

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Fluvanna County Library, 214 Commons Blvd.
Palmyra, VA 22963
May 5, 2021
Regular Meeting 4:00pm**

MEMBERS PRESENT:

John M. (Mike) Sheridan, Columbia District, Chair
Tony O'Brien, Rivanna District, Vice Chair (*entered the meeting at 4:06pm*)
Mozell Booker, Fork Union District
Patricia Eager, Palmyra District
Donald W. Weaver, Cunningham District

ABSENT:

None.

ALSO PRESENT:

Eric M. Dahl, County Administrator
Kelly Belanger Harris, Assistant County Administrator
Fred Payne, County Attorney
Caitlin Solis, Clerk for the Board of Supervisors

1 - CALL TO ORDER, PLEDGE OF ALLEGIANCE, & MOMENT OF SILENCE

At 4:04pm, Chair Sheridan called to order the Regular Meeting of May 5, 2021.
After the recitation of the Pledge of Allegiance, a moment of silence was observed.

3 - ADOPTION OF AGENDA

MOTION:	Accept the Agenda, for the May 5, 2021 Regular Meeting of the Board of Supervisors.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second				Motion
VOTE:	Yes	Yes	Absent	Yes	Yes
RESULT:	4-0				

4 - COUNTY ADMINISTRATOR'S REPORT

Mr. Dahl reported on the following topics:

EARTH DAY HAZARDOUS WASTE & TIRE COLLECTION

- Event was held on April 24 at Pleasant Grove Park from 10am - 2pm, tire collection 10am - 12pm but we accepted them until 2pm.
- Estimated 300-350 vehicles dropped off hazardous waste.
- Parks and Recreation had budgeted \$22,000 for hazardous waste and \$2,200 for tire collection.
- BOS kindly extended the allotted money in order to stay open and collect from anyone whom dropped off hazardous waste until 2pm.
- Total money spent on Hazardous Waste Collection was ~\$32,000.
- Thanks to Jacob Lawrence, Wayne Bates, Seth Aldridge & Bruce Anderson from Public Works for helping with the event. Also, thanks to the Parks and Recreation department for your work as well!

Pleasant Grove Park Carnival

- May 5th-8th and May 12th-15th
 - Wed & Thurs 6pm to 10pm
 - Fri 5pm to 10pm
 - Sat 10am to 3pm & 5pm to 10pm
- Free Entry & Free Parking
- Rides: \$15 armbands or \$1 per ticket
- Ages 5 and over must wear a face mask at all times
- For Questions, call Dylan Morris at (434) 589-2016 or dmorris@fluvannacounty.org

Spotlight on Business**Small Business Week 2021**

- Fluvanna will celebrate Small Business Week May 2-8.
- Postcards are going to all listed businesses on BuyFromFluvanna.org.
- FromFluvanna.org/SBW will have resources for residents and businesses alike.

Next BOS Meetings:

Day	Date	Time	Purpose	Location
Wed	May 19	7:00 PM	BOS Regular Meeting	Library

Wed	Jun 2	4:00 PM	BOS Regular Meeting	Library
Wed	Jun 16	7:00 PM	BOS Regular Meeting	Library

5 - PUBLIC COMMENTS #1

At 4:10pm, Chair Sheridan opened the first round of Public Comments.

- Patricia Johnson, 317 Shannon Hill Road, thanked Mrs. Booker for her role in saving the Rosenwald School and the preservation of the history and presented her with the new Historical Society publication of The Rosenwald School.
- Kelsey Cowger, 60 Woodlawn Drive, commented on Mr. Weaver's comments during the April 21, 2021 meeting towards Mrs. Booker and suggested the Board attend inclusivity training.
- Millie Fife, 889 Jefferson Drive, sent comments to be read during public comments. Her comments are attached to the minutes.
- Perrie Johnson, 229 Pine Lane, sent comments to be read during public comments. Her comments are attached to the minutes.
- With no one else wishing to speak, Chair Sheridan closed the first round of Public Comments at 4:24pm.

6 - PUBLIC HEARING

None.

7 - ACTION MATTERS

Regional Cigarette Tax Board – Resolution of Interest – Eric Dahl, County Administrator
New Local Taxing Authority

- Cigarette Tax
 - Legislation was passed in the 2020 General Assembly session authorizing counties to levy cigarette taxes at a maximum rate of 40 cents per pack, beginning July 1, 2021
 - Much work is still be done on this issue and there are discussions of the cigarette tax being administered on a regional basis.
 - Preliminary conservative estimates show this tax could generate \$150K-\$200K annually.

Resolution of Interest

- The Thomas Jefferson Planning District Commission (TJPDC) would like to gauge interest from localities both within and outside of the TJPDC boundaries in establishing and participating in a regional cigarette tax board.
- In recent months, TJPDC staff have held several informational meetings with its members about the possibility and feasibility of establishing a regional entity to administer this tax on behalf of its localities.
- Such a regional board likely would be modeled on the Northern Virginia Cigarette Tax Board that serves 19 localities in that part of the state.
- Knowing the number of localities that may be interested will better inform our efforts to plan and shape what such a board might look like and how it would function, as well as projected local revenues and expenses.
- TJPDC seeks input from localities by the end of May 2021.

MOTION:	Adopt a Resolution in Participating in Regional Cigarette Tax Administration, as presented.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Motion	Second			
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Proclaiming May Community Action Month – Michael Onorio, Americorp Volunteer, MACAA

- Ms. Catherine Fae from MACAA presented the Proclamation for adoption.

MOTION:	Approve the Proclamation, "Proclaiming May 2021 Community Action Month," as presented.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Motion	Second			
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Purchase of Fluvanna TMP 51-A-138 and 51-A-139 – Eric M. Dahl, County Administrator

County owned parcels in Fork Union

- The County owns property in Fork Union. The original two parcels include the Fork Union Fire Department and the Fluvanna Community Center.
- In 2019, the County purchased TMP 51-A-130, the southern, long parcel.



Wells Properties

- The Wells Properties are two adjacent parcels, near the rear of the Fork Union Property.
- TMP 51-A-138 is 15 acres.
TMP 51-A-139 is 10 acres.
- These parcels are part of our site characterization of the Fork Union Property and future business park.



MOTION:	Approve acceptance of the deeds of conveyance of Fluvanna tax map parcels 51-A-138 for \$27,000.00 and 51-A-139 for \$18,000.00 from Henry D. Wells and others, subject to approval of the form of all documents by the County Attorney. I further move to authorize the County Administrator to execute the deeds to evidence such acceptance and to authorize such actions and execute any other documents he deems necessary or appropriate in connection with the purchase, all containing such terms as may be approved by the County Administrator.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second		Motion		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

MOTION:	Approve a supplemental appropriation of \$30,000.00 from the Unassigned Fund Balance for the purchase of Fork Union parcels 51 A 138 and 51 A 139.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:		Second			Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

7A – BOARDS AND COMMISSIONS

MOTION:	Move the Board of Supervisors approve the following Board, Commission, or Committee appointment(s): - JAUNT Board – Fluvanna County Representative, Pamela Bevins, Term May 5, 2021, through June 30, 2022.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:		Eager	Motion		
VOTE:	No	Yes	Yes	Yes	Yes
RESULT:	4-1				

MOTION:	Move the Board of Supervisors approve the following Board, Commission, or Committee appointment(s): - Parks and Recreation Advisory Board (RAB) – At-large Position, Jon Bishop Larson, term May 5, 2021, through June 30, 2022. - Agricultural-Forestal District Advisory Council – Land Use Position, Marc L. Imhoff, Term May 5, 2021 through July 31, 2024.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:		Eager	Motion		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

8 - PRESENTATIONS

Colonial Circle – Coves at Monticello Affordable Workforce Housing – Eric Dahl, County Administrator or Douglas Miles, Director of Community Development

Conceptual Site Plan



Project Summary

- 124 garden-style apartment units
 - o 92 2-bedroom units
 - o 32 3-bedroom units
- Community Building with leasing office, community meeting room, fitness center
- Maintenance Building
- 42 units will be reserved for households with incomes no more than 50 % of the Area Median Income.
- 44 units will be reserved for households with incomes no more than 60 % of the Area Median Income.
- 38 units will be reserved for households with incomes no more than 70 % of the Area Median Income.

Area Median Income

[Fluvanna County](#)

MSA: Charlottesville, VA HUD Metro FMR Area

Median Income: \$93,900.00

Percentage	One	Two	Three	Four
30%	\$19,750.00	\$22,550.00	\$25,350.00	\$28,150.00
40%	\$26,320.00	\$30,080.00	\$33,840.00	\$37,560.00
50%	\$32,900.00	\$37,600.00	\$42,300.00	\$46,950.00
60%	\$39,480.00	\$45,120.00	\$50,760.00	\$56,340.00
80%	\$52,600.00	\$60,100.00	\$67,600.00	\$75,100.00

Target Workforce Population

The following is a sample of local employees who would qualify for the affordable workforce housing:

Job Title	Annual Wages	Source
DSS Human Services Asst	\$25,904	Fluvanna County Jobs
Deputy Sheriff @\$17/hr	\$35,360	Fluvanna County Jobs
911 Communications Officer @15.50/hr	\$32,240	Fluvanna County Jobs
1 st Year Teacher	\$46,000	Fluvanna County Public Schools Salary Scale
Maintenance(Tier 1)	\$33,500	Fluvanna County Public Schools Salary Scale
School Nurse	\$31,500	Fluvanna County Public Schools Salary Scale
Corrections Officer	\$33,394	Fluvanna Correctional Center



Zoning

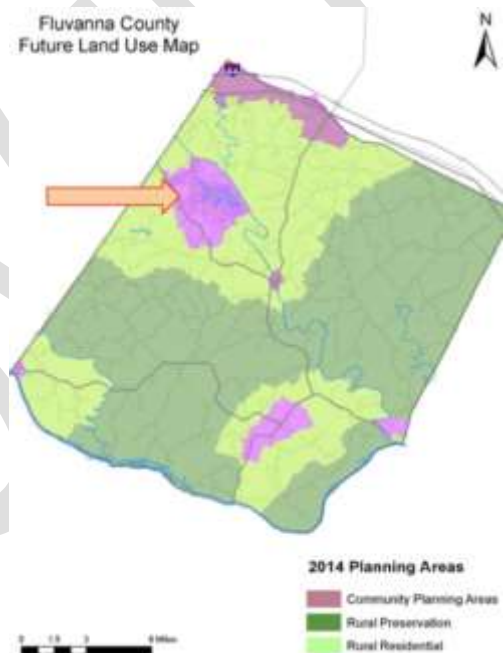
- This project is a part of the Colonial Circle R-3 Residential Planned Community located on Tax Map 8-A-A14A
- In June 2020, the Fluvanna County Board of Supervisors approved the rezoning to RPC (Residential Planned Community) with a Special Use Permit, which allows up to 325 units within the R-3 mixed-use project.

Comprehensive Plan Map

- Development located in the Rivanna Community Planning Area, a designated growth area in the Palmyra District.

Comprehensive Plan

- The Comprehensive Plan encourages affordable housing for the Rivanna CPA. Chapter 2, pages 51, 54
- "To remain sustainable and livable, the community needs diverse and affordable housing. Affordable housing serves homes making 80 percent or less of the area median income (AMI)." Executive summary, page 6
- The Comprehensive Plan specifically highlights that "partnerships are critical to the effective provision of affordable housing....Local government action in collaboration with developers...makes for stronger, more cohesive, and more sustainable housing programs." Chapter 8, page 121
- Community Development, Planning Commission, and Staff are tasked with the ongoing work to "offer incentives for building mixed-income housing, with an emphasis of workforce and affordable housing, in the community planning areas to maximize the use of existing transportation corridors, creating the level of density needed for attracting mixed-use development and creating vibrant, diverse, and healthy neighborhoods." Goals and Strategies, page 161



Project Summary

- Total Development Costs: \$21,082,000
- Low Income Housing Tax Credit (LIHTC) Reservation Application submitted to VHDA for 4% tax-exempt bond financing.
- Green certification through National Green Building Standard.
- Located in Difficult to Develop Area (2020).
- Single-purpose entity: Monticello Coves Realty Partners LP. General Partner: Monticello Coves Apartments LLC.
- Managed by Park Properties Management Co., a VHDA Certified Management Agent.

Financial Incentive/Performance Agreement

15-year Financial Incentive to provide Affordable Workforce Housing through a Performance Agreement:

Project pays full amount of assessed taxes after *pro rata* increase in years 16-20.

County provides Financial Incentive (difference between taxes based on estimated value at stabilization and current valuation) to Project.

Similar Performance Agreements have been a widely accepted resource in partnering with localities to meet workforce-housing needs.

30-year Extended Use Agreement to keep Project affordable.

Deed restriction runs with the land.

As-Is	Completion with Performance Agreement		Difference	
Current valuation	\$1,500,000	Estimated value at stabilization	\$12,276,000	\$10,776,000
Current taxes	\$13,875	Estimated taxes at stabilization	\$113,553	\$99,678
Total Taxes Years 1-30	\$416,250	Total Taxes Years 1-30	\$1,684,314	\$1,268,064

Financial Incentive Calculations:
Real Estate Taxes Only

Additional Economic Impacts

Initial Effect

- Jobs created by the construction
- Real Estate Taxes
- Water & Sewer/ Utilities Fees
- Personal Property Taxes
- Permits

Ripple Effect

- Local income from Initial Effects spent on other local goods and services.
- Generates income, which is spent on more locally produced goods and services.

Stabilized Effect

- Provides housing to support local jobs
- Income & taxes generated as a result of the project being occupied.

Economic Impact for 124 new multifamily units in Fluvanna County

Estimated Construction Cost**: \$21,082,000.00

Economic Impact***			
Short Term		Long Term	
Estimated Job Creation:	283.38	Estimated Jobs Supported:	10.59
Estimated Gross Fiscal Revenues:	\$874,912.48	Estimated Gross Fiscal Revenues:	\$327,180.48
Estimated Local Economic Growth:	\$18,657,570.00	Estimated Local Economic Growth:	\$1,310,600.49

The conclusions demonstrate the jobs created and supported while exhibiting positive fiscal attributes to the County.

- After a lengthy discussion, the Board of Supervisors asked Pinnacle Construction to provide other performance agreement options to review at a later date.

Sheriff's Office Training Summary– Major David Wells, Sheriff Eric Hess

Types of Training

- Basic Academy
- Field Training
- In-Service
- Roll Call
- On The Job

State Regulation

- Law Enforcement Officers are regulated by the Virginia Department of Criminal Justice Services
- The Virginia Department of Criminal Justice Services (DCJS), Division of Law Enforcement has multi-faceted responsibilities including oversight and management of training standards and regulations for the criminal justice community. We offer various types of training classes and seminars to assist our public safety professionals who are on the front lines keeping our citizens, visitors and property safe here in the Commonwealth. The Division is dedicated to enhancing public safety and improving criminal justice.

Basic Academy

- 22 weeks at the Regional Academy
- Minimum Compulsory Training Standards
 - Topics mandated by DCJS
 - Professionalism
 - Legal Issues
 - Communication
 - Patrol
 - Investigations
 - Defensive Tactics/Use of Force
 - Driver Training
 - Physical Training
 - Weapons

Initial Certification

- Must complete and pass the basic academy
- Must pass the state Law Enforcement Certification Exam
- Must complete and pass Field Training (New recruits complete 284 hours, 184 hours above state minimum)

In-service training

- To maintain certification must completed a minimum of 40 hours every 2 years of DCJS approved training
 - Career Development – 34hrs
 - Cultural Diversity – 2hrs
 - Legal Updates – 4hrs
 - Must pass DCJS approved firearms training annually

In-House Training

In addition to the minimum requirements, we routinely conduct in-house trainings. Examples:

- Roll-call trainings
 - Weekly mini training sessions
- In-house training team of senior deputies and DCJS certified instructors
- CPR/First Aid
- Legal Updates
- Search & Seizure
- Implicit biased
- Investigative techniques
- Crimes against children
 - Partner with DSS
- Domestic Violence
 - Partner with the Shelter For Help In Emergency

Use of Force

- Annual use of force/defensive tactics training
- Case law review – Force is a 4th Amendment seizure , 8th and 14th Amendment concerns
- Training topics
 - De-Escalation
 - Hands-On
 - OC
 - TASER
 - Baton
 - Impact
 - Dynamic firearms

Specialized Training

- Crisis Intervention Training
- Child abuse
- Domestic Violence
- De-escalation
- DUI Testing and enforcement
- Computer Crime
- Criminal Investigations
- Death Investigation
- Arson
- Leadership

On the job

- Every call is different
- Evaluate and review reports and body-cam
- After action reviews
- Case law changes all time
-
- Web based training
- Place newer deputies on shifts with senior deputies
- Mentorship

Challenges

- Law Enforcement is a broad profession
- People want us to be experts in:
 - Psychology and Human Behavior
 - Navy Seal level marksmen and fighters
 - Criminal Law
 - Forensic Specialist
 - Computer Scientist
 - Social Work
 - NASCAR level driving skill
 - Fortune telling
- All while providing 24/7 coverage & without running up overtime cost

How we respond to the challenges

- Team Concepts
 - Diverse skill-set shifts
 - Focus each deputy's strength and try to improve the weakness
- Emphasis on community engagement and empathy
- Consistent self-examination
- Continual training review and updates
- Habitual legal updates and policy review
- Understanding that we are human, focus on deputy wellness

Trends, law changes, & unfunded mandates

- Increase in unfunded state mandates that could have significant budget implications
- Increase DCJS minimum in-service
- New, yet unknown training mandates from DCJS
- MARCUS Alert (stands for mental health awareness response and community understanding services) requires creation, staffing, and training of special designated teams. The state is still establishing the process and protocols
- Focus on use of force and de-escalation
- All will result in additional training dollars, staffing, and equipment

9 - CONSENT AGENDA

The following items were approved under the Consent Agenda for May 5, 2021:

- *Minutes of April 21, 2021* – Caitlin Solis, Clerk to the Board of Supervisors
- *Resolution Recognizing Matthew Covington Gresham - Eagle Scout* – Caitlin Solis, Clerk to the Board of Supervisors
- *FY21 DEQ ZXR West Waterline Supplemental Appropriation* – Liz McIver, Management Analyst
- *ZXR Construction Services PA#8* – Cyndi Toler, Purchasing Officer
- *AG Dillard Change Order # 6* – Cyndi Toler, Purchasing Officer
- *Adams Creek Agricultural/Forestral District Review and Renewal* – Jason Overstreet, Senior Planner

MOTION:	Approve the consent agenda, for the May 5, 2021 Board of Supervisors meeting.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:		Second			Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

10 - UNFINISHED BUSINESS

Redistricting 2021 Update – Eric Dahl, County Administrator

Kelly Harris updated the Board on the Census update releasing the total population data for all states for apportionment purposes for Senate seats. No county data was released.

- Mrs. Booker thanked the community for the support with changing the word “death” to “murder” on Resolution 19-2020. She suggested the resolution be left as is since it referenced two separate instances, one of which has not gone to trial. She asked for closure on the subject; and to move forward focusing on the other paragraphs in the resolution to bring the community together.
- Mr. O'Brien Suggested the staff and Board of Supervisors take bias training to help inclusivity in our local government.

11 - NEW BUSINESS

- Mrs. Eager mentioned a citizen living on Rt. 600 that contacted her for help regarding the loud noise made by trucks traveling Rt. 600. Unfortunately, there is nothing the Board can do to prevent the trucks from traveling the road.
- Mrs. Booker mentioned a presentation Sheriff Hess is giving to the NAACP on May 12, 2021.
- Mr. O'Brien brought up a citizen across the road from Tractor Supply complaining about the light pollution produced by the new store.

12 - PUBLIC COMMENTS #2

At 7:40pm, Chair Sheridan opened the second round of Public Comments.

- Sharron C. Harris, 9 Pineknoll Circle, sent comments to be read during public comments. Her comments are attached to the minutes.
- Jenifer Richardson, 12 Hardwood Road, sent comments to be read during public comments. Her comments are attached to the minutes.

With no one else wishing to speak, Chair Sheridan closed the second round of Public Comments at 7:50pm.

MOTION TO EXTEND

- *At 7:51pm, a motion was made to extend the Board of Supervisors meeting.*

MOTION:	Approve a motion to extend the May 5, 2021 Regular Board of Supervisors meeting to 9:00pm.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second				Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

13 - CLOSED MEETING

MOTION:	At 7:51pm, move the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.3, A.6 & A.8 of the Code of Virginia, 1950, as amended, for the purpose of discussing Real Estate, Investment of Funds and Legal Matters.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second		Motion		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

MOTION:	At 8:31pm, move Closed Meeting be adjourned and the Fluvanna County Board of Supervisors convene again in open session and "BE IT RESOLVED, the Board of Supervisors does hereby certify to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under Section 2.2-3711-A of the Code of Virginia, 1950, as amended, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting."				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:			Motion		Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

14 - ADJOURN

MOTION:	Adjourn the regular meeting of Wednesday, May 5, 2021 at 8:32pm.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second				Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

 Caitlin Solis
 Clerk to the Board

 John M. Sheridan
 Chair



BOARD OF SUPERVISORS
 County of Fluvanna
 Palmyra, Virginia

RESOLUTION No. 12-2021

A RESOLUTION IN PARTICIPATING IN REGIONAL CIGARETTE TAX ADMINISTRATION

WHEREAS, the 2020 General Assembly approved, and the governor signed into law, legislation that allows Virginia counties to enact a local cigarette tax of up to 40 cents per pack, effective July 1, 2021; and

WHEREAS, SB 1326, adopted by the 2021 General Assembly and signed into law by the governor, encourages local cigarette stamping and tax collection through regional cigarette tax boards; and

WHEREAS, the bill defines a "regional cigarette tax board" as one established by a group of at least six member localities, pursuant to their authority under the joint exercise of powers (§ 15.2-1300 et seq.) and Regional Cooperation Act (§ 15.2-4200 et seq.) provisions of the Code of Virginia; and

WHEREAS, the Thomas Jefferson Planning District Commission (TJPDC) was duly established in 1972 pursuant to the Code of Virginia; and

WHEREAS, a key part of the mission of the TJPDC is to lead development of solutions for the region's critical issues by helping member governments identify such issues and finding collaborative approaches to address them; and

WHEREAS, the TJPDC staff, in discussion with its member localities, has been examining how a regional cigarette tax board could function in the broader Central Virginia region; and

WHEREAS, the establishment of a regional cigarette tax board would promote the uniform administration of local cigarette taxes throughout the region for those localities desiring to participate in such a board;

NOW THEREFORE BE IT RESOLVED, that the Fluvanna County Board of Supervisors expresses its interest in participating in a regional cigarette tax board being pursued by the TJPDC; and

BE IT FURTHER RESOLVED, that the Fluvanna County Board of Supervisors authorizes the County Administrator to proceed with participating in discussions with the TJPDC and other localities in the broader region on the formation of a regional cigarette tax board; and

BE IT FURTHER RESOLVED, that any decision by the Fluvanna County Board of Supervisors to become a member of any regional cigarette tax board so established must be approved by the Fluvanna County Board of Supervisors.

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Mozell H. Booker, Fork Union District	X				X	
Patricia B. Eager, Palmyra District	X					X
Anthony P. O'Brien, Rivanna District	X					
John M. Sheridan, Columbia District	X					
Donald W. Weaver, Cunningham District	X					

Attest:

John M. Sheridan, Chair

Fluvanna County Board of Supervisors



BOARD OF SUPERVISORS

County of Fluvanna

Palmyra, Virginia

PROCLAMATION 04 - 2021

PROCLAIMING MAY 2021 COMMUNITY ACTION MONTH

WHEREAS, Community Action connects individuals and families to approaches that help them succeed and promotes community-wide solutions to challenges throughout our cities, suburbs, and rural areas; and

WHEREAS, Community Action builds and promote economic stability as an essential aspect of enabling and enhancing stronger communities, which in turn promotes self-sufficiency, ensuring that all Americans can live in dignity; and

WHEREAS, Community Action connects millions of children and families to greater opportunity, transforming their lives and making our communities — and our nation — stronger; and

WHEREAS, Community Action serves 99% of America's counties in rural, suburban, and urban communities, offering life-changing services that create pathways to prosperity by connecting families to job training, affordable housing, utility assistance for seniors, promoting community-wide solutions and sharing expertise; and

WHEREAS, Community Action will continue to implement innovative programs that create a greater chance at success for everyone, will continue to focus on a broader range of community challenges to ignite economic growth and ensure all families can benefit, and will continue to be a voice for the disenfranchised.

NOW, THEREFORE, the Fluvanna County Board of Supervisors does hereby proclaim May 2021 as Community Action Month in recognition of the hard work and dedication of the Monticello Area Community Action Agency.

Passed and adopted this 5th day of May, 2021.

John M. Sheridan. Chair
Fluvanna County Board of Supervisors



BOARD OF SUPERVISORS
 County of Fluvanna
 Palmyra, Virginia

RESOLUTION No. 13 – 2021

**A RESOLUTION RECOGNIZING
 MATTHEW COVINGTON GRESHAM
 AWARD OF EAGLE SCOUT STATUS**

The Fluvanna County Board of Supervisors adopted the following resolution on Wednesday, February 19, 2020:

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910; and

WHEREAS, the Boy Scouts of America was founded to promote citizenship, training, personal development and fitness of individuals; and

WHEREAS, Matthew Covington Gresham has completed all the requirements for becoming an Eagle Scout; and

WHEREAS, Matthew has been examined by an Eagle Scout Board of Review and deemed worthy of the Eagle Scout award; and

WHEREAS, Boy Scout Troop 154 will be convening an Eagle Scout Court of Honor on May 8, 2021 at 2:00 p.m. at Lake Christian Church, Palmyra, Virginia; and

WHEREAS, the Fluvanna County Board of Supervisors fully supports the programs of the Boy Scouts of America and recognizes the important services they provide to the youth of our Country.

NOW, THEREFORE BE IT RESOLVED that the Fluvanna County Board of Supervisors joins Matthew’s family and friends in congratulating him on his achievements, the award of Eagle Scout status and acknowledges the good fortune of the County to have such an outstanding young man as one of its citizens.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Board of Supervisors at a regular meeting of the Board held on the 5th of May, 2021, by the following vote:

SUPERVISORS	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Mozell H. Booker, Fork Union District	X					
Patricia B. Eager, Palmyra District	X					X
Anthony P. O’Brien, Rivanna District	X					
John M. Sheridan, Columbia District	X					
Donald W. Weaver, Cunningham District	X				X	

Attest:

John M. Sheridan, Chair
 Board of Supervisors



BOARD OF SUPERVISORS
 County of Fluvanna
 Palmyra, Virginia

RESOLUTION No. 14-2021

A RESOLUTION TO AUTHORIZE RENEWAL OF THE ADAMS CREEK AGRICULTURAL/FORESTAL DISTRICT FOR AN ADDITIONAL TEN-YEAR PERIOD TO EXPIRE MAY 16, 2031

At a regular meeting of the Board of Supervisors of the County of Fluvanna held in the Fluvanna County Library at 4:00 p.m. on the 5th day of May 2021, at which the following members were present, the following resolution was adopted by a majority of all members of the Board of Supervisors, the vote being recorded in the minutes of the meeting as shown below:

WHEREAS, the Fluvanna County Board of Supervisors approved the creation of the Adams Creek Agricultural/Forestal District on May 16, 2001 for a ten-year period; and

WHEREAS, the Fluvanna County Board of Supervisors approved the renewal of the Adams Creek Agricultural/Forestal District on April 6, 2011; and

WHEREAS, the district will expire on May 16, 2021; and

WHEREAS, in accordance with Section 15.2-4311 of the Code of Virginia, the Fluvanna County Planning & Community Development Department contacted the current property owners of parcels identified in the Adams Creek Agricultural/Forestal District and advised them that the approved district would expire on May 16, 2021 and inquired whether the owners desired that the property remain in or be removed from the district.

NOW, THEREFORE BE IT RESOLVED on this 5th day of May 2021 that the Fluvanna County Board of Supervisors hereby renews the Adams Creek Agricultural/Forestal District for an additional ten-year period to expire on May 16, 2031.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Board of Supervisors at the regular meeting of the Board held on the 5th day of May, 2021;

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Mozell H. Booker, Fork Union District	X					
Patricia B. Eager, Palmyra District	X					X
Anthony P. O'Brien, Rivanna District	X					
John M. Sheridan, Columbia District	X					
Donald W. Weaver, Cunningham District	X				X	

Attest:

John M. Sheridan, Chair
 Fluvanna County Board of Supervisors

Public Comments

Millie Fife, 889 Jefferson Drive, Palmyra, VA

Dear Members of the Board of Supervisors and Mr. Dahl,

I'm writing to you because I am troubled by the discussion during the April 21 Fluvanna County Board of Supervisors meeting. Specifically, I am concerned about the response to a proposed change to the resolution the board adopted in June 2020 after the killing of George Floyd and Rayshard Brooks.

When the B.O.S. adopted the resolution last year, I was pleased it reflected an understanding of what was happening in the country and our collective and individual need to take corrective actions. The fact that one word was chosen over what I felt to be the more accurate term was disappointing, but I accepted the reasoning. However, now a verdict by a jury has been reached and the officer was found guilty of second-degree unintentional murder, third-degree murder, and second-degree manslaughter. Whether or not supervisors, the county attorney, or the staff agree with the verdict is irrelevant. (Furthermore, the county attorney, as he stated himself, does not know Minnesota law and does not have a license to practice in that state, and therefore was, in my opinion, out of bounds in offering an opinion on the matter.)

However, as the board has decided to wait for the judge to sentence Chauvin, I expect that the language in the resolution will be changed to reflect this. Waiting for the possibility of appeals to work through the system is a needless delay; the judge and jury will have reached their decisions and the officer will have begun serving his sentence. While the B.O.S. took an important step in passing this resolution 5-0, it is also important to the community that our representatives recognize the verdict. I heard it suggested that elected officials should not weigh in on cases because of the possibility that it might sway a prospective juror in a possible appeal. Do you honestly feel that a resolution with language reflecting a legal finding by a board of supervisors in a small county in Virginia would be known by, much less affect, a juror in a state thousands of miles away at some possible future date?

When the B.O.S. adopted the resolution last year, I was pleased there were clear action items included. I would be interested in knowing the status of those. Specifically, what has the B.O.S. learned and what has the sheriff's office shared with the public about the Reserve Deputies? Who are the Reserve Deputies, do they receive de-escalation training, etc.?

WHEREAS, The Fluvanna County Board of Supervisors calls on the Fluvanna County Sheriff to increase transparency and make the public aware of the role, duties, membership, and training of the reserve deputy program, and commit to training reserve deputies on crisis intervention, cultural diversity, how to avoid bias-based policing, and the proper use-of-force.

The discussion was contentious and hard to track. The setup with the camera for your meetings is such that you cannot tell who the speaker is and individuals do not self-identify. (The YouTube video spotlights the agenda with the people in the room relegated to a small corner of the screen.) If you can't recognize the voice, you don't know who said what. In addition, participants do not always keep their microphones on. For transparency and accountability reasons, it's helpful to be able to follow in real time who is talking. While minutes are released, these do not provide the information that a transcript would as far as what actually transpired at the meeting. Having an audio and/or video recording is also not sufficient as again, you can't tell who says what. Especially during a time when meetings are closed to the public, but even after residents are allowed to attend, there is no reason for this to continue to be an issue one year into the pandemic. Supervisors are responsible to their constituents for what they say and do at public meetings and on behalf of the community. If we cannot determine who is speaking at a public meeting, then how is this a good faith demonstration of accountability? Please improve the video and audio so that each person can clearly be seen and heard and if possible, provide transcripts.

There are fifteen elected officials in Fluvanna County. Only one of these is a person of color. The way the discussion devolved at this meeting shows that the supervisors have work to do to honor the resolution. (If you tune into the meeting at the 2:31 point you will hear what I'm referring to:

<https://www.youtube.com/watch?v=xpLjsQDKppM&t=8232s>

The behavior exhibited not only showed grave disrespect for Ms. Booker, but for all the black and brown residents of Fluvanna. I look forward to hearing what next steps the Board will take to honor what it committed to last summer and when. As the resolution states:

BE IT FURTHER RESOLVED, that this Board commits itself to efforts to engage the community in constructive, honest, and substantive dialogue to better understand where inequities exist and to adopt policies to eliminate them. This Board is committed to ensuring a safe and healthy environment where everyone can thrive, and we urge all county residents to join us in this crucial, ongoing effort. We recommit to you our intent to build and support a united community of all Fluvanna residents, based in mutual respect, equity, and wellbeing.

Thank you for your consideration.

Sincerely,

Millie Fife

889 Jefferson Drive, Palmyra, VA

To the Fluvanna Board of Supervisors,

I am proud to be served by a governing body that works together to unanimously pass a budget that, among other accomplishments, fully funds the requests of our public schools. I'm grateful to each of you for your consideration and your service.

Sincerely,
Perrie Johnson
229 Pine Ln
Fork Union

Sharon C. Harris, 9 Pineknoll Circle

Dear Supervisors,

I am a resident of Fluvanna county and I am writing to you in response to discussion at the April 21, 2021 board meeting of Resolution 19-2020. I support the well-reasoned request to amend the resolution. While I was gratified that you adopted the resolution last summer with a vote of 5-0, I am now disconcerted that you decided not to recognize the verdict in this case.

I also want to express my complete dismay at what transpired at the meeting. Specifically, comments were made that ignored the commitment to "constructive, honest, and substantive dialogue" as promised in the resolution. Furthermore, as outlined in the Board of Supervisors' Code of Ethics, members are expected to maintain a respectful attitude toward colleagues and others. Respect was not evident during this meeting.

Insensitivity and disrespect were shown to Mrs. Booker as well as to members of our community who have experienced racial injustice and those of all races and backgrounds who work for equity and justice. Admonishing Mrs. Booker and others to "just sit back and relax" fails to show any concern for those facing racial injustice, hatred, and discrimination. Declaring "you can't, but I can" reflects the privilege to be able to ignore racial injustice with the knowledge that your race protects you and your loved one from such suffering.

Thus it appears that some members of the board are woefully unaware of the impact of racism, oppression, and white privilege. Without this understanding and awareness, the board is ill-equipped to honor its resolution to understand inequities and adopt policies to eliminate them and to do the work of the people.

So I call on you to do the work, to educate yourselves on these issues, and to become aware of how completely insensitive and inappropriate it is to suggest a fitting response to racial injustice is to "just sit down and relax." Education and training on these issues are readily available and wholly necessary to restore public confidence in the ability of the board to serve the public good.

In addition to the disrespect shown to Supervisor Booker, the offering of an opinion by the county attorney on the findings of a court in a state in which he is not licensed to practice law was improper. Mr. Payne cited specific concerns over how the case was presented without formal knowledge of Minnesota law. Moreover, a board member cited this improperly offered guidance as a reason not to support the request. None of this is proper or acceptable.

Mr. Payne also made disrespectful and inappropriate comments about the Governor of Virginia. His partisan comments were unprofessional and counterproductive to the work of the board. Such behavior does not exemplify the legal profession's ideals of public service. Our community deserves better from its leaders and those who advise them. Thus I ask each of you to recommit yourselves to following the Board of Supervisors' Code of Ethics; to engage in respectful behavior toward each other and the community; to listen and refrain from interrupting; to consider all opinions and points of views including those that differ from yours; and to honor the promises made in Resolution 19-2020. Likewise, to ensure necessary transparency, the audio and video of the meetings must be improved, and speakers need to identify themselves to help the public follow board proceedings.

I also call on the board to seek and promote understanding, to find ways to engage with and bring members of the community together, and to make efforts to get to know and understand those members who support you, as well as those whose ideologies differ from yours. It is only by committing to know and respect each other that we will cherish our common humanity and begin to live in peace and harmony.

Respectfully,

Sharon C. Harris

Jennifer Richardson, 12 Hardwood Road

I watched the most recent Board of Supervisors meeting on Wednesday, April 21st and I must say that I was appalled at Supervisor Weaver's behavior towards Supervisor Booker towards the end of the meeting when Haden Parrish's question was revisited. His outburst was completely unprofessional and not the way I would expect an elected official to behave towards anyone, particularly toward the only woman of color on the Board while discussing a sensitive racial topic.

I would like to remind you of the text from Resolution 19-2020 that you voted in favor of last summer:

***"WHEREAS** this Board adamantly rejects words, actions, and policies that foster division and bring out bigotry, hatred, and discrimination, and condemns racism and oppression of people of color in our county; and **BE IT FURTHER RESOLVED**, that this Board commits itself to efforts to engage the community in constructive, honest, and substantive dialogue to better understand where inequities exist and to adopt policies to eliminate them. This Board is committed to ensuring a safe and healthy environment where everyone can thrive, and we urge all county residents to join us in this crucial, ongoing effort. We recommit to you our intent to build and support a united community of all Fluvanna residents, based in mutual respect, equity, and wellbeing."*

Supervisor Weaver violated this resolution when he accused Supervisor Booker of "fanning the flames" as if Black Lives were a fire that needed to be put out. This is a perfect example of white privilege he possesses because yes, while Supervisor Booker cannot relax because everytime her children get in a car to go somewhere she must pray that they don't get pulled over and killed because of the color of their skin, but Supervisor Weaver can "relax" because his white children don't have that particular obstacle facing them. Speaking over and yelling at Supervisor Booker was disrespectful, divisive, and wrong, not only to Mrs. Booker but to all of his Black constituents in Cunningham. Supervisor Weaver's words and actions fostered division and brought out bigotry, hatred, and discrimination. He did not engage in constructive, honest, and substantive dialogue to better understand where inequities exist. Instead, Supervisor Weaver lashed out at a Black woman.

I would love to see this behavior corrected in future meetings. A good start would be a public apology to Supervisor Booker. Even if you disagree on an issue, there needs to be a modicum of decorum displayed. Yelling at and talking over other Board members is not acceptable. I would also like Resolution 19-2020 amended to include a commitment from the Board to invest in professional training on race in America so that they can adhere to the actions in the resolution above. I would like to see the Board as a whole reconsider guidelines for respectable behavior at public meetings because Supervisor Weaver's behavior was completely unacceptable.

There were other troubling aspects of the meeting. The County Attorney's advice to the Board was not based on his actual knowledge of Minnesota law. He was clearly giving his opinion as an individual, not as an attorney because a good attorney would have done some research on Minnesota law before opining to the Board in a public meeting. Mr. Payne stated he was unfamiliar with Minnesota law, therefore he was not in a position to give advice on the subject of Mr. Chauvin's conviction of 2nd Degree Murder. As to Mr. Payne's statement about elected officials statements affecting future outcomes of the case, it is not very likely that a future courtroom will be swayed by a change of wording in a resolution passed by the Fluvanna County Board of Supervisors.

I would also very much appreciate better audio and visual for the meetings for those of us watching remotely. The Board is in a small corner of the screen and it's very hard to see who is talking at any particular

time. Please identify yourselves when speaking and do not turn your microphones off. The public deserves total transparency.

Sincerely,

Jennifer Richardson

12 Hardwood Rd

Palmyra, VA 22963

APPROVED