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Albemarle County Board of Supervisors Regular Second Meeting, Wednesday, June 17, 2026

Date Wednesday, June 17, 2026
Place Albemarle County Board of Supervisors, Virginia
Length 4h 16m (video)

- Official meeting video (Granicus): https://albemarle.granicus.com/MediaPlayer.php?view_id=1&clip_id=1505
- Official agenda: https://albemarle.granicus.com/AgendaViewer.php?view_id=1&clip_id=1505

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Speech-to-text: whisper.cpp, model large-v3-turbo. Produced 2026-10-14. Each paragraph starts with its time [HH:MM:SS] in the meeting video.

[00:00:01] All right. Good afternoon, everyone. I like to call to order the Albemarle County Board of Supervisors for our June 17th, 2026, 3 p.m. meeting here in Lane Auditorium. With us today, we have Supervisor Ann Malick of the Whitehall District, Supervisor Fred Missel of the Samuel Miller District, Supervisor Sally Duncan of the Jack Jewett District, Supervisor Mike Pruitt of the Scottsville District will not be in attendance today.

[00:00:32] He's on traveling and we do have a request from Supervisor Lepisto-Kirtley to participate remotely in accordance with the applicable board rules of procedure, specifically rule number 8B1D enacted pursuant to the Freedom of Information Act.

[00:00:49] So at this time, if Supervisor Lepisto-Kirtley, if you would please state the reason for your remote participation and your location. Thank you, and I am traveling on personal business, and I'm currently at the Dulles Airport.

[00:01:06] All right, and we will need a motion to permit Supervisor Lepisto-Kirtley to participate remotely. So moved. Seconds. All right, without objection, if the clerk will please call the roll. Ms. Duncan? Yes. Mr. Galloway? Yes. Ms. Mallick? Yes. Mr. Missel? Aye.

[00:01:21] All right, Supervisor Lepisto-Kirtley is now in the meeting. Today, we have at the dais with us also Mr. Trevor Henry, Deputy County Executive, our county attorney, Mr. Andy Herrick. Ann Wall, our Deputy County Executive, will be joining the dais for the evening portion, but is relegated to the second row seating for the present time.

[00:01:44] Sorry, Ann. And we have with us our board clerk, Ms. Claudette Bargason, and our senior deputy clerk, Mr. Travis Morris. All right, we would also like to thank and introduce our Elmore County Police Department officers who are present with us today, Officer Tavon Richardson and Police Sergeant Joshua Wright.

[00:02:03] Thank you, gentlemen, for being here this afternoon. And now, if everyone would please rise as you are able for the Pledge of Allegiance.

[00:02:31] And thank you, if everyone would please take a moment to join in a moment of silence.

[00:02:44] All right, thank you, everyone. All right board we are going to have to adopt our final agenda but we got some some things to do before we do so so the first note I will make is attachment g for item number 19 the riparian buffer protection standards that specific attachment g as in golf was updated online yesterday and copies of the updated ordinance are available by the sign up sheets down on house

[00:03:20] right there. And we, Supervisor Lepisto Kirtley has requested to add a proposed request for an SCC public hearing on Dominion Energy's Charlottesville-Gordonsville 230 KV rebuild project to item number 20, which is from the board committee reports and matters not listed on the agenda. So it's going there because that's the normal procedure for adding items to the agenda that the board has already outlined and then the next request would be to due to uh the travel situation and her remote permission participation asking to have that then move from

[00:04:00] from the board to immediately following um let's see earlier on the agenda I would say after public comment and before we get going with other before items because she she has some some bandwidth there before then. So that's one. So add the item, then move the item on the agenda to earlier on the agenda. And then we also have a request from Supervisor Malik to add a discussion regarding implementing HB 1072, that's House Bill 1072, to item number 20 from the board,

[00:04:36] committee reports and matters not listed on the agenda. And I think I covered everything. Is there anything else that would need to be requested, added, or edited for the agenda today? All right. Seeing none, if the Supervisor Lapista Kirtley gets your mic unmuted, if that objection...

[00:04:55] Oh, we need a motion to adopt the final agenda as amended. So moved. Second. All right, without objection, if the clerk will please call the roll. Ms. Duncan? Yes. Mr. Galloway? Yes. Ms. Lapista Kirtley? Aye. Ms. Malik?

[00:05:11] Yes. Mr. Missel? Aye. All right, thank you, board. And now we will move through number five, brief announcements by board members. Actually, this might be a good spot for Supervisor Lepisto-Kirtley's item, just since we've got the spot slated.

[00:05:27] So when we call on you, Supervisor Lepisto-Kirtley, for your announcements, that's when you can handle your request for the proposed letter. And you are actually up first today, so go ahead, ma'am. Okay, thank you very much. I really appreciate the board's consideration in this matter.

[00:05:45] As you all know, Dominion is proposing to the SCC to build, to double, triple the sizes of the current power lines, transmission lines that basically go through Hollymead, Forest Lakes area, through Pantops, all the way up to Gordonsville, through Keswick.

[00:06:06] So the procedure is the SEC just wants to have a hearing, well, they want to receive comment, and they have to receive it by July 8th. As you know, you've been receiving those letters from our constituents asking for the SEC to have a full public hearing.

[00:06:28] So, legally, what we need to do is we have to have a legal pleading to show the justification for a public hearing to be held, other than written comments, but an actual public hearing to be held in Albemarle.

[00:06:45] So, that is what I am requesting, is that this board gives the authorization to Chair Ned Galloway to work with our county attorney and to send a letter to the SEC for that request. All right, first I'll ask supervisors any questions on what is being asked.

[00:07:05] And then I'll ask the county attorney any additional items that we need to be aware of. Yes, sir, Mr. Chair. So there's actually three possible avenues that the board could take, and they're not mutually exclusive. The first would be just to register a public comment. The public, including the board, can register public comments by July 8th and leave it at that.

[00:07:24] So that's one option. A second option would be to participate as a participant in the proceedings going forward. That's a higher level of participation. We have to show what our interest is in the proceeding and so forth. And then the third alternative, as Supervisor Lupisto currently indicated, would be to request a public hearing.

[00:07:41] We could request to have it held here in the Charlottesville area. It could be held down at the SEC in Richmond. But again, those are three different alternatives. They're not necessarily mutually exclusive. The level of participation could be either sort of at the comment level or at the full participation level. and then the whether or not to have a public hearing is a separate consideration.

[00:08:01] So I would be looking for the board's direction as to which of those alternatives is desired, if any of them. And the deadline for each of those is July 8th. So if we requested the public hearing, then it's up to them to decide if they're going to honor that request or not? That's correct.

[00:08:17] And that could be done by itself without the county either making a public comment itself or participating itself, if the board so chooses. Assuming if they held that public hearing, then supervisors may want to participate at that point, correct? But at least give citizens an opportunity. Correct. And again, one need not either comment or participate in in order to request the public hearing.

[00:08:38] Staff would just look for clarification as to the board's anticipated role. All right. Very good. So I'll just go through. Any objections by supervisors to handle this request? The vote would be to authorize me to do the letter, work with the attorney to send the letter, and then that's it until we hear further, I'm assuming.

[00:08:58] Simply to request the public hearing and that's it. So you're going for the number three option is the request. That's what Supervisor Lapista currently is asking. I wholeheartedly support that level because when we had to deal with the transmission towers in the western part of the Whitehall District, we went through this process and they had to have a public.

[00:09:17] If you request, and you have enough people to join your request, I think we have to get 20 other people to weigh in, we will have it here in this room. And literally hundreds of people came, and it was very impactful to the SEC's decision to have the public hearing here. So I very much support that.

[00:09:33] Thank you. Mr. Bissell? I would echo that, and I would also just, I thought it sounded like you were saying the option is to have it here or in Richmond. I would definitely stress having it here is absolutely critical. It's ultimately up to the State Corporation Commission where typically the hearings are held in Richmond.

[00:09:49] I know there's been occasions where they've taken hearings remotely. I remember several years ago there was a rate case involving a utility that operates heavily in Fluvanna County, and the hearing was held at the Fluvanna County Courthouse as they had requested. So maybe if there's a way to include that in the request that's specific to a public hearing located here would be our strong desire.

[00:10:10] And then is the other one the participation versus just notification? Is that something we have to also determine separately or just assume since it's a public hearing we're participating? Well, if the board intends to either comment or participate, that too would need to be noted with the State Corporation Commission.

[00:10:27] So I would say participate as well if that needs to be added. Those are my comments. Assuming you could do both? One could do both. Again, keep in mind that the standard for participation is a higher bar and that the county has to identify its specific interests in the proceedings.

[00:10:43] So thousands of affected residents in the eastern part of the county would be an adequate reason from my perspective. Well, that would be the case that would be made. Agreed. All right. So with then Supervisor Duncan, any comments?

[00:10:59] All right. Then Supervisor Lapista-Curtley, do you want to offer the motion that basically authorizing the chair to do as you requested? Yes. Thank you very much. I'm very appreciative. And before I do that, I just want to say thank you to all the constituents who wrote letters to us and who are writing letters to the FCC. There will be more than 20 letters that go to the FCC. I can tell you that. So I would like to make the motion that we present a legal pleading to show the justification as to why a hearing should be held in Albemarle County.

[00:11:38] second so so if i could clarify so that would not involve necessarily participating in the hearing that would be just requesting the public hearing locally without further participation by the county i think we will be very interested in participating thank you so so is that part of your motion then yes yes that is i think that that is clear and she said and participating now can be added all right any further comments or discussion all right if the clerk will please call the roll. Ms. Duncan? Yes. Mr. Galloway? Yes. Ms. Lapisto-Kirtley? Aye. Ms. Malik? Yes. Mr.

[00:12:14] Missel? Aye. All right, very good. Thank you, board, for handling that. Supervisor Lapisto-Kirtley, any other announcements? No, no other announcements, and I am very grateful to the board. Thank you. All right, Supervisor Missel? No announcements, thank you. Supervisor Duncan? No announcements.

[00:12:35] Supervisor Malik. I have a couple. First of all, I wanted to give formal thanks to Barbara Barrett, who for the last nine years has been a parent representative on the Region 10 Advisory Board,

Community Service Board, and before her time living in Crozet with her daughter, who was a client at Region 10, and also her husband.

[00:12:58] They had lived in the Valley, and she had been a member for 11 years on the Region Board over there. She worked really hard, was a chair for many years, and I really appreciate all of her effort. So I wanted to give thanks for that, and I think that big shoes to fill for the next group of people who come along.

[00:13:17] The next is the Albemarle Amateur Radio Club. We'll be participating in the annual Field Day. This is a global event. It will be Saturday, June 27th, a week from Saturday through Sunday, June 28th, 2 p.m. to 2 p.m., so 24 hours.

[00:13:35] And it will be held at the Earliest Field Volunteer Fire Department, 283 Race Ford Road. And it is a wonderful place for all ages, grandparents, little children. Everybody can get involved in talking to somebody, some very far place. Alaska was where my grandkids spoke with somebody just 10 years ago.

[00:13:54] Field Day combines public service, emergency preparedness, community outreach, and the technical skills all in a single event. And it's been held since 1933, and it's really important to our community. When we have absolute disasters and all of the more modern communication facilities go down, it is these ham radio people who keep everybody going and get in touch.

[00:14:18] You can watch, you can get on the air, you can learn about all sorts of educational things, and they'll be tense for cooling off and being in the shade. So I hope that lots of people will come out and appreciate the work that these folks have been doing and have a good time. Next, it being almost July.

[00:14:37] The Whitehall District is blessed and has been for over 50 years in having three Fourth of July or weekend parades. So the first is July 4th at 10 a.m., which is in Earliestville, and it will be from the Earliestville Forest Drive, Earliestville Road intersection.

[00:14:53] This is our 30th year this year. And then 5 p.m., also on the 4th, will be the parade in Crozet. It has been run for 50 years by the Crozet Volunteer Fire Department, and the parade will leave from Crozet Elementary, go to Crozet Park, and then the whole scene moves to King Family Vineyards for food, music, and fireworks.

[00:15:17] And that is on Half Mile Branch. July 5th, which is the Sunday, the Free Union Homemakers are also in their 31st year. They will be sponsoring their parade, which leaves from the Church of the Brethren at 4 p.m. and goes through the village to the Baptist church on the other end.

[00:15:35] And each parade has its own quirky characteristics, and I hope that people will come out and see and celebrate our country's birthday. And I thank you very much. All right. I have one announcement and then a comment.

[00:15:55] I'm happy to have received notice from VDOT, Carrie Shepard, that the mini roundabout that's going to happen that we've been trying to get in place at the Hillsdale-Greenbrier intersection is finally going to be installed. The funding for that got put in place this past year, so they're going to get that knocked out after doing the things they needed to do. They're going to start work on June 22nd. It will take no more than three days to complete. This is a modified roundabout. It's being used in Chesterfield, and I think there's one other place in the state that it's used the upside of this is is basically it puts

[00:16:33] a roundabout in place but it doesn't need to be the full-on construction effort like we see happening in front of k-tech and if for some reason this treatment does not work it can be removed as easily as it was put in so this is the type of solution i think that i'll be real keen to see how it works out there i think it will help solve some of the issues that are happening at that intersection because it could be something that could be useful to us in other parts of the county. Absolutely. I will note to the local community that lives there, they've been aware

[00:17:07] that it's going to be been coming. The CAC that covers that area has received a presentation on it in the past, but it will take those three days. They were originally going to do it overnight, but the machinery that they need that pulls up, I guess, the striping that's already there is rather noisy so they don't want to be disruptive for sleep hours so they will have to do it during the daytime um so there will be some uh they've already got i know a message board up that talks about it they put the press release out um so folks will just need to be mindful of that but it'll be at up and up and down in three days which is pretty quick for a transportation

[00:17:44] installation so question because i was confused in the press release north south hillsdale is basically closed so right turns only all the way around right that's what I was I was understanding I'm making a new route from the grocery store home then because the situation thank you but that would be the once it's in that'll be the third roundabout between if you count the one in front of Whole Foods at hydraulic and then along that stretch so I hope that will help that's designed to help with speeding traffic pedestrian folks being able to make left turns etc so I think it'll get the job done. And then the other thing I'm just going to make a comment on is that we're

[00:18:23] approaching the end of June and we still don't have any daylight or light at the end of the tunnel for a state budget being passed. And I just want to make the personal claim, speaking on behalf of this supervisor, that they need to get their act together, put the intra-party politics aside, because if they don't pass a budget, the things that's going to mean for local government, not to mention other state institutions is really going to be problematic and we've made these comments before about the federal government and the concerns that folks had at this federal level but when you really think of it in terms of a percentage of how federal dollars hits our budget it's not that much it's concerning we would be interested in backfilling but the state budget

[00:19:03] has a huge impact on us and the school division um so they need to they need to they need to get their act together and get get get get to work and figuring out how to get this budget passed um and i felt that needed to be said publicly um uh so and i see other supervisors nodding their head so i'm glad nobody was in disagreement on that if you want reading it's available and that one cent sales tax is supposed to be part of the budget because it wasn't put in as a bill so we can't do anything about that and then that is timeline restrictions to order to get it to referendum and get it on the ballot. So if they mess around and screw that timeline up, it's going

[00:19:41] to be incredibly problematic. And that's something that we've been advocating for for a couple of years. So it'd be one thing if this was just all the two parties couldn't get together. Well, there's no excuse for it at this point, in my opinion. It might be worth reaching out to our delegates because it's not in the 90 pages in the Senate proposal that came out Tuesday.

[00:19:59] So unless I missed it, I looked really carefully for it. But the House has another document that i have not found yet so it may be in there but we need to perhaps get our lady delegates to dig in a little

harder on that and make sure that we don't get left out and i would just call in folks that to start sending your emails the fact that this budget um isn't passed they need to hear from our residents because that's a big deal for things beyond just uh i mean schools in that particular item it it means a lot to different county operations uh and things that exist in in our

[00:20:32] area that are outside of our umbrella supervisor lapista currently i see your hand raised uh yes it is and i just want to give a shout out for the fourth of july your your mic is covered weird or something there oh okay is that better yes thank you i just want to give a shout out to the key west uh fourth of july party it's a very parade it's a very nice one it's less than a mile uh but it's people in key west are very enthusiastic about their wonderful fourth

[00:21:06] of july party so come out and join everyone all right thank you okay board we're going to move to item number six proclamations and recognitions and today i am happy to say that we do have a resolution recognizing charles ridgeway ridge as we know him skyler the third and how this will work is supervisor malik is going to read the proclamation as a motion the board will take a vote on the motion. I will then invite Mr. Schuyler to join us and make comments to be able to accept the proclamation, and then the supervisors will have a chance to weigh in as well.

[00:21:44] So that being said, Supervisor Malek. Thank you very much. It is an honor to read this and to greet you. Recognizing Ridge Schuyler upon his retirement, whereas Charles Ridgway Ridge Schuyler III has dedicated his career to advancing economic opportunity and strengthening communities through innovative collaborative approaches. Whereas as Dean of Student Support and Community Partnerships and Director of Network to Work at Piedmont Virginia Community College, Ridge has provided visionary leadership in addressing systemic barriers to employment and creating pathways to family-sustaining careers. And whereas Ridge led the development of a coordinated community-wide

[00:22:21] approach that brings together employers, service providers, and trusted community members to support individuals seeking meaningful and lasting employment. And whereas Network to Work model pioneered under Ridges' leadership has demonstrated measurable and transformative impact with nearly 70 percent of participants securing employment and achieving significant wage growth thereby enhancing economic mobility for individuals and families across the region and whereas throughout his distinguished career including service on Capitol Hill Ridges exemplified a deep commitment to public service cross-sector collaboration and the well-being

[00:22:58] of the community now therefore be it resolved that we the Albemarle County Board of Supervisors do hereby honor, commend, and express our sincere gratitude to Charles Ridgway, Rich Skyler III, for his outstanding service, leadership, and lasting contributions to the community. Signed this 17th day of June, Ned Galloway Chair. As a motion. Is there a second?

[00:23:23] Second. All right, the motion has been made and seconded. Without objection, if the clerk will please call the roll. Ms. Duncan? Yes. Mr. Galloway? Yes. Ms. Lapista-Kirtley? Aye. Ms. Mallett? Yes. Mr. Missel? Yes. very good the motion carries welcome ridge how are you sir i'm doing great thank you all so much we would invite you to make some comments and then we're going to make some comments about you okay uh well first of all to members of the board uh thank you so much i am truly humbled uh and almost speechless almost one of the occupational hazards of having worked in the

[00:24:02] united states senate is the tendency to filibuster but i'm going to surprise all who know me and not take my full three minutes. At a time when it feels like the nation is being torn apart, I feel blessed to

have worked on a framework intentionally built to bring people together.

[00:24:22] Employers looking for their next great employee. Community connectors who see the potential in others that they may not see in themselves. And resource providers who knock down barriers and open up opportunities. United together in lifting up our neighbors, striving for a better life and a better future for themselves and for their families. I want to thank Piedmont Virginia Community College and local governments like Albemarle County who have believed in me but

[00:24:57] more importantly who believe in the potential of the people I've been honored to serve. I have tried to the best of the ability that my mother gave me to live the words of Robert F. Kennedy, the senator not the cabinet member, who encouraged us to dedicate ourselves to what the Greeks wrote so many years ago to tame the savageness of man and make gentle the life of this world. Thank you.

[00:25:30] Thank you, Ridge. I'm going to invite supervisors to make comments. Supervisor Lapisto-Kirtley. Ms. Lapisto-Kirtley, you may need to unmute. Okay. Thank you very much, Ridge, for your dedication, your public service. Frankly, it's Americans like yourself who enable us to tame the wild beast that we all have within us. And I really commend you on doing that. Obviously, you had a

[00:26:03] great life, a great upbringing, and that shows in your service to our country. Thank you. Supervisor Missal. Thank you. I appreciate your words more than anything I could say, number one. Number two, I don't think we've had the opportunity to work together. But one thing that stands out is that you have spent your career helping people find opportunity which i think is an area that is so drastically needed and i just commend you for that thank you very much supervisor duncan uh i

[00:26:39] remember when you presented at the all cac meeting last fall it was my first interaction with you and it was so good and so impressive and inspiring um that i think it just speaks to you know that That's the only thing I know about you, and it was just really well done that, you know, clearly you've done a lot of great work, and it's really exciting, and thank you for everything you've done.

[00:27:03] Thank you so much. Supervisor Malek? You're way too young to retire. Just want you to know that right up front. But the bringing people together is such admirable goal and so essential to our survival anywhere, in any community, but particularly in this one.

[00:27:20] And the last 10 years we seem to have been more like this, and we need to get back to where you started at that little desk in the chamber. In my knowledge, I know you were doing lots of wonderful things other places before that, but that little desk in the chamber with Network to Work 101 and the grandmother plan.

[00:27:37] I'm totally captivated by the grandmother plan because that is how you wrangle these teenagers and these kids who have not had a model of somebody who had a steady job and get them to work on time and clothes clean and hair combed and stuff like that, Those soft skills that everybody needs, we all need grandmothers to get us out of bed in the morning.

[00:27:58] So thank you for that wonderful inspiration and plan to make it work. And also, as someone who's been struggling in the local level of the WIOA program since 2008, sometimes we make progress and sometimes we don't. They're trying to cut it all again for next year.

[00:28:14] But the examples that you've given are ways that we can make sure that our local program at the Workforce Center is doing the best job we can. And we're running really good partnerships, and those

are all ways that you got us going. So thank you very much. Ridge, I guess I'll make two points.

[00:28:34] One, we just did a chamber-to-chamber visit, some of us, to the Chapel Hill. And they have a good neighbor initiative program. They also have a land trust model down there. And one of the opportunities was to take a tour of the neighborhood where they do this land house, where its idea is to not have gentrification and people don't get lost.

[00:28:55] and it was a traditionally African-American community, and they're achieving the objective. And when we learned about why, one of the points for both the Good Neighbor Initiative and their relationship with the university and the land trust model was because they had, I forget what you call it in Network to Work, but they had the people in the community that are the point person or the network to, the direct link to all the other folks in that community.

[00:29:23] And, you know, as soon as I heard that on the tour, I went, oh, well, yeah, I know about this. And I know why it works and why it's important to do it that way. Because, Ridge, I remember the first time you gave a presentation about that, remembering that point and why that was critical to helping.

[00:29:39] I mean, you can have any program set up, but if you don't have the way to communicate and get to people and then get them connected to the program, why have the program? Not to mention the fact that you just took very, I think, you know, sometimes we deal with these policy issues, and they are very complex things, but to be able to break it down into just the very specific things that the program was able to do to get these folks helped.

[00:30:04] If you need a car, we're going to help get your car. If you're going to need the training, we're going to help get you the training. Because these are the things that actually matter to get people set up and get them back into meaningful employment. So I applaud your efforts to do that. The second thing, just because you called it out with... with Robert Kennedy, and we just, I don't know if y'all, the author Robert Coles in Child Psychiatrist just passed earlier this month, and he had a book called The Call for Service.

[00:30:28] I've quoted this book once or twice in the past, and it's interesting that the subtitle is A Witness to Idealism, and when you mention that, you're right there. What you have done and the work you've done with Network to Work and who you've helped, you answered the call for service in the spirit of what Robert Coles and the Kennedys were talking about.

[00:30:49] I just commend you for that, and I know that this community is going to be forever grateful for all the efforts and work you've done. So thank you, sir. Well, thank you all so much. There you go.

[00:31:14] And stand for a quick photo. I see Jean's got her phone up, so why don't you all stand for a quick photo. Thank you all so much.

[00:31:29] And thank you again, Ridge. I'd like everyone to just join in an applause for a moment, if you would. And enjoy the next step, because you've earned the time. all right thank you board we know where you live so don't get away i will uh we will now move to item number seven public comment on matters previously considered are currently pending before the board other than what is scheduled for public hearings any sign-ups today we have no sign-ups so we will move past public comment and to our consent agenda i'm not aware of any

[00:32:08] items needing to be removed from consent any items that need to be pulled no sir all right is there a motion to adopt the consent agenda so moved second all right the motion has been made and seconded without objection if the clerk will please call the roll ms duncan yes mr galloway yes miss lapisa kirtley i miss mallet yes mr missel yes all right thank you board the consent agenda is adopted and we will now move to item number nine this is a proposed project for the Albemarle Housing Investment Fund, and Ms. Dimmick is joining us, our Chief of Human Services.

[00:32:58] Good afternoon, members of the Board of Supervisors. Thank you so much for this opportunity to present to you a recommendation for use of the Albemarle Housing Investment Fund, where I'm fortunate to present this program to you, but I would like to recognize that the work to create the program, both in terms of the research and the structure, is from Shaquille Reynolds and Stacey Pethier, who are both with me today from the Office of Housing, and they started

[00:33:32] this work almost three years ago to look at a program like this for the county. Before you to recommend a proposed employer-assisted housing program pilot for the use of the remaining funds in the AHIF, which is about \$840,000. I will walk through some local housing data, talk about household income and salary data for our community, talk about our enabling legislation, review of other jurisdictions, our proposed structure for the pilot, and then end with

[00:34:09] comments and questions. So you all know that housing affordability has been a subject of great conversation over both the budget period and before and after the budget period. Right now, our community members are experiencing significant hurdles around purchase of a home in our community. Our sales median sale value and of course I want to recognize that this data changes all the time but in May the median sale value for a home in our community is \$554,000. The median

[00:34:45] listing value is \$630,000 with a high in early May of over \$700,000 and our median rent is approximately \$2,200. 49% of renters pay more than 30% of household income on housing costs, which is the HUD definition for affordable, is that you pay no more than 30% of your household income on housing. In order to purchase a home for \$554,000, a household would need to have \$130,763.63 cents that would be required for a traditional mortgage. And so that would traditional generally

[00:35:24] would be 10 to 20 percent down, 6 percent interest, no additional consumer debt. And that would yield a mortgage payment of \$3,596. A household would need to have \$100,640 in order to be eligible for a Fannie Mae home-ready mortgage product, which would provide another opportunity to make a purchase of that home. Importantly, Albemarle County salaries fall under, generally, under \$100,640,

[00:36:01] which is that threshold for the Fannie Mae product. So 85% of full-time county staff earn less than \$100,640. A sampling of salaries, including the sort of traditional helpers in our community, knowing that, of course, there are all county employees are interested in public service and therefore helpers. Police officers start at \$60,798. Firefighters at \$59,825.

[00:36:34] Teachers, recognizing that there's some variation based on certifications for teachers, start at \$57,511. And family support workers, traditional social workers in the Department of Social services start at \$54,583. So even if you had, in some of these cases, two earners roughly in the same category, you might not be eligible for that traditional bank-financed mortgage. The state has

[00:37:08] provided enabling legislation for communities to provide assistance, loans or grants to employees to assist with the purchase or rental of residences within the county. It does require the adoption of an ordinance.

[00:37:26] Other jurisdictions have been doing this for a while in all different kinds of formats across the board. So Baltimore matches \$1,000 to \$2,500 for a down payment, while New York City provides \$5,000 for housing expenses, but interestingly, only to certain teachers, teachers that are hard to recruit.

[00:37:47] Washington, D.C. loans \$20,000 and matches \$5,000 for all government employers, but does a little bit more for first responders and teachers. Henrico provides \$25,000 forgivable loan over five years, while Loudon provides the same over five years.

[00:38:05] Chesterfield and Arlington provide a variety of kinds of live-where-you-work grants. It changes, I think, based on their budget from year to year. And interestingly, I included Chapel Hill because of our recent chamber-to-chamber visit, but also because they provide down payment assistance and one-time rental assistance to staff members.

[00:38:25] The down payment assistance is to live within the city limits, to the town limits, but the rental assistance is to live within their urban ring, recognizing that the community has an interest in bringing people within five miles of the town limits. There are documented benefits to providing an employer-assisted housing program, including improved recruitment and retention, improved productivity and work-life balance.

[00:38:51] There are some environmental benefits that are sort of realized by other communities. Most of those communities, admittedly, are urban communities where somebody is swapping a commute for mass transit. But nevertheless, fewer people on the roads certainly results in reduced emissions.

[00:39:08] Employer reputation, leading by example in terms of supporting staff around housing. And then, most importantly, improved community connection and engagement. You live where you work, where you serve. Our proposed pilot is to provide down payment assistance for full-time regular county employees to purchase a home in Albemarle County in the form of a \$20,000 loan secured with a lien forgivable after five years at the rate of 20% per year.

[00:39:35] And a \$2,500 grant for one-time rental assistance for county employees that rent and are paying more than 50% of their household income on rent. So this is intentionally targeting those county employees who are both severely rent burdened. This would be a five-year pilot.

[00:39:51] We would collect data, assess, and report back out, and then certainly in the middle of the process, and then again at the end of the five years. Our intention would be to establish a loan committee that recognizes the fact that this is a program that lives in multiple departments in the county.

[00:40:08] So this lives a little bit in HR, this lives a little bit in finance, and this lives a little bit in housing. and we would want a loan committee that represents all three of those departments. Eligibility requirements would include completion of a homebuyer education class, engagement with a housing counselor, continuous residence in the supported unit as the principal residence, obtaining traditional or some kind of bank mortgage financing as opposed to financing it through a personal lender, Household income below 80% for the down payment assistance and below 60% for the one-time rental

[00:40:47] assistance. \$2,500 in matching funds for down payment assistance and \$500 in matching funds for the one-time rental assistance. So these matching funds are funds that the staff person would need to demonstrate that they had in order to be eligible for the loan or for the grant.

[00:41:10] that they'd be in good standing with the county and i will acknowledge that that's a vague statement and so we're looking at other communities and working with our hr department jessica rice has been thinking about what it means to be in good standing and what other communities use so that we could establish a standard that is defensible and reasonable there would of course be a cap on the maximum purchase price it would likely be based on what the home virginia home standards are around purchase price and that we would of course require that the employee purchase or rent in Albemarle County.

[00:41:44] So our recommendation is that the board consider approving the use of \$840,000 of already appropriated affordable housing investment funds to support a pilot program to test the effectiveness and utility of an employer-assisted housing program between July 1, 2026 and June 30, 2031.

[00:42:05] Based on your decision, we would move forward with creating a more formal program guidelines and begin to market it to staff. Importantly, we would say that this is eligible to Albemarle County's broadly defined, which would include school board employees.

[00:42:23] So we would ask, additionally, that the board authorize the staff to move forward with the appropriate noticing requirements for an ordinance, and we would work with the clerk to identify the next available room on the consent agenda for that ordinance. That's the extent of my presentation. Thank you.

[00:42:42] Thank you, Kaki. Board, I think we will do a round of questions first, just in case there are. We have had some time, extra time ahead of today to scrutinize this in our two-by-twos. But then we'll all come back around for another round of commentary as needed.

[00:42:59] Supervisor Lapisto-Curtley, questions? I have no questions. Thank you. Supervisor Missal? Thank you. Just a couple of clarifying questions. One is you mentioned that a county, that this applies to full-time regular county employees. What does regular mean?

[00:43:15] not temporary oh okay so that's just like we've done we have sometimes full-time temporary employees so this would be a full-time regular employee got it thank you um five-year pilot 840k for the entire five years yes so that 840 was kind of a leftover number right it was sort of not random but it was there it was already appropriated so it was convenient to use that had you given any thought to what the number should be or is it too early to really tell because that's part of the pilot.

[00:43:47] I think that's too early to tell for two reasons. One is that most communities that have these employer-assisted housing programs, there aren't very many employees that take advantage of them, so even when they're eligible. And so I think we'll have to sort of have some experience, which is why the pilot process is five years.

[00:44:05] It may take employees a couple years to believe that this is real and save their matching amount for us to see what a real sort of annual number might look like. And then there's the mix of what the rental subsidy piece would be compared to the down payment assistance, sort of what that blend will be.

[00:44:24] And I think those are two pieces of experience that will help inform the answer to your question, which is what would an annual appropriation be if we wanted to sustain this. So we would anticipate reporting out to you prior to the five years. We would come to you, let you know sort of incrementally how it's going.

[00:44:42] I think my mic cut out. Oh, no, is it back? Can you hear me? Okay. That was my next question, is what happens in the interim? Like, we go the full five years, or is there a point in which we stop and say, you know what, the need was way more than we anticipated, and therefore we recommend thinking forward into adding proactively more funds into that.

[00:45:04] You answered this is a loan, right, being provided. I guess my last question has to do with the affordability. So I think you said that it's 80% or 60% for one-time rental.

[00:45:22] Knowing that the greatest need in this community is for deeply affordable homes, did you give any thought to, so if you're going as high as 80%, that's a pretty large population. Did you give any thought to saying actually 40% and below or whatever that, I'm just curious how you came up with that percentage?

[00:45:43] Yes, I think that the deeper the part of the AMI, so the lower end of AMI, our understanding sort of based on our housing investments in the past and other communities is that really substantially below 40% AMI requires an ongoing subsidy, not a one-time event.

[00:46:07] So that's one thing to consider. The other is that we, again, don't know what to anticipate in terms of the demand for this product. If we had so much demand that we needed to, if there were too many people that met all of our eligibility requirements, then we would need to prioritize.

[00:46:25] And this board has historically suggested that we prioritize based on vulnerability, and so we might come back to the board and say, if we have more people than we can afford to support, how would you like us to divvy this money up, or here's what we would propose and we would likely propose based on vulnerability.

[00:46:43] There's a dance here between whether this is sort of an anti-poverty, self-sufficiency program or whether this is a community connection and engagement program and so there's some relationship between the two in the implementation great that's really helpful thank you that's it supervisor duncan questions um actually one question do you have any data or do you keep did you do any data on like what you get for the house so just it just kind of struck me reading this of like you know 554 000 like you know some people might not sound like a lot but

[00:47:21] But, like, one of the reasons it's so stressful is that the houses are getting smaller for what you're getting for this. So, like, I can imagine a \$554,000 house might only be, like, 1,200 square feet, which is really tiny.

[00:47:36] And so I'm just curious if there's any, if you have any data on, like, price per square foot, I guess. It's certainly gettable. I don't have it at the top of my head, and we can certainly look for that. So 545,000 would be the median, which would mean that half the houses were less than that and half the houses were greater.

[00:47:57] So there's some inventory that sort of would be appropriate and also some recognition that a lot of those that will be below 500,000 are likely to be townhomes or condos. That's all I have right now.

[00:48:13] Supervisor Malek. Thank you very much. So you mentioned about home buyer education classes. Would you use somebody like Habitat to run those? Are you planning to stand up a whole separate program for that? Because that's really important to make sure that people understand what they would be taking on and if they have the ability to sustain it.

[00:48:33] Absolutely. We would not be taking that on ourselves, so we would be farming that out. There's a variety of places, including several folks at the state, that provide those homebuyer education classes. So we would be taking advantage of wheels already created. Okay. But, okay, somebody certified.

[00:48:51] And so in your discussions and preparation, I guess you will learn about what people's primary barriers are and be able to then adjust as you go, because I'm sure there are many different barriers, but I don't know what all of them are right now.

[00:49:07] I will not commit to adjusting to all the barriers we discover, but certainly we would note them and then identify them. Put them in mind. Yes, exactly. Okay. That's all for my questions. Thank you, Kim. so the i guess i don't know the slide number though where you had the cap or the purchase price based on the median like my concern how do and i'm sure that other places uh deal with this but the like you had the median price versus the listing price and then even watching uh where is

[00:49:42] that at there's one that was like the median uh that one you know sometimes when we see median or even average or what's going on that doesn't you know it's just a point in time kind of stat it's not even an actual number um because i'm looking right now just in my kind of neighborhoods on zillow and there's nothing below that's there's one home that's below five hundred thousand dollars the rest are townhomes if they're in that price point and then everything else is you know typically

[00:50:17] in the 750 or above range looking in my rio district neighborhoods here if they're if they're and some of those are even still attached they're not all detached in those price points so has that been looked at in terms of when you when i started hearing like cap and sales price like talk me through how the reality of the fact is is that the value of the home right now the market is still strong enough where people can charge more than the value of the home and get it for how fast that they're going so how does this play out in reality for somebody that's trying to get something

[00:50:52] that just might be in a hot market the cap is not connected to home value it's connected to affordability for the buyer for us. So if they have a spouse that is separate and earning, that'll help them maybe with total debt to income. But we're doing the program based just on the employee, or are we doing a total household income? So does this become less of something somebody can qualify for if they have a spouse earning income? We assume that our cap on a max on a maximum home price would be similar if not exactly the same as what their cap on what

[00:51:32] they're qualified for okay um the five-year pilot the um and you said obviously you said there would be check-ins i know that this isn't like put it on autopilot we don't check in for five years but we've had other programs that we've we've given money for i'm thinking of the sewer program where then you came back and said we didn't get as many people to participate as and we'd like to use this money for something else because otherwise it's just going to be parked in this bucket being unused and i think the housing investment fund certainly qualifies as a place where we don't want idle dollars sitting around so i also know that with pilots given you

[00:52:11] got to give it some time and so that you can learn and we have to we're going to have to do a communication effort if it moves forward etc but what can you say in the reality of oh we got a lot more renters versus homeowners or yeah we need more money but oh wait we've only used 200 000 of this, and based on what we know, we're not going to need the other \$500,000, likely.

[00:52:34] So what's the game plan when those situations come up if we're not doing, like, we have to be doing a more regular check-in, I would think, than once in the midpoint and once at the end of five years. I would assume that we would do at least an annual check-in, whether that's on the record and as a part of a presentation or whether that's an email communication to the board or a combination of something on a two-on-twos.

[00:52:58] We anticipate that it would take us, again, a couple of years to see what the interest really was. I wouldn't want us to make any judgments about this pilot in year one or year two. By year three, mid-year through year three, I think we would be able to assess whether there's interest and whether people can make them meet the eligibility requirements.

[00:53:17] One of the questions is in an environment where we have both the salary data that we've described and the affordability challenges that we've described, would anyone ever be able to qualify? And so those are levers for us to consider moving, and we would need to sort of make some of that assessment mid-year.

[00:53:36] I will say that, again, most people, most organizations that have these programs do not have significant participation. For example, the Police Foundation has down payment assistance for police officers, and their highest year is four, and their average is two.

[00:53:52] So I'm not anticipating a huge amount of participation, but I also wouldn't want us to declare it unsuccessful prior to the end of year three. And then even then I might suggest we change or move a lever or two to see if we can get more people in there.

[00:54:14] I haven't had a chance to do my own kind of Google research on things, but is the participation rates between rental assistance and homeowner assistance different? Yes. In communities? Yes. Is the rental usually higher? Yes. So do we have a sense of what in Virginia specifically for the places that have been doing this for some time that are like communities?

[00:54:34] I'm thinking in northern Virginia, which is a high-cost place. Because they're all doing something a little bit different, it's hard for us to sort of compare those to apples to apples. But we absolutely do have some data around that. There are some who provide a blanket assistance to renters every year in recognition around salary level and affordability.

[00:54:54] Some who provide rental assistance to new employees who are moving to the area. Some who provide rental assistance to people who are moving from outside the area into the area. So I think it's all a little bit different, but we anticipate that we automatically know that the eligibility threshold is significantly lower for renters because of the assets and all of the rest of those requirements for home purchase that we'll have a significantly higher number of employees who are eligible for that program.

[00:55:23] And did you kind of lean on those other places relative to the amounts? Like I look at what the assistance is for rent versus homeowner and go, okay, is that a comparable amount of impact for the person? Not necessarily is it comparable to what other places are doing, but as a person who's getting

assistance for rent versus somebody that's getting assistance for the home is the amount of impact to help them get into a living situation comparable.

[00:55:49] Does that make sense, what I'm asking? Yes, and I think these are levers to tweak. Many places who do home ownership assistance, so mortgage assistance, require only \$1,000 of cash from the employer to qualify.

[00:56:07] We initially started with a one-to-one match in our thinking, and then we moved to \$5,000, and then we moved to \$2,500 because, again, so many of those programs said if that's too high of a threshold, lower-wage households cannot afford to save that much money to get to a place where they could provide the match.

[00:56:26] So \$2,500 seemed like hard work but also accomplishable. In terms of the rental assistance, we know that those folks who are particularly rent-burdened, so over 50% of their household income on rent and below 60% AMI, that \$2,500 will help, but only for a little while.

[00:56:47] And so that's one of the questions around ongoing subsidy versus one time. So I think it's right in the middle in terms of what there are some communities who provide higher rental assistance. There are some communities who provide rental assistance in a more ongoing way. And then others who provide home ownership at a lower match rate.

[00:57:08] These are all numbers the board can move around for our pilot. All right. I think those are all my questions. Thank you. I'll go through for a round of comments on the program. Oh, I guess one question for the county attorney. If we decided we wanted to move forward with this, can you just tell us what the legal process or procedure would be?

[00:57:28] Yes, sir. So if the board is interested in moving forward with this ordinance, it would need to come back at a separate date because an ordinance doesn't necessarily require a public hearing. It does require advance public notice. That public notice has not yet been given. So if the board is interested in coming forward, we would look to set it on a future agenda at the level the board wants to bring it back.

[00:57:47] It can either be a consent agenda, an action item, or an outright public hearing, again, depending on what the board's level of interest is. So today is consensus, or would we be taking action to set that in motion? You would be taking action to give, well, you'd be giving staff further direction as to what type of proceeding you would want to bring it back as.

[00:58:04] I'm going to go around for comments and just keep that in mind as well. Supervisor Lapisto-Curtley, any comments? The program, I really like how it's been organized, the fact that it's a five-year pilot and we're seeing what works and what doesn't work.

[00:58:23] I think it's very, very well thought out. Of course, we don't know, you know, things could happen, but that's how you adjust with yearly updates. I also think that this is a way of really telling our employees how much we value them how much we care about them this is a great great way to do that saying we're investing in you come work for abemoral thank you supervisor missal thanks um and thank you staff who's over there i can't see everybody um but thank you for this work very i think very

[00:59:00] important and i am interested in moving this forward um depending on what that looks like but i would be supportive of this um i think as we think about how that happens the process that we undertake to distribute AHIF funds might be a good roadmap to follow because these are AHIF funds. So

that process and how that goes about might be the right way to go. You know, the original goal of AHIF was to create primarily or primarily to create and preserve affordable housing units. So it's a little different. So I think no problem with that, but it's a little different than what the original fund set out to do. I think it'd be good to think through if that

[00:59:40] If we're slowly morphing this fund in a different direction or if this is just sort of obviously what it is, which is kind of a one-off. The no significant participation, you know, I would, and I'm sure you're doing this, ask why there isn't significant participation.

[00:59:57] And, you know, is it an advertising issue? What is it that we need to do to get people to participate? Because I think we want them to use these funds. We don't want this money left over, right? We want to keep it going out.

[01:00:10] The demand is unknown. I think prioritizing deeply affordable, looking at basing that on vulnerability, et cetera, is really important. I think I just support that. I think the timeline for follow-up is a little unclear. So as you go into the next step, I'd love to see some structure to that. What makes the most sense? Is it an annual check-in? Is it as needed? But something that maybe gets, you know, sort of, I don't know, codified, but it's in there and we can anticipate it.

[01:00:41] And maybe that aligns with some of the work that you're doing already with AIF. Let's see. The makeup of the loan committee, I think, would be important. Who's on that committee and what their experience is, what their goals are, how that all plays out, what their charge is, is important.

[01:00:58] I think that the expedition, expediting the distribution of these funds once they're identified, once the recipients are identified, I think that needs to be streamlined. I don't know what that looks like, but thinking about making this, because somebody's buying a house, right, they need the funds.

[01:01:19] So however that can be expedited. Love the idea of the use of existing resources, leveraging those. And I think those are all my comments. Thank you. Great work. Thank you. Supervisor Duncan? Yeah, I have three points that are sort of bigger picture.

[01:01:40] I'm very excited for this. It's actually interesting timing because the Harvard State of the Nation housing report came out this morning, and one statistic they gave is that the number of listings affordable to households earning under \$75,000 is down more than 60% since March 2019, and that kind of one of their recommendations is that governments at all levels need to intervene and participate in order for people to afford housing.

[01:02:09] So I think, you know, one reason this is really great is just because we have to use every tool that we have. There isn't one solution to solving the housing crisis. The second reason is that this eliminates one big hurdle to home ownership. I'm really surprised that other communities haven't had participation.

[01:02:28] Literally a down payment is my only hurdle. You know, oftentimes people who can afford rent can afford a mortgage. It's just getting the down payment. There was research done at the end of last year that said in 2019, the typical buyer nationwide paid about \$14,000 in down payment.

[01:02:47] And at the end of 2025, the typical down payment was \$30,000. And that it currently takes the typical U.S. household seven years to save for a down payment. And that in high-cost markets, it could take over 20 years to save. And I'm just hearing George Bailey in my head, you know, wait, wait for what?

[01:03:06] And then the third reason that I think this is a really good thing is something maybe not quite as obvious. I was listening to a Jamel Bowie video this morning while I was thinking about all of this, and he said something that made me kind of realize something new about this.

[01:03:24] You know, we obviously have a significant wealth gap in the country, and the gap is growing faster than the cost of living raises. And so it's not too hard to imagine a scenario if we didn't do anything a few years down the road where a community could be made up of wealthy landowners and then staff who just commute in to serve their desires.

[01:03:46] So I think it's really important that we create a path for people to be able to afford to stay in the community where they work. And also, you know, no one goes into public service to get rich. And, you know, people do it because they're civic minded and they want to serve others.

[01:04:02] you know and oftentimes people are giving up higher salaries to do this work but you know public employees aren't just public servants they're also participants in the community where they live and so if we value local government and think it's important and think it's important for community members to be involved in local government then I think we do need to invest in people and create ways where you can have a long-term good life where you're not sacrificing your future because you've decided to serve people.

[01:04:32] And so, you know, in this country, homeownership is one of the easiest ways to do that. And so I think it's really important that we create a path where people can kind of have some control over their economic future. You know, obviously not everybody wants to buy a house, but if you do, I think this is a great, you know, a great experiment to give people that opportunity.

[01:04:53] Thank you. Supervisor. Supervisor Malek? Thank you very much. And following up on what was just mentioned, I've heard glancing references to the changes in national ownership and how many residential houses of all sizes are now owned by REITs from out of the country.

[01:05:15] And so that is something else that is just such an awful change from where we were when Leo and I started out in 1971. And you could get a lot for your \$100 back then. I mean, literally \$100. That was the closing cost for 50-some, 56 years ago.

[01:05:33] So I'm shocked at how low these reported years to save up for a down payment are because in Northern Virginia 15 years ago, it was six figures, even back then, for a little 1950s ranch.

[01:05:52] So it obviously was not like that here, thankfully. I remember my father, when I was little, describing a lovely community up in Northern Virginia, in Fauquier County, where huge landowners, the grand majority of all of the ownership was the 0.1% people, not the 1%.

[01:06:15] And everybody else worked for them. And Taddy said, this is not a good place to live. We need a place like Albemarle back in the 50s, 60s, and 70s, where there was an enormous middle. And I think our middle may be shrinking now because I'm middle, and I don't want to be the last middle there is.

[01:06:32] So I really hope that this will be working. One advantage to your program with employees is you have better communication things for your audience with all the staff connections. And I'm hopeful that that will make it easier to get people interested.

[01:06:52] One of the biggest problems that LEAP has is reaching out to the low-income housing people who could benefit from the Dominion money and the weatherization and all those kinds of things is

getting their attention, connecting with them. We've tried everything, door-to-door, advertising, whatever. So at least you're game ahead on that.

[01:07:10] I am always concerned, and I don't want to see a repeat, but you'll figure out a way to not. During the recession in 2009, it was a follow-on to the George W. Bush administration where they put all the 100% mortgages to try to boost homeownership to make their administration look good.

[01:07:31] I mean, they were very frank about what they were doing. We want people to own houses. That's the only way to get ahead. And then there were hundreds of thousands of people who could not sustain. And that was very cruel. And so think about ways your program can make some guardrails on the mortgages.

[01:07:53] I don't know if it's possible, but to not have out-of-town, out-of-state loaners, I mean, those are people who sell your mortgage to somebody in Canada and you don't have a chance when they rob you. The derivatives that were the total failure of the recession, as one of my stockbroker constituents explained to me, So they had all these mortgages and they packaged up all the kitchens and somebody bought all the kitchens and somebody bought all the front porches and somebody bought all the living rooms and somebody bought all the dining rooms.

[01:08:25] And so when these people tried to refinance, when they were able to get ahead, they could not because of the barriers that the system had created. And all these other people made tons and tons of money and left the pieces for everybody else to clean up. So that's a very big burden to put on you, but I'm worried about that.

[01:08:42] And I just don't want our program to get suckered in for that. But otherwise, I think it's a fabulous thing. And having grown up with state police right up the street and a police officer right around the corner from me now, I just think it's wonderful to have in the country you often have older, more appropriately sized houses that are not the new McMansions.

[01:09:02] And so finding also a way to help get those NOAHs connected to the people who need them, sort of like the farmer-to-farmer program that the USDA has tried to do to connect old, retiring farmers with younger people who need a place to get started.

[01:09:18] There may be some ways we can help with that, too. Thank you very much. And I did think of one question I didn't ask when we did, but so before I go to my comments, because sometimes when we do this, and it's to include public school employees, what's your game plan for rolling that out so they are aware of it?

[01:09:41] We've had a preliminary conversation with the school leadership to let them know that this was on the agenda and what our intention is. Luckily, we have some experience with a shared marketing of our clinic as a method for doing some marketing that's shared about access to this particular tool.

[01:10:00] Again, we're likely to have to do more than that. We'll have to do some education and outreach, and the staff are prepared to answer questions and support. uh employees in figuring out whether they're eligible or how long it would take them to get eligible for one of these uh programs um so i think again we'll lean on our experience with the marketing for the clinic as our starting point for marketing this particular benefit for employees because then also just uh knowing that the new anytime they have their new teacher i know that's

[01:10:36] not all employees but they do that every year in the lead up to august there's always 100 plus people in that. That's a good place to, I mean, you're introducing everything, so making sure that program's part of that. I would say that we have received some advocacy from different, from actually a couple different spots about, you know, assistance for public safety. The reason I like this pilot, I think it would have been easy and we would have been supportive for take a group with inside our organization and do a pilot program on. I like the idea that this is a pilot program that's going to be open to all first and then the board can consider as it goes on what we can maybe do

[01:11:14] as others have done to do different things for different segments outside of just helping with affordability a lot of communities have used this as an employee retention tool an employee acquisition tool so it's it's i mean it's a best practice in some ways in some places to do this they've done it for decades so i'll be real curious to see um as we move forward um and through the pilot as we learn about well let's see who takes advantage of it hmm we're hearing this and maybe we tweak that for this segment and it helps fill positions somewhere so we have to be ready to be open for that it would be disappointing to me that we don't have that conversation for two

[01:11:52] and a half or five years i think that's something that we can work a little faster to um to think about but thrilled to be starting a general program and then again just the numbers I'm going to restate what I said earlier this is a bucket of money the investment fund that has been used and we've usually received a lot of requests for so I'm going to be real scrutinizing that money just isn't this supervisor missile said sitting there unused when it could be used I'm fine to start out I'll I'll be curious to see this number and how that impacts with what we see

[01:12:29] If we get great turnout, we should be able to meet a lot of the need so but Nonetheless, it's a concern and then I know it'll be coming to the board at some point But the comments made about the investment fund and what it could be used for at where you are going to get to a point where we have Our housing advisory committee that should be doing a lot of that work for the board in similar fashion And as I've said before, an EDA does for us on economic development projects.

[01:13:00] So I'm just going to keep any chance I get to say, yep, that the faster we can get that committee stood up and working for the board. I think it goes a long way to relinquishing those responsibilities from staff and having to always come before this board where that's their charge and that's the work they do, that it can be scrutinized in a way that it gets to the board for final approval and understanding.

[01:13:24] You look like you were leaning in to say something to that. Just going to say we look forward to a fulsome conversation around housing requirements and criteria including the Housing Advisory Committee in August, on August 5th. Looking forward to that.

[01:13:41] And I guess temporarily forgot that it was August. Maybe I didn't. Very good. So we are looking for additional comments. Sorry, just one additional quick comment. I know it says you're authorized staff to move forward with appropriate notice. requirements for the ordinance and i was looking at the ordinance i just had three suggestions in the language of that take them or leave them number one is you mentioned household income at or below 80 i don't know if you want to say something in there about 60 that you like you said in your notes for rental i would maybe consider adding that even though 80 below covers

[01:14:17] it but just to specify it second is do you want to note the establishment of a loan committee as part of the process and then the third is the reporting time frame do we want to say you know you could

add that to one of the whereas's reporting out on an annual basis at a minimum or something like that might be helpful for the public that's it thanks yep and i for one i forgot to make this comment is that um the uh i don't i don't think this is something we want coming back on consent this is something that we work on housing is something so we'll be looking to bring

[01:14:53] IT FORWARD AT THE VERY LEAST IS AN ACTION ITEM ON THE AGENDA. I'M NOT SEEING ANY OBJECTION TO THAT. I DON'T KNOW THAT IT NEEDS TO BE FULL-ON PUBLIC HEARING, BUT IT'S AN ACTION ITEM THAT WOULD HAPPEN. AT LEAST IN THAT FASHION, FOLKS WOULD HAVE A CHANCE TO SEE IT NOTICED BEYOND WHAT WE'VE NOTICED FOR THE ORDINANCE, BUT HAVE A CHANCE TO THEN EVEN PROVIDE PUBLIC COMMENT THAT DAY BECAUSE IT'S ON THE AGENDA TO DO IT IN THE LEADUP. I WAS GOING TO CALL for a motion authorizing staff to move forward with the appropriate noticing requirements for the ordinance and to bring it back on the on a as an action

[01:15:29] item correct and to bring back as an action item at a future meeting not the ordinance would have a public hearing because it's no because again ordinances don't necessarily require public hearings they just require public notice so this could come back again as consent or it sounds like the board would be more comfortable with this as an action item I just miss heard thank you very second all right any further discussion all right do we want to get supervisor lapisto curtley up so her mic's available when we call the roll all right we can call the roll please ms duncan yes

[01:16:04] mr galloway yes miss lapisto curtley supervisor kurt lapisto curtley are you unmuted she looks to be unmuted can you hear us supervisor you got a thumbs up can you hear us i can hear you go ahead with your vote. Okay. Yes. Aye. Ms. Malik? Yes. I'm having troubles here, but I can hear you.

[01:16:36] All right. Motion is approved. Thank you, board. Thank you, Ms. Demick. Thank you very much. Look forward to the program. All right, board, we're a little ahead of schedule, so we could move from the board matters up to now and take that off at the end, and we did have the one item added.

[01:16:59] any objection to doing that all right so then that would be item number number 20 so from the board we'll go ahead and handle handle this one let's go through and just do our regular committee reports and other matters and then we'll do the the topic that supervisor malik asked for when it's your turn and then we'll and then you can do additional items as well we'll have a we can do

[01:17:33] a discussion at that point on that item. So Supervisor Lapisto-Curtley, do you have any other committee reports or matters not listed on the agenda? I do not at this time. Thank you. Supervisor Missal? No, sir. All right. Supervisor Duncan? I'll just get my stuff. I went to, we had a meeting, a special meeting of Carta almost two weeks ago, and we heard from the central virginia transportation authority and drpt and they sort of just did presentations but they

[01:18:06] talked about um the virginia breeze bus and that that's up and running and they're adding routes they said they're actually adding extra routes for fourth july fireworks to dc um so that was all very exciting um they just kind of talked about how they're funded and kind of just informing Carta on how all of that works. And then the other thing I did that was actually really cool is I took a tour of the VIA Centers for Neurodevelopment. That was incredibly amazing

[01:18:44] to see all the stuff that they do, you know, the schooling education they give, the support they give for adults with various autism needs, and it was really incredible to see the work that they do, so that was really fun. All right, Supervisor Malik. Thank you. I was expecting Mr.

[01:19:11] Missile to talk about the opening of Birdwind, but you can come back to it. I felt like that was self-serving. Well, then I will for you. Okay, thank you. I do have one other. Eight or nine years ago, they did have an opening for the Planning Commission and the full board, a giant mob meeting over there to have a tour of the before work building and to see how they have mastered the bringing back to life of this important 19th century home and the grounds and putting it to a new life was really exciting to see. You can elaborate more on that if you want.

[01:19:47] No, I'm kidding. So that was quick. The CCAC Crozet, a lot of talk about how we get back to the short-term issues that were the short-term priorities in the Crowsay Master Plan adopted in 2021 because the most important that keeps coming to the top meetings is the inventory of the naturally occurring affordable homes and also inventorying of the sidewalk gaps so that we can make more constructive and data-driven decisions for those kinds of programs and it

[01:20:23] helps the community members know how they can be involved with grants and things like that. So that was sort of the, and we had a couple of missing folks, so we didn't do any official business, but it was a really good discussion, and that was great. Let me go back here. Just one second.

[01:20:43] Nope, nope, nope. We had another one. We got time. I did attend the very well-done meeting on the clean field draft on Monday night over at Fifth Street.

[01:21:05] So there were quite a few members of the public there to learn more about the latest draft. So that will be coming back to us at some point, and I encourage everybody to dig in on that. And I guess I will stop there.

[01:21:22] Thank you. All right. Yeah, we'll loop back around to your HB 1072. Supervisor Messel, you said you missed me. Yeah, sorry. Thanks for the repeat. I just wanted to also mention, and Supervisor Duncan reminded me of this, I had an opportunity to tour the Foothills Children Advocacy Center.

[01:21:39] It provides a welcoming space for children who may have experienced abuse, trafficking, or witnessed violence. And a special shout out to Sherry McKinney, and I would just recommend if you all, maybe you've already done it, but an amazing organization. One thing that really stood out to me was the partnership that it has with our Albemarle County Police Department and how those two are so integrated.

[01:22:04] I sort of thought of them as being separate, but there's a lot of cross-communication during that onboarding or the inboarding, I guess, of people who have had domestic violence, other things that, you know, and the focus on the children.

[01:22:19] So I just wanted to give a shout out to Foothills and also a reminder that, you know, we fund a fair portion of their overall budget, which I think is absolutely important, critical. Thank you. So committees at the beginning, the day after our past meeting, the Thomas Jefferson Planning District Commission met.

[01:22:43] The commission did endorse and pass the resolution to support our smart scale applications, both ours and what the MPO approved. So that's usually just a procedural checkbox. It's not usually very controversial, but that did move forward.

[01:23:01] And then for the TJPDC, the commissioner turnover is the fiscal year, not the calendar year. So they did honor outgoing Chair Keith Smith, who's been serving on the TJPDC Commission for, I think it's 12, 14 years.

[01:23:20] So we were able to recognize him and his years of service. And then the new chair, sometimes this rotates based on the localities and past piece, But the new chair of the commission is Michael Payne of the city. The new vice chair is Manning Woodward of Louisa County.

[01:23:38] I took over treasurer responsibilities a few months ago and have now been appointed to be the treasurer. And the secretary has always usually been the executive director. So Christine continues as the secretary. And then the commission also then did approve the Virginia Department of Housing, community development, community development block grant, regional priorities that they work with staff with and get that set up.

[01:24:01] So that was approved as well. And we completed the annual executive director. We completed that in the last couple of months, but finally took all the final touches with compensation and stuff like that with the executive director at this past meeting. The chamber public policy group did meet.

[01:24:20] And I'm not, I mean, it's great that they have, seem to have a new level of engagement from chamber members their board has officially made that a committee of the chamber which i guess i missed that it wasn't an official board when doing some of the work on there anyway but it elevates that policy group and they're working on getting their uh you know getting their bylaws and the charge all clear etc to formalize what that should be living under their own requirements um so just appreciate the fact that when while

[01:24:53] they're seeing many chamber members re-engaged on issues because the unhoused situation is often a high topic of conversation as well as affordability in addition to other things that the chamber should be commenting on, both land use, taxation, things like that. So looking forward to an invigorated committee coming this year. And then yesterday I did tend, I'm not an appointee of this board from this body but I do sit on the go Virginia region 9 economic it's the economic development umbrella that's a regional committee underneath

[01:25:28] the state and they had done there was a presentation I think the consulting group was techonomy on on work that was done under the tech corridor idea if I'm saying that right I think it's tech and then biotech corridor that the steering committee did work and they did their presentation on what they on that work of how to move that forward in a more regionalized and partnered way and obviously Albemarle is pretty well engaged in that Emily usually is at that meeting you know the DAC is involved with this so there's it's interesting

[01:26:08] how different things that are critical to Albemarle and our economic development plans are can be shored up with good regional partnerships within that body as well um and and that was nice to see that some of our things were being mixed into what the regional efforts are um so it seems like a good group of folks in all these different places making sure we all stay connected so i just thought i would share that today um and happy to share that presentation if folks would be interested if they want to see that that specific one um but with that being said i'll loop back then to supervisor malik and you had asked about

[01:26:45] about HB 1072, and I don't want to be presumptuous, but it did look like even just having an idea of timeline was part of the conversation, but I'll hand it over to you. Thank you, and thank you, Ms. Wall, for the reminder of the earlier email. So we had two, one on March 31st of things that were coming from the General Assembly, but did not include 1072 on the list, and so that's my question when somebody asked me, well, what about this? And then we also got another one that describe what the tasks were going to be to be able to be implementing 1072 and to go along with

[01:27:21] that since there's an ordinance required for 1072 then i think packaging the ordinance that has been discussed for years in this board by various i mean we have a new member of new group of people but 10 years ago five years ago there have been different groups of people coming forward to try to figure out how Albemarle can do, as many other counties have, to get better records and better process to protect the farmers as well as the neighbors as well as the water quality.

[01:27:52] So having sort of brought these things up in general over and over and over again many times, I would like to know when, how the timelines are established, and even if there isn't an answer today, what will be the process going forward to, because all of these on the General Assembly list obviously have an obligation with them, to which we need to add the 1072 to that.

[01:28:19] So that's sort of why I would like to have some discussion, and I bet Ann can help us out with that. And while she's walking up, I will say that this is annual meeting season, so the region, I mean, the Go Virginia folks were at the workforce meeting yesterday afternoon, as as well as the CVPED folks, and everybody talked about their successes this year and all the job training that's going to be needed for all these new employees, for all these new businesses.

[01:28:43] So that was important. And where is Ann? She's disappeared. She's hiding behind your podium. I think she's looking for the button, right? Do you have to push the button to lower it? I thought you were standing back there and we couldn't find you. There we go. Thank you. Now we can see you better. Thank you.

[01:28:59] So Ann Wall, Deputy County Executive. So just to make sure I'm clear, Supervisor Malik, your question is about the timeline for HB 1072. Right. Since it wasn't on the other list of things, then we want to, I would just like to be able to have some sense of how it fits in with all the other assignments that we have.

[01:29:17] Oh, right. so those that were on the board's agenda for um for this evening to pass on consent which were the resolutions of intent those were related to bills that the general assembly had passed which require that the county take action hb 1072 is a bill that gives the county the opportunity to take action but does not require it and that's the reason there is a slight distinction between those two as you noted I I provided the board with the inventory of projects that would be that are under consideration for the

[01:29:54] Community Development Department and in that memo indicated that we would bring you all a work plan in July that would sort of lay out all the work that we have and the timeline the the major effort related to the HB 1072 i'm not giving legal advice i'm going to just say this the crafting of an ordinance is probably not the difficult part of hb 1072 the difficulty related to hb 1072 is determining who are the appropriate testing um companies and how it is that the if the board chose to move forward with

[01:30:33] the opportunity to test how it is that we would procure those services and that's expected to be different than normal procurement no we would just need to it's just there's some work that HP 1072 identifies who are the appropriate sources I think that email that we provided for you indicate that they have to follow a testing method authorized by the U.S. Environmental Protection Agency so there's just some homework that we need to do related to that right and the folks at Ravana can certainly help because they have a excuse me they have a whole stable of

[01:31:08] people who've been turns out rabanne has been testing the water for 15 or 20 years for pfas already which is really great to know so so our plan would be again to come to you in july with what the work plan is a timeline associated with it okay and i know that there is a long list of jobs and there are different categories of staff that each have different roles so yes it's not like everybody's working on one thing and then everything else is stopping i mean is there lots of threads that you all are good at pulling all along and a little bit here and a little bit there to keep things moving forward.

[01:31:42] So that's important. And I know that the board also received another communication from the Don't Spread on Me folks, and they have, as I said, done a lot of work gathering information, as other groups are doing for the agriculture things, places where other counties in Virginia are using other authority, which we already have.

[01:32:08] We just haven't begun to use it yet. and lots of distinguishing characteristics in the right to farm, for example. It's not just hands-off. There are all sorts of things that we are not doing. We used to do before 2014. There used to be buffers for cropland until 2014 when the board unknowingly erased all those things.

[01:32:28] So we're trying to work our way back to get all those for our water quality. But thank you for the update. And I was in my brain for all these years we had had the work plan in the spring, So I was sort of floundering around saying, wait a minute, it's already June.

[01:32:43] What happened? So now I know it's July. Okay. Can I just add one thing, too? I'm just curious. The bill prohibits any expenses from such testing and monitoring from being eligible for reimbursement from the sludge management fund. So just thinking about not only how we do it, but how we pay for it, right, is important.

[01:33:01] Yes. And we have the authority to charge the landowner or the spreader. And someone had given the example of asbestos requirement and things like that. I think we've been chased away from doing this by the assumption of cost, but it's not our cost.

[01:33:16] It's the people who are benefiting from it that can do that. Thank you. Thank you, Ann. All right. So that wraps, unless anybody have anything in addition. So that concludes item 20.

[01:33:34] And then we will jump back to, I believe, our closed meeting is up next. Do we have a motion for a closed meeting? I move that the Board of Supervisors convene a closed meeting pursuant to Section 2.2-3711A of the Code of Virginia under Subsection 1 to discuss and consider the appointment of the Director of Community Development.

[01:33:57] Second. All right. Without objection, if the clerk will please call the roll. Ms. Duncan? Yes. Mr. Galloway? Yes. Ms. Mallick? Yes. Mr. Mr. All right, Board, good evening, everyone who's in attendance.

[01:34:26] We are coming out of closed meeting. Is there a motion to certify the closed meeting? I move that the Board of Supervisors certify 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.

[01:34:48] Second. All right, without objection, if the clerk will please call the roll. Ms. Duncan? Yes. Mr. Galloway? Yes. Ms. Malik? Yes. Mr. Missel? Yes. Very good. Thank you, Board. And, Vice Chair, do we have

a motion coming out of closed meeting? We do, Chair, and it is my great pleasure to make that motion.

[01:35:06] I move to adopt the resolution appointing Bart J. Savoboda as Director of Community Development. Second. All right, any further discussion? Well, we'll have further discussion later. Without objection, if the clerk will please call the roll. Mr. Duncan?

[01:35:21] Yes. Mr. Galloway? Yes. Ms. Malik? Yes. Mr. Missel? Yes. Awesome. Ms. Wall, do you have some comments to make before we bring Bart up? Bart we would love to have you come forward because we're going to say some things to you, but We would well first congratulations, but we would certainly welcome any remarks you would like to make on your appointment. Well, thank you I'm honored You know by the board appointing me and great for the for the opportunity You know I've been serving Albemarle County and and for a number of years, but this new role. I'm really looking forward to that

[01:36:00] I'm grateful to my family my friends and my colleagues for their constant support community development plays an important part in Shaping the places where people live and thrive and I'm encouraged by Albemarle County's commitment thoughtful growth and a high quality of life I look forward to working together to strengthen our services Support our staff and our partners and ensure our efforts reflect the needs and values of our community And again, thank you very much for this meaningful appointment. Thank you. Thank you, Martin and hang in there.

[01:36:31] We're going to see what supervisors have to say. Supervisor Missal. Oh, yeah, I'm first. Sure. Yeah, a few things. First of all, congratulations. Thank you. It has been and will continue to be a great pleasure working with you, both professionally, well, not that this isn't professional, but here and in my other job as well.

[01:36:51] The things that really stand out is you've been action-focused, right, which is something that we'll continue to need as a community. You're empowering, you're collaborative, you're humble, and maybe most importantly, you're clear and kind.

[01:37:09] And so all of those characteristics, I mean, I'm just, it's a joy to look forward to working with you in this new role. Thank you, thank you. Supervisor Duncan? You sat in on one of my orientations, and I forget what the question was, but it was something sort of complex and confusing and zoning-related, and you made it very clear and understandable, which is a tremendous skill, and we heard about how you do that for a lot of people, and so that's very valuable.

[01:37:36] So, yeah, I'm very excited to have you in this role. Thank you. Supervisor Malek? Well, thank you. And the Whitehall District is certainly giving you lots of opportunities in the last 20 years to practice your diplomacy and your kindness and your explanations of very complicated WPO versus ENS versus all the other layers of things that even people who work in it every day have a hard time keeping it straight.

[01:38:00] So congratulations, and I look forward to lots more. Soon I'll be on the other side of the podium, but I'll still be around. Thank you. Thank you, Mark. I think it's important to note, especially for the public, but often when we have folks that are new to us and new to the county that we hire for a role, I often make the comment about how I know how competitive the process is to get to that point of hire.

[01:38:23] And we did an outside search, and you won, and you competed against all of other very qualified folks. and that speaks a lot because now it's not just oh we pick somebody from with inside because they were with inside you earned the role and against a very competitive field so kudos for that i

would also just like to remark that your pragmatism has always been wonderful because it's not just about yes or no it's always about the world doesn't work that way sometimes let's figure out

[01:38:58] how we can make things work for all involved so i've always appreciated that um and and and the um as it was noted to us this is us of a lot of our departments a very community facing community interactive role in your bedside manner has always been wonderful so thank you um for that and thank you for agreeing to step up and for applying for the role this board has always seen you as a great resource um and i know that with the we have the full confidence of you to be able able to manage that department and to continue with making the improvements and things that we want to do and look forward to seeing you even more frequently than we already I guess have so

[01:39:36] congratulations again Barton thank you very much awesome all right and that will take us to from the county executive report on matters unless on the agenda Ms. Wall do we have looks like I see Abby coming up as well? We do. And this evening, our CAVE director, Abby Stump, will be providing the presentation from the county executive's office. Thank you. Good evening. Good evening.

[01:40:11] I get to pitch it for Mr. Richardson tonight. So, okay. So as you may remember, a few months ago, we adjusted our county executive reports to be more thematic every month. And this month, I'm really excited that we are highlighting some of the awards and recognitions that county staff have been receiving over the last um several months and so if you give me one moment this is not showing up here there we go okay first off the department of finance and budget earned the gfoa

[01:40:47] certificate of achievement for excellence in financial reporting this recognition is one of the most prestigious honors in public sector finance recognizing recognizing governments that go beyond minimum requirements to achieve achieve transparency and full disclosure in their financial reporting. This award really reinforces the county's long-standing commitment to fiscal accountability. So there's a great-looking group up there that works really hard for our finance and budget team. Another great-looking group is our AC44 team. So Elmira County received in

[01:41:23] Virginia Association of Counties, or VACO, Achievement Award for AC44, and that recognized our community-focused approach to comprehensive planning, and the award recognized not only the substance of the AC44 plan, but also the engagement process that we went through in order to really make that plan and formalize it, and it showed the community's values and priorities were reflected on how the county is going to grow and change over the next 20 years. I'll say that representatives

[01:41:56] from VACO will be here in August to formally present the award. So on the screen we have Ben, James, and Tanya from the AC44 team. One person missing from the picture is Serena Gruya, who also worked very hard for several years in getting some good public engagement for this project.

[01:42:17] Next is Amanda Stevens, who is awarded a Virginia Department of Social Services Fraud Management Recognition Award, which is presented annually to a small number of investigators from across the state who demonstrate exceptional dedication, integrity, and investigative excellence. Some words from her peers were that she conducts careful analysis and unwavering pursuit of the truth to safeguard our programs and the community we serve. I put both pictures on here because it's

[01:42:54] a delightful picture and she's so excited to get her award and that just makes me smile. So Adeline Massa was named a community resilient leader by the Greater Charlottesville Trauma-Informed Community Network. The community resilience leader designation recognizes individuals who have

made a meaningful and sustained contribution to trauma-informed work in the greater Charlottesville area. Adeline's work exemplifies the human-centered whole person approach that defines effective social services. This means meeting residents not just at their point of need, but also with an

[01:43:30] understanding of the broader circumstances that are currently shaping their lives. Robin Jackson is from our victim witness team, and she recently received a Sexual Assault Resource Agency Award, or SARA, in recognition for her sustained advocacy on behalf of survivors. So the award recognizes individuals who have demonstrated an exceptional commitment to supporting survivors of sexual violence and advancing the systems that serve them. As Victim Witness Assistant Director, Robin serves at the intersection of the criminal justice system and survivor support to ensure that

[01:44:10] individuals navigating some of the most difficult experiences of their lives are met with dignity, information, and consistent advocacy. The victim witness team last year in 2025 assisted more than 1,200 victims, helped nine individuals with claims to the Virginia Victims Fraught Fund, and facilitated 495 preliminary and 172 full protective orders.

[01:44:38] So that is a small team that's doing good work along with Robin. ACFR received a STEMI recognition award for rapid assessment and early intervention during a critical chest pain call. So STEMI is a life-threatening type of heart attack that requires immediate intervention and often outcomes are highly time-dependent.

[01:45:03] So Sentara Martha Jefferson recognized this team and presented the crews who demonstrated the exceptional speed, accuracy, and coordination in identifying and responding to these events, particularly in a situation where a patient was saved because of the quick work of this crew.

[01:45:24] So this is a great reminder of just how our fire rescue system is an extension of the medical care system in our community and how vital it is for them to provide that quick professional care that they give. And then lastly, the American Red Cross First Responders Here Award recognizes individuals who demonstrate extraordinary courage and selfless action. So this is Officer Austin Monroe, and he responded to a structure fire when there were two people still in the home. He was the first responder on scene,

[01:46:00] and when he got there, he found a trailer fully engulfed in flames and heard screams from inside the building. He was able to locate the two individuals and was able to pull them out and of reach safety. In addition to the fire, he also found and heard hundreds of rounds of ammunitions and fireworks that were going off within the building. And regardless, he still ran in and were able to get them. He got them out of the home into their vehicle where they were able

[01:46:34] to drive away before fire crews were arrived. It's also worth noting that this happened during his first week after being released from FTO, so Field Training Orientation. So that is his first real work, first real week on the job and I think it's a real fitting close to this month's report. It's just a reminder that behind every award, every credential, are these these wonderful humans that have dedicated their lives to public service to make our community a little bit better.

[01:47:08] So thank you very much. Thank you, Abby. We'll just see if there's any quick questions or comments. Supervisor Missal. No, sir. Thank you. Supervisor Duncan. No. Supervisor Malik. No questions, but another wonderful mic. Just make sure your mic's pulled down. Thank you. Thank you, Abby. And I know you'll share the presentation out if it hasn't already been done. You got it. All right. Thank you very much. And, uh, wow. Um, all right. We will start into the next item, which is public comment on matters.

[01:47:40] previously considered or currently pending before the board other than those scheduled for public hearing and the vice chair will read the rules and take us through our speakers great thanks happy to we have no online individuals so i'll read the in person only during this portion of the meeting individuals may address the board regarding matters previously considered by the board or currently pending before the board other than items scheduled for public hearing speakers are limited to one opportunity of up to three minutes to ensure equal treatment and courtesy for all speakers the board requests that the following guidelines be observed please state your name and if you live in albemarle county or magisterial district comments should be directed to the board

[01:48:19] as a whole written statements or supporting materials may be provided to the clerk if representing a group or organization you may ask others present to raise their hands in recognition speakers may not share unused times with another speaker back and forth debate is not permitted and speakers should not speak from their seat or out of turn please the podium timer will guide your time green indicates your time has begun yellow means one minute remains and red indicates your time has expired all comments are recorded live streamed and published on the county website just a couple of notes the sign-in period is closed once public comment begins the podium is adjustable speakers may raise or lower it so they're able to speak directly into the microphone

[01:48:57] with that our first speaker is claude converse converse sir thank you thank you mr chairman and members of the board. My name is Claude Kambeser. I reside in the Whitehall District. And at the last meeting, I addressed you in the public comments and also submitted comments that I expected to make this evening, which would have explained why the fossil fuel industry is targeting the Charlottesville area for the establishment of a unnecessary and dangerous low barrier shelter for

[01:49:36] the homeless where their intelligence and criminal agents will have a base from operating from and you know over the last four meetings I've had an opportunity to address you thank you very much for listening to me I've said some negative things about individuals and organizations in the community I don't like to do that publicly and so I'd like to simply rest on my comments that I submitted last time which were part of the record of the last meeting

[01:50:03] And if I may, for some remaining time, just briefly address a matter that is coming up this evening, which is supervisor pay, which I'd like to speak in favor of the pay increase. I cannot stay for the public hearing, so I hope you'll allow me to just speak for a minute or so about that right now.

[01:50:23] My first job out of college in 1985 was to work as the aide for a member of the Board of Supervisors of Fairfax County, Virginia. At that time in 1985, the supervisor's pay was \$21,000.

[01:50:41] And I remember that because my pay had to be less than that. And for a supervisor who is in mid-career and has a family and all that, you know, \$21,000 in 1985 was a real pittance.

[01:50:58] And it is today \$20,000 or \$21,000. And so I fully support the offer to raise your pay and want to note that the pay for the Fairfax supervisors had been mired around that level, 20 or 21,000 for a number of years and then my supervisor Jim Scott's last year on the board which was 1986 they jumped it up to 35,000 a year and I hope that next year that the staff or yourselves will see fit to make a substantial increase to that level in the proposal for your

[01:51:35] pay. I know how much time you put into your jobs working for the citizens of Albemarle County not only here which is on television but your meetings in the community countless meetings with

constituents and at events in your magisterial districts and a huge amount of time that you spend at home preparing for these meetings reading and talking to staff and so i want to thank you for

[01:52:04] your service to the community thank you thank you sir matt miller evening everyone i'd uh earlier today sent all of you a email about biscuit run i hope you all had a chance to look at it um and it's about a county fair slash venue area there i talked to mr missal uh at a meeting and i'd also

[01:52:43] gone before the county uh parks and rec and talked to them about it and they they had no clue they it said didn't even cross their mind um and i realized it's not in the budget this year and uh But it could be considered in the future budget.

[01:53:03] Like I said, the parks and recs said it never crossed their mind. There's a big, vast, we know how big Biscuit Run is, 1,200 acres, and it's an 80-20 percentage. And in my email, I stated, can we make it a 75-25? There's always ways around to help with the drainage and whatnot to make it work.

[01:53:24] We see that with Meadow Creek right here. It just goes underneath multiple areas and you never see it. It's a great opportunity to have events a fairground would bring to the county. As far as revenue, it helped the residents to bring them together.

[01:53:39] Right now we have it up at Monroe's house, which is very small. I think most of you people would realize, remember, it was out at Pittman Hill there in North Garden. And it was great to bring everybody together as a county. It wasn't just sports.

[01:53:56] Right now, you know, there's two ball fields there. they're building, and I was told that there's two more in the future, but they haven't been funded. So it's a great opportunity to use those ball fields. It brings multiple revenues for this county to help enhance its very historical county. And it would highlight the skills and the creativity of our county residents. And it would also help show the diversity of our agriculture and our technology in this county the venue would create memories that will

[01:54:33] last a lifetime for everybody who goes we know you know people enter things that it may start entering things it never did before so i can do that it brings the whole county together not just teams from here and there this is a great opportunity for the county to step up i believe to have something that's a legacy for you guys to say, you know what, what a great opportunity.

[01:54:59] As anybody noticed in my email, all the avenues to bring it in too from Biscuit Run, from Route 20, 29, 64. I know I'm running out of time. I had so much other things. But I also said it would be a great opportunity for sponsors to help build this, that the county would maybe not have to use any of its own money.

[01:55:22] thank you for everything thank you sir that concludes our list all right we will close matters from the public and we will move to our first of a handful of public hearings this evening i will note i should have noted it earlier you're seeing only four supervisors here supervisor pruit is on vacation and supervisor lapisto currently participated this afternoon remotely but is then on travel as well um just just to note that we noted that at our one o'clock start All right, next up, number 14, a public hearing to consider the adoption of an ordinance to join the Virginia Municipal Investment Trust.

[01:56:01] And good evening. We've got Jacob and Lindsey. Thank you, Chair Galloway. Good evening, board members of the community. My name is Jacob Sumner. I'm the chief financial officer for the county.

[01:56:18] And I'm joined this evening by Ms. Lindsey Huff. She is the deputy chief for the Office of Investment and Debt Management. And Lindsey's going to do the bulk of the presentation, but I'm going to do just a brief introduction on the topic and a little bit about the work that the office undertakes.

[01:56:36] So the Office of Investment and Debt Management is within the Department of Finance and Budget. It is a mighty team of two with Lindsey and also Daniel Green, who is the chief of the office. Those two folks do a lot of things that are behind the scenes that we don't see that often, and so I'm thrilled that Lindsey is here today to give this presentation.

[01:56:56] Lindsay and Daniel are charged with investing the county's cash in its investment portfolio. And on average, the county has about \$200 million, and it varies throughout the year as we are cyclical in our cash flow, but they manage the cash flow and utilize those funds to help get larger returns or as much return as possible on that investment.

[01:57:18] They've been very successful these past couple of years. So back in 24 and in 25, their revenue from the investments have been over \$10 million each year. This year, even though interest rates have dropped a little bit, they still have been able to manage the portfolio and bring in over \$7 million in FY26.

[01:57:39] So the topic of tonight's presentation is really to add another tool into their investment toolbox. And so with that, I'm going to turn it over to Lindsay to walk us through the rest of the presentation. Thank you, Jacob. Good evening, Board. And make sure you're right in there close to the microphone.

[01:57:55] Thank you. Can you hear me better? You'll have to talk loud. Big voice. Good evening. Thank you. I'm Lindsay Huff. I am, as Jacob introduced me, the deputy for the Office of Investment and Debt Management.

[01:58:13] And I'm here to propose, here to share with you the proposed ordinance to join the Virginia Municipal Investment Trust, or Virginia Mint. For tonight's agenda, I'll be presenting an overview of the county's investment program and sharing with you Virginia Mint's benefits and structure, as well as the steps to join Virginia Mint.

[01:58:37] Followed by that will be the public hearing and then the board's action. To give you an overview of our program, our investment authority is established by the Virginia Investment of Public Funds Act, which gives us our guardrails for investing.

[01:58:56] Our investment policy, which you recently saw before you in May, was updated. It's also one of our governing documents for our program. We provide you a program update quarterly through your board's quarterly financial report.

[01:59:16] Our current investment tools are the local government investment pool, which is the state's LGIP, and our bank deposits through our contracted banking service provider. I'm pleased to propose to you this evening the Virginia Mint vehicle as a new tool to help expand and diversify our county investments and potentially earn higher yields.

[01:59:43] To give you more of an overview of Virginia Mint, it is an investment trust for Virginia local governments. It's formed under the Joint Exercise of Powers Act and is compliant with the Investment of Public Funds Act.

[01:59:59] It's also professionally managed. The portfolios are reported monthly and provide reports about their balances and performance. The management fees are netted from the fund performance, and

as of May 31st, the assets are \$161.7 million, and they have 15 participants and are growing in number.

[02:00:26] I'd like to highlight the benefits to the county, specifically for joining Virginia Mint and investing. This meets the county's investment objectives, specifically stated in our policy and in order of priority for safety, liquidity, and yield.

[02:00:42] This provides additional safe and liquid investment options, as well as potential for higher interest earnings. This also improves our diversification, offering multiple portfolio options with varying maturity. We also reviewed the risk for the portfolio that they offer.

[02:01:03] It's very similar to LGIP, very low risk, very safe. The only difference to note is the availability of funds, which is next day instead of same day. But we have no concern with that timing since we model cash and investments on a daily basis, and we forecast out.

[02:01:26] Adding Virginia Mint as an investment tool will require minimal staff time and will be absorbed within existing resources. To join Virginia Mint, there are several steps. We've completed the first by adding the ability to join in our updated investment policy.

[02:01:47] The next step is before you this evening by adopting the ordinance. Within the ordinance is the delegated authority to the chief financial officer to execute the trust agreement and joinder and submit the shareholder account application.

[02:02:06] Once the county becomes a member, the membership is continuous. so that brings us to our recommendation this evening which is after the public hearing we recommend that the board first adopt the ordinance and attachment a to authorize the participation in the virginia municipal investment trust and second to authorize the chief financial officer to sign the trust joinder and virginia mint shareholder application and with that we would like to address any questions you may have thank you very much uh supervisor missal questions thank you just

[02:02:42] a couple uh so probably easy ones so you mentioned the benefits are there any drawbacks any risks well with all investments there's always interest rate risk yeah i say that is within even with lgip which is a super safe investment that is used across local governments and across the state virginia mint carries that that same small risk is there but is definitely one that is manageable and is an acceptable risk from our perspective okay good to know and this seems like a relatively new fund? Did I hear that correctly? Yes, it was established about a year ago in 2025.

[02:03:21] Are there other opportunities for investment diversity that you're looking into, or is this sort of a one-off that came in and we're like, oh, we should do that? We're always on the lookout for other ways to invest. Going back to the principles of that safety, liquidity, and yield, and so we are conservative in our investment approaches, and so when we find those type of options that fit that profile those are the ones that we are really interested in pursuing so virginia meant fit that profile cropped up okay thank you that's it supervisor duncan no questions

[02:03:54] supervisor malik thank you very much um so i wrote down when you were speaking contracted banking service provider i'd never heard that term before do have you already used that intermediary to manage the other bank accounts that we've always reported on yeah so banking services just like any other services that we may need for local government operations.

[02:04:20] And so that's procured on a regular basis. And that provides everything from our, essentially, our checking accounts and our various accounts that we use for depository accounts to receive in revenues and also for our expenditure accounts for our payroll and accounts payable and any other banking services-related aspects.

[02:04:39] So that's bid out on a regular basis. So an ADP-type operation, but just for investments instead is what this is. That is for our regular everyday, that contracted banking services for our regular everyday banking needs. This is taking some of that extra cash and moving it out of that, essentially a checking account, and putting it more in an investment vehicle.

[02:05:02] Okay. And you mentioned continuous membership, but you can decide to get out whenever you want. Mm-hmm. Yes. And get your money back, basically. That's correct. portfolio. So this is a really young operation, and I'm really old, so I never wanted to be the beta tester for anything, new cars or anything else. So they started out, I guess, with two counties, the two that were mentioned in the homework. I didn't know anything about the others.

[02:05:29] So do you have any concerns about them being fairly unproven? I'll just come right out with it. No, well, we, you know, before we brought this to the board and we did our homework in looking at, you know, their investment philosophy, you know, how they are able to achieve, you know, higher rate of return. And those are some of the questions we had. You know, what is your investment strategy? It is managed by a board of directors and managed by, you know, on that board of directors are other localities. And so we do have some comfort in those localities. They're

[02:06:04] also providing the oversight. The chair of that, of the board of trustees, is also the former state treasurer, so we have high confidence in that oversight as well. I would say the principals that are working and managing the fund themselves have long experience in the investment industry, and so looking through their backgrounds and how they've structured this portfolio option, we believe that it is a good opportunity. Okay, and the last question. In the homework, it talked about the tiers of people, the custodians and the consultants and all the other people who I guess are taking a slice. Is that a customary level of layers for all these investment managers that you've dealt with before that I just didn't know anything about?

[02:06:44] Yeah, it is. It's typical that most investment fees are taken out of the proceeds or the investment themselves. So the rate of return that we're receiving is net of those fees. And so even with the fees that are charged for the investment, they are able to achieve a higher return than lgip or our contracted bank is there a known cap like davenport two percent something like that or is it when you do better we do better is what davenport always said 20 years ago i don't know if they still do or not but i'd have to look i have to go back and look at that if there's a cap but the the fees of what i do recall are in line what we see with other industry fees and so there

[02:07:22] wasn't um any concern about those being excessive or absorbent or you know or out of the ordinary So they were in line with what we see with other investment-related options. Thank you very much. And I presume that, because I know we talk with our consulting, our own, just on everything, that this conversation happened with them as well.

[02:07:44] And then when we meet with the credit agencies, you know, I always assume that's a backward-looking, like, here's what we've been doing. But I guess I'm curious, do you have that kind of conversation

of here's kind of what we're thinking about, and do they get a chance to react to that? Or do we just go all in and then see what they say when they come back around?

[02:08:03] So part of the homework, and, Lindsay, feel free to jump in to add to this, but we do work closely with Davenport, our financial consultants. And so when we're working through our investment strategy, this was an opportunity that we brought to them as well and said, how does this fit into our investment strategy?

[02:08:19] And they saw that it fit in very well. As we're looking to move into some longer-term investments that will have a larger return. And so that was good feedback to receive from them. When we talk about the credit rating agencies, they're looking at us holistically. They typically don't drill down until our specific investment options, but we are able to demonstrate a continued track record of having safe, liquid investments, and also our investment revenue is available for them to review if they have questions.

[02:08:48] Great. Very good. Thank you. Any other questions? Then we will open the public hearing. Do we have anyone signed up? We do not have anyone signed up for this public hearing, so we will close the public hearing. The matter is back before the board. Are there any additional comments or questions?

[02:09:05] I would just say if Courtney blessed it, I'm all in. Okay, thank you. So the motion is on the screen. Does that meet? Okay, if someone would like to read the motion. I'll be glad to. I move to adopt the ordinance attached to the staff report as attachment A and to authorize the chief financial officer to sign the trust joinder and Virginia Mint shareholder account application.

[02:09:25] Second. All right. The motion has been made and seconded. Without objection, if the clerk will please call the roll. Ms. Duncan? Yes. Mr. Galloway? Yes. Ms. Malik? Yes. Mr. Missel? Aye. Very good. Motion carries. Thank you both. All right, board, we will move now to item number 15, public hearing for a compensation increase for board supervisors' members.

[02:09:50] And Ms. Rice is joining us. Good evening. Good evening. Good evening, board.

[02:10:09] I am Jessica Rice, the director of human resources. And I will be with you for this public hearing and the next one as well. Our first public hearing tonight on compensation is to receive public comment on a proposed ordinance that would amend Albemarle County Code 2-202, which is compensation for the Board of Supervisors.

[02:10:40] And we are looking to increase that compensation by 2% effective July 1st, 2026. By way of background, beginning in FY25, the board expressed a desire to increase pay that would coincide with any cost of living increases that were approved through the budget process for staff.

[02:11:06] And so on April 22nd of this year, the board adopted our FY27 budget, which included a 2% cost of living increase for staff, effective July 1, and it's in response to the rising costs in our area, specifically related to those expenses that we see every single day.

[02:11:31] and for consideration tonight is this ordinance that would that would make an amendment to change the compensation for board members up on your screen you can see what the impact of that change would actually be and so the increase for the board members would change from 20,805 annually to \$21,221. There is a stipend for both the board chair and the board vice chair.

[02:12:03] The board chair receives \$1,891. Currently would change to \$1,929. And then the vice chair changing from \$630 to \$643. Again, those are annual, and they are paid out every pay period that the

county receives paychecks throughout the year. What questions do you have?

[02:12:32] Thank you, Ms. Rice. Any questions? Supervisor Missal? It's kind of an odd position. I guess I'm curious, do you benchmark, not just for us, but for other, like, planning commissioners, other... Yeah, so we have not actually executed a benchmarking process for this board work.

[02:12:54] Our next public hearing is talking about the planning commission and other appointed boards. Yeah. It has been a topic of discussion over the past couple of years, but I've not received direction from the board to go execute that work.

[02:13:09] If that is the board's desire, then we can talk about what the next steps would be to go ahead and initiate that process this year. Thank you. That's all. Supervisor Duncan? I don't have a question, but I have sort of a comment.

[02:13:25] We'll save your comments until after the public hearing. Supervisor Malik? No questions. Thank you very much. All right. I don't have any questions, so we will open the public hearing. Do we have anyone signed up for this assignment? No one has signed up, so we will close the public hearing. matters back before the board so suit will go through for any comments supervisor missile no comments thank you supervisor Duncan so I actually think more people should talk about money and salaries even though like sort of awkward because this is ours I'm gonna repeat one thing that I said earlier you know no one goes into public service to get rich people who are in local

[02:14:02] government do it because they're civic minded people they want to serve others and so if we value local government we think it's important and it's important for community members to be involved, then we need to invest in the people who do the work. To do this job well, it is a lot of work. It's definitely more work than I realized beforehand. And in addition to the work, the hours are really unusual. Typically, boards like these are made up of retired people or wealthy people.

[02:14:32] You know, this particular board is unusual because we have so many people on here who do work and have jobs. And I think it's incredibly valuable to have a wide range of experiences in government roles. And the only way you get that is by paying people for their time. You know, I would not have done this if the pay was any lower because it is really time consuming, especially, you know, if you have a family. You know, with the affordability crisis, you know, so many people have to work two or three jobs to make ends meet. And, you know, currently time is money and it's

[02:15:06] even more so now. We heard earlier that the AMI, the 80% AMI for this community is \$111,000, and this is, you know, \$20,000. If we want people to invest their time in this particular way, then I think we need to pay them for it. I did, sort of to Supervisor Missel's point, I did a little bit of research on this, and municipalities treat this, there's a wide variety ways that people in Virginia do this. I did. I looked up what Fairfax County pays, and I'm not

[02:15:41] advocating for that high of a salary. That is, wow. But I would be interested in what a study looks like, what best practices are for compensation, what a part-time salary for a community like this would look like, and to your point of benchmarking, I would be really interested in that. All right.

[02:15:59] Thank you. Supervisor Malik? Thank you very much. This brings back memories of \$13,000 was when I started out. So there have been several small, I mean, I think that what is appropriate that the board has done over many years is if the staff gets a raise, then the board would get the same raise and not more.

[02:16:18] And I think that's appropriate from my perspective. So there were certainly many in there where staff got no raise at all. And I do understand that very much. So thank you for your work on this. No, Shane. All right. I mean, yeah, it's always probably the strangest or the weirdest part of the year is to have to talk about what you're paying yourself.

[02:16:39] So might as well call that out. There is a very specific process, not the benchmarking, but if the board did desire, just like we had to hold a public hearing. But if you wanted to do a jump similar to what the city of Charlottesville recently did, there is a whole process that you've got to go through that the state defines.

[02:16:57] So it's not something that even if the board wished to do it, that they can just arbitrarily do. You have to check some boxes and do some things like that before you could go that way. And it's tied to elections and half the board, and it's delayed implementation.

[02:17:13] So we've had those updates in the past. But the benchmarking piece, I guess I've never really clocked nodding heads on the benchmarking piece. So if that's something that the board wishes to do, we would have to provide direction to that.

[02:17:28] It might be more useful to have that conversation when we've got all six members here. So I'll note that, and then we may bring that up as a discussion point at a future meeting. If I can offer as well, we, at your direction and approval, we actually do benchmark staff and compare them to market.

[02:17:50] And it's an established competitive market that is similar in either size and operation or population or geographic location. And it would not be such a far stretch to use that same approach for you all because this is the direction that you've taken in the past of I'd like to apply the same process of what we use for staff to our approach.

[02:18:21] to our boards and so that's something that you guys can think about um maybe a discussion like you said at another meeting or two on twos or whatever um and we can work that into our budget process and everything for the next cycle awesome would be my advice great it's just a hard thing to benchmark because every county does it a little bit differently and it's not like there's a base number that's used so and then time that people put in in different counties can vary um so you know the the hours required sometimes are at your own choice

[02:18:59] too so we have to remember that all right um thank you jessica the motion did we have a motion here the motion would be on the screen and it would simply be to adopt the ordinance attach the staff report as attachment a motion so moved second all right is there any further discussion all right if the clerk will please call the roll ms duncan yes mr galloway yes ms mallet yes mr missel hi very good motion carries and that will take us to item 16 public hearing for compensation

[02:19:33] increase for planning commission and other appointed boards yes um so this is very similar to the one that you just heard um this public hearing is to receive comment on the proposed ordinance that would amend county code 2-401 to increase the annual compensation of the voting members of the planning commission by two percent and to amend albemarle county code 2-905 to increase compensation of members of the architectural review board the board of zoning appeals the

[02:20:09] building code board of appeals the board of equalization and the fire prevention code board of appeals. And that increase would also be 2% in alignment with what was adopted for staff and what you all just approved for yourself. With the FY27 budget adoption on April 22nd, there was a 2% cost of living

adjustment that was approved for staff and the changes to their actual pay, I believe the planning commission is on the top of your screen there, your increase

[02:20:47] of 2% would be \$7,916 to \$8,074 every year. And for all of the other boards that were just named in those boards are very specific and identified in county code. The increase would be going from \$88 to \$90 per meeting attended. What questions do you have? All right. Supervisor Missal. No questions. Thank you. Supervisor Duncan. No questions. Supervisor Malik. No questions. Thank you. This one I think we did when we switched the planning commission pay did some benchmarking to

[02:21:26] establish kind of a base. I know that we because they used to get paid per meeting or it was a very low amount yeah we uh so what happened i believe it was in fy25 was we recognized that these boards and commissions had not received pay increases in the way that the board of supervisors had and we went back and did the historical research of what the pay increases would have been and we got them caught up at that time um i worked with you all directly on that so so it wasn't benchmarking it was just catching up to right okay that's right thank you

[02:22:02] for that reminder okay all right we will open the public hearing any signups for this one no signup so we will close the public hearing any additional questions or comments from supervisors supervisor missal no sir supervisor duncan just repeating mine for the record supervisor malik no questions thank you all right so here we're looking for the motion to adopt the proposed ordinance as in attachment a second all right the motion has been made and seconded without objection if the

[02:22:36] clerk will please call the roll yes yes yes all right all right motion carries thank you board thank you miss rice all right the next item on the agenda number 17 2631 agricultural and forest

[02:22:56] districts um and we have james joining us this evening good evening good evening good evening supervisors and members of the public. I'm James Van Vrenken, a planner in the conservation program, joined as well by Scott Clark, conservation program manager, who we're both available to answer questions should they come up. So we're reviewing three applications tonight.

[02:23:36] One application to withdraw land from a district and two applications to add land to a district. And I'll start with a bit of context with background for the program, followed them by the withdrawal public hearing and then there'll there'll be a motion for that and back to me for a presentation on the additions another just one public hearing for those two additions great so I know most of you have heard this before but briefly for those who haven't the county has three

[02:24:10] conservation programs I think conservation easements are the most well known those are permanent protections and the restrictions are quite intense, intentionally so. The AFD program is a different type of conservation program. It's not permanent, it's temporary, and the restrictions are lesser. You can think of it as a sort of stepping stone for people who aren't willing to commit yet to a conservation easement. And it provides certain benefits to landowners and benefits to the county.

[02:24:47] So on the one side, landowners get certain protections against takings by the state, against nuisance laws. There are higher review standards for special use permits in and adjacent to districts.

[02:25:08] And districts can also be used to qualify land for land use tax program. Most parcels in districts are not using the districts to qualify for land use. A lot of them are in land use, but they're qualifying through active production agriculture or active forestry management, but it can be used to qualify for the open space land use category.

[02:25:35] The flip side is the restrictions that are placed on landowners in the districts. They are various, but the most significant of them is prohibition on small lot subdivisions. And again, as a reminder, in the rural area, there are two types of subdivision.

[02:25:54] There's the by-right subdivision, where parcels are 21 acres or larger. There's also the small lot subdivisions, which use development rights, and they can create parcels as small as two acres. So it's those second type of subdivisions that are prohibited, generally speaking, in the districts.

[02:26:16] And you can see here just as a theoretical development potential of a parcel, not in a district on the left, in a district on the right. So now specifically for the withdrawal application, there are four ways in which landowners can withdraw from districts.

[02:26:37] The first way is a bit of a technicality that just says before the application is finished, you can withdraw the application. The second way is the most common, That is, during the regular district reviews. Districts are reviewed every five to ten years.

[02:26:57] At that time, a landowner can tell us they want out, and it happens by right. It also happens by right in the third way. That is, if a landowner dies, their heirs can ask to be removed from a district. And the fourth way, that's the way before you tonight, is withdrawal at the discretion of the board.

[02:27:19] The district in question is the Lanark District. We're south of Charlottesville here, around Carters Mountain Road and President's Road. And the parcel in question is highlighted here in green.

[02:27:37] It fronts on to President's Road. Zooming in, you can see it is a long 50-acre parcel, mostly in hardwood forest. The front portion, and this is the portion that the landowners are asking to remove from the district, It's a seven-and-a-half-acre home site.

[02:27:59] It has an old house, accessory structures. It used to be cleared, but now it's grown up in CEDAW. So the application is for that portion only to be removed from the district. The rest of the land would stay in the district.

[02:28:14] The landowners are applying for this because they want to subdivide off this seven-and-a-half-acre portion. That's something that's not permitted in districts. and they want to do so because they feel they can't maintain or renovate that house and they have a friend who would like to renovate the house.

[02:28:38] The applicant are here tonight and I'll let them speak in more detail about the application. These requests for withdrawal may only be approved for good and reasonable cause based on the following four criteria.

[02:28:57] I'll give you a second to read those. The staff report contains analysis of the application using these four criteria, so I won't go into it now, but I'm happy to take any questions if you have any questions about that analysis.

[02:29:18] In summary, no new land use is being proposed. The proposal is for it to be residential, and it is currently residential. There will be no new dwellings created as part of this proposal, and there's no identified adverse impact to agriculture or forestry in the district because of this proposed withdrawal.

[02:29:41] On the other hand, the withdrawal is mostly in the interest of the landowner and less in the interests of the public. And also, the proposal would only allocate one development right to this lot, to this subdivided parcel. And the applicant has said they'd be willing to be held to that with a condition but unfortunately we can't put a condition on this approval there's no way of

[02:30:14] holding them to that so theoretically they could if this is approved tonight they could do something other than what they say and allocate two or three development rights and that would create more the potential for more dwellings but on balance staff feels that the board should approve this withdrawal, that's a recommendation. It has also been reviewed by the AFD committee and the planning commission, and both bodies also recommend approval. And with that, I'm happy to take any

[02:30:50] questions, and I know the applicant is here and has something to say. Great. Supervisor Missal, questions for staff? No, thank you. No questions. Supervisor Duncan? No questions. Supervisor Malik? Thank you. I know historically many current conservation easement holders or donors got their start in an ag forestal district so that's wonderful you mentioned discretion of the board is that because it's not during a normal review period that's right because i've never heard this used before so i guess this may be a new one in all these years and the house may is occupied now or needs to be brought back to life in order to be occupied so in some ways we're bringing back a

[02:31:30] a rural home for someone to live in as i understand it it's not habitable in its current state well That takes a lot of effort, for sure. You mentioned someone could allocate more than one. So how many are there on this parcel, then?

[02:31:45] The parcel currently holds five development rights, and theoretically they could allocate as many as three to a seven-and-a-half-acre parcel. That's not their intention. The landowner doesn't want to do that, wants to keep four, as I understand it.

[02:32:03] I agree. All right. Thank you. That's all my questions. All right. I do not have questions at this time. we will open the public hearing do we have any members of the public signed up all right we will just need to have the vice chair read the rules for the applicant we do have uh an applicant presentation this evening applicants are limited to a 10-minute presentation of the proposal are allowed a five-minute rebuttal at the close of the public hearing timekeeping is conducted through a timer and light system at the podium the green light will go on when you begin speaking which begins your allotted time the yellow light indicates you have one minute to finish speaking

[02:32:43] the red light indicates your time has expired, and you'll be asked to end your comments. All comments are live-streamed, recorded, and published on the Albemarle County website. All right, and we have an applicant, Mr. Barroncelli, John Barroncelli. You'll correct me if I said your last name wrong.

[02:33:01] Barroncelli? Did I get it right? Awesome. Yes, pronounce it correctly. Good evening, sir. Good evening, all. Thank you for your time, and thank you, James, for that presentation. And, sir, I'm just going to ask that you point those mics up, and you go, yeah, that just helps for the recording and for our ears.

[02:33:18] Thank you. Short thing. All right. I want to thank each and every one of you for your public service and being here tonight and what you've been providing to our community. My own mother was a board of supervisor member in a rural community, so I appreciate the discussion that you all had before this. I absolutely agree that you're basically volunteering to be here in your time with the amount of hours that you have to probably spend to be here. So again, I thank you for that Selfless service as many of you juggle full-time jobs families and other Commitments, so regardless of the decision you reach tonight on this application

[02:33:55] I respect and appreciate all your efforts for this community all right so as I said in my letter I love living in this community and there are so many reasons for this and Look upon the representatives

right here in front of me, and I have one I'm you know a reason to be proud of this community We have equal representation of women and men sitting on our board of supervisors That was not the case when my mother was a border supervisor member and the misogyny that she dealt with on a daily basis.

[02:34:25] This is a community that values our differences and in effect, we have a special group of diverse individuals representing our community in every facet of community governance. So we are blessed to live in this community. When I first moved here in 2013 to attend law school at the University of Virginia, I got to see some of the inner workings of this community.

[02:34:48] For example, I had the wonderful opportunity of working for Jim Hingley at the time at the Charlottesville Public Defender's Office. It's extremely atypical and unusual that we have a commonwealth's attorney now and Jim as a former public defender. I mean, in and of itself, that to me goes a long way to show that this community places justice, equity, and fairness above other individual interests, and we care about our community first.

[02:35:20] I had the wonderful pleasure of also working for the Federal Public Defender Office here, and I wanted to mention this name because he's no longer with us, but I received a lot of wonderful guidance from Fred Heiblick. Rest in peace, Fred. He was actually the first person that helped convince me that it was okay to walk away from being a lawyer and to follow my bliss.

[02:35:41] So that's kind of why and where I am now as a construction superintendent for the University of Virginia, thanks to Fred. I will always regret never having the chance to tell him that while he was alive, so I wanted to put that on public record.

[02:35:59] I've received so much more guidance and assistance from community members at times of adversity, and I have a lot to offer and to thank for that. When I moved to the border of Mexico and Del Rio, Texas, I served at a federal public defender's office in what became the busiest division of any federal criminal docket in the country.

[02:36:20] I came face-to-face with the hardships every day of what it takes my fellow immigrants to make it in America and just what it takes to get here to make a minimum wage. And as I work in construction now to bring that wonderfully full circle, I get to assist and use some of my terrible Spanish, but assist my fellow immigrants on job sites every day.

[02:36:40] I feel comfortable in this community. And again, we do this as another of one of many examples of how we put our people here first. I mean, we have programs like the International Rescue Committee, CINPIRERAS, and the Africans United Communities where we look out for immigrants and refugees.

[02:37:01] We have members that serve through the Legal Aid Justice Center and providing services of mental health and substance abuse through programs such as Region 10. So there's a plethora of examples in this community of how we put our people first.

[02:37:18] And I'm very much in favor of a community that doesn't just talk, that puts those principles into action. So I appreciated that comment about affordability crisis. This may not seem like it, but what at hand here is a small contribution to helping to improve that affordability crisis.

[02:37:43] Again, I very much appreciate the efforts of this community to fund affordable housing projects. I believe it's one of the most effective ways to provide more affordable housing, but it's not the

only one by any means. I just fully support these efforts while also trying to provide for growth in an economically viable and environmentally conscious way by creating new residential development areas.

[02:38:07] All this and many others that I did not mention emphasize the consistent theme of this wonderful community putting our people first. I'm so proud to call this county my home. So, again, this application may seem like a small blip on that radar, but this application is now another example of whether we as a community are going to put our people first, or are we going to make deliberate choices that harm our own people's path to financial security?

[02:38:37] What do I mean by that exactly? Well, as of 2024, over half of renters in this country are cost-burdened. There are now 242 cities in America where a starter home can cost a million dollars. The first-time homebuyers in this country of average age has now reached almost 40 years old.

[02:38:57] I don't want to get into specifics of how we got there, but I assure you we got there from our choices. So we have the ability to make choices to slowly improve those circumstances. This request is a start. As the law requires, this request is a good and reasonable one under the relevant factors that you are supposed to consider as Board of Supervisors members.

[02:39:22] It is good and reasonable to allow two individuals, my wife and I, that work at UVA and UVA Health, to renovate a part of your dilapidating rural housing supply and hopefully help allow us to call this place home for many years to come.

[02:39:40] I'm genuinely astonished when I drive around this county as much money as we have how many rural homes are terribly dilapidated and need in repair. It's honestly shocking for how wealthy this community is, and there's no excuse for it.

[02:39:56] And the issue that you're going to run into if you care about housing affordability is, well, according to many studies, the average age of a U.S. home is now 44 years old. According to the National Association of Home Builders, around 40% of America's homes are over 50 years old.

[02:40:13] Well, these are stick-framed homes made of 2x4s that were not meant to last much more than 50 years. So we need to act fast at renovating our current housing supply. More land is not going to pop out of thin air.

[02:40:31] That is a finite resource. The only way to properly fix our housing affordability issues is not by disincentivizing new home building, but by equally incentivizing people to fix up the dilapidated housing stock. And if we are also environmentalists like myself, the greenest homes are the ones that are already built.

[02:40:54] So that's a great place to start. To allow for this subdivision is to allow for our housing supply to be revived and to assist with the lack of affordable housing caused by these supply shortages. Every time we needlessly restrict your own community from fixing up your rural housing supply, we will be favoring the interest of developers over our own community.

[02:41:14] For every individual not able to renovate existing rural homes, you are forcing more individuals to compete with other community members for newly built homes within those development areas, driving up the cost of housing for everybody. Right for the countless reasons stated in my application if agriculture and forestry districts are what you seek to protect voting against this subdivision does not serve that purpose the land that I'm asking you to remove has

[02:41:50] already been deemed by the county as non-qualified for forestry use specifically those seven and a half of those 50 acres so there is no interest served in protecting agriculture or forestry land by allowing that land to stay in the district. On that same token, if your concern is real estate development consuming land in the rural areas, this parcel will have no new development rights. The landowners have no interest

[02:42:21] in giving me more development rights, and I don't care for any. So on that note, I simply want to end on this. A vote in favor of this application is a vote in favor of improving housing ability affordability for all of your community members this is the real question at hand i trust that just like examples stated in herein that we live in a community that puts our people first therefore in consideration of the foregoing discussion we ask the board of supervisors

[02:42:59] to allow the owners of 3744 presidents road to remove this seven and a half acres from this forestry district and allow my wife and myself to purchase this land thank you mr barron jolly thank you for your time all right the matter is back before the board and sir you if we have any questions we would we'll call you back up is supervisor missile any questions for the applicant i have no questions no supervisor duncan questions for the applicant no questions supervisor malik no questions he touched on all the things i was going to ask all right very good i do not have any questions for the applicant all right so there was no members from the public you are offered a

[02:43:39] rebuttal i don't know what you're going to rebut since we didn't ask any question but you're offered an additional five minutes for rebuttal do you need that sir all right thank you so the matter that we will now close the public hearing and the matter is back before the board i'll do one quick swoop for comments or final questions supervisor missal no i'm fully in supportive of this i wish the applicant the best in the restoration process and renovation process and i think uh just echoing that the most sustainable unit, dwelling unit, is the one that's already there.

[02:44:12] So congratulations and I hope this works well. Supervisor Duncan. Well, I feel like you made my argument for me. I was just going to say that I actually would be in favor of you using all of the development rights to add a couple more houses out there. And Supervisor Malik. I thank you and would agree that it's very compelling when a fallen-down house finds someone to love it and bring it back to life, and I really appreciate that effort.

[02:44:37] I support this. Yep. We'll be supportive as well. I just make the remark that those development rights don't extinguish in any way because we couldn't condition, but in the future it will run, nothing changes. Like those development rights would still be there, correct, for the 7 ½-acre. Because he's using one down here.

[02:44:55] But on that piece of property, I mean, I don't know why you would do it for a house there. If they subdivide as they plan to, that 7 ½-acre portion would only have the right to build one house. The other portion would retain the right to build one house.

[02:45:10] retain the right to build four houses. Got it. Wonderful. All right. We are looking for a motion. Happy to move to adopt the ordinance attached to the staff report as attachment A. Second. All right. Without objection, if the clerk will please call the roll. Ms. Duncan. Yes. Mr. Galloway. Yes.

[02:45:29] Ms. Mallick. Yes. Mr. Missel. Aye. All right. Very good. Applications approved. Good luck with your renovation. John is sharing your mom. Long ago. Great. She was Page County, I think, Supervisor

when I first started out, so we were in ACO classes together a long time ago.

[02:45:50] That's wild. She was through it all the time. All right, we will move to the next two. These are to add, correct? Yes, to add land to districts against two applications, but one public hearing, one combined public hearing.

[02:46:10] So the first application is to add two parcels for just over 750 acres to the Green Mountain District. Here we're just north of Esmond, surrounding Green Mountain Road.

[02:46:28] They're two parcels, but they're under one ownership, actively used for agriculture and forestry. And one of the important factors when adding land to these districts is that they must have some unused development potential to be protected or they must be in conservation easement such that it is already being protected.

[02:46:54] In this case, these parcels are under a conservation easement held by the county. So staff, the AFD committee and the planning commission recommend approval of this addition. The second application is to add one parcel, 234 acres, to the Chalk Mountain District.

[02:47:14] We're here southwest of Crossroads, where Plank Road meets 29 South. Again, this parcel is inactive agriculture and forestry, has a lot of important soils, and importantly, one unused development right that would be restricted by being in the district.

[02:47:35] And again, staff, the committee, and Planning Commission recommend approval of this addition. With that, I'm happy to take any questions all right supervisor missile. No questions. Thank you supervisor Duncan no question supervisor Malik No questions. Thank you. All right. I do not have any questions We will open the public hearing Any signups this evening and we do not have an applicant for this one

[02:48:07] So you but at least no presentation scheduled so okay good to go. Yeah, all right I'll read this during the portion of the meeting individuals may address the board regarding matters previously considered by the board are currently pending before the web Sorry, that's the wrong one.

[02:48:26] I'll start over. Speakers are limited to one appearance of up to three minutes. Applicants are allowed 10 minutes for their presentation and five minutes for rebuttal at the close of the hearing. To ensure equal treatment and courtesy for all speakers, the board requests the following guidelines be observed. Please state your name, and if you live in Albemarle County or Magisterial District, comments shall be directed to the board as a whole.

[02:48:46] Written statements or supporting materials may be provided to the clerk. Online participants may also submit comments through the e-comment portal or by email to the clerk. If you're representing a group or organization, you may ask others present to raise their hands in recognition.

[02:49:02] Speakers may not share unused time with another speaker. Back and forth debate is not permitted, and speakers should not speak from their seat. We're out of turn. The podium timer will guide your time. Green indicates your time has begun. Yellow means one minute remains, and red indicates your time has expired. All comments are recorded, live streamed, nor published on the county website.

[02:49:19] We have one speaker. That is Paula Beasley. Good evening.

[02:49:35] I am Paula Beasley, an Esmond resident, Samuel Miller District, and actually have all of our land in Green Mountain Ag Forestal District. So I heartily recommend and ask you to approve this very

hefty addition to it.

[02:49:55] It's a great farm, and I think it will greatly add to the Green Mountain Ag Forestal District. Thank you for your consideration and time. Thank you. Thank you. That concludes our list. All right, so we will Then there is no applicant on this one so we will now close the public hearing and The matter is back before the board for any final comments or questions supervisor missile. Nope fully supportive of this Thank you supervisor Duncan. No questions supervisor Malik fully supportive as well. Thank you very much All right. Well, then we are looking for a motion

[02:50:32] to adopt the ordinance attachment a to approve the green mountain and chalk mountain district additions all right i move to adopt the ordinance attached to the staff report as attachment a second all right without objection if the clerk will please call the roll ms duncan no mr galloway yes mallet yes mr missel yes all right motion carries three to one very good thank you board

[02:50:58] we will move to item number 19 zta 2023 6 wp ta 2023 3 sta 2023 3 ota 2024 2 riparian buffer protection standards i see mr scott clark coming to the dais mr frank pole good evening gentlemen

[02:51:24] Good evening. This is a presentation on the riparian buffer protection standards proposal and the zoning and several other text amendments that Chair Galloway read off a moment ago.

[02:51:55] The project we're discussing tonight is an outcome of the Stream Health Initiative, a board-initiated project in which the county did extensive community outreach, working with stakeholder workgroups to develop multiple strategies for protecting water quality in the county.

[02:52:19] And that very large effort led to, at the end of Phase 2 of the initiative, 14 community-developed recommendations for stream health protection. Recommendation number one on that list was better protection of riparian buffers in the zoning ordinance.

[02:52:37] Just as you can see this illustration here, a riparian buffer is an area of vegetation adjacent to a stream, wetland, reservoir, or pond. So the board adopted a resolution of intent to amend the zoning ordinance for this purpose back in March of 2022.

[02:52:52] More recently, the board had a work session last August, and the planning commission had a public hearing back in February at which they recommended adoption of these ordinance amendments. The scope of this project, first and overall, is to move the riparian buffer protections that the county currently has from the water protection ordinance into the zoning ordinance.

[02:53:23] This would involve implementing standards that protect buffer vegetation countywide and apply riparian buffer requirements, whether or not there is a regulated land disturbance under review on a given property. It also involves updates to the design standards manual, keeps the current exemptions for agriculture and forestry, and is also providing us an opportunity to update our county ordinance language to be more consistent with the Chesapeake Bay Preservation Act and the associated administrative code that goes with that act.

[02:53:55] So where are the buffers? There's no change proposed from the current water protection ordinance buffer to the location of the buffers as listed in the zoning ordinance. They're the same locations. In the development areas, in most of the development areas which are outside of a water supply watershed, these are 100-foot buffers on perennial streams and their contiguous wetlands.

[02:54:22] For a development area within the water supply watershed, which at the moment is only Crozet, has additional 100-foot buffers also in intermittent streams and to the limits of the flood hazard overlay district, although structures are permitted in the outer 50 feet of those buffers for intermittent streams.

[02:54:41] In the rural area, around the public water supply impoundments, the major reservoirs, there's a 200-foot buffer outward from the landward edge of the flood hazard overlay district. Elsewhere in the rural area, it's 100 feet on all perennial and intermittent streams, and it also extends to the edge of the flood hazard overlay district where there is one.

[02:55:05] So again, that's exactly the same location of buffers that we have now. Again, the current buffer regulations are located in the Water Protection Ordinance and are only triggered for land disturbances of 10,000 square feet or more. Disturbances smaller than that, on outside regulated land disturbances, there are no particular protections for buffer vegetation in the current Water Protection Ordinance.

[02:55:29] Changes in land use are not regulated. However, new structures that require building permits are not permitted in those buffers. So again, the major piece of the proposal tonight is to move those standards into the zoning ordinance.

[02:55:45] This outline just shows you the general structure of the new Section 4.23. This presentation will mainly talk about these latter five sections, performance standards, permitted uses, mitigation plans, and special exceptions.

[02:56:03] So how are things changing? The vegetation requirements and performance standards under the Water Protection Ordinance, again, only protect those disturbances of 10,000 square feet or more. In contrast, the proposed ordinance states that except for permitted uses, native vegetation in the buffers must not be disturbed or removed.

[02:56:25] And this applies whether or not there's a development application on the property. So all buffers throughout the county will be subject to this requirement. And the buffers must be maintained in as natural a condition as possible. I mentioned permitted uses there that are an exception.

[02:56:45] This ordinance would permit two kinds of uses, two categories of uses within the buffers. Some are by right, and some are by administrator approval only with a mitigation plan. So the by right uses, generally speaking, include agriculture and forestry, but also lots of either water-dependent uses or low-impact uses like pervious recreation trails, minor installations like posts and poles.

[02:57:11] You can see the list here, but these are generally by right uses that are relatively low-impact and are simply permitted as proposed in the ordinance. The second category are uses that are permitted by buffer administrator approval with a mitigation plan.

[02:57:31] So here we've got temporary inversion and sediment control facilities, structures that are needed for reasonable use of a lot, stream crossings, flood management facilities, et cetera. These are uses that need to be located often in stream buffers but can be mitigated.

[02:57:50] The impacts of these facilities being built can be mitigated by the installation of appropriate riparian vegetation elsewhere in the buffer. The mitigation plans I just mentioned, either for permitted uses or for violations and disturbances of the buffer, need to be replanted at a two-to-one ratio by area.

[02:58:13] Those plantings have to include only native species. There's guidance in the design standards manual for how it's done, and the riparian buffer administrator could require bonds until plants are established to make sure that that mitigation is actually effective. Last section I want to talk about is special exceptions. These are permitted only for exceptions from the uses that are permitted and the vegetation management standards. Similar to other recent sections in the ordinance of permitting special exceptions, there are requirements such as a notification about

[02:58:51] putting landowners in this case we can require water quality impact assessment and there can be conditions and performance bonds to make sure that the permitted use under the exception is appropriately protective of the streams and there have been a few changes to the proposed ordinances that you all have attached to your reports since the planning commission hearing the first the commission was quite concerned that the requirement that the riparian buffer administrator approve any

[02:59:26] invasive species removal would dissuade landowners especially individual landowners from doing necessary invasive removal projects on their own properties so we've removed that requirement we've added an effective date which would be September 1st and then additionally we've upgraded the standards for the surveys that are required for projects in the buffers in the design standards manual here is one other change that has come up recently you all were notified about

[02:59:58] yesterday there is a conflict between the the original version of the buffer ordinance that would have prohibited new agricultural structures entirely from the buffers in the rural areas that would end up meaning that the entire floodplain where a floodplain occurs would be off limits to ag structures and that's quite restrictive and there are a lot of open floodplains in the rural areas where there's important ag land it would seem unreasonable to prohibit all ag structures

[03:00:32] so and also the flood hazard overlays ending regs do permit the ag structures to be there outside of the floodway itself so in the floodway fringe you can have ag structures routinely in the flood hazard overlay district so to resolve this conflict we're recommending a change to section 4-23-7-A. And so rather than saying only that new agricultural structures are prohibited in the buffers, we're saying new agricultural structures are prohibited within the first 100 feet of the

[03:01:06] buffers, but not in the remainder of that buffer where it's wider because of a floodplain. So that's all I have to say about the ordinance itself. We still could take questions just a moment, but I just wanted to mention before we go on, next steps. If the ordinance is in fact adopted, CDD staff will work with CAPE to increase public awareness of the new regulations. We'll do outreach through various channels, including working with partner organizations. Also, the buffer-related changes to the design series manual will need to be posted for public review and

[03:01:44] comment for 30 days. That's part of the reason we needed to have that delayed adoption or effective date until September 1st. So at that point, we're happy to take any questions you have before we go to the public hearing. All right. Thank you, Scott. Supervisor Missile. I don't want to go first on this one. I have a few questions. So number one, have you given any thought to a program of education if and when and after this is implemented? Is education part of this overall

[03:02:19] plan? We've talked with CAPE staff about various kinds of outreach, again, through partner organizations through the county's own um podcasts publications emails uh whether or not we would do ongoing uh education you know after the effective date we haven't really talked about yet but we certainly have talked about extensive outreach between now and the effective date okay and it would it's a good

point we should probably continue you know providing them information at least on the website long term i think that'd be helpful um we can come back to that later

[03:02:59] so invasives there is probably a situation i get i get the situation that probably the planning commission brought up which is there are invasives that are always coming out and to have to apply for a permit to remove those seems a little bit ridiculous when you're actively trying to remove invasives to preserve your your riparian buffer if there's a situation where there's all there is is invasives and you pull all of them out and you leave denuded soil and you've got a situation that's actually more hazardous and dangerous to the quality of the water because of runoff.

[03:03:34] Is there any kind of stipulation that requires replanting in that case? I get it if it's so they're intertwined with natives.

[03:03:50] I'm just curious.

[03:04:00] Frank Pohl, county engineer. The way I think we would handle a situation like this, we would assess the situation and determine if there is a threat to waters or erosion, and we would work with the owner to reestablish the area first to stabilize it and then to reestablish it we first also determine try to determine if it was truly invasive or if it

[03:04:34] was just clearing so that's that's how i think we would handle it so if there isn't a requirement for a permit to do so how would the county be aware or know that there is a situation that might require remediation there's no permits required for any of the allowed uses so there isn't a permit requirement to begin with got it so um the concern what excuse me i'm sorry i interrupted i thought you were done yeah the concern was is that they had to get approval

[03:05:11] for instance someone on the weekend was the example that wanted to do this um they noticed something when they were out working and they would find it to be too onerous or uh what what not to have to wait or to come and apply for a quote permit or approval so if an adjoining so i'm sorry to get into all the if you tell me this is too much detail for now we can come back to it but um so if an adjoining landowner notices a bank of invasives along the side of the stream

[03:05:45] that's part of uh either their property or their adjoining prop uh landowner's property and that adjoining landowner removes all those invasives and leaves a an area that's denuded and is problematic can the other landowner call the county and say hey we've got concerns about this if it's in the rural area that's one way that they would find yes find out that we would have to then try to determine if it was invasives or not got it okay um so that kind of brings me to the next one monitoring and enforcement can you give us a little overview of what that looks like

[03:06:24] uh bart swoboda director community development and the zoning administrator um enforcement we would handle kind of like we do now um not not kind of it would follow the same process we would create a new complaint type so we could track that that's going to enable us to see what kind of resources we need over the next year or so to develop a program and if there's a need a budgetary need for an additional staff member or whatever

[03:07:04] we you know where the data reveals to us then we would come back to the board but this is similar to some of the other projects or the other ordinance that we rather than commit reef. We want to see what we get as opposed to just jump in with a bunch of resources.

[03:07:21] And so we'll track that, see how we go. We have the capacity to deal with it on a complaint basis like we do now between engineering and likely zoning. We'll work together on that in establishing that program and the protocol and how we would separate out, say, just the invasive removal or if somebody took out trees that were not invasive and or whether or not that ventures into WPO or planting thing.

[03:07:52] We do a similar kind of coordination with anything that happens within a floodplain. Okay. Yeah, I think that makes sense. There was a slide that you shared, or I guess it was a highlighted section of one of the slides. I didn't catch the number.

[03:08:08] It talks about agricultural buildings located within, I think it was 100 feet of the top of the slope. There you go. Correct. And I get the issue with the floodplain, but the next slide, I think, talked about that one. Sorry, I'm just dancing here.

[03:08:24] I don't understand. New agricultural structures located with 100 feet of the top bank of any perennial or intermittent stream or its contiguous wetland. So this would exclude anything that is located outside of that 100-foot area from the top of the bank.

[03:08:45] Is that the way I'm reading that? Inside. Okay. sorry I'm thinking like so the permitted structures exclude from the bank 100 feet out structures are not allowed from 100 feet out so wherever the bank may be set back 50 feet from the correct stream so that's 150 foot setback in other words know that buffers are only from the top of bank regardless of the width of the stream and they're always measured from the top of bank thank you okay so it's 100 feet from the top of the bank okay got it that makes sense may i go back to your other

[03:09:22] question briefly sure about invasives there is a provision in paragraph k at the bottom of that which states that the administrator can require a mitigation plan okay for invasive removals if there's no evidence that it was invasive so we have tried to cover some type of replanting for egregious buffer removal.

[03:09:48] Which, if I understand from what you just said, is okay if it wasn't invasives. But if it's invasives, then they all get removed. Correct. Then you don't, you can't recommend a remediation plan in that case. Okay.

[03:10:04] So my other comments, I'm just framing this as sort of water quality and stream health. These questions are focused on that. Have you considered heavy agriculture impacts on stream buffers, taking into consideration the Right to Farm Act, taking into consideration the DEQ oversight relationship to the farming, et cetera, and active agricultural lands?

[03:10:37] How have you sort of married those conversations and subjects in this ordinance? Or have you purely exempted agricultural of any kind? Bart Swoboda, we stayed pretty focused on the scope on this as far as where we started with the stream buffers.

[03:10:59] Some of you may remember or were still here when Kim Basioli was here and we started this particular project. So we tried to stay within this scope. Some recent meetings have brought more of the heavy agriculture or a lot of folks call them CAFOs or the animal feeding operations that are a little more dense.

[03:11:22] So that would be something that if the board would want us to look at that, I think we could, not with this particular revision, but that would be something that we could consider within the work plan

or at another point. But this particular ordinance is adjusted to what we considered agriculture when we started doing this.

[03:11:43] Thank you. Yes. I'll stop there.

[03:12:00] Thank you. Supervisor Duncan. Just one question, just trying to understand all of it. So the reason you're moving this to the zoning ordinance is because we want to protect and improve all the streams, not just streams where development is happening.

[03:12:19] Is that correct? That's true. Water quality protections from this would include areas outside the development areas and even areas in the rural area that are not actively being developed. Okay. That's all I have.

[03:12:36] Supervisor Malik. Thank you very much. And I also wanted to start out by thanking all members of staff who have met with me and answered so many of my questions before tonight. That spares the rest of you from having to hear it all. But I do have a few that I've just written down for clarification because I think it will be helpful for the group and for public as well who are listening in.

[03:12:58] I really appreciate the stipulation in the staff report that our goal is to try to be more consistent than we have been with the Chesapeake Bay Act. And so anytime you can think of something that points to where we're doing that as you go along and answer questions, that would be helpful to me.

[03:13:19] I'm also very grateful that you have found a way to get away from the 10,000-square-foot minimum because when we moved our driveway at the direction of VDOT in 1982, we disturbed 2,000 square feet. That was highly regulated way back then.

[03:13:37] Had to put up a bond, all that stuff, to move a tiny little area. And so there was no problem with that. And so I see no problem with going back to these rules that were in effect for 50 years beforehand, just as a general philosophy.

[03:13:55] You had mentioned in the approved uses, stream crossings, outer 50 only, and all those performance standards that are in there. But that's emphasizing for a single crossing only.

[03:14:10] unless all the other performance things or the criteria are triggered. This is not proposing that stream crossings are fine and that we're going to have unlimited stream crossings going forward, which was a little vague in the presentation.

[03:14:26] I just wanted to clarify what I heard the other day is correct, that there's emphasis on the single use for the use of the lot. If that's a question, yes. Okay, just trying to get verification on that. All right. There was mentioned also of the water quality assessment in certain circumstances by the riparian buffer administrator.

[03:14:53] What about water quantity assessment as the canopy is removed and therefore the velocity of the water is going to be greatly increased? So when you look at all of the Chesbay localities, they do a water quality impact assessment.

[03:15:12] There are no water quantity impact assessments that I could find. So it's all based on pollutants, pollutant loading, and quality. So I guess the federal programs are the ones that are trying to reduce the velocity with the CREP and that kind of thing to try to slow the water down so it doesn't damage things so much.

[03:15:33] Okay, back to the invasives question that's been raised by several other speakers, board members. I'm troubled by the, well, we'll figure it out afterwards approach.

[03:15:49] I think that puts a terrible burden on staff to have to go back and recreate something. I can understand why you don't require an extensive process, but I don't think anybody's going to be taking on large removal of automotive on a Sunday afternoon without thinking about it ahead of time because it requires heavy equipment and that kind of thing.

[03:16:11] So is there a middle ground where one can require photographs that could be sent to you that you could look at and say, oh, yeah, that's the lanthus and all this other stuff beforehand, only because it puts an obligation on the part of the person who's going to be doing the work to provide a paper trail, basically.

[03:16:33] I think that would be reasonable. Any feedback on that? Yeah, I mean, we do require in the ordinance, it states the landowner must provide evidence that remove vegetation qualified as one of the types identified above.

[03:16:49] So as part of our education, we will be reaching out to try to inform folks that this is a requirement before you partake in removing invasives. Okay, so then if the oops-I-didn't-know business on Sunday afternoon happens, what happens then?

[03:17:05] We will have to work with the owner to try to determine what occurred to the best of our knowledge or ability. And if it exceeds \$10,000, then the Water Protection Ordinance would also kick in for those larger areas of automotive that you see sometimes.

[03:17:25] so i understand the the complaint process which we've had always um there's also a difference and if you could explain again sorry so many times the difference in enforcement between zoning and wpo because wpo you had the injunctive relief is what i would call it i don't know if that's the right term or not where if something's happening and you find out about it you can say you have to stop right now but i don't understand that that's available in the zoning side so can you

[03:17:59] help figure explain how the blending of those two things happens so we don't have just a lot of end runs around what's going on i can explain how we um this sort this ordinance will give us two different um angles of enforcement for activities that exceed 10,000 square feet within a buffer that is not permitted for instance so if somebody clears a buffer and it's 12,000 square feet there will be a zoning violation and a water protection ordinance violation so there will be two different

[03:18:33] angles for that they can issue a stop work order as allowed in the water protection ordinance and then we would issue a notice of violation through the zoning ordinance for the buffer violation and that would have civil application for the notice of violation i'm not familiar with the after a certain point but there is a civil process also in the wpo but lisa green can speak to the our favorite compliance ordinance officer lisa green manager of co-compliance yes once this

[03:19:09] enters the zoning ordinance, there's a civil process that would be a part of any zoning violation. So then fewer than 10,000 square feet, what happens then? Then it's strictly zoning.

[03:19:25] Correct. Okay. That's pretty clear and straightforward. Thank you. Yes. Right now, it would not be zoning or water protection ordinance. That's exactly why we need this so much. Okay.

[03:19:41] Now, I think you've answered my invasives question. I think. All right. I have gotten to the end of my questions. Thank you very much. The difficulty, so this is specific to the development area, my question.

[03:20:04] The difficulty in tracking between the WPO and the zoning ordinance, what the practical implications are for certain plots in development area kind of applications. Can you give me some examples of what the changes or the differences would be that could be encountered because of this change?

[03:20:27] Well, and anywhere in the county, any disturbance within a buffer would now be a violation if it's not a permitted use. So in a development area, if you're in your backyard and you're on a stream and you have a buffer in your backyard and you disturb that area and you remove.

[03:20:49] So if you disturb the natural native vegetation, then that would be a violation. And if it's an application that's coming in that would be new construction or redevelopment, then that would likely be part of whatever they're already asking us, that they would have to now contend with any, I guess, an additional special exception process would be added to something.

[03:21:12] New development is not a permitted use in the buffer. So it's not even any worry for that. Correct. And currently we make those comments now on development applications to stay out of buffers. unless it's a permitted use in the water protection ordinance so if it's a something that was being it would have to be redeveloped i'm trying to understand like okay what am i going to start hearing new in an application that's in front of us that wasn't there before and not that you would have you know tried to figure that out in the presentation materials but it's just the pragmatic like okay practically what are what are folks doing now that all of a sudden they're going

[03:21:52] to encounter with this change specifically with development area type projects um so redevelopment let's use that as an example the way that we're approaching the way i understand that we're approaching the redevelopment or existing non-conforming their existing non-conforming uses so those uses can continue now in terms of redevelopment i would ask mr zboda to help me with answer that question if they want to um for instance put a building where a parking lot is I'm not sure how the answer to that.

[03:22:30] Yeah, without, first of all, again, as the zoning administrator, you know, I don't like making determinations from up here. So, for instance, or as an example, right, non-conforming things are treated differently than it would be in the WPO ordinance or our water protection ordinance.

[03:22:50] Okay. It's going to be a case-by-case thing, and there's a difference between the use that may or may not be grandfather or nonconforming or vested, and the building or the structure.

[03:23:06] So kind of the rule of thumb is, let's say I have a buffer area that's not existent and it's a parking lot now, and I want to do redevelopment. There are some rules that we look at on whether or not that nonconformity has been abandoned for more than two years.

[03:23:25] What are we doing to it? Is it becoming more nonconforming? So there's different options. They're not really options. There's case-related specific decisions that are made on that specific situation because each nonconforming thing is unique.

[03:23:40] So if we have no buffer and we get to 50, that's becoming less nonconforming. I'm not saying that's a call we would make every time, but we would increase, say, the buffer from zero to 50. That would be an example of something becoming less nonconforming and possibly being able to be there.

[03:24:01] If we had something, a use that was abandoned and the nonconformity goes away where the building or use is not there, then that may be lost altogether. It may be an active, maybe a non-conforming use in a conforming building or vice versa.

[03:24:19] It could be a use that we no longer permit in that district. So the use itself is non-conforming and that goes away. So I couldn't put that use back. But I could put another use, a conforming use, into a non-conforming building.

[03:24:39] It's very specific. That's one of our most complicated parts of zoning interpretation. So it really is case-by-case, and if we're doing redevelopment, when we move the short courses, so I apologize for giving you the long course first, but the short course is when you move it into the zoning ordinance, we are likely to create some situations that will be nonconforming, where we have buffers that may now be there, but they're already disturbed because of parking lots or features or buildings, and we would deal with those on a case-by-case basis when it came to redevelopment.

[03:25:17] And it would just be part of whatever the larger application? Yes, yes. We would look at it as part of the site plan review or zoning clearance or a building permit that's doing either a renovation or expansion, any of those things, which is how we deal with those in, say, a house that doesn't meet setback because essentially what we're talking about is a setback from a stream.

[03:25:41] So if I have a house in a rural area, it's supposed to be 75 feet, and it's only 10 feet from the road, there's nonconforming rules and guidance that we do to be able to either keep it the same, expand it, those sorts of things. So we receive the same kind of analysis, a little bit different criteria, but essentially the same thing.

[03:26:00] Does the, theoretically, would it, so I'm thinking of in the development area, as accessory dwelling units become a more allowed thing, either by the state and or by us, does that, can that in like quarter acre or half acre lots, is this going to put a further restriction on what could be done for those ADUs?

[03:26:26] Possibly if one of those has a stream buffer. I would have to really look at the older subdivisions, I believe, than the newer ones. A lot of our buffers and things are in common open space now. We do trails and stuff in there.

[03:26:44] It seems like it might read, though, that I don't know about an ADU, because it states that there are some special exception pathways. If the lot can't be used otherwise, then to do the disturbance in the buffer.

[03:27:04] Would the same apply, then, if you had a buy right to put an ADU on it? Because it's an ADU. So it could potentially extinguish. Yeah, reasonable use is the litmus test for a home or structure being in the buffer, which is a single-family home.

[03:27:21] So if I had a lot, a half-acre lot on Huntington, and there was a stream buffer that currently I could put an ADU on and we pass this, is there a way for them to get an exception to follow that option? I do not believe you can put an ADU in the stream buffer currently because it needs to be within a building.

[03:27:41] Because the distance right now doesn't change. Is that what you're saying? The distance isn't changing, and currently you have to locate an ADU. And, again, this is not under my jurisdiction as county engineer, but under the zoning administrator. But an ADU has to be within a building site, is my understanding.

[03:28:00] And building sites exclude environmental features like buffers and floodplains and steep slopes. And nothing changes because that's under the WPO? It doesn't change. This move, it won't change that. Okay. Yeah, the building site, and we talked a little bit about it with Clark's Track, right?

[03:28:19] that the building site itself can't contain certain things. One of those is a string buffer. So any habitable structures have to be, and other structures. I want to be careful how we use ag and all that, but let's just talk about structures.

[03:28:35] Kind of the rule of thumb is structures aren't allowed in the buffer. It doesn't matter what kind they are, we're habitable or not. Correct. All right. That was helpful. Thank you. Are there questions for staff, Supervisor Missile? Yeah, just sort of a couple others that kind of came to mind through this conversation.

[03:28:52] So existing lawn areas, are they non-conforming conditions? They would be non-conforming. So if I have a home and I'm mowing down to my stream that's in my backyard, would I have to abandon those mowing practices and allow for the stream buffer to be restored?

[03:29:12] No. I could keep mowing it? You can keep mowing it. But you can't mow a larger area. Okay. So I can mow when I'm already mowing, but not a larger area? Okay. Okay.

[03:29:29] I spoke to the DEQ person yesterday about this same issue. He said most jurisdictions in the Chesbay area do not enforce reestablishment of lawns or abandonment of lawns. Okay. They never have done that is what he said.

[03:29:48] So why are we calling them non-conforming conditions then? Non-conforming conditions are conditions and maybe our attorney can help define that. But my understanding is, is that if they exist before the ordinance is adopted and they are not an allowed use in the new ordinance, that because they existed, they are still allowed as a nonconforming use.

[03:30:11] I see. I got you. They're just called that. I got you. Okay. That eliminated some of my other questions. Let's see. I don't think there's any way you can answer this question, but I'll ask it anyway.

[03:30:28] Do you have any idea how many permits, waivers or exceptions or any of these requests you might receive in a year? That's what I thought. I didn't think you'd know that. I'm just curious if this is like an issue that is continuing to come up or if there's a way you can equate it to your WPO applications or any of that.

[03:30:46] Okay. And then the last question is, you brought up the Chesapeake Bay Act. Isn't a lot of this covered under the Chesapeake Bay Act, and couldn't you just apply the Chesapeake Bay Act to this area and sort of get a lot of this checked off? A lot of this, the buffer regulations are directly from the Bay Act regulations.

[03:31:07] The Bay Act has other provisions about ag restrictions and septic pump-outs. The ag restrictions are management plans. And early on, as Bart mentioned, when we first scoped this project, it

was to move the existing regulations from the Water Protection Ordinance to really eliminate that 10,000-square-foot threshold.

[03:31:34] So you chose to do that as opposed to just saying, let's adopt the Chesapeake Bay Act with some exclusions. Yes. That's what the board agreed to when we received the final direction on how to proceed with this project. Got it. Thank you. That's all.

[03:31:52] Supervisor Duncan? No more questions. Supervisor Malek? Yes, please. Case by case, you mentioned about grandfather. Somewhere in the homework, it talked about legally qualifying nonconforming use. The legally was important.

[03:32:08] In order to be able to be grandfathered, it had to be a legal structure at the time. So can you make sure that everybody understands that I understand that? Again, please. Because it's not just any old thing that happened to be there. If it was illegal to begin with, it's not going to get blessed now, right? Correct.

[03:32:24] So Barstow vote again, and Mr. Herrick can correct me where I get this wrong. A nonconformity is legally established, meaning it's something that's permitted prior to the ordinance change. Once the ordinance changes, then that use or thing is no longer permitted in that district or there's a regulation that changes.

[03:32:45] The setback on houses is probably the simplest one to understand. It was 25 feet and you built your house at 25 feet and we changed it to 75 feet. Your house is legal because you got a permit for it to build it. It's legally non-conforming. If you built a house without a permit, that's not a legal use.

[03:33:03] We talk about it like it's legally non-conforming. it's truly either illegal or non-conforming it's not it's not kind of both it kind of helps us just the way we communicate where we call legally non-conforming very helpful and regarding the moan buffers in attachment h the chart that i had so much trouble with the other day at the very bottom it says other and i asked why we were talking about allowing other and you said that's where it is currently and it's not supposed to stay that way it's supposed to be transferred

[03:33:37] to forest grassland wetland hardwood forest pine pasture something or other so now i'm told that it's fine to keep mowing something that you've been mowing even though you weren't supposed to all this time yes let me clarify that that chart is for new activities or new uses so if the left hand column is existing right i'm trying to find the chart here so if it's existing lawn grass mown lawn with trees shrubs mowed or bush hog fields at the very bottom and i was reassured

[03:34:14] because i was told that was the old thing and that's not going to be the future thing so please clarify that again existing mowings are not covered in that chart if you're not changing a use so that chart is for changes in use not continuing the use that existed prior to the adoption of the

[03:34:39] ordinance okay attachment each so we basically that that's a huge gap you know that's that's not getting closer to where we were in 2014 by any means so i'm sorry about that because i was very reassured the other day but um only for new uses only is what you're saying here okay all right

[03:35:12] thank you that's the last of my questions all right we will move to open the public hearing I believe we do have folks signed up for this one. So the vice chair will, again, we do not have an applicant.

[03:35:28] Let me just go through the rules, please. All right, will do. Speakers are limited to one appearance of up to three minutes. Applicants are allowed 10 minutes for their presentation and five minutes for rebuttal at the close of the hearing. To ensure equal treatment and courtesy for all speakers, the board requests that the following guidelines are observed.

[03:35:45] Please state your name, and if you live in Elmorrow County or Magisterial District, comments should be directed to the board as a whole. written statements or supporting materials may be provided to the clerk online participants may also submit comments to the e-comment portal or by email to the clerk if representing group organization you may ask others present to raise their hands in recognition speakers may not share unused time with another speaker back and forth debate is not permitted and speakers should not speak from their seat or out of turn please podium timer will guide your time green indicates your time has begun yellow means one minute remains and red indicates your time has expired all comments a recorded live streamed and published on the county website. The sign-up period does not close

[03:36:23] once public comment begins. Speakers may sign up to speak during the duration of the public comment period. The podium is adjustable. Speakers are encouraged to raise or lower it so they are able to speak directly into the microphone. First name on the list is Sophie Massey and Adelaide O'Brien is on deck just so you're aware. Good evening. Evening. My name is Sophie Massey and I live in the Samuel Miller district. I'm glad to see that we're adopting some repair and buffer protections

[03:37:01] and I'm glad to see that agriculture is exempt. We don't need more burdensome regulations for farmers. I am though deeply concerned that this ordinance treats industrial livestock factories like farms. This is troubling because factories aren't farms. They don't behave like farms and there are many many more industrial factories planned for Albemarle County all to be cited within Scottsville's drinking water protection area.

[03:37:28] Each factory would contain tens to hundreds of thousands of animals and produce obscene quantities of waste. I'm concerned about fecal flooding, especially when this ordinance would allow factory farm livestock factories in the floodplain. Dozens of other counties in Virginia have regulations around industrial livestock factories.

[03:37:47] We have none. Like data centers, this is a new industry invading this region, and our laws aren't prepared for this kind of industrial activity. fully support exemptions for bona fide agriculture. I'm the daughter of a cattle farmer, and I know farmers steward the land because the land is their identity, and it's their livelihood. I trust them to do right by the land. But here's the thing. Factories aren't farms. Factories aren't known for stewarding land. In fact, they're kind of famous for destroying it. For them, the land isn't livelihood. It's dumping ground for industrial waste, and every square inch will be cleared of

[03:38:22] trees in order to dump that waste. We can't treat a factory like a farm because factories aren't farms. Nowhere is this more clear than in tax courts where industrial agribusiness argues that it's not animals in their factories, it's raw materials. And so they really ought to qualify for manufacturing tax breaks. Can you imagine a farmer calling their animals raw materials?

[03:38:45] So if it looks like a factory and pollutes like a factory and talks in tax court like a factory, I won't insult your intelligence and tell you a factory is a farm. I'll leave that to agribusiness corporations and certain trade organizations with a distorted view of truth but the truth is this factories aren't farms factories pollute we don't need exemptions for factories we need protection from factories so we need this

riparian ordinance today but then we need real protections from the very factories that harm rural folks that run real farmers off the land that pollute our

[03:39:20] water and that sicken our children, my children. Thank you. Thank you. Adelaide O'Brien and Bart Tao is on deck. Good evening. I'm Adelaide O'Brien. I live on Hatton Ferry Road in Scottsville.

[03:39:46] Thank you for the work that you've done on the riparian buffer protections. I suggest that it is a start, but it doesn't go far enough to protect our county from the environmental harm of industrialized or confined animal feeding operations commonly known as CAFOs. A Yale University study published this April found that people living near high concentrations of industrial animal operations face higher cancer rates, and this is based on data gathered between 2000

[03:40:22] and 2021. In Texas and Iowa, counties with the highest concentration of industrialized animal operations had an 8% higher overall cancer rate, and in California, these counties had a 4% higher cancer rate, and this is versus areas with fewer or no industrial animal operations. This research highlighted that those operations release hazardous pollutants into the air and water, including

[03:40:54] ammonia, hydrogen sulfide, particulate matter, and nitrogen-heavy manure waste, all associated with inflammatory conditions that can lead to cancer as well as contaminate groundwater. Because it's costly to transport animal waste, it's usually applied close to the CAFO, and this concentration can leach into our creeks, ponds, streams, and groundwater. Even the Virginia Right to Farm Act does not provide protections against environmental negligence nor water contamination. Although

[03:41:34] Albemarle currently has no county ordinances in place to protect us from these environmental hazards. 48 localities in Virginia currently have ordinances such as groundwater quality, setbacks in minimum acreage, zoning permits, and stream setbacks from land application of animal waste. Please pass a resolution tonight to create an ordinance that protects our community from the environmental impact of these industrial organizations we deserve a better community than

[03:42:12] one where dangerous e coli bacteria and other pollutants leach into our groundwater our wells our streams and ponds and eventually into the James River thank you thank you next is Bartow and Bailey Pleasant is on deck good evening my name is Bartow I'm in Scottsville and I'm here to support strengthening Albemarle County's riparian buffers protection standards by excluding

[03:42:50] intensive confined animal operations including CAFOs and large-scale animal feeding operations from agriculture activity exemption currently allowed within the riparian buffer. The purpose of riparian buffers is to protect water quality, public health, the welfare of current and future residents. These protections are undermined when industrial-scale animal operations are treated the same as traditional agricultural activities. Research has shown that the large confined animal operations can contribute significant to water and air pollution through manure runoff, nutrition

[03:43:28] loading, pathogens such as E. coli, ammonia emissions and other contaminants. These pollutants can enter streams, rivers, groundwater and drinking water supplies, increasing risk to both ecosystems human health. Studies have also linked proximity to these facilities with respiratory problems, auto related impacts, reduced quality of life and other health concerns for nearby residents. In addition these operations are major sources of greenhouse gas emissions and can contribute to

[03:44:02] biodiversity and habitat loss. For these reasons I urge the county to pass a resolution tonight to create a stricter ordinance that would protect our community from an environment impact of intensive

confinement animal operations like many counties in our state have done already. Industrial animal facilities present risks that are fundamentally different scale and impact from traditional farming activities and should be regulated accordingly. Thank you for your time and consideration. Thank you. Bailey Pleasant and Lucia

[03:44:39] Evans Morse is on deck. No Bailey Pleasant here. No? All right move on to lucia evans morse and rob mcginnis is on deck good evening um thank you to the board for allowing me

[03:45:14] to speak this evening my name is lucia evans morse and i live in albemarle county i am asking the albemarle county board of supervisors to pass a resolution wednesday evening tonight to create a stricter ordinance that would protect our community from the environmental impact of consolidated animal feeding operation CAFOs. Multi-million dollar CAFOs have purchased 22,200 acres of land in our county including Liberty Corner. The new owners have been running

[03:45:49] CAFOs south of Harrisonburg and the concern is that they plan to bring these industrialized operations here. There's another 400 acres off of Langhorne where new ownership's planned industrial animal operations as well. The environmental impact of water and air quality is substantial. Property values near CAFOs may plummet considerably due to the detrimental impacts that CAFOs can have on air, water, and land in the nearby areas. The EPA has focused on regulating CAFOs because they generate millions of tons of manure every year. When improperly

[03:46:27] managed, the manure can pose substantial risk to the environment and public health. In order to manage their waste, CAFO operators have developed agricultural wastewater treatment plans. The most common type of facility used in these plans is the anaerobic lagoon.

[03:46:45] It has specifically contributed to environmental and health problems attributed to the CAFO. In closing, my request to the Board of Supervisors is to pass a resolution of intent tonight to create a stricter ordinance that would protect our community from the environmental impact of these industrial operations. Thank you for your time. Thank you. Thank you. Rob McGinnis and

[03:47:12] Joseph Rames is on deck. Good afternoon. My name is Rob McGinnis and I'm here representing the Piedmont Environmental Council. PEC commends the county for moving this work forward and strongly supports adoption of these standards. The repairing buffer protection standards will strengthen water supply watershed protection and climate resiliency for our community and will improve water quality

[03:47:48] increase flood resilience and provide natural habitat and wildlife corridors like some while some community members have raised the issue of whether 100 foot wide riparian buffers are necessary it's important to understand that a 100 foot wide riparian buffer is highly effective it is the standard baseline recommendation for the jesaapeake bay program and other local local jurisdictions. When properly maintained with native vegetation and trees, the honey fruit buffer can filter over 60 percent of pollutants, trap up to 97 percent of sediment, and reduce nitrogen by roughly 80 percent. Importantly, as county staff has stated, the proposed standards do not change

[03:48:27] the width of the current buffers required by the county. Consequently, the proposed buffers do not reduce developable areas in the county. The findings of the county's climate vulnerability risk assessment indicate more frequent and extreme storm events. Prohibiting most buildings and structures from repairing buffers aligns with the county's responsibility to protect public health, safety, and welfare.

Going forward, we encourage the county to allocate staff and resources for implementation of the remaining phase two stream health initiative proposals in accordance with the AC-44 COMP plan objectives and action items.

[03:49:04] And I would add, PEC strongly supports future resolutions of intent for biosolids land applications, as well as CAFOs. Thank you. Thank you. Mr. Rams, I'm sorry if I'm mispronouncing your last name.

[03:49:21] That's good enough. Cole Dickerson is on deck. Joseph Rams, I'm from the Samuel Miller District, so I'm here representing the NHC, the Natural Heritage Commission Committee. I'm reading a statement that we voted on and approved.

[03:49:37] On behalf of the NHC, I am reiterating the NHC's strong support for the draft repairing and buffer protection standards currently under consideration by the board at its June 17th public hearing. The NHC acknowledges and commends the substantial effort and dedication demonstrated by the county staff in preparing the draft ordinance.

[03:49:59] The NHC applauds the county's commitment to advancing this ordinance as an important step toward strengthening watershed protection and enhancing climate resiliency. Repairing and buffers play a crucial role in bolstering flood resiliency, safeguarding water quality, and maintaining natural habitats and wildlife corridors throughout the county.

[03:50:21] The NHC expresses its strong support for the adoption of these standards. While the proposed measures may not address every possible impact or land use scenario, they represent significant and meaningful progress. We appreciate the incremental improvements these standards will bring, contributing to the increased protection of the county's vital water resources.

[03:50:43] The NHC encourages the county to allocate sufficient staff resources to ensure effective enforcement of the repairing and buffer protection standards. The effectiveness and impact of these regulations depend greatly on their enforceability, which requires sustained and dedicated staffing.

[03:51:02] In addition, public education and community outreach will be key to helping landowners understand and appreciate the standards. The NHC also supports continued progress on other proposals within the Stream Health Initiative that have received board endorsement.

[03:51:20] Specifically, Proposal 6, Land Conservation for Water Quality, and Proposal 7, Riparian Conservation Assistance Program, would provide further and permanent protection for riparian buffers. Thank you for the opportunity to provide the NAC's comments.

[03:51:38] We look forward to continuing our advisory role to the Board of Supervisors regarding protection of the county's natural resources. Thank you, gentlemen and ladies. Thank you. Next is Cole Dickerson, and Paula Beasley is on deck.

[03:51:55] First, I want to thank the Board of Supervisors for the opportunity to comment tonight, and also to Admiral County staff for working to improve these standards. Sounds like it's been a long process, so we appreciate your work.

[03:52:11] My name is Cole Dickerson. I am here to share my concerns about the possibility of a significant number of poultry houses coming into southern Admiral County. I also want to ask the board to

be proactive to ensure the health and safety of Admiral County citizens with regard to these poultry houses.

[03:52:30] I'm a community member, but I also work at an organization that specializes in supporting communities that are impacted by industrial livestock facilities. I work on the water side of things. And when I read these updated standards, we've noted that industrial livestock operations would be exempt.

[03:52:48] My concern here is that a poultry facility operator could remove part or all of a riparian buffer to increase the amount on a field that they could spread waste on. That would be a significant problem. It would increase the amount of waste application in a defined area.

[03:53:06] It would decrease the filtration capacity of a riparian buffer. So I think we can do something about this. We've mentioned the right to farm law in Virginia that limits regulatory actions localities can take, but there is specific language that allows localities to adopt zoning ordinances for agriculture when the restrictions support public health. That's the case here. So one of the most important things the county can do is adopt a clear and comprehensive ordinance that's focused specifically on industrial livestock operations. I've worked with a lot of communities that didn't take proactive action before facilities came in, and they regret it. It's a really important step

[03:53:46] to take and in specific regard to the riparian buffer protection standards their purpose as noted is to protect water quality stream health wildlife habitat and drinking water sources if these buffers are essential to protecting water quality then the county should ensure that all significant land uses including industrial agriculture they're subject to the same standards and i think this question was answered but i wanted to enter it into the record how's the county evaluated if this riparian buffer ordinance provides adequate protection for residents from industrial livestock operations that may alter riparian buffers and cause negative impacts

[03:54:24] sounds like the answer is no i think that should be something that's considered and possibly changed in this ordinance thank you thank you and last name on the list is paula beasley my name is paula beasley i'm an esmont resident in samuel nolar district and i fully support adoption of proposed riparian buffer protection standards and commend staff non-profits residents the planning commission and board members for their incredible effort and work entailed in this draft

[03:55:00] it's a great effort however um as we have you've heard from the prior uh speakers consistent with the objectives of the riparian buffer protection standard there are two actions that we are requesting of the board tonight first is to create a text amendment to these standards that would eliminate the exemption from agricultural the agricultural exemption that is enjoyed in these

[03:55:31] standards and eliminate it for intensive confined animal operations which require larger setbacks And they are a leader in water and air pollution, which has dangerous negative impacts on public health, safety, and welfare due to contaminated and diminished water quality, air contamination, antibiotic resistance, disease, diet-related health issues, noise, light, pollution, and noxious odors, where regulations protecting residents are not present.

[03:56:06] Secondly, we would ask that you do pass a resolution of intent to create an ordinance that deals directly with these issues. Studies show nearby residents have increased risk of mortality, specifically due to cardiovascular and cancer mortality, respiratory outcomes such as allergies and asthma, including

chest tightness, wheezing, coughing, nausea, fainting, headache, eye irritation, sore throat, diarrhea, and burning eyes.

[03:56:35] Newer contaminants can leach off and run into groundwater surface water bodies, water supply systems, and ecosystems, maintaining harmful pathogens, bacteria, and fecal contamination, and heavy metal, among others. Acres surrounding these operations are used for newer application and may exceed the soil's nutrient needs, so this application is not for fertilizer but waste disposal.

[03:56:59] These are largely unregulated, however, we do have an ability to create an ordinance. At a minimum, until the ordinance is adopted, these buffer setbacks and setbacks should be applicable to intensive, confined animal operations.

[03:57:19] We appreciate all that the Board has done and believe that such an ordinance would be consistent with the many objectives that we have had over the 30-some years that I have lived here, which includes um uh not over only support of um tourism vintage equine and other agricultural but buy fresh buy local etc thank you so much for your attention thank you that concludes our list and we do a last call just for the one we missed just in case last call for bailey pleasant all

[03:57:55] right uh we will close the public hearing the matter is back before the board for additional questions and or comments. Supervisor Missal. Sure. Thanks. So I'm going to kind of divide my comments into two areas. The first is the ordinance that's before us tonight. And then the other is to speak to some of the meetings that I've had about this issue that we heard from some of the public and how we might think about advancing some of that, some of those

[03:58:33] concerns so to begin with i fully support the standards as presented i think um there will be so these are my comments number one is i think that mowed lawn area is going to be confusing to some folks um i think about people who live along stream beds and wondering are all of this am i all of a sudden in non-compliance because i've been mowing my lawn i think there needs to be some clarification i'm okay with it remaining as a mode long but um which not all our my colleagues might agree with but that's my sense i just think we need to clarify that there may be

[03:59:13] some confusion there i also want to echo sort of some of the maybe some some of the questions or some of the thoughts that i had at the very beginning which is education we heard that from some of our um i'd like to consider active and managed education programs and what they look like whether that's pointing people on our website to resources or i don't know somehow enabling communication with the community and educational opportunities with the community you all are really good at that and i'm sure you'll have some good ideas there we talked about invasive

[03:59:52] and removal of those in higher creating high erosion i'm still a little i'm a little unclear as to how that's all going to be managed doesn't need to be clarified tonight but if i'm unclear i imagine others will be as well and i think we just need to be ready to address that if and when that comes up and you may already be being in that position i'm just not fully understanding it one of my largest areas of concern is sort of monitoring these and how we monitor those and ongoing enforcement and the resources that that would take by the county and how those

[04:00:31] resources are allocated appropriately and effectively. So I would want us to consider and focus on those. There may be situations where some of those sort of bounce back to the communication, I guess, or the education, where there may be the need to establish a more stable resource protection area,

and it's going to cost money. And so people who are in that position might want to know about grant opportunities, if there are any, to help offset some of those

[04:01:09] additional costs if we're incurring that. I think that probably hits the highlights from that side of my comment list. The other side of my comment list is, I'll just kind of hope this doesn't sound too scripted, but when I ran for this position, one of the areas that I was focused on was environmental stewardship. And that remains a key issue for me, and not just in the rural areas, but also in the development areas. And part of the reason why I'm supportive

[04:01:44] of this is because it doesn't impact development opportunities or development restrictions in the development areas we heard. And so the other part of my focus is if I'm going to say we need to protect our rural areas, we need to maximize development in our development areas, obviously.

[04:02:00] So I also think that we spend a lot of our, I don't want to say a lot, that's a generalization, but much of our work ends up being reactive. And I think we're in a position now where industrial agricultural activities are a looming reality in this area and I think and I would ask and I don't know exactly how we go about this um I would look for counsel on that maybe not tonight but in the near future as to how we um go about taking the time because I think we owe it to our constituents

[04:02:38] to our to our community you know especially in light of the focus that this ordinance is on water quality. It's on drinking water impacts, which, you know, obviously our watersheds are a huge source of drinking water. And I think we owe it to this community to study the impacts of the industrial agricultural facilities and what that will bring to this area. You know, in my mind, there's no question that if we don't do this, if we don't do that

[04:03:12] added study following adoption of this ordinance, in my mind, we will regret it. And we will look back and say we should have tackled this thing sooner so I would just encourage us to to do that I'm not sure again exactly what that looks like but I would stress haste on this that it's something that we need to focus on and we need to do it quickly you know the the idea that 48 other communities or localities have I have ordinances in place to help with CAFOs and other industrial

[04:03:46] activities you know it's I think it's it's eye-opening to me it was when I learned this I didn't realize this I learned this a few days ago I think you know it's a it's a critically important thing in my mind um and so um I'll leave it there I think I've stressed that enough um but those are my comments supervisor duntun no comments supervisor malik thank you very much um I absolutely support where we are so far and I think this is a big step forward and I thank all staff who have gotten us here today and the citizens who have been working on this since 2014

[04:04:24] and so here we are including you the um but I am still struck by some gaps we have that I hope we will close one of them may be incentive-based based adding to what supervisor missus said there's a cap funding through zone water conservation district that may help to support landowners who would like to make a transition from that mown grass, which mown grass at two inches is no erosion control at all, even on a flat piece of property. So if we're concerned at

[04:04:59] all about erosion control and runoff control, then moving these transitions is really, really important. And I will remind everybody that last year, seven inches of rain in Upper Beck's Elbow turned a stream that was normally 12 inches wide into a 50-acre, 5-foot-deep killing lake, and it took an hour. So we

do have to understand the reality of these kinds of events and know that none of us is safe and none of us could do anything about water if it decides to come there.

[04:05:29] All we have to do is be out of the way with our grills and our lawn chairs and our picnic tables and everything else that we have tried to keep out of the buffers for 20 years in Albemarle. So I appreciate all the work our predecessors have done, for sure. I still have concerns about the whole process so far.

[04:05:48] Hopefully, we'll evolve swiftly with more detail procedurally for the invasives removal because I worry that this is going to be the next end run that developers will use or others will use to just say, I want to do this, and so I'm going to just call it invasives and bulldoze it all down on a Sunday afternoon.

[04:06:06] And unfortunately, it's happened too many times in the Whitehall District, even without consideration of this ordinance. So I'm predicting that it will continue, and the sooner we can get a handle on it, the better. As others have said, environmental stewardship is essential.

[04:06:24] I'm the fourth generation on our land, and our predecessors worked long and hard over 75 years, to my knowledge, to keep us where we are right now. And so I think it's our generation's time to continue to improve the process.

[04:06:43] And I look forward to that. I support also, it's not, I will say this after the vote, but since that'll be harder, so I'll just say it now. I do support the resolution of intent to consider how other counties in Virginia have already regulated legally for the protection of their residents regarding industrial agriculture and the impacts it has.

[04:07:05] And I do want to learn more about that as well. According to reporting from people who are in Rockingham and Augusta, highly agricultural and highly conservative governance counties in Virginia, they consider their regulations much, much stronger than Albemarle is today.

[04:07:25] And they predict that is why people are coming here, because they want to get away from the rules that they have where they are. So we need to understand that we have lots to learn. We've been in blissful ignorance about this. Certainly I was.

[04:07:41] So we have a lot to learn, and that's what makes life interesting is continuing to learn. But I will be supporting this, and I thank everybody for their work. Thank you very much. All right. So I don't have a whole lot to add.

[04:07:57] I think a lot of the questions and comments that have been made have covered the gamut. I mean, this has been something that I've been on the board for as it's tracked its way to tonight. I think the most important part is striking the balance between what we're trying to accomplish in maintaining stream health.

[04:08:15] I do believe that's important. Specific in the development areas, I don't want it to end up then having ways that end up competing with other priorities that we have to do that add to costs for already over cost burdened housing supply.

[04:08:35] And it's something that we'll have to contend with, and that's something I'll be watching to see how this decision moves that forward. But in any case, I'll be supporting this resolution and the ordinance that's in front of us tonight for the public hearing.

[04:08:50] I will add, as my other set or column of comments, I had two meetings yesterday, two completely different issues and nothing to do with this issue. And the folks were looking at me and going,

what would it take to do this? And I'm like, well, it takes staff. It takes more people.

[04:09:07] and like our budget that we just passed added three police officers but the net fte increase was only 0.7 because we had found other positions to eliminate through our business plan optimization workforce optimization so that we didn't have to add in those staff positions and i'm reminded of what mr richardson awful often will tell us we you can do anything you want you just can't do everything you want well you know as we talk about resolutions of intent for anything it's not a comment or a stance on the issue it's like yeah we could consider that it's just going to bump something else down the list well don't bump things down the list well now we have to add

[04:09:45] staff to do the work and it's anywhere from 100 to 115 thousand dollars on the low end of starting salaries in our in our county to pay for the salary and the benefits that come along with the position, to add a FTE. And we contend with that every single budget. So just to do the things that are already on the books, we have often said that it's reliant on a complaint process that's out there. Well, why don't you have somebody that goes out and inspects it and does it? Well, because we don't. We need to hire that person if we wanted to do that. And just this alone would probably be

[04:10:23] a position or two. For the new one that you talked about, maybe for the planning and for the inspection and it would be a few more. Not to mention the fact that we have all these other departments to handle. Now, my point to the folks I met with yesterday was like, well, we might have had capacity to add those staff positions, but over the last five years, we just had to hire 100 fire positions that we haven't paid the full tab on because they've been partially grant funded as we ease them in, and we will be taking the full cost on. We didn't ask for those positions or add those positions because we wanted to, the volunteerism in the rural area has declined where the choice

[04:11:01] was don't provide service or put paid positions out there. And that has to be realized when we're talking about, well, why can't we get more things done in the work plan or why can't we get these other type of zoning inspections or things done? Well, if we had those 90 positions still in volunteer positions out in the county, yeah, I suspect we would have added a lot of these type of positions now i'm just putting that into context because that's the reality of what we have to contend with so anytime that we talk about adding a resolution of intent for x y or z we have to contend with the list that just came up earlier relative to the house bill that's

[04:11:41] somewhat related to this and it'll be back before us in july and if the board's will is to bump other things down and this is more important so be it and then we would have to contend with next budget cycle looking at all right well if we need to add 10 positions into community development it's going to be to the tune of one 1.2 million dollars which is just short of a half a cent on the tax rate to pay for that so those are things that we always have to be mindful of and i say all of that here in front of folks who are speaking in support of something not to say that i'm not wouldn't agree or don't agree with you but it's a reality that we have to confront and it's easy

[04:12:19] to agree with things void of all the other things and which was my point with the constituents yesterday so it's a matter of saying well what's the highest priority right now and we just have to deal with that and then folks have a chance to come out following proper process to say why they think a particular issue is a higher priority than something else that may be on the list and then we see where the board follows so appreciate give me a little chance to just provide some comments on it. But I think that's a thing

that we all must keep in mind as we deal with every issue that comes before the board that may not be on the books yet from a staffing

[04:12:57] perspective. With that being said, are there any additional questions or comments? Then we will, I'm sorry, you said one? Okay, I thought you said I have none. You said I have one. Never have just none. Just in support of the quality of life of the development area residents who often have a much harder time getting access to greenways and grass and trees, buffers are a great place for those things. And so it is not, in my mind, an either or because having greenways and paths and buffers around through the neighborhoods

[04:13:35] is very beneficial for the people who live there leading that. The other thing to jump forward to is one of the biggest concerns that I hear from residents all different topics is enforcement of the rules that we have. And for years and years, we have not adopted things to my great fury because some people didn't want to spend any money to hire somebody to do it. We are absolutely back now to hiring where we need it, and that's really important. But as we see, I'm very concerned and that people will see, well, they're not following the rules and, you know, why should I

[04:14:14] at great expense? So we need to keep enforcement in mind and know that it's important. Last thing is over the last 30 years, there has been tremendous progress worked on in this county where the beginning jumpstart research, a lot of work that helps staff get years of advancement is with citizen groups. And there's sort of been a lull in that in the last five or eight years, But our residents have a huge amount to offer, and we need to invite them to share what they've learned, the work they're doing, encourage them to do their work and to share it so that we can make even more progress than we can do on our own.

[04:14:52] And I thank you. All right. Looking for a motion. This would be... I got it. Oh, there it is. Okay. I move to adopt the ordinances included as attachments D, E, F, and G with the change to draft section 4.23.7A recommended by staff.

[04:15:08] Could I just clarify that the change to draft section 4.23.7a is actually, yes, the revised Exhibit G that's in the yellow sheet. As shown in the yellow sheet at your place. Second. All right. Is there any further discussion?

[04:15:24] The clerk will please call the roll. Ms. Duncan? Yes. Mr. Galloway? Yes. Ms. Mallick? Yes. Mr. Missel? Yes. Very good. The motion carries 4-0. Thank you, Frank. Thank you, Scott. Thank you, Bart. Lisa. Thank you. And I'm glad you got your new title right when you introduced yourself.

[04:15:41] That was great. Good first. And thank you to all those who came out to give public comment and or listen in this evening. All right, board, we did from the board committee report, so we're going to quickly move to adjourn. I'm just going to quickly look to my left or right.

[04:15:57] Are there any other items that we need to bring up? All right. So without objection, then, we will adjourn to July 15th, 2026, 1 p.m. here in Lane Auditorium. Thank you.



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