailed way how our current capacity can serve our comp plan goals.

[02:17:53] We'll bring a draft scorecard, which is something I know the board has been talking a lot about. And then we can also respond to questions and feedback today. So I'll end there and invite questions and feedback. Thank you very much, and we'll go through our order.

[02:18:11] Supervisor McEso-Kertley. Thank you very much for a very informative presentation. Just a few questions. You spoke about we were only approving 58% of, you know, buildable units and everything, But you said now it's gone down to 56%.

[02:18:36] And what is the reason for that? Do you know? Or could it be our new housing policy? We have not reviewed the numbers in a way to think about all of the reasons why.

[02:18:54] We've really just been doing the calculus behind what it is actually yielding. And so that number comes from looking at for all of the projects that were approved over the time frame, What are the total number of units that were approved?

[02:19:10] And what are the total theoretical units that could be built? And so it's close to 5,600 units that have been approved. And theoretically, it would be close to 10,000, actually just over 10,000.

[02:19:27] And so that's how we get to that 56% figure. So when we have our January meeting, would you be able to maybe provide a, I mean, we should be going in the opposite direction, correct? Yes, and that, I

wanted to, in showing the distribution of all the different approved projects, I was really hoping that the board could focus on, you know, the, if we remove just one project from that, the North Fork project, you get much closer.

[02:20:03] you get to 70 percent and so that would be um uh moving in the direction that that is uh beneficial okay and okay so and i understood that that if we've removed north fork it's closer to 70 percent um and the reason what is the reason and i did i'm sorry i didn't catch why if we remove north fork i mean what's happening at north fork or yeah the the reason north fork is is treated

[02:20:35] differently is that you know the vast majority of that 550 plus acre park is designated in our comp plan for office r&d flex light industrial the comp plan has no recommended density for that designation and so although there is that small portion of the park that would call for 34 units an acre it doesn't quite feel fair to apply that but it is consistent in how we applied it to all the other projects and so you know just being you know strict calculus we get to 56 percent but

[02:21:13] kind of taking a step back 70 percent is as much so the 56 percent is actually skewed by north fork that's right okay good that answers that and i do like the fact that you said there were we've been building 675 units a year what that's what we should be building their theoretical you know calculations but uh we're building over 700 a year in a in reality correct yes that would be the average between january 22 through the first quarter of 25 okay and getting back to my first

[02:21:52] question as to why the discrepancy um i noticed and you mentioned page 53 that um the uh let's the middle of the paragraph. Furthermore, having a long-term vision that is not realistic or achievable creates uncertainty, which can make it difficult for developers to accurately plan, finance, and develop their property. Can you explain that a little more?

[02:22:20] Yeah, so this section of the report was really looking at, you know, what are some of the constraining factors that limit projects from reaching their full potential? And so it appropriately acknowledges that maximum theoretical build-out is very difficult to achieve. And so it's recommending something that is more in line with what is actually the prevailing development pattern. And so that's why in January 26, we'll have the chance

[02:22:58] to come back with a more updated approach and methodology. We really wanted for the first time to to get some sense of what was happening over time in an apples to apples way but we'll come back in 26 with i think uh something that appropriately responds to that section of the report perfect and if you could go to page uh slide 16 okay tried to write my question down

[02:23:36] before you switch slides because some of them were a little quick oh no i i i understand all that they page 23 slide 23 because i read that before um could you could you go over this for me for my edification you have 633 acres that are developable and 56 that are developable

[02:24:11] acreage that are vacant yes so the pie chart is meant to represent of the remaining developable acres how much of it is vacant and how much of it has an improvement value of at least a thousand dollars so that is that when you were mentioning you're talking about before that there may be a house on there there there yeah that it you know much of um many projects that come forward are are completely that have come forward in the past have been for greenfield sites that have not

[02:24:48] required any kind of redevelopment work at all. And one of the intentions behind this slide was to say, moving forward, there's less and less of that greenfield property that's out there. And so

thinking about projects that could benefit from redevelopment strategies are going to be especially helpful moving forward throughout the lifespan of AC44, because it's just over

[02:25:19] half of our land is just completely vacant but 44 percent or 633 acres of that 1446 contains some type of structure contains some kind of what some type of structure okay but i mean if a developer if there's a house on it and you have a few hundred acres and they're just going to demolish the house right i mean how i'm trying to understand how that's pertinent yeah unless it's a historic building? Well, the availability of those large tracks that you're describing

[02:25:57] is less and less. And so we're often talking about very small acres or areas where there would need to be an assemblage of small lots to get a critical mass that you could bring forward a development project on. And so the purpose behind the slide is to just indicate that more and more we're going to be seeing projects where existing improvements have to be raised in order to to make way for for new development okay when you last question when

[02:26:36] you okay i understand vacant developable acreage that's nothing's on it okay and the person may or may not sell correct the owner okay yeah developable acreage once again they may is it developable if it's not being sold? So someone lives on the acreage and they don't want to sell it, is that being considered developable? So the analysis, just to use the residential land use type, it would require that the land value be more than the improvement value, and then it

[02:27:14] would have a minimum acreage of two acres in order to be considered developable under this analysis. But you bring up an excellent point that, yeah, that in the real world, there could be property owners that don't want to develop to the comp plan.

[02:27:34] Right, so how do you – because I know a lot of people that have, you know, they have land, acres, and they're not selling. And so that's why I was wondering why are we – unless we know that land is either vacant or for sale, how is that developable?

[02:27:50] I don't mean to put you in any kind of a – No, it's a great point, and that's the kind of feedback we want to hear that we could integrate into future analysis. But I think this was the approach that Kim Lee Horn used in 22, which we were trying to replicate here, was really trying to take a high-level approach, and it didn't consider individual property owners.

[02:28:15] But you're correct. That's a significant constraining factor. Okay. Thank you. No other questions? Thank you. Supervisor Malek. Thank you. This is really helpful, the homework as well as today. Excuse me. But I do have, I'm going to start at the bottom.

[02:28:34] When we looked at this a few months or last year ago, I'm not remembering properly, there was a lot of discussion about outdated shopping malls and giant parking lots and things, which were excluded totally from being considered in the 2022.

[02:28:54] And I understand your point about keeping the methodology fairly similar so you can trend. But that seems like a really important thing to figure out, how to involve that in some way. Otherwise, we're just ignoring a pretty substantial area.

[02:29:12] So I'll just leave that thought with you. Is there a map of the areas which were excluded from consideration? Or do we just sort of make that up out of places we know from our anecdotes? So that's a question that I guess you can answer before I go on.

[02:29:31] Michael's shaking his head. Yes. So the analysis does, because it's an Excel tool, it can be put into our GIS software and a map can be created. Okay. So that's a possibility. Okay. Good old Excel.

[02:29:49] Even I can understand Excel. That's great. So now I'm going to go back to my beginning here. I think many people over many years, like 20, have heard me asking for where in the world did the 34 units per acre magic number come from?

[02:30:09] And no one has ever supplied any answer. So I'm just putting that out there because I feel rather crabby that we're continuing to beat ourselves over something that has no discussable basis. So I'll just leave that there, too.

[02:30:25] It's not your fault. It's way before maybe Michael and Barbara here, but not in their current roles, but long, long time ago. No, he was definitely not involved in that way back then, so that's okay. Slide 16, I think you already answered my question because it sounded like the reason the numbers are falling is because some of those are hitting the market, and therefore they're not in the pipeline anymore.

[02:30:49] They're out in the world, which is great. Developable to me should be the physical ability, not whether somebody owns it or puts it on the market or anything else. We could go insane trying to figure out the other option.

[02:31:07] So I just think if the constraints are really important, and you did mention in your presentation that you were going to be excluding when you get to that detailed level, the steep slopes, et cetera, et cetera. And so eventually we will get to more accurate numbers. But we have to have something that can be fairly understandable.

[02:31:29] by me and others as well. The theoretical max. It's harder than it looks, I think, to get the max when applicants don't see it in their business model to do that. And many times over many hearings, Plano Commissioners have said, why don't you go to six or seven stories?

[02:31:54] You're right here on 29 and this would be so much better. We have a bus, et cetera. And the response has been, well, no, we're not applying for that. So that's another situation where I don't want the county putting itself in the whipping post for something like that, which is not our choice unless we start to deny all these things that are four stories and say, no, you have to do this.

[02:32:18] And I don't know what the answer would be for that either. But the county is not generally the originator of these. The county is the application receiver and then sees how things match the rules. So as long as that is the process, then I guess the guidelines have to be made more strict or something if we're going to try to force this higher density in places where there are not physical constraints due to steep slopes, floodplains, et cetera, et cetera.

[02:32:51] Let's see. But I think the private investment role is really important that we not forget that. And I think the market will help us with that. Way back in the 60s, people said, oh, don't worry about making rules for the environmental protection because the market will take care of it.

[02:33:11] Well, it took 50 years, but we're slowly getting there. But I think that in this situation, the market will, because our market here is so different from other counties around us. There are a lot of Keynesian economic things that don't work here because we have an unlimited supply of people who graduated from the University of Virginia and want to come back here when their pockets are full of cash, and they will continually buy anything that comes on the market regardless.

[02:33:42] That's just an insatiable demand. Okay, I did that one. So anyway, I'm going to stop there. Thank you very much. Thank you. Supervisor McHugh. I think it may have stopped, but I was going to ask you if we could have a temporary ordinance against blowers so that we could hear what was being said in this room.

[02:34:03] Oh, my goodness. And this gets back to my concern about all these blowers that we have going all over the county. I listen to this all day long in my backyard. I'm just saying. I'm sorry. Blowers. Oh, outside. Blowers.

[02:34:19] And I'm just using the opportunity to say that there are some communities that deal with some of this, and it would be nice, but I won't be on the board. Quiet zone. Sorry, folks. And it's not any of your all's fault.

[02:34:35] It's just that that blowing was going on in the background, and it was irritating. So I have a couple of questions, just general questions. And I know we're talking about Attachment A.

[02:34:51] So obviously there's a lot in Attachment A that you didn't have in this slide. So I just have a couple of questions. We recently worked with our Economic Development Authority to pass a strategic plan.

[02:35:08] And a big part of that strategic plan, I'm getting back to this because I think you alluded to it a little bit, but part of that strategic plan was jobs, jobs in this community. So how does that strategic plan impact what we're seeing here?

[02:35:23] Well, I think that we need to be integrating the recommendations of the strategic plan, considering that in concert that strategic plan is a part of AC44.

[02:35:40] And so it informs how we'll be bringing back the future capacity analysis as well as the scorecard. There are some good recommendations in that strategic plan that will directly influence the future iterations of the capacity analysis.

[02:36:03] And so what I'm hearing you say, I think, is I was really pleased to hear you say in January, update for the approaches, right? So maybe in January that will be part of what you all are looking at for the update.

[02:36:20] Is that correct? Yes. So that's good. I'm all for that. That's great. When you're talking about some of this undeveloped or some of the, what are we calling it, not the, I'm just trying to get at strip malls and all the vacant properties we have.

[02:36:43] I mean, we have malls that have huge amounts of storefronts that are empty, huge amounts of parking spaces that are just sitting there, right? So I'm trying to get at, will we be seeing eventually recommendations on how, I know they're private property.

[02:37:04] I get that in the struggle. And that leads me, and I kind of sound like I'm rambling here, but they're all connected in my brain. Where are we on form-based code? Has that worked? It works in Crozet. It works in Crozet. Okay. But has form-based code really been successful?

[02:37:24] And I would like to have just a two-minute quick on how we feel like that's been helping us. Maybe it worked with Home Depot. Yeah, Michael Barnes, Director of Planning.

[02:37:41] I'm doing wackadoo stuff here today, Michael. No, no, I think it's an interesting thing because I think what you're really getting towards is the larger question of, you know, these activity centers, a lot of them which correspond with these walls. How do we sort of set the incentives to make those things help redevelop? And one of them is to do the form-based code.

[02:37:58] Right. So at least you make it more by right to give us the form we're looking for. You put in what the market will support in those buildings. But give us the forum and give us some places that do create some community gathering, you know, a street or two that has those types of facilities that provide for the, you know, sense of public space.

[02:38:18] And then plenty of room for residential development and economic job growth, that type of a thing. So what I would say is this, another one of our team, led by Margaret Maliszewski and headed up by Mariah Gleason, are working really hard on rewriting the form-based code.

[02:38:37] I think some of one of the major elements we understood from it was the previous code sort of like focused in the Rio area at that intersection of 29 and Rio Road. A little spoiler on their presentation, but I think one of the feedback we heard from a lot of people is that's probably not a really great space to have sort of that gathering, that community space because of all the traffic.

[02:39:00] So we're looking a little bit at that plan as it plays out in that area, but more importantly, as far as the form-based code, we're really trying to create something that is going to be development-friendly in the regards of the ease of use, but yet builds the form that we look for in our community.

[02:39:19] And they're actually almost wrapped up with a draft that they'll be circulating with CADRE and other folks in our community. We hope to be in front of you towards the end of the year with the form-based code. Maybe before I'm off the board. Hopefully.

[02:39:35] Because I know I spent a lot of my portion of my life on that form-based code a few years back. And I was just interested. So what you're saying to me is that we're going to be getting sort of a follow-up and maybe tweaking that to see if we can make it more workable, relevant for us.

[02:39:50] Yeah, I think one of the feedback that I heard from some of the developers who have used it was that it had some elements that were very difficult to use and implement and didn't work in some real-world situations. So that's part of what we're trying to respond to and makes it a little more streamlined and straightforward.

[02:40:08] But again, I think back to the bigger picture of what we talk about, where is our development potential in our community or redevelopment potential in our community? Obviously, that's one area that several of you all have talked on. That's very helpful, because I've been thinking for several years now, form-based code, where are we?

[02:40:25] And to be honest with you, I was kind of joking when I said Home Depot, but that was the area that we were focusing on, which is why I mentioned it. Yes, ma'am. Yeah. Okay, thank you very much. And Ann mentions Crozet, and I noticed in here, we know that the old development in Crozet was approved for 2,200 units, but now it's expected to deliver 1,200.

[02:40:48] Yeah. I think that's important for the people of Crozet to hear. I'm just saying but that is that that is development those are units and and homes that people are not getting there's a difference there I'm just saying that we were anticipating but it's been reduced by that much help me out a little bit with

this well i mean i think that's part of what it is what it touched on the theoretical maximum but he was talking about the other end of the county well i mean it's independent of where we are in the county i think

[02:41:24] one of the biggest things we take away from this analysis is this is at a macro scale it's not so much developed on each individual parcels it's tough to apply it at that level in this theoretical maximum and what we are doing as a percentage of the development it's going to be so context sensitive to you know some parcels will have lots of floodplain other ones will have lots of steep slopes other ones may be perfectly flat and you can put a lot of density there some are closer to transit lines and so can accept more density than others so it is highly variable where we're at i just would say old trail um there's been a lot of

[02:42:01] factors over the time that have influenced why it's built what we've been willing to approve out there too is a factor but that's another story yeah and we're of course i think another thing i think you may be hinting at is in time there's different boards that have different approaches towards development uh that's happening in that time period so um it's a reflection of that as well yeah well and certainly we hear from croz all the time that they're taking the brunt of everything well i'm just saying that 29 north i mean there are other areas that have been taking a lot of our development as well so and this one shows a reduction um just saying um i have another

[02:42:39] question and i'm in whack-a-doodle world right now okay i'm way up here so i'm asking about form base code what i'm seeing and this made it i'm sorry if i'm taking us down a rabbit hole but are we finding that the neighborhood model is really working and that i'm going way off the the golf course here right but what i'm noticing is the developers are coming back and saying we can't get commercial spaces to go into this area these areas so we're going to build more units that's not a bad thing i'm just saying that when we're for using the neighborhood model

[02:43:15] and we're expecting commercial and there is no commercial help me out a little bit with this Again, just a couple of, like you did with the form-based zone, help me with this. Well, I worked here from 2000 to 2003. And actually, my first month here, I think the neighborhood model had been like a month old at the time.

[02:43:37] So I remember it being implemented. And I think a lot of the reason it was implemented partly was the mixture of uses and trying to get the commercial uses in. And certainly, I've heard comments before about trying to mix them within buildings and that being difficult. But I think it's important to also remember that the neighborhood model was trying to get at some neighborhoods that had been built several years before that that didn't have sidewalks, that didn't have a lot of the things of the connectivity.

[02:44:02] And those 12 principles, they're not all related to the commercial development. And, of course, it couldn't foresee at that time the changes that we've seen now on Amazon and, you know, what's happening in our commercial market. So there are lots of different changes. I think that there's a need for us to be sensitive to the time period we're in and adapt.

[02:44:21] And I think that's part of what we're doing in AC44. We took the ABRID model and sort of reworked that into a whole series of design standards to try and help guide the kind of form and function that we want from new development. Trying to get that mixture of uses in a building is tough.

[02:44:40] Hopefully we can, with the form-based code, also try and find ways to find some flexibility in how that is implemented as well. And I really appreciate that. And I can see sort of the changes through

AC44 with the neighborhood model. I was kind of out in la-la land with form-based code, but you helped me with that a little bit.

[02:44:59] But adjusting both of those, and it goes back to my premise about a lot of things that we do in this county. We continue to do the same thing for 40 years and expect a different outcome. And we always have to be going back and looking at what we're doing and saying, do we need to adjust this? Do we need to change?

[02:45:15] What do we need to do? Well, I'm going to give a plug to one of the last slides in his presentation, which is really about what this tool, I think, does is helps us ask what are the right questions to be asking. Yes. And part of that is what do we need to be doing as a community to help spur that redevelopment, whether that's through regulatory changes or things to do or investments that we make from the board into CIP or other services that we make in these things.

[02:45:46] Obviously, the more of an urban area you have, the more urban services that it requires. It's just a factor of having more people living in a higher density. It requires more services and infrastructure, and that's part of what we can do to help lay that groundwork to make this analysis hit that theoretical maximum that he's in or get closer to it in areas that we really want to see, especially the activity centers.

[02:46:15] And I appreciate all that, and that's excellent. Thank you. So some of this I may be seeing coming to us while I'm still on the board, but more to come the next year is what, yeah. Yes, ma'am, and I can assure you that we're working.

[02:46:30] I want my staff to do this as quickly as they possibly can, too. Time is limited and precious. Well, and I would also say that to the developers, time is money, and one of the most important things we can do is try and make sure that the proposals go through in a timely manner.

[02:46:50] Yes, ma'am. And are not two years in getting through, but I think we're working on that too. Yes, we are. But I just had to add that because time is money. I would just conclude by saying, you know, everything we're talking about, a whole bunch of puzzle pieces. Right.

[02:47:06] And how do we push those things into place, and how do we create the conditions that we need to meet that vision? And what I'm excited about is that we are very much concentrated on what those tools are to get us to that goal, both as a department and, in large part, the questions that are being asked in this build-out analysis.

[02:47:24] Great. Thank you very much, and I'm going to stop with that. Thank you. Supervisor Pruitt. I think I know the answer to this, but are there any efforts in the build-out analysis, either currently or moving forward, to try and disaggregate owner-occupied from non-owner-occupied properties?

[02:47:45] It seems very relevant when we're thinking about focusing a lot of our build-out strategy around redevelopment. redevelopment is a dramatically different thing for an owner-occupied property and a non-owner-occupied property. There was not any contemplation of that in the 22 or 25.

[02:48:06] I think I could look to our consultant maybe just to ask if that's a factor that is intended for our future capacity analysis. Hi, all. I'm Jeremy Goldstein. I'm with Lining Grade.

[02:48:26] I think the answer is that's something we absolutely could do. Part of the intent of moving to this tool-based method was to apply a range of assumptions and scenarios that can help us explore the implications of change. And there's no reason why, as long as there's adequate data on which parcels are

owner-occupied and which are, you know, the owner is elsewhere, then we're in a position to start doing that analysis for sure.

[02:48:57] Might actually be all I have on this. All right. Okay. Thank you. Ready to get to closed session. what can I say? Yeah. Unfortunately, Supervisor Galloway had to leave. Just a couple of quick things. Back to slide 16 for a moment. I just want to make the point. Now, this shows 2025, obviously, quite a bit lower from 2022, 2,489 units, I think is what it was. But if I understood

[02:49:33] it correctly, your next show that there were 2,900 units during this time, if you add these together, that were built and issued COs. And they're not included in this anymore because they're no longer in the pipeline. They're done. And so we built those.

[02:49:48] So when you look back at 16, the numbers, actually, the difference between those is less than the difference of number of units that were actually built during that time. We built more than the difference available. And I also had previously asked you this question.

[02:50:06] We haven't included in any of this analysis, I think you made it clear, it's all based on the current comp plan. Nothing in there reflects any changes in what would be recommended in any parcel under AC44. I'm really curious about the fact that we went over 100% on quite a few parcels.

[02:50:29] Is that, may I ask, is that possibly because I'm trying to think why it would happen, Since a parcel can be designated mixed use, and some of it is expected to be commercial or retail office, as that gets shifted and people decide to build residences instead, we end up going over on our residential, but at the same time we lost something.

[02:50:56] And I wondered if one of the things that I don't think was in this, but I hope maybe for January, is an understanding of how things have changed in the other areas since the 2022 report. So we don't really have, we know a little bit about build-out since in residential, but we don't know as much about build-out and how it's impacted the other areas.

[02:51:34] I'm going to, I don't think I have any additional questions. I had some just comments that I do think that whether it's for sale or not, We have to find a better measure if we're trying to decide if something's developable.

[02:51:56] I don't think it's dependent upon who's owning it or who's living in it. It's more some other factors that have to come into play. But I do appreciate those last slides where you've looked at factors that can go into a tool, and I think that's the right direction to go. So I really appreciate the work.

[02:52:13] And I will stop there. Are there additional? Yes. A quick question that Supervisor McKeel brought up a good point regarding developments, and we wanted housing or whatever. They were going to put in commercial and retail and everything, and I'm thinking specifically of Brookhill.

[02:52:34] I think what they were going to build in the center, they were going to have an ice rink and all kinds of things there. That didn't happen. So is that what's happening throughout the county because people aren't coming to us for commercial or retail?

[02:52:54] And so, therefore, the developers are saying, well, we've got empty land. Can we build more residential? And is that perhaps why we're getting more than we thought we would? Well, the reason that there are some projects that go above 100%, those are projects that have neighborhood model district

zoning or planned residential development zoning where the developer gets to effectively make their own code of development and their own zoning ordinance where they can dictate the density.

[02:53:31] And so if it's on a site that the market can support a greater density than what the comp plan has called for, you know, I think they're building at that rate, and it's reflected in these columns above 100%. Specifically with respect to Brookhill or other similarly situated developments, I don't know if I might look to others here who might have some comments that they would want to provide.

[02:54:00] Good afternoon, board. Jody Filardo, community development director. You've had a couple projects that came through to the board that one recently comes to mind where you had a dentist's office that was zoned commercial which has zero residential units in it and you all allowed for that thing to come forward with taking down the commercial building building the dentist's office on the lower floor and putting

[02:54:34] residential above so when we when we are running this calculation the original comp plan density for residential units is zero and so some of that is and so then when you get eight units you're eight units to the good over the top of what would have been a hundred percent of the comp plan density because the comp plan density was zero so that's some of how you wind up on the other side of that scale that's also some of what happened with um north fork because the land that

[02:55:11] was rezoned when North Fork came forward for those 1,400 residential units had a density of dwelling units of zero because it was office flex. And so we wound up with 1,400 units which were developed in excess of the original comp plan density. So that's some of why we have to go through and refine some of what we're going to be bringing to you in January because the complexity of how all these numbers interrelate seems like it should be so simple but it is not so simple so

[02:55:50] we want to make sure that we reflect the work that the board has done in an accurate way to supervisor Malik's point you know we don't want to say to the board you've come in at 56 percent when you had been at 58 percent well that's not really the whole story because you've approved residential in places where there had been no plan for residential before and and that should be credited if you will to the to the board's foresight in helping move forward housing opportunities in Elmore County. So and I think I'm hoping I'm not speaking for just myself but I

[02:56:27] I think this board you use the word adapt and it seems like we've adapted to the circumstances Even though the regulations say, A, we've adapted and allowed, B, because of circumstances, whatever is going on globally, statewide, federally, whatever, which, frankly, I like.

[02:56:53] I mean, it's kind of like we're meeting our needs of the time. And if something even five, ten years ago, if that's too ancient, then we need to adapt. But I think the other question was regarding, like, Brookhill.

[02:57:11] Do you have more areas coming through that we're going to have commercial and retail that are asking for more residential? I do not know. Brookhill is the one that I know is before you soon. That's right. Tonight.

[02:57:28] Yeah. So there's nothing standing in our way from bringing any of those to you, I guess, is the best way to answer that. Thank you very much. You're welcome. Thank you. Supervisor Malley. Thank you very much. Just one of the things that we talked about when the Rio 29 floor-based code was being developed was what I had in my mind during that discussion was the deck park in Jamaica Plain over the

Mass Pike. You would not think that it was a place that would be great, but it is. And yes, the cars are underneath there, but you don't even know that

[02:58:04] they're there. So we have solutions once we get, once the green fields stop luring people out to easy builds, then we will get a lot more energy and a lot more focus on the things that we need to do to succeed on this. I just will provide a little update on the old trail because I lived through that in 2009 in the recession. The applicant said we will never be able to achieve the 2,000 units that the board decided in 2004 in the space of a three-hour public hearing when it was moved from 800 units in the application to 2,200 without any more discussion.

[02:58:43] So they wanted to put that behind them. But also, in order to achieve that 2,000, every build, every lot in Old Trail would have had to be five-story apartments like the Summit, which is the only place in Old Trail that's 19 units per acre.

[02:58:59] Everything else is less. So the owners requested for a reduction in that because they said, we will never be able to finish this. It will not happen. There's just not a market for what we originally or some previous people wanted. So I just wanted to provide that background because a lot of things happened in 2009, 10, 11 that have caused changes in the way things were approached.

[02:59:25] And I will stop there. Thank you. Thank you. Stonefield should have had a second level too, and that went away too. I agree. Same deal. I was just pointing out what was in the report. That's all. Thank you. Is there anything else you need from us? No, thank you very much. Thank you.

[02:59:41] Thank you. Board, that brings us to our closed meeting portion. If Supervisor Pruitt has a motion. Yes. I would like to move that the Board of Supervisors convene a closed meeting pursuant to Section 2.2 Tech 3711A of the Code of Virginia first, under Subsection 1, to discuss and consider appointments to various boards and commissions, including, without limitation, the 5th and Avon Community Advisory Committee, the Community Policy and Management Team, the Crozet Community Advisory Committee, the Jaunt Board, the Natural Heritage Committee, the Pantops Community Advisory Committee, the Piedmont-Virginia Community College Board, the Places 29 Parents Hydraulic Community Advisory Committee,

[03:00:20] the Places 29 North Community Advisory Committee, the Places 29 Rio Community Advisory Committee, the Region 10 Community Services Board, and the Route 250 West Task Force. Second, under Subsection 6, to discuss and consider the investment of public funds related to a performance agreement with Bonamouse Incorporated, where the bargaining is involved and where, if made public initially, would adversely affect the financial interest of the county.

[03:00:43] Third, under subsection 8, to consult with legal counsel regarding the specific legal matters, including a performance agreement with Bonomos Incorporated, 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 a discussion in an open session would adversely affect the bargaining position or negotiating strategy with the county and the board.

[03:01:09] Second. We have a motion from Supervisor Pruitt, a second from Supervisor Malek, without objection to the clerk for call the roll. Ms. LaPista-Curtley? Aye. Ms. Malek? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Thank you.

[03:01:33] Good evening. We are about to come out of closed session first before any other business. Yes, I would like to move the Board of Supervisors, delay my last. I move that the Board of Supervisors certified by a recorded vote that, to the best of each supervisor's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed meeting were heard, discussed, or considered in the closed meeting.

[03:02:01] Second. We have a motion from Supervisor Pruitt. Second from Supervisor Malek. Without objection, if the clerk recall the roll. Ms. LaPiesto-Kirtley? Aye. Ms. Malek? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Abstain. And I believe we have a motion coming out of closed meet.

[03:02:17] We do. I'm going to move that we reappoint to our boards and commissions, and this is as a motion, to the 5th and Avon Community Advisory Committee, Kareen DeCardenis, Evan McBeth, Roger Schickendance, to the Crozet Community Advisory Committee, Iwahare, no, I'm sorry, Iwahare, To the jaunt board, Nicholas Popowski.

[03:02:47] Almost got it. Natural Heritage Committee, Christine Putnam, Megan Sabosky, Joseph Rames, and Sabrina Fuller. And to the Places 29 Community Advisory Committee, Christopher Rimbold, Dennis, or Denny King, Rosemary Miller.

[03:03:05] Places 29 Community Advisory Committee, John Rayer. To the Places 29 Community Advisory Committee, Martin Meth, Nicole Scrow, Todd Cohn, and Tom Poletti. And to the Region 10 Community Services Board, Joanne, I think she goes by Jojo Robertson.

[03:03:30] Second. And that's it. Thank you. We have a motion from Supervisor McKeel, second from Supervisor Malek. Without objection, if the clerk will call the roll. Ms. LePiesto-Kirtley? Aye. Ms. Malek? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Great. Thank you.

[03:03:46] Board, next item would be from the county executive. Is there anything to report this evening? No, sir, not this evening. Thank you. Thank you. Then our next item is public comment on matters previously considered or currently pending before the board other than scheduled for public hearings.

[03:04:05] And Vice Chair McKeel will read the rules and the speakers. I will do that. Let me just grab the rules, and we have three people signed up in person tonight and no one online. So, with that, the rules.

[03:04:21] During the time set aside for public comment on matters previously considered are currently pending before the board, individuals may address the Board of Supervisors concerning matters that are pending before the board other than items listed on the agenda for public hearing. Individuals are allowed one opportunity of up to three minutes to speak at each board meeting.

[03:04:41] 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.

[03:04:57] 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 Albemarle County, your magisterial district. Address comments directly to the board as a whole. Any written statements or other supporting material may be given to the clerk.

[03:05:15] If representing a group or organization, you may ask others present to raise their hands in recognition. Speakers may not share any unused time with another speaker. Back and forth debate is not permitted. Do not speak from your seat or out of turn. And all comments are live streamed, recorded, and published on the Elmar County website.

[03:05:37] And with that, our first speaker tonight is Alicia Linehan. Good evening. My name is Alicia Lenahan, and I live in the Scottsville District.

[03:05:56] I've been speaking at these meetings since April when ICE made its first appearance in our community. Since then, we've raised concerns about surveillance and data collection. We've raised concerns about ICE's access to information about all Medicaid recipients. On July 16th, the board received a resolution that will provide a level of protection for our immigrant and refugee neighbors, and indeed for the entire community by requiring that ICE agents be unmasked, display badges, present authorizing documents, and use marked vehicles.

[03:06:26] Two excuses have been used to explain lack of support. First, unwillingness to draw attention to greater Charlottesville and our immigrant and refugee neighbors, putting them at risk. When I asked members of the Latinx community for input, this was one response. Quote, the resolution is very well written and intentional.

[03:06:44] Thank you for moving this forward. what would be the next steps for this process? End quote. It's also worth noting that on September 20th, we'll all be welcomed at the Sabroso Festival to enjoy music, food, and a celebration of Latinx culture. Clearly, our neighbors aren't lacking in courage. Second, I've heard that the resolution will run afoul of Dillon's rule, which limits local control. However, Virginia Code 18.2 dash 422 prohibits the wearing of masks in certain places. It is a class 6 felony. Dillon's rule does

[03:07:19] not prevent the police department from enforcing the law. Nearly 1,500 people have now signed the petition in support of the resolution, a number that will continue to grow. Tonight, I'm joined by members of the clergy. The Board of Supervisors has been unwilling to bring it up for discussion.

[03:07:37] If this board supports the policies of the administration, then say so. We will change and adjust our expectations and strategies accordingly. Or perhaps calculated indifference allows you to disregard the real harm being inflicted on our immigrant and refugee neighbors, writing them off as collateral damage.

[03:07:57] Or perhaps you're keeping an eye on the bottom line. Homeland Security and ICE are flush with cash and just announced a new program that will pay law enforcement agencies that help carry out its anti-immigrant agenda. At best, you are bystanders, remaining passive and silent in the face of escalating persecution.

[03:08:16] The current propaganda and discriminatory laws are creating a climate of indifference that will make later, more horrific actions seem less shocking. Normalizing hatred is a powerful tool. The word complicit comes from the Latin word complicitar, which means to twist together or fold together. This route highlights the idea of being intricately connected or folded in with the wrongful acts of the individuals and the acts they perform. Thank you. Thank you. Thank you.

[03:08:47] Bellamy Brown is our next speaker. Bellamy Brown, not here. All right, I'll move on to Tim. Tim Tolson. I believe Tim Johnson. Tolson. Okay. Good evening. I'm Tim Tolson, and I'm from the Whitehall District. I'm also a longtime member of the Crozet Community Association, and currently its president. The CCA has been an active organization of Crozet neighbors for over 40

[03:09:22] years, since 1985. It, along with others, hosts the Crozet Independence Day celebration. I thank you for approving the, in May this year, special use permit at the King Family Vineyards. The event was successful both financially and practically. You have heard at the August 6th meeting the four resolutions our community has crafted stands behind and brings to your attention. Ms. Malik read those resolutions into the record at the August 6th meeting. Thank you, Mrs. Malik. I am here today because we have not gotten a reply in agreement from Mr. Richardson about the CCA's

[03:09:58] requests. With Ms. Malik's help, he did reply to our questions on August 15th with answers that dodged our concerns and did not address our resolutions. We replied to his statements on August 19th, and he has not responded. Ms. Malik suggested I come to this meeting to address the board with our concerns. As I've said in my email to you sent this afternoon, we asked Mr. Richardson for several things. We asked that as members of the Board of Supervisors, you have the authority and legal requirement to require Mr. Richardson to, one, in the AC44 draft document, we asked for

[03:10:36] several paragraphs to make clear that the county of Albemarle is following the Commonwealth of Virginia code about future residential and commercial growth. We ask that Mr. Frank Pohl's relationship with the Montclair developer be treated consistently by taking the following actions. A, remove Frank Pohl's authority to administer or approve any past, current, or future permits related to Montclair, especially WPO-2025-00030, and engage in a legal consultant to review

[03:11:11] Albemarle County's water protection ordinance and ensure that it's been and will be accurately interpreted and legally enforced in Montclair and around the county, and enforce the water protection ordinance by immediately documenting the violation of the WPO by Montclair and issuing the land over a notice to comply. Compliance means at least returning the stream and the surrounding land to its prior condition to include re-establishing 100-foot buffers around it, as required by the county's February 2023 administrative hearing on the matter. Unlike Mr. Richards' response, we are not dodging the issues. We have done our homework and responded

[03:11:50] to Mr. Richards' statements with well-researched, and where appropriate, examples of county compliance with other requests. Please make Mr. Richardson respond to our questions and make the necessary changes we request. Thank you for your attention. Thank you. And I don't think Bellamy Brown came in, so I'll call him one more time, Bellamy Brown. No, so that's it. Thank you. Board, next we will have three public hearings this evening. The first is fiscal year 2026 budget amendments and Appropriations, led off by Ryan Davidson, Deputy Chief, Office of Management and Budget.

[03:12:30] Welcome. Good evening, Ryan Davidson, Deputy Chief of Budget.

[03:12:51] Tonight, I have a couple of slides to provide you with a brief overview of the contents of this amendment, and after which time, I will turn it over to the Chair and the Board for any questions and to hold the public hearing on the FY26 Budget Amendments and Appropriations.

[03:13:07] So the Code of Virginia requires a public hearing before amending the budget when the total amount of funding exceeds 1% of the currently adopted budget. That's the case with what we have brought for you today. Overall, the total budget amendment is about \$12.5 million, and of that, approximately \$2.1 million was appropriated previously at the July and August Board of Supervisors meetings, and \$10.4 million is under consideration for tonight. As I mentioned before, overall, we're looking at \$12.5 million and is broadly made up of the items listed here above.

[03:13:39] For additional details, attachment A included with tonight's agenda and included with the July 16th and the August 6th agendas has greater details on these appropriations but generally we were looking at 10.2 million dollars in capital improvement fund appropriations mainly related to a state grant for the Revana Futures site development project 2.1 million in special revenue funds again mainly related to grants and opioid abatement funds and then a slightly and then a small 245 there's a typo on the slide \$245,000 in general fund appropriations really

[03:14:16] related to donations and a transit study match. To wrap up the presentation staff is recommending for the board to approve the resolution and attachment B after holding the public hearing and now I will turn this over to the board chair and the board for any questions and to hold the public hearing. Thank you. And we'll go through our order with questions. Supervisor Lupi still currently? No questions. Thank you. Supervisor Malik? None for me. Thanks, Ryan. Supervisor McHugh?

[03:14:45] No questions. Thank you. Supervisor Pruitt? No questions. Supervisor Calloway? I am good. And I am good as well. I will note that we are into our public hearings. We have finished our public comment for this evening. So thank you. The, except for the public hearings, of course. And so for this, I will open the public hearing on this matter. Are there any people signed up? Then I will close the public hearing on this matter, and the matter is back before the board. Are there any

[03:15:17] additional comments, questions? Then we're looking for a motion in the form of attachment B, I believe. So moved. Second. We have a motion from Supervisor Malek, second from Supervisor McKeel. Without objection, Kirk will call the roll. Ms. Lapista-Kirtley? Aye. Ms. Malek? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes.

[03:15:41] Yes. Mr. Galloway. Yes. Okay. Thank you. Thank you. Moving on to our next public hearing is on acquisition of a portion of 2224 Commonwealth Drive. This is being led by Michael Stumbaugh, Deputy Chief of Transportation Projects. Welcome. Good evening. Thanks for being here for this public hearing on the proposed acquisitions of portions of 2224 Dominion Drive. I am Michael

[03:16:21] Stumbaugh. I am Senior Project Manager of Transportation Projects for Facilities and Environmental Services. So today we'll be going over an overview of the project, the parcel, the right-of-way negotiations, and recommended process and suggested motion. I should also mention that I have with me Joanne Daniel of Timmons Group. She's right-of-way manager and a great help as we navigate these particular right-of-way issues. So the project, it is UPC

[03:16:55] 113183, Commonwealth Drive, Dominion Drive. It is a revenue-sharing project with VDOT. The project is going to provide approximately 2,500 feet of sidewalk on Commonwealth Drive and Dominion Drive, as well as concrete pads for bus shelters. The project embraces strategic plan goal three, enhancing multimodal connectivity. So 2224 is pictured above, and to help you out with a star, it's near Seminole Place, and it is an apartment complex. But 2224 is the one that's closest to

[03:17:33] the work that's going to be done. Now, you can see, if you use your imagination, that this is that corner. The red is a permanent take of 31 square feet. The purple stripe, and it looks purple to me I'm not sure color it actually is but um it's 300 I'm sorry 541 square feet of permanent utility easement which is a CSA and here's what it looks like in standing across the street and

[03:18:06] that will someday be a bus pad sidewalk so highlights of the negotiation in October of 2024 The offer was made to the landowner based on valuations from Timmons Group, \$3,705.

[03:18:24] The counteroffer from the landowner was \$11,500 to review it, to have their legal team review it. It wasn't the total. It went sort of back and forth. And the note from the property owner legal fees were, quote, not an exact amount, same issue in February of 2025.

[03:18:47] the latest county offer based on the best we could provide in terms of avoiding court administrative settlements was \$8,705. And they did not think that that was the right offer. They said their cheapest option would be to go eminent domain condemnation. And that's when we issued the impasse letter. And just to let you know, did talk with the special projects coordinator for

[03:19:20] VDOT, and they indicated that legal fees in general are not recoverable and not something that they can bill us for. So I did want to also tell you about a potential agreement that recently on the 27th of August, they have indicated that they are interested in that second offer, the latest offer, \$8,705. But I did want to let you know that the Board of Supervisors can still adopt the resolution authorizing condemnation, which I'm asking for today. But if an agreement

[03:19:54] is reached, the condemnation process could be ended. So approving it doesn't mean that that is off the table. And the recommended process is board adopts proposed resolution attachment C.

[03:20:11] The county of Albemarle would then file a certificate of take through Mr. Herrick's office and the cost would go back to \$3,705, which is the original amount. And at that point, when it does get recorded and the certificate it takes is executed, then the county would have immediate clear title and could proceed with the project.

[03:20:37] Albemarle County Circuit Court then would ultimately determine the value of the parcel, including cost of cure and any other relevant factors, and then they would determine the proper receipt payment. I should also indicate that this project is undergoing final VDOT review, yay, and the estimated project bid posting is November of 2025.

[03:21:01] So we're really looking forward to that. I know it's been a long time. And so my suggested motion or the suggested motion, I move that the board adopt the proposed resolution attached to the staff report as attachment C. This resolution authorizes the acquisition by condemnation of portions of this parcel, which is 2224 Commonwealth Drive, for the purposes of constructing roadway connectivity improvements.

[03:21:29] And I will leave it there and open for comments. Great. We'll go through our order for questions. First, Supervisor Lupisto-Curtley. Thank you, and no questions. Thank you. Supervisor Malek. No questions for me.

[03:21:45] Thank you, Mike. Supervisor McKeel. I don't have any questions. I'm happy to make a comment later, but I don't have any questions right now. Supervisor Pruitt. Nothing. Thank you. Mr. Galloway. So you said it. I think I heard it, but I don't know if I understood it. You want us to pass the resolution, but you can go back and do the offer? Yes, sir. That's exactly right. The process goes on. And in fact, until it actually goes to trial with the circuit court, you can do anything. Yes, sir. An agreement can be made as long as it's justifiable. Got you. Thank you. But this is actually looking like it might come to

[03:22:24] fruition. Understood. Thank you. Thank you. And I don't think I have any questions. I may have comments. Then I'll open the public hearing. Has anyone signed up to speak? No. We have no one signed up to speak. So we will again close this public hearing. And the matter is back before the board. We'll go through our order for any concerns, comments, questions. Supervisor LaPista-Gertley?

[03:22:47] No concerns, thank you. Supervisor Malek? No concerns. Looking forward to that bus stop. Supervisor McHugh? Just a couple of comments, because I really am appreciative that perhaps we're coming to the end of this project. Certainly, Ned and I have been dealing with this for the Rio District and the Jack Jewett District, this sidewalk project and bus stop project, for years.

[03:23:10] So I am thrilled to get to this point. And it'll really be an improvement for that community to get this project done. So I'm certainly in favor of. I like your idea of passing this so that we don't somehow or another end up in another debate going back and forth.

[03:23:29] So thank you for that. Thank you. Supervisor Pruitt? I have nothing. Thank you. Supervisor Galloway? No, I'm good. And, yeah, my only concern is I hate to see us go through this and then reopen negotiations.

[03:23:45] At some point, I think we end the negotiations and we say, fine, we're taking it for the \$3,705. But I understand practicalities and trust your judgment. This one's on your side, right? It is. It's in the Jewett District.

[03:24:01] I drove around the other day looking for the building because they're not marked really well from the road, you know, but I found it. So, yeah. So with that, I think we're looking for a motion. Sure. I move that we adopt the proposed resolution, attachment C, to authorize the acquisition of portions of parcel 061-W003-0001-600 on Commonwealth Drive by eminent domain.

[03:24:32] Second. We have a motion from Supervisor McKeel. Second from Supervisor Malek without objection if the clerk will call the roll. Ms. Lapisto-Kirtley? Aye. Ms. Malek? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Great. thank you very much thank you very much appreciate it uh board this brings us to zma 2024 8 brook hill amendment project and this is being led by rebecca ragsdale planning manager

[03:25:01] welcome good evening thanks for that introduction i'm rebecca ragsdale as you said planning manager who will be taking you through a brief presentation on this rezoning for brook hill giving you a little bit of history and context first uh brook hill is an already approved neighborhood model development. It was originally approved in 2016 and overall the acreage that it

[03:25:38] encompasses is about 277 acres. It is located generally at the corner of US 29 and Polo Grounds Road and extends over as far as being adjacent to Montgomery Ridge and to the south of the Forest lakes and hollymeade area here's another overview of the site it is a proposal to amend the code of development as it's applicable to a few internal parcels which we typically refer to as the town

[03:26:15] center this is another map to give you some context that shows in the dark green the neighborhood model district this is the zoning map and then adjacent is some lower density residential in the light green the rural area in the white and then another plan development district pud with worst lakes and hollymead so there's no change to the underlying zoning which is consistent when it was

[03:26:46] originally adopted in 2016 with the places 29 master plan this is 29 again and then polo grounds road the development includes that neighborhood center with higher density uses concentrated in the center and then neighborhood density and green space throughout the development the proposal more specifically is as i mentioned for the internal blocks which are block one with the hatching primarily and then perhaps portions of three and two internal to the site the request

[03:27:25] is to add 300 additional units with an amendment to their code of development that is their only amendment does there are no changes proposed to the application plan or the other provisions of the code of development we we think that it's been working well in terms of implementation and how the development has been building out with the additional 300 units they will meet all of the code of development requirements and ordinance requirements for

[03:27:57] any required amenities and parking requirements there are also some proffer changes which i will go over with you this evening this is just a overview slide of the minimal change to the code of development it really allows them overall to increase from 1550 units up to 1,850 units, which is still within and actually below overall the recommended comp plan density,

[03:28:33] although in those blocks that you see up here, 1 and 2, 3, and 4, those are the higher density blocks where the density would be located. The proffers, they have extensive proffers that were originally approved in 2016.

[03:28:53] Proffers that are not changing are their commitments to trails, parks, and civic spaces, historic resources. The cash proffer provisions are not changing. With the school's proffers, there's one adjustment to make sure that it's clear that the potential elementary school site that's offered could be used in the interim for community open space and amenities that the developer or HOA would maintain.

[03:29:23] Transportation, there is an adjustment to the ultimate trigger for the Ashwood Boulevard connection, going from the 500th unit, not including multifamily, to the 650th unit for that connection, and that was reviewed by our transportation team with no concerns.

[03:29:42] There are some, there is one change to the affordable housing proffers, which has generated some discussion. The existing proffers have been in effect under our prior policy, and we're consistent with that prior policy when the rezoning was approved in 2016. And that includes 15%, and then that would result in, or has resulted in, 233 affordable units, potentially based on their current totals. And those provisions allow for for sale or for rent units affordable to 80%

[03:30:22] area median income. The affordability periods are specified as 10 years for rental units and then for the first sale only for for sale units. The proposed revision is, as you saw, to carve out the requirement that the new units, the 300 new units, which are subject to the new housing albemarle policy, would be affordable. So that would result in 60 additional affordable units.

[03:30:59] Since this is an existing rezoning, the applicant has not proffered to make any other changes that would bring it completely in line with housing albemarle. That would include provisions for rent units to be affordable to households at 60% AMI, and then also addressing the period of affordability, which is in our current policy, but they have not made any of those adjustments to their proffers. Dr. Stacey Pepea is here this evening if you need any

[03:31:38] If you need any assistance or answers to affordable housing questions that I cannot provide, we did note the positive aspects of the project include the consistency with the PLACES 29 master plan and that it would provide the additional affordable units.

[03:31:58] However, it's not completely in line with housing as we noted with regard to AMI and the minimum affordability period. The Planning Commission recommended approval. This was heard by the Commission on July 8th, and staff is also recommending approval.

[03:32:19] And I will pause for any questions, and we have motion slides when you're ready for that. Thank you. We'll go through our order. Supervisor Lepisto-Curtley. Yes, thank you for the presentation. And what was the reasoning of not going up to the 60% AMI, Or at least for rentals, perhaps.

[03:32:41] So that's an explanation, I think, best answered by the applicant. They have noted that they would prefer to keep the terms of the proffers consistent with what's already in place with those provisions, but I'll let them elaborate further.

[03:32:59] And I understand that the area that is carved out for the school, that that could be used by, you said the HOA could be turned into a recreation area with amenities, but it would be provided by the HOA, the amenities? Yes, if that's used for that in the interim before it's a school site.

[03:33:20] Okay, what about grading it and putting it in grass or anything? Would that be HOA or would that be the developer? Well, any improvements that are done for an interim green space use would be those that are, you know, whatever the developer proposed, there are no limits on that.

[03:33:42] I would have to look at the terms of the proffer to see what they are responsible for in terms of having it pad ready if schools were, if we were to request it for school's use. But they may not be able to do, they may not be required to do that with that interim.

[03:34:00] okay maybe the developer can answer that okay thank you no other questions thank you supervisor mallard not right now thank you supervisor mckee i have some questions about the proffers but i think it's probably best for the applicant so i'll hold off thank you thank you supervisor prove um yes so i will be honest this one snuck up on me i thought we were going to have another um non-compliant housing policy applicant come before us before this one So I did not know that this was going to make it before attain on 5th, which is interesting.

[03:34:42] Which kind of to that point, was there a community meeting for this? Yes. It was before the Pantone, Places 29 North CAC. This was one of the ones I had to miss, and I told you at the last second. You're not on that one. Oh, right.

[03:34:58] Yeah. Sorry. Sorry. Yeah. I mean, not that you couldn't attend. Got it. Was there any discussion with the county about the tax incentives, the developer incentive package? We did not go into that review with that discussion.

[03:35:17] I don't believe they're looking to take advantage of that. Okay. But Stacey, Dr. Pethia may want to chime in. Has anything additional? That's the answer. That's all I got. Supervisor Galloway. Rebecca, we're having a little bit of a hard time hearing you, so if you'll move over and speak into the light.

[03:35:40] You're very soft-spoken. we would appreciate your thank you the trigger for the change for the connection just adding the half of the new units like what's the rationale behind that i think that um you know there's been a lot of development happening around that corner um and i think it was uh the the applicant did not give a detailed explanation for why they were requesting it but we were okay with that adjustment and the trigger i think it allows them a little more time for some things to fall into place at that corner you've seen easement after easement come through and various development activity

[03:36:18] happening so i think it just allows them a little more time to work some of those details out and the um i'm realizing that i was not around for this original application the i noticed in the proffer list that the 50 acre parcel for the public high school it's stated in the proffer or other institutional use is proffered

so that wasn't or other institutional use wasn't done for the elementary site as well correct the language is a little bit different for the elementary school site and so it doesn't just sit there misused that's

[03:36:57] why this offers there so I guess I have a question how does this is an interesting one to me like amending like we're not we're not allowed to talk proffers or requests to the people that that's correct these are brother proffers are obviously voluntarily offered by the developer and so so it's up to the board to determine whether or not they address the impacts of the proposed development, but they are the developer's proffers, and they're offered voluntarily.

[03:37:22] But in this case, it's really just on the amended for the 300 units when you think of the impact. Well, that's the biggest amendment. Ms. Ragsdale has outlined some other amendments, but for the most part, the proffers that were presented at this most recent time are basically the original proffers with certain additional provisions.

[03:37:40] I was just curious, because it's like, we can't ask them to amend or do any changes. They have to bring that forward. That's correct. all right i'm good thank you um i'm just going to follow up on the question about the additional 150 units that have to be built before the connection is made has there been any kind of reports of what it's like getting out of polo grounds road because of this development so far and when that connection to ashwood i guess is not ashwood i'm sorry but to archer or no it is

[03:38:13] ashwood using archer uh is made is that what kind of traffic concerns might that alleviate recognizing that there's currently really only one way to get to 29 but there will be a connection to ashwood eventually is my understanding right yes okay but that's being delayed now yes they have proposed to uh do that after 50 154 more um residential units which doesn't include the multifamily.

[03:38:48] They did not do a full TIA for the 300. They have provided transportation analysis that the existing transportation improvements were adequate for the additional 300 units. There wasn't any concerns in particular about that intersection that caused us to object or raise any new impacts for the applicant to address with proffers.

[03:39:16] Or how close are they to, well, I guess I can ask them, or we can answer this during the discussion as to how close they are to the current threshold. Yes, I anticipated you asking me that, and then I realized I didn't have the unit type breakdown. So it is excluding the multifamily units, so I don't have that number off the top of my head.

[03:39:38] Okay, well, I'll ask the applicant to see how that goes. With that, I will open the public hearing. We have no one signed up to speak, but we have an applicant here, and we'll have a discussion. So let me find the right. Come on up.

[03:39:57] I'm just going to read here, okay? So this is for a public hearing with an applicant-only speaking. Applicants are limited to a 10-minute presentation of their proposal and are allowed a five-minute rebuttal at the close of the public hearing.

[03:40:15] 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. All comments are live streamed, recorded, and published on the Almar County website.

[03:40:34] That gave you time to get your presentation. You're welcome. Perfect. Thank you so much. Good evening, board members. My name is Ashley Davies with Riverbend Development. Tonight, I'm joined by Alan Taylor and Scott Collins. Thank you for your consideration of our request to add 300 units to the Brookhill Development.

[03:40:53] This is a property that was previously rezoned and strategically located in your development area. This proposal aligns with Albemarle County's comprehensive plan goals by significantly increasing housing availability at a variety of price points in a strategic location while conserving important environmental resources, increasing availability of public parks, amenities, and trails.

[03:41:19] It's hard to believe that it's been almost nine years since we were here before the board for this initial rezoning. A lot has happened in that time, but the overall rezoning is 277 acres.

[03:41:38] I'm sorry for interrupting. We don't have it on our screen. Oh, well, that's no good. And I noticed Jody's coming up. Thank you. All right, let's pause the clock. We were listening and I wasn't looking. Sorry. I'm sorry. That's good.

[03:41:53] There, we'll go back. She's coming. She's coming. The officer is moving.

[03:42:21] Is that you? No. No. Ours is still not up now. You have yours. No, we don't. No, we don't. You have it on your laptop. That's different. No, no, she's, she's, I've got the map up on my laptop. My own map.

[03:42:37] It's worth the call. Getting all kinds of attention here. Yeah. there we go okay well this will at least get us

[03:43:04] thank you so much all right i was just gonna keep on so thanks for stopping me if it's not up there we're not saying what's that yeah it's not up there very good point okay all right now we are ready so yes so the original rezoning was 277 acres tonight we're talking about one-tenth of that area, 27 acres in the town center. And I think, you know, most

[03:43:41] importantly back then, construction prices were a lot less and density was a four-letter word. So our comp plan density for this site, the maximum is over 2,300 units. And at that time we were only asking for \$1,550. So the big deal tonight is just getting more units where they should be.

[03:44:07] But the original rezoning had a very extensive and generous proffer package of \$30 million of in-kind and transportation improvements. And the 50-acre high school site has already been given to the county. We'll talk more about the elementary school site tonight. But we also have over, we have \$500,000 in donations to transit once transit comes up into that area. We have about a third of the site already constructed. And I think, you know, people's favorite part about the initial rezoning were the salamander habitat and those tunnels to make sure that they

[03:44:46] could safely breed in their vernal pools. So here are some of the main reasons why this proposal deserves your support. This is smart growth in the right location that already has the existing infrastructure and amenities in place, close to employment centers, retail, schools, and the future transit route I just mentioned. In your comprehensive plan that's about to be adopted, only 7% of the land in the development areas is developable. So it's really

[03:45:20] important that we take a look at these sites where we can add more existing units and get more units in the right place and then previous rezonings have only provided 58 percent of the recommended units contemplated in the comprehensive plan and this being one of those that was on the lower end we

are proposing a new seven acre public park and that we would install and maintain as a new neighborhood amenity that's also open to the public and at which time in the future when the

[03:45:52] county's ready to have that site as a school use we would have that pad ready for the county we are going to be providing affordable housing with this proposal and instead of the 15 percent that the initial rezoning contemplated we have upped that to 20 percent of the new proposed units or 60 units in total. I will note that Brookhill already provides over 300 affordable units.

[03:46:23] So even more than we had previously proffered, we're providing that. And then, yeah, we just think this is an efficient use of previously zoned land. So it's such a moderate increase in density, and we need to put that in places where it's already zoned and the infrastructure in place, as I mentioned. So just to give you the overview of Brookhill, if you haven't been up there recently, this is our overall development plan. And you can see that the unique nature of this site, it's a really thoughtfully designed community. And the main piece are these green

[03:47:02] fingers that permeate the site. Those are the stream corridors that lead down into the Rivanna River. And it creates a really special environment. And that was a key component of our initial design. So you see the development pods in between those green fingers. And so because of that, we were able to preserve over 75 acres of the stream corridors and create a lovely trail system along the streams that will also have little workout stations. And it's just a really nice feature of the site. Those are open to the public. So this gives you a better overview of not only those

[03:47:42] stream corridors that we preserved, but also the overall amenity spaces that are throughout the development. So we have over four miles of linear trails, 11 acres of amenity spaces, plus the 75 acres of greenway and forested areas. This slide shows where we're focused tonight. So the 27 acres that are part of the heart of the community, the town center, where we're requesting 300

[03:48:18] additional units. Those units would go in the areas above the retail and commercial on the first floor. So instead of what may have been office spaces in the past, that market is pretty soft now so the idea is that it would be a mixed use heart of the community with those units going above so they wouldn't impact the greenway whatsoever our commercial uses are retained and then you can also see that green dot is the larger green dot that's the location

[03:48:51] of the school site so you can see how that is really close into the town center area that that was probably the biggest component of our community meeting. People just really wanting a larger amenity space where they could host, you know, birthday parties or, you know, kick the soccer ball with their child. So this is something that the developer would fully pay for and maintain, but open it to the public and it would be available. So I think that's a real highlight.

[03:49:26] We do have the full code of development and existing proffers that went along with the initial rezoning. So we weren't looking to make any major changes to that because they're all quite extensive and they are, as Rebecca said, working quite well.

[03:49:45] So we did make a few minor changes to the proffers to account for increasing the affordability, making sure we could provide the park space, but also the Ashwood connector, and we can certainly get into a more detailed discussion about that shortly. I did just want to give you also a quick overview of where we are in the development process. In the past nine years, we've already

[03:50:17] completed a senior living facility on site. We've constructed 762 residential units, and you can see the breakdown of that below. And then, like I said, 301 of those are existing affordable units on site. So here's the senior living complex that's already complete. Here are the Archer apartments. So these are our phase one apartment buildings in place. And lots of new neighborhoods.

[03:50:54] So some of them are completed. You can see some of the amenity spaces and the units. Areas are currently under construction, and then we have other spots that are under review now. And these are renderings of our town center, so you can see those retail components, commercial components on the first floor, and those upper three stories would be the additional 300 units that we're talking about tonight.

[03:51:25] So I do have a few moments. I will go ahead and talk about the Ashwood connector. So with that, we are actively pursuing the connection and we've actually cleared trees.

[03:51:40] And basically, in doing the research, we've just found that there's been a little bit more back and forth with DEQ. There are wetlands and other areas that we want to protect. So we've been taking the extra time to make sure that we don't want to impact any additional wetlands.

[03:52:01] We want it to be in exactly the right spot. So that's why we need a little bit of additional time to get that connection in place. But we're actively working with DEQ on that now. And we hope to actually be under construction on that connection next spring.

[03:52:20] But it's kind of down to the wire. So we just want to make sure that that's all done correctly. But I think to close things out, I'll just say you know this, but Charlottesville is now the second most expensive housing market in Virginia.

[03:52:38] And, you know, demand is really outpacing supply. We really want to be a partner to the county in providing housing where we need it and also finding affordable housing solutions alongside you.

[03:52:54] And we think this is a really environmentally responsive site and the right place to add units while we can. So thank you for your support and definitely looking forward to questions and comments. Thank you.

[03:53:11] Thank you very much for a wonderful presentation. I did have a couple of questions. The signalization of Polo Grounds Road Railroad Overpass.

[03:53:27] i understand that if that is you've vetted that through vdot and or if that is accepted by vdot then you will put in a signal at each end yes i believe the proper says if requested we that that is something that we would install okay good good thank you and then um on your on it says uh you have three civic spaces does that include the seven acres for the elementary school that would be an addition that would be an addition yes and for the space for the elementary

[03:54:01] school that would be graded and would it be um seed grass yes so we would grade it and make it pad ready we would extend all utilities to the site so it would be development ready for an elementary school site but in the meantime we could provide um some fields and sport courts and you know maybe a gazebo just some various neighborhood amenities that could be utilized in the time being great thank you and uh oh quick question i know that the special use permit on

[03:54:40] november 9 2016 allowed for infill in the flood hazard overlay district for a road crossing do you know the amount of land that needed to be infilled approximately i do not know that but scott may have a better idea i'm not i'm not sure about that okay well then maybe you can just send it to me sure if

you send it to me i'll share it with the rest of the board i'd be happy to okay those are all the questions i have now thank you thank you supervisor malik thank you very much my question was answered which was a time rather than a number of units the time until the archer work

[03:55:18] would begin and you've already answered that so thank you sure supervisor mckee i do i have a question and then i want to just chat about the elementary school site but when i made a note that the town center late 2025 but you did you just say that that was going to be pushed out um maybe i misunderstood um i was talking about the road connection oh the road taking a little more time just that alone correct correct but the town center we have site plans currently under review and so we're hoping to get that started very soon right so the proffers i remember very clearly

[03:55:55] when this came to us what nine years ago nine years because i remember that the chair of the school board and i talked about the proffer that's across the road and that language very clearly said county schools or county government i mean there's a broad there's broad language about how we share out and that's great and there are some plans or perspective plans for that piece of property um i was talking to the chair of the school board yesterday and um so i'm going to ask some questions that she's asked. Well, because this is one of the last chances, right? And that

[03:56:31] elementary school proffer. And I'm not asking about any changes. What I'm saying is, what is your definition of elementary school? Because the school division, or at least the chair of the school board, is concerned that the word elementary school is limiting. If they decided they're not going to put an elementary school here right now, they have already said that seven acres is too small for an elementary school that's why they're going to up 29 north for their elementary their next elementary school but they would like to use that for a school use of some sort possibly

[03:57:07] so the definition of the term that says elementary school is con is concerning would an elementary school that term as a proffers mean that they couldn't put a pre-k school there so all they're saying is, and I wrote down what she said to me, can the language not limit the use to elementary school so that they would have more flexibility? And that's my question. Are you all wedded to the language of elementary school? I certainly am not. I think at the time we were just,

[03:57:43] you know, going by the best guidance that we had. Nine years ago. Nine years ago. And I, yeah, I wasn't, I mean, I was aware that they are looking at another, another site for the elementary school and they want this site obviously but they're interested in they're looking at all their options and they have other needs for different types of schools is all i'm saying and so kate simply said to me could we make sure that what your definition and what the attorney's definition of an elementary school is would that allow them flexibility on any type of school that they wanted to put there it'd still be a school sure but it might be a pre-k it might be i don't know you could just pull it out of the sky but they're they're really trying to figure out how

[03:58:23] to make capacity work if that makes sense i'm looking at yes we don't have an issue with that but i don't know if there's the ability to make that type of edit at this point or well i mean the applicant has the ability to edit and then re-sign proffers at any point in the process but then the you know the board we need to get signed edited proffers if the applicant is willing to to make that change so i guess is the word elementary school does that mean only that

[03:58:56] does include pre-k just so in this and i'm making sure that we're all on so elementary school could be pre-k through seven or eight yeah i just want i'm just bringing this up because they're concerned

yes we wouldn't exclude that but yeah it depends on what your definition is so yeah i'm looking at and i don't want to stop this i'm just trying to figure out how to make it work so that the schools can have maximum use of that piece of property which is only seven acres you can't put an

[03:59:34] elementary school on seven acres you have to have playgrounds you have to i'm just saying it's a small and and so there's a possibility they could use it for another type of school right that might not require as much property and they just want that flexibility so i don't know where we go with this. Andy? Well, I would point out that the existing proffers specify that at the option of the county and in lieu of construction of a school, okay, so a school, not an elementary school, a public park may be established by the county on the elementary school. So a school would work. So, but, and even if the school division weren't interested in a school, again, an alternate

[04:00:12] use that's clearly authorized here as a public park. Well, they don't want a park. They want a school but they want flexibility and their word they're concerned about the word elementary i mean that's and i'm not sure what to do with this other than it's about come on up out and i'm sorry i'm not trying to throw a ringer into your it totally makes sense and um i mean we always thought an elementary school would be a really nice thing to have in the neighborhood and we were i was kind of bummed out when it seemed like it wasn't going to happen yeah um i mean can we just make it easy

[04:00:49] and add some language into that proffer in this meeting? And we're going to say, like, elementary school or a mutually agreed use? Or school? Or something like that, just so it opens the door to watch. Yeah, that would be great if we could do that. If the applicant wishes to submit an amended proffer, it would need to be signed before the board could consider it.

[04:01:07] Can we do that tonight? Well, if the applicant has the proffers ready, we could do that. Can we just change that language? I've got a laptop and a pen. I just don't have a printer. Yeah, I mean, I don't want to stall everything. But I really do think it's important for the schools to have that flexibility. So what would the language be, and I'll type something up.

[04:01:25] I don't know. I was told they just wanted flexibility on the use. So I don't think child care will work because, I mean. Well, he said mutually agreed upon. Maybe a mutually agreed upon that would be with the schools.

[04:01:40] Yeah. What if it just said any school-related use? School-related use. I'm happy with any of those. I just was trying to get flexibility for the school system. It also seems like us picking the language might be getting a little too close to that red line.

[04:01:56] Well, if the board would like me to print this, print the proffer and supply it to the applicant and have the applicant make any changes to the applicant wish to make, I'd be happy to do that. And at the end of the day, if the school division decided they wanted an elementary school there, we're not changing any language that would stop that.

[04:02:13] I'm just saying, yeah. But they did want more flexibility. They were concerned about the word elementary. But pre-K does include... It does, but elementary school, definitely. It sounds like, I mean, we may not have a problem at the end of the day, but we're happy to make edits of that.

[04:02:34] So what's the easiest solution about trying to? I mean, would it be acceptable if they just took the current proffer, did strikethroughs of the word elementary, it says school site, and leave a restaurant

there? Yeah, and just let it go with that? Initial insight. I mean, if that's what the applicant wishes to do, I think that would satisfy what SuperRestment is.

[04:02:50] Is that okay? The way that it's reading, it would just say school site then, and you would get rid of use of the word elementary altogether. That seems to be the fastest, easiest thing to do. Yeah, just trying to make it as flexible as possible for the school system. Yeah, that's great. Can we do that, Andy? So I can, like I said, go upstairs to my office and print out these proffers if the board wishes to do that?

[04:03:10] If that would be okay with everybody. Yeah, that's great. So I'm sorry if I've caused an issue, but we don't want to stop the project, but we just were trying to get flexibility for the school system. Now is the time. Exactly.

[04:03:25] That's what we thought. All right. Thank you. That's all I have to do. Supervisor Pruitt. Yeah, I don't want us to get all the way through question and answer without grappling with the fact that this is the first project that has come to us under the new housing requirements.

[04:03:42] Well, it's the second, because the mobile home park would have been under it. It's the first that's noncompliant, right? Your proposal is noncompliant in two, three different ways. I understand the affordability. I don't think I need you to tell me that that is going to be financially unfeasible.

[04:04:02] I don't understand the length period. What is the struggle that y'all are facing there? With the length of time? Yeah. I think that in general, we're already managing 300 units. So it would be helpful to be able to have all of them under the same program.

[04:04:24] So getting that, you know, it's a big deal that we've already provided that much. And just all that goes into maintaining that and making all the auditing and making sure each year. So it's just helpful if we can get it all under the same program with the site being half built out already.

[04:04:44] The new units, I gather from kind of the concept drawings that you're expecting those to be entirely for rent. Is that accurate or are you going to be not committal to that? That is most likely where the affordable units will be going. So I gather you have not explored the tax abatement program that we offer, the incentive.

[04:05:11] Can you tell me a little bit more about that? I have looked at the tax abatement program, and I think that, I mean, I haven't talked to staff about that specifically, but in reviewing it, I think it's a little bit, I guess I'm curious about it, because the very first page of it says that the tax abatement is really, you know, the goal of it is for projects that are 100% affordable.

[04:05:42] And so that, to me, is a red flag. We're not 100% affordable. And, you know, I would love to hear more, because what would be helpful, I guess, from the developer's perspective is if we're providing affordable housing, if we're bringing that to the table, how do we get the guarantee that the tax abatement is available? Right now, it's a program that you apply for that you may or may not get from the county, and it sounds like we're already non-compliant if we're up against projects

[04:06:16] that are 100% affordable. Did you get far enough to estimate out the value to the project of the of the program if you had been approved for it um i have not run those numbers no i i would be i think much more comfortable uh with this before me um if i had a sense that there had been like comparative pro forma um that was trying to deliver the highest value on housing um as in the

[04:06:49] highest value on the affordable dollar uh right and i am not getting that impression right um i i know of at least one other project and I've sat down with them and talked to them about their pro formas under actually trying to be fully compliant, being fully compliant with the developer incentive, where they think they can split the uprights. And I'm still not entirely sure I'm supportive of that project. And this does not seem to have done a comparable level of work.

[04:07:19] So I think that's all I have as far as questions. Supervisor Galloway. You've answered the connection question, proffered land question was kind of handled in a different way, so I won't even bring up my idea, or will be.

[04:07:47] I thought I had a third thing, but I'm not remembering it. All right, I'm good right now. I'm going to follow up on Supervisor Pruitt's question. I'm trying to understand the value of the proffer.

[04:08:06] and at 80 percent AMI, we have pretty high AMI in this county. Have you done a study to compare what you are charging for the market rate units compared to the 80 percent of AMI units, and what's that differential? Sorry, and we may need Alan to answer that one. Give him a second. Another question, and in the meantime, I guess I'm just looking at a map, and I was driving out there today, and I was looking at

[04:08:44] Salamander Street, and I see that's gone now, so that's intended to be taken away. There are existing structures and streets and things that are on the property, on the map, but don't appear on the plan, so I'm thinking, wow, that's interesting, because Salamander Street isn't there anymore.

[04:09:09] The tunnels are there. Is that what it is? Those are there, yeah. Tunnels under a pologress. I'm pretty, so I'm not crazy here. No, I mean, here is Salamander Street. I was out there today and saw Salamander Street, and I was like, okay, but that's not on this.

[04:09:32] Yet, it looks like it runs right through the seven-acre site. Is it an old road or something? It's got that name Salamander in it, so I'm looking at an actual. he comes out he's going to help you now alan's gonna salamander we're talking about where salamander street's located sorry yeah yeah andy about the proper stuff um this is salamander street this is this road right here um it was we built this when we were trying to like relocate

[04:10:07] the ice park to the ice park and so we ended up building that road and after we got done building it they told me that they didn't have any money okay i guess i guess what i'm seeing from the aerial images is now destroyed and because it actually runs parallel to Archer comes back into Polo Ground Road and there's other structures up there that's the old driveway to Mr. and Mrs. Haw's house that may or may not even be there anymore

[04:10:47] still on the satellite images and so i'm looking at it saying okay where did that go that was a temporary driveway because the house was still there but when we were doing i wasn't wrong and that's going right into the seven acre i think it's adjacent to the adjacent to it it's a little bit to the west is the seven acres of that okay but that's that's not a needed driveway anymore because we just when we were building all this stuff we we had to get rid of their driveway and so the house is going and everything as well? They've recently moved out of the house, and so it will be developed at some

[04:11:25] point in time. Okay, that's what I thought at this point. Okay, so I'm going to go back to my other question, which is, if I can try again, is 300 units at, or 60 units at 80% AMI. With the high AMI that we have here, I was trying to assess whether, how close that is to market already, And what is the

differential that you see between what you would call a market rate unit of the same type and an affordable unit at 80% AMI?

[04:11:57] I think the four rent units are relatively close to market. It's below market, but they're close. The four sale units are way below market at 80% AMI.

[04:12:15] But she had just indicated, I think, that you're primarily looking to meet the affordability through rental units. That's, yeah, we're going through a site plan right now to do the second phase of multifamily, which would probably handle a lot of the affordability requirement.

[04:12:33] Okay. So I'll be honest, I'm just still trying to get a handle on, for a rental unit, at 80% AMI. What is the difference between that and the market rate? It's, the market rates are, I mean, it depends on the number of bedrooms.

[04:12:50] It depends on the age of the community. Well, the A&M, I think, are geared towards the number of bedrooms and things like that, or take it into account. Right. I mean, we've given reports to Stacey over the years on how many affordable units that we have in Brookhill that qualify.

[04:13:09] And I believe in the apartments it's between 80% to 90%, at 80%. And those would be for rents that we're, you know, thinking that are relatively market-based. Okay, maybe I'm not hearing very well.

[04:13:30] So you're saying that basically 80% AMI rates are market rates? I think 80% AMI are close to market rates, but market rate rents are higher than that. Okay. But it's, I mean, it's, there may be, I mean, I don't know the numbers off the top of my head, but market rate rents are higher than 80%, but not markedly higher.

[04:13:53] maybe 10, 15, 20% higher. Is this something that, Stacey, you have any? Can you shed any loss? I mean, there's a difference between trying to compare to other units as opposed to your units, which is what I'm actually looking at.

[04:14:10] In our email yesterday was a chart that she sent to everybody. I'm trying to get at that with these units, so I understand it. Oh, she pulled her glasses down. She's gotten serious. Stacey Pethia, Director of Housing, and I am, one moment, I'm going to look up some numbers for you.

[04:14:34] I'm going to stop to find it in the email. Take your time. I will say, just as a comment, that I'm fascinated by the idea of these units being above retail commercial units.

[04:14:52] That's something we haven't seen a lot, other than the dentist. We were supposed to have them at Stonefield. Stonefield, we were supposed to, right, and we were supposed to have them at Riverside Village. And they have them all over the place in Europe. I know, I know, I know, I know. It's definitely a way to go.

[04:15:09] But it is cool. I mean, I would love to do that. I don't want to take up too much of your time, and so I am struggling to find the exact email, but I did do some comparisons. 80% AMI, if you're looking at a household of three, which would probably rent a two-bedroom unit, if it's a two-parent family and a child, the maximum rent in utilities they could pay would be about \$2,264 a month in rent.

[04:15:38] And looking at some of the most recent units to come online, such as the Arrowwood and North Point and Ryo Point, I believe, those rents were right in line with that. So they were about \$2,200, maybe a little less, for a two-bedroom unit.

[04:15:56] So they were pretty close to 80% AMI. Okay. Thank you. Anything further on this? Okay. Are there any additional questions? You have five minutes for Rebubba?

[04:16:16] Any additional comments? Not five minutes? Not at this time. Not at this time. All right. Okay. Thank you. Then I will, if that's everything in terms of questions. I would suggest that before the...

[04:16:33] Can we take a break? Yes, because once the board closes the public hearing, there are different rules about the submission. We'd have to hold another public hearing. So let's make sure we've got the revised proffer. We'll take a break and make sure we have the proffer proffer. Yes, please. Thank you. And it's still only 7.

[04:16:53] Thank you for your patience. The public hearing is still open.

[04:17:10] The matter is still before the board. And for the county attorney's suggestion, there is an email to the board that gives a slightly revised ordinance referring to the new proffer, which has been signed.

[04:17:25] which defines elementary school as simply school without necessarily specifying that it has to be elementary. We won't close the public hearing until we've had some discussion of this, though, because we do not want to have to go back. If there's any additional changes, we can still make them at this point. So I will, I think at this point, go through the order again to see if there any additional questions, comments, and also comments as well, so a sense of how you feel

[04:17:58] about this at this point. Supervisor Pister-Curtley. Okay, well, I'm reading this, and I think the wording that was changed was Book Hill number one. The revised ordinance simply refers to the new proffer. New proffer, okay. Now, I don't have any questions. Any concerns, though? I don't have any concerns regarding this project supervisor malik i'm all set thank you very much thank you

[04:18:31] supervisor uh mikhael i'm fine thank you okay supervisor fruitt thought someone would say something um the change to the proper in this new email i don't see any issue with it that being said i'm i don't think it's appropriate to support the project this is the first one that has come to us that is non-compliant with our new housing goals which we spent an extraordinary amount of time deliberating over and now the very first moment we are called to test it i mean frankly we barely

[04:19:09] freaking engaged with it if i'm being quite blunt um it is it is non-compliant on a on a proposal that we put a lot of energy into and that we've talked about how it might be affecting our um you know our overall development pipeline i think if we are going to approve this then it would make it it would immediately signal that all that effort is a complete dead letter um it would then i think call into serious question frankly other other rules that we have um and i recognize potential like members of this board might think that that's potentially hypocritical because i

[04:19:48] sometimes do point out that you know we're in a legislative capacity we have the ability to exercise discretion but i think it's kind of extraordinary that on literally the first time And the question is called, not only do we fold, but we fold barely with any grappling with the problem.

[04:20:05] So I don't think it's appropriate to approve this. I also don't think, I made this clear in the comments, and I mean no disrespect, I don't think that the due diligence has been done by the applicant grappling with this question, or at least it is not, I do not see the diligence done.

[04:20:25] So I would just submit that to the board. Thank you. Supervisor Kelly? I mean, I appreciate the points. I guess I didn't think of it that way. I mean, we had how many applications come before us that if

they had their little toe in the door before or after the incentive package was done that we just grandfathered it in under the old policy?

[04:20:44] And this is at least delivering the extra 5% in units. So I just didn't walk in the door tonight thinking of it from that angle. I understand that angle, I guess, but I wasn't thinking of this as a new application in quite the same way. I think the beauty of the developer incentives, however, and I share the concern, and I'm not remembering the other project, as to the rigor under which both sides are bringing them up and discussing them for a particular project.

[04:21:16] The flexibility that we baked into the developer incentives was really just about trying to get the needle moved a little bit. I don't think us approving it, I guess since it's a proffer, it is kind of locked in. Would it be prohibited? I've had this conversation with other developers as well that projects are already done and approved on. But if this is approved, and I don't know, a conversation did happen around developer incentives, and maybe it moved the needle somewhere to take it further than what currently exists, I would think that would be allowed. The proffer set a floor, not a ceiling.

[04:21:53] So if at some point the applicant decides that they wish to offer more or at a different AMI standard that's the applicant's prerogative but it but it cannot be required under the proffer is currently submitted correct okay so it's in it's a like of my opinion that even other projects that we've done that aren't exactly built all the way up yet that if you're like all right if they did 20 of the units at at the old 80 number and they could move that with the help of incentive down to 60 i think we're going to finally get a new application that i would consider a new application is going to come to us and we're going to have to wrestle with that um which will probably make us

[04:22:30] look at our whole policy a little bit differently um so i appreciate the point i just i i approach the application from a different angle than you do um but saying that the doors are open and i would guess i'd tailor that or telegraph that to both the applicant and the staff that if there was a way that we could take this a little bit further whether it's for the home ownership or the rentals I mean, the developer incentives are really only targeted at rentals anyway.

[04:22:58] So I would certainly say have at it, and I'd be thrilled if it could be there, but I'm not going to stand in the way of approving this application. Thank you. I share a lot of Supervisor Pruitt's concerns, and I think I just expressed them in the sense of recognizing that 80% AMI is so close to market is to be not particularly meaningful, whether it's 15% or 20%.

[04:23:26] It's not clear to me that we've seen evidence that there's any difference between that and a market rate. But that said, I recognize that in this particular case, but for the decision in the original application to limit the number to 1550 instead of going for the larger number, this is a fairly extensive proffer statement that was submitted at that time and includes a lot of very beneficial things.

[04:23:54] So I believe I will be supportive, but with a great deal of frustration that the 15-20 doesn't mean anything if it's not really helping people to afford things that they would otherwise not be able to afford at market.

[04:24:14] Yeah. Yes? Well, I'm... No, we're not... No, we're not ready yet. If any other comments or concerns? Just one, and that is, I think if we have rules that say in order to qualify, you have to be 100 percent affordable, then that's what we should say and not say, oh, we're going to change the rules and let somebody have it for partial.

[04:24:36] So I don't think it's fair to criticize somebody for not using an incentive that states that they didn't qualify. That's all I was trying to report on. And yes, it's clear. I don't think they say it's a thing that is considered. but it lists a number of factors that are considered as being preferential.

[04:24:58] The other project that I know that's in the development pipeline that I've talked with the developer on is a new project, and they are exploring using developer incentives, and they are certainly not 100% affordable, but they have other compelling factors.

[04:25:16] They also are struggling to make it work, but they are, in a way that I'm not seeing today, grappling with that problem. I'm just going to say I don't agree because I have worked with this developer and they are grappling with this situation and I find them very responsive.

[04:25:42] Is it exactly what I would want? No, I'd like to lower prices for everybody. But market value, that's just the world we live in and it could go way up, there could be a recession, it could go way down. We don't know that. I do just want to clarify my point.

[04:25:57] And I would expect to know that the developer can give me the quantified value of the developer incentive if they sought it, would be able to quantify at different levels of affordability. What is the gap on their pro forma?

[04:26:13] What's their capital gap between offering at 80% and 60%? I don't know that that math has been done. I don't know that those hypothetical pro forma exist, which I don't see as grappling with the problem. I don't think I've ever seen that provided. Yeah, I haven't seen that. In 12 years, I've never seen that that provided.

[04:26:29] I'm not saying I expect it to provide it. I expect them to know, though, and I didn't hear that. And I do know developers often know that. I'm not going to tell. With that, board, we'll close the public hearing, which we have not yet done.

[04:26:46] We have now closed the public hearing. And the banner is back before the board, and I think we are probably ready for a motion. Yes. And it's your motion. My motion. Because it's your district. Yes. It is my district. Yes. Thank you. I approve ZMA 2024-00008 to adopt the ordinance attached to the staff report as a tatter.

[04:27:06] No, we have to do the, we have to do, withdraw that and. I withdraw that because we've amended it. We've amended it. Okay, so I'm looking at the, oh, okay, I approve, I move that we approve ordinance number 25-A.

[04:27:23] Is that a zero? No. So are you moving to adopt the ordinance to approve ZMA 2024-00008 as revised September 3rd, 2025? Is that your motion? Yes. Second. We have a motion from Supervisor Lupisto-Curtley, a second from Supervisor McKeel. Without objection, if the clerk will call the roll.

[04:27:43] Ms. Lupisto-Curtley? Aye. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Nay. Mr. Andrews? Yes. Mr. Galloway? Yes. Thank you, thank you, and we will move on.

[04:28:01] So the last item here from the Board, Committee of Reports and Matters Not Listed on the Agenda. We'll go through our order. Supervisor Lupisto-Curtley? I have nothing at this time. Supervisor Malek? A couple of quick reports from the VACO meeting in the summit a couple weeks ago.

[04:28:19] I did forward today an email that you can read at your leisure if you're interested on the report out from the Environmental Environment. Energy and Land Use Committee, a real free-for-all because a

lot of those topics are in tension with each other, so it's not exactly a peaceful meeting.

[04:28:39] Afterwards, Rob Farrell, who spoke at the Ag Committee meeting, he's the director of the Department of Forestry, mentioned his offer to the county to develop an MOU to assist the county in supervising land clearing monitoring because we have a black hole that often happens when a landowner says, oh, we're using timbering for this property, and they clear-cut it, but they use no stormwater, and say they're following forestry rules. But when the foresters get out there and see that all the stumps have been removed, then all of a sudden, all of this damage has been done to the

[04:29:13] property, and erosion is happening everywhere, and there's this big gap. So I hope that the cooperation with DOF will enable fewer of these runaround behaviors, as we've recently had in reunion with all the rain in July has caused real flooding downstream from one of these properties all over people's backyards, et cetera.

[04:29:34] So I hope that there'll be some, this is well received by county staff and we'll be able to do a more thorough job going forward without these sort of gaps of authority. On the SNAP issues from the state, the report from Katie Boyle, Virginia is one of 10 states who administer SNAP involving \$12 to \$13 million in local administrative funding through the federal program. Virginia is second only to California in the impact to administration, and impacts to

[04:30:09] benefits are much, much higher. HR1 is the biggest bill ever to pass in the U.S., but it may take 10 years for the rules to actually be issued on how to carry it out. So this is the uncertainty level and the cruelty and disaster that's coming to people who really need these benefits is mind-exploding.

[04:30:30] Virginia is in the federal focus because we have an 11% error rate in SNAP. That doesn't mean that we pay too much. It means it could be lower and lower and above.

[04:30:46] If you're more than 6% in total, then you're in trouble. So to retain independence, this is what's happening. You may have seen in Cardinal News the big push about the outdated technology that the state has been using, which makes keeping up with the SNAP paperwork almost impossible technology-wise.

[04:31:06] And so there are all these errors that happen with the hand forms and the delays, and millions of dollars are going to be required to sort of play catch-up on that. So I'm just very, very worried about that. Lastly, the General Assembly is asking for localities to share ideas of where the cost shifts will be significant to our budgets.

[04:31:25] As we see these federal things evolve, where the General Assembly can assist, my response is always, well, if the state would pay their bills, we'd all be a lot better off because you don't have a surplus if you're not paying your bills to the localities. So anyway, lots more to do there, and I hope that staff will consider all of those other cost shifts as they prepare for our upcoming legislative meetings.

[04:31:51] Thank you. Thank you. Supervisor McKeown. Yeah, I just want to say thank you, Ann, and it is definitely true that that high percentage of 11 would probably not be at 11 if the General Assembly had maintained our infrastructure. When it comes to systems and IT and other, it's just like water and everything else that in this county, and I don't want to belabor it because I know it's getting late.

[04:32:13] I do want to just point out, though, that I felt bad. I know all of us did because, well, Wes Bellamy was not here. We were so efficient. Bellamy Brown. I'm sorry, Bellamy Brown, excuse me, confused the name of someone else I know. He was late getting here because we were efficient.

[04:32:30] And his, what he was bringing us to share with us was the Bennett Village update, the CIP final grant report thanking us for the \$65,000 from our nonprofit capital improvement process.

[04:32:46] And he says, and you can read it because we have an email regarding, he sent it out. but I just wanted to make a point publicly for the record that he provided the written report for us and the very last portion said we're incredibly grateful for Albemarle County's commitment to creating this inclusive play space in our community, and we look forward to collaboration and partnership in the future as we continue making our community a more inclusive space for all to play.

[04:33:14] And I think that was great. It was really sweet of him to reach out to us like this. And we're thrilled about the playground. I can't wait to see it because John Jontree up in Arlington is incredible to see kids in wheelchairs zooming all over the place doing all these wonderful things. It's really fabulous. And that's all I had, Jim.

[04:33:30] Thank you. Thank you. Supervisor Brown. I would just flag on a similar note. I don't know if you all caught it, but in our capital appropriation, there was a 40K grant that was us appropriating a donation that we had received from the shuttered Scottsville volunteer rescue squad.

[04:33:49] So as part of the changes in how emergency services are operated down there, that nonprofit was dwindling down its fund. And they reached out to me to reach out to county leadership about how they could spend that in a way that is serving Southern Albemarle.

[04:34:08] And the very specific request they had for how the money gets spent was be for more accessible playground equipment in Dorrier Park, which is what that is hopefully going to be going toward. So yet another, you know, accessible play space is being brought to Alamo County.

[04:34:26] Yes, that was good. Thank you. I look forward to being invited to that opening. Mr. Calloway. Just a note that I will be attending. Senator Warner is hosting this Keys to Housing Affordability this coming Monday down in Richmond, so I will be in attendance and happy to report back what transpires there.

[04:34:47] Great. Thank you. And I have no additional reports. So with that, I will call this meeting adjourned to September 10th, 2025, 2 p.m. in room 241. That is a special meeting for the AC44 work session. Good evening.



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