

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Fluvanna County Library
214 Commons Blvd, Palmyra, VA 22963
July 6, 2022
Regular Meeting 5:00pm**

MEMBERS PRESENT:

John M. (Mike) Sheridan, Columbia District, Chair
 Tony O’Brien, Rivanna District, Vice Chair
 Mozell Booker, Fork Union District
 Patricia Eager, Palmyra District
 Chris Fairchild, Cunningham District (*participating via Zoom*)

ABSENT:

None.

ALSO PRESENT:

Eric M. Dahl, 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 5:03pm, Chair Sheridan called to order the Regular Meeting of July 6, 2022. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

3 - ADOPTION OF AGENDA

Mr. Dahl suggested moving item H - *Resolution Recognizing Joseph O'Connor– Eagle Scout* to action matters. Mr. Dahl presented a few agenda items to add to the agenda: *Resolution To Approve A Policy Permitting Board Members To Participate In Board Meetings Subject To Certain Conditions Pursuant To Virginia Code Section 2.2-3708.2, and Motion to Approve Participation In Board Meeting of July 6, 2022 Through Electronic Communication By Supervisor Fairchild* to action matters, and *Sheehy Ford of Richmond, Inc. Purchase Agreement to new business.*

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|----------------|--|------------|---------------|-------------|--------------|
| MOTION: | Accept the Agenda, for the July 6, 2022 Regular Meeting of the Board of Supervisors, as amended. | | | | |
| MEMBER: | Mrs. Booker | Mrs. Eager | Mr. Fairchild | Mr. O’Brien | Mr. Sheridan |
| ACTION: | Motion | Second | | | |
| VOTE: | Yes | Yes | Yes | Yes | Yes |
| RESULT: | 5-0 | | | | |

ACTION MATTERS

Resolution To Approve A Policy Permitting Board Members To Participate In Board Meetings Subject To Certain Conditions Pursuant To Virginia Code Section 2.2-3708. – Eric Dahl, County Administrator & Frederick Payne, County Attorney

- This resolution allows the Board to conduct meetings through electronic means if a board member is unable to attend due to disability or medical condition that prevents in-person participation or due to a personal matter and identifies the specific nature of the personal matter.
- Electronic participation is limited each calendar year to two meetings or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater.

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| MOTION: | approve the “Resolution To Approve A Policy Permitting Board Members To Participate In Board Meetings Subject To Certain Conditions Pursuant to Virginia Code Section 2.2-3708” | | | | |
| MEMBER: | Mrs. Booker | Mrs. Eager | Mr. Fairchild | Mr. O’Brien | Mr. Sheridan |
| ACTION: | Second | Motion | | | |
| VOTE: | Yes | Yes | Abstain | Yes | Yes |
| RESULT: | 4-0-1 | | | | |

Motion to Approve Participation in Board Meeting of July 6, 2022 through Electronic Communication by Supervisor Fairchild – Eric Dahl, County Administrator & Frederick Payne, County Attorney

| | |
|----------------|--|
| MOTION: | Approve the participation through electronic communication by Supervisor Fairchild in the Board meeting of July 6, 2022, and, in support thereof, hereby finds as follows: <ol style="list-style-type: none"> 1. That Supervisor Fairchild has notified the Chair that he is unable to attend the meeting due to a personal matter; 2. That such personal matter involved private, non-County business which necessitated a trip abroad to the Kingdom of Denmark; |
|----------------|--|

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|----------------|---|------------|---------------|-------------|--------------|
| | 3. That Supervisor Fairchild had previously made arrangements to return in sufficient time for him to attend the meeting in person, but that he was unable to do so due to events beyond his control, i.e., a labor strike of the airline which would have returned him to Fluvanna County; | | | | |
| | 4. That this will be the first occasion this calendar year on which Supervisor Fairchild shall have participated by electronic communications | | | | |
| MEMBER: | Mrs. Booker | Mrs. Eager | Mr. Fairchild | Mr. O'Brien | Mr. Sheridan |
| ACTION: | | Second | | Motion | |
| VOTE: | Yes | Yes | Abstain | Yes | Yes |
| RESULT: | 4-0-1 | | | | |

4 - COUNTY ADMINISTRATOR'S REPORT

Mr. Dahl reported on the following topics:

- Announcements and Updates - New Employees
 - Charles Gower, Jr., Deputy Sheriff, Sheriff's Office, Started June 22nd
 - Tyler Forth, Deputy Sheriff in Training, Sheriff's Office, Started June 22nd
 - Garren Charles, Deputy Sheriff, Sheriff's Office, Started July 6th
- The Library is having fun during Summer Reading this year, hosting adult and kids for workshops to make and experience:
 - Wooden Plant Pots
 - Beaded Wind Chimes
 - Solar Hot Dog Cookers & Solar S'mores Ovens
 - Fun Food Adventures with Mexican and Turkish snacks and candy. Some were more popular than others and the teens all agreed that they liked Turkish food better.
- The new Palmyra Village sign has been installed to invite tourists and locals to participate in self-guided walking tours and support the shops on Main Street.
- The Palmyra Village Streetscape TAP Grant project will improve pedestrian safety and accessibility to the historic court square including construction of 5' wide sidewalks, crosswalks, and curb ramps to provide pedestrian connectivity to the historic park from Main Street and Stone Jail Street/ Court Square.
 - Project Cost: \$1,589,156
 - Request Amount: \$1,271,325
 - Allocation \$1,271,325
- Next BOS Meetings

| Day | Date | Time | Purpose | Location |
|-----|--------|---------|-----------------|------------------------|
| Wed | Aug 3 | 5:00 PM | Regular Meeting | Performing Arts Center |
| Wed | Aug 17 | 7:00 PM | Regular Meeting | Performing Arts Center |
| Wed | Sept 7 | 5:00 PM | Regular Meeting | Performing Arts Center |

5 - PUBLIC COMMENTS #1

At 5:15pm, Chair Sheridan opened the first round of Public Comments.

- Corven Flynn, 319 Shiloh Church Rd, spoke in opposition to SUP 22:01 and asked the Board to rescind ZMP 22:02 and resubmit ZMP 22:02 and SUP 22:01.
- Cyndra Kerley, TM 17-15-X, questioned the validity of the June 15, 2022 BOS meeting and expressed concerns with the County's communication and process.
- Valerie Palamoutian, 17 Fleetwood Drive, spoke in opposition to SUP 22:01.
- Nancy Quantock, 19 Fleetwood Drive, spoke in opposition to SUP 22:01.
- Lynn Harrelson, 10 Fleetwood Drive, spoke in opposition of SUP22:01
- Tom Diggs, 947 Jefferson Drive, asked for SUP 22:01 to be deferred

With no one else wishing to speak, Chair Sheridan closed the first round of Public Comments at 5:34pm.

6 - PUBLIC HEARING

None.

7 - ACTION MATTERS

Resolution Recognizing Joseph O'Connor– Eagle Scout – Eric Dahl, County Administrator

- Joseph has completed all requirements and has been examined by an Eagle Scout Board of Review and deemed worthy of the Eagle Scout Award.

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| MOTION: | Adopt the resolution entitled “Recognizing Joseph O'Connor for Award of Eagle Scout Status.” | | | | |
| MEMBER: | Mrs. Booker | Mrs. Eager | Mr. Fairchild | Mr. O'Brien | Mr. Sheridan |
| ACTION: | Second | | | Motion | |
| VOTE: | Yes | Yes | Yes | Yes | Yes |
| RESULT: | 5-0 | | | | |

Renewal of County Attorney Contract – Eric Dahl, County Administrator & Frederick Payne, County Attorney

- The county attorney serves at the pleasure of the board in accordance with an annual contract.
- This latest renewal leaves the “flat” monthly payment for routine services at \$10,000; the hourly rates for non-routine services are flat as follows:

| Position | Prior | New |
|--|-------|-------|
| Frederick W. Payne, County Attorney | \$310 | \$310 |
| Donna R. DeLoria, Dep County Attorney | \$275 | \$275 |
| William W. Tanner, Dep County Attorney | \$255 | \$255 |
| Kristina M. Hofmann, Dep County Attorney | \$230 | \$230 |
| Jeremy L. Boggs, Assistant County Attorney | \$165 | \$165 |
| Paralegals | \$105 | \$105 |
| Assistants (when applicable) | \$ 75 | \$ 75 |

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| MOTION: | Approve the renewal of the annual contract for County Attorney’s Services for Fiscal Year 2023, effective July 1, 2022, with no change in rates from FY22. | | | | |
| MEMBER: | Mrs. Booker | Mrs. Eager | Mr. Fairchild | Mr. O'Brien | Mr. Sheridan |
| ACTION: | Second | Motion | | | |
| VOTE: | Yes | Yes | Yes | Yes | Yes |
| RESULT: | 5-0 | | | | |

Compensation Study and Implementation Costs– Eric Dahl, County Administrator

- In November 2021, the board approved for staff to move forward with a comprehensive compensation and classification study, to provide recommendations to ensure that the County remains competitive in the marketplace and can continue to attract and retain a talented workforce at market rates.
- This included an overall evaluation of the County’s current grade structure, actual salaries compared with that of other relevant competitors and a recommended restructuring of the County’s compensation structure for administrative classifications and recommendations for implementing proposed changes.
- Baker Tilly was the consultant selected to perform the compensation and classification study.
- The last compensation and classification study approved by the Board of Supervisors was September 3, 2008.

The Compensation Study:

- One of the components of this study is to pull data from Public Peer Organizations to get a baseline of how Fluvanna’s current pay grade structure compares to its peers.
- Through Market Survey Results average minimums, average midpoints and average maximums were benchmarked. A benchmark was achieved if the position matched a number of comparable positions with the Public Peer Organizations, otherwise the benchmark received “Insufficient Data”.
- The Market Comparison compares Fluvanna’s current pay grade midpoints with the results of the Public Peer Organization midpoints to determine if a Fluvanna position midpoint was above, below or in line with others.
- In addition to the Market Comparison, Baker Tilly Utilized the Systematic Analysis and Factor Evaluation (SAFE®), which is a point factor evaluation process comprised of nine (9) compensable factors and was developed specifically for the measurement of local government positions.
- See the chart below:

| | | |
|---------------|--------------------|----------------------------|
| Education | Human interaction | Independence of actions |
| Experience | Working conditions | Impact on the organization |
| Level of work | Physical demands | Supervision exercised |

- The Market Comparison results provided the comparative data, based upon market midpoints, to create updated Pay Plans for General Government and Law Enforcement.
- Between using the Market Comparison, SAFE, internal equity and comparing our current pay grades, the Title and Pay Grade Assignments were created. The new Title and Pay Grade Assignment is important for if we need to hire new positions for the future and getting current positions up to market.

- Once positions were placed on the Title and Pay Grade Assignments, this formed the basis for if individual employees are below or above the minimum for the Grade Assignments.
 - Once it was determined where individual positions/employees were in reference to the new Pay Grade Assignments, this then formed the Implementation Scenario costs for Options 1 through 5. One thing to keep in mind, the Implementation Scenario does not contain costs for taxes, VRS and workers compensation associated with the increased salaries. All Options in the motion contain those associated increased costs based upon a realistic and standard 20%.
 - In the FY23 Budget, the Board of Supervisors approved \$365K for implementation costs associated with the Compensation Study.
- After a lengthy discussion, by consensus of the Board of Supervisors, the subject was deferred to August 3, 2022.

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|----------------|--|------------|---------------|-------------|--------------|
| MOTION: | Deferred until August 3, 2022 the Pay Plan for General Government and Law Enforcement as presented, the Title and Grade Assignments for General Government and Law Enforcement as presented and select Implementation Scenario for General Government and Law Enforcement: <ul style="list-style-type: none"> • Option 1: Employees would move to the minimum of their new pay range if their existing salary were below their new minimum. Total Cost: \$48,966 salary and benefits • Option 2: Employees would receive the greater of moving to the minimum of their new pay range or a 2% increase to their existing salary. Total Cost: \$214,042 salary and benefits • Option 3: Employees would move to the minimum of their new pay range, plus receive a 3% increase to their existing salary. Total Cost: \$325,985 salary and benefits • Option 4: Employees would receive 0.5% for each year in their title (position), up to the maximum of their new pay range. Total Cost: \$329,868 salary and benefits • Option 5: Employees would maintain the same compa-ratio from the prior pay plan. Total Cost: \$840,404 salary and benefits | | | | |
| MEMBER: | Mrs. Booker | Mrs. Eager | Mr. Fairchild | Mr. O'Brien | Mr. Sheridan |
| ACTION: | | | | | |
| VOTE: | | | | | |
| RESULT: | BY CONSENSUS | | | | |

13 - CLOSED MEETING

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|----------------|--|------------|---------------|-------------|--------------|
| MOTION: | At 6:59pm, move the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.3, & A.5 of the Code of Virginia, 1950, as amended, for the purpose of discussing Real Estate – Fork Union Real Estate acquisition, and Prospective Industry – Prospective Business | | | | |
| MEMBER: | Mrs. Booker | Mrs. Eager | Mr. Fairchild | Mr. O'Brien | Mr. Sheridan |
| ACTION: | Second | | | Motion | |
| VOTE: | Yes | Yes | Yes | Yes | Yes |
| RESULT: | 5-0 | | | | |

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|----------------|--|------------|---------------|-------------|--------------|
| MOTION: | At 8:24pm, 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. Fairchild | Mr. O'Brien | Mr. Sheridan |
| ACTION: | | Second | | Motion | |
| VOTE: | Yes | Yes | Yes | Yes | Yes |
| RESULT: | 5-0 | | | | |

Authorization to Advertise a Public Hearing on the Proposed Third Amendment to a Structure Lease Agreement with New Cingular Wireless PCS, LLC – Eric Dahl, County Administrator

- This proposed lease amendment is on a County-owned Monopole Tower.
- In this Third Amendment, the Tenant requests an amendment in order to enhance its wireless communication facility by adding a generator, which requires that the Tenant lease additional ground

space from the Landlord (the County) under the Lease in order to install the generator and related equipment.

- Per Virginia Code 15.2-734. Purchase, sale, exchange, or lease of real property, a public hearing is required for any disposition of County property.
- This amendment would increase the monthly rent by \$800/month, in addition to the annual 3% increase already established by the original agreement.

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| MOTION: | Authorize staff to advertise a Public Hearing to be held on August 17, 2022, for the proposed Third Amendment of the Structure Lease Agreement between Fluvanna County and New Cingular Wireless PCS, LLC, for the purposes of adding additional ground space in order to install a generator and related equipment. | | | | |
| MEMBER: | Mrs. Booker | Mrs. Eager | Mr. Fairchild | Mr. O'Brien | Mr. Sheridan |
| ACTION: | Second | Motion | | | |
| VOTE: | Yes | Yes | Yes | Yes | Yes |
| RESULT: | 5-0 | | | | |

FY23 School Resource Officer (SRO) Incentive Grant (Second Round) – Captain Von Hill, Fluvanna County Sheriff's Office

- The Board of Supervisors consented for the Sheriff's Office to apply for the SRO Grant funding earlier this year.
- The requested grants will fund two full-time SROs. The Officers will work directly with the Elementary School Principals, and other school system administration to promote a safer school environment through proactive efforts with the students and staff. The new SRO positions will augment the current SROs by assisting with the increased call volume of the SROs, while conducting safety and crime prevention activities throughout the entire school year. This position will promote a closer working relationship between students, parents, and the Office of the Sheriff. Grant funds will provide fringe and salary for the Officer assigned. The grant provides level funding up to 12 months. The grant does not require a match of any kind for the first term of the grant. The grant deadline for submission of an application is July 15, 2022.

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| MOTION: | Approve the application for the FY 23 School Resource Officer Grant Program and Fund administered by the Department of Criminal Justice Services in the amount of up to \$125,000. | | | | |
| MEMBER: | Mrs. Booker | Mrs. Eager | Mr. Fairchild | Mr. O'Brien | Mr. Sheridan |
| ACTION: | Motion | | | Second | |
| VOTE: | Yes | Yes | Yes | Yes | Yes |
| RESULT: | 5-0 | | | | |

7A – BOARDS AND COMMISSIONS

None.

8 – PRESENTATIONS

Voting District Name Change – Kelly Harris, Assistant County Administrator

- At its April 20, 2022 meeting, the Board directed Staff to investigate the process by which the names of voting districts might be changed. The Palmyra District, as redrawn following 2020 Census and Redistricting, is no longer located near the village of Palmyra.
- Change is made by ordinance
 - Requires a public hearing
- Notifying Voters of Changes
 - Per Virginia Code §24.2-306, changes to voting precincts must take place not less than 60 days prior to an election. Early voting begins 45 days prior to the election.
 - Notice of changes must be mailed no later than 15 days prior to election.

Costs of Changing District Names

- Varies according to the number of district names changed.
 - # of Registered Voters per District (as of June 1, 2022):
 - ▶ Columbia: 3,802
 - ▶ Cunningham: 4,136
 - ▶ Fork Union: 3,998
 - ▶ Palmyra: 4,075
 - ▶ Rivanna: 4,579
- Postage: \$.55/letter (\$2,242 Palmyra District only; \$11,325 for all districts)
- Envelopes, paper, staff costs: TBD
- Legal ad (for public hearing): \$144 x 2
- Publication in newspaper of notice of change: \$115 x 2

- Tuesday, November 8, 2022: General Election
- Changes must be made 60 days prior to General Election: Friday, September 9, 2022
- Notices must be mailed 15 days prior to General Election: Monday, October 24, 2022

- *The Board directed staff to bring the agenda item back after the November 2022 election.*

Fluvanna – Albemarle Boundary Line Clarification – Fred Payne, Fluvanna County Attorney

- Mr. Payne gave a brief update on the process by which the legal boundary line between the counties of Fluvanna and Albemarle will be clarified.

- *The Board directed staff to proceed with the boundary line clarification.*

9 - CONSENT AGENDA

The following items were approved under the Consent Agenda for July 6, 2022:

- *Minutes of June 15, 2022 – Caitlin Solis, Clerk to the Board*
- *VDOT Secondary Road Acceptance - Village Oaks – Douglas Miles, Community Development Director*
- *Virginia Department of Emergency Management FY24 E-911 PSAP Education Program Grant Award – Michael R. Grandstaff, Sheriff’s Office Staff; Sheriff Eric B. Hess, Sheriff*
- *CRMF - Mobile Radios for Schools and Departments – Don Stribling, FCPS*
- *CRMF - FCHS Tennis Courts – Don Stribling, FCPS*
- *CRMF - Court House Sound System – Dale Critzer, Assistant Director of Public Works*
- *Temporary Staff Stipend for Additional Duties – Tanner – Eric Dahl, County Administrator*
- *Tyler Technologies Software as a Service (SaaS) Agreement Amendment #3 – Donna Allen, Purchasing Officer*
- *FY22 Aid to Localities Funding – Fire Department – Tori Melton, Management Analyst/Acting Finance Director*
- *FY22 Voluntary Contributions – Tori Melton, Management Analyst/Acting Finance Director*

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| MOTION: | Approve the consent agenda, for the July 6, 2022 Board of Supervisors meeting. | | | | |
| MEMBER: | Mrs. Booker | Mrs. Eager | Mr. Fairchild | Mr. O’Brien | Mr. Sheridan |
| ACTION: | Second | | | Motion | |
| VOTE: | Yes | Yes | Yes | Yes | Yes |
| RESULT: | 5-0 | | | | |

10 - UNFINISHED BUSINESS

SUP 22:01 Johnston & Co LLC – Douglas Miles, Community Development Director

- SUP 22:01 Johnston & Co LLC – A Special Use Permit request in the B-1, General Business Zoning District to permit a contractor’s storage yard with respect to 6.4 +/- acres of Tax Map 17 Section 2 Parcel 2.
- The applicant is proposing to operate an electrical contracting business and he would not have any outside contracting storage or have contractor equipment stored outside in the storage complex.
- Applicant requested deferral until the August 17, 2022 meeting.

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| MOTION: | Defer until August 17, 2022, SUP 22: 01 Johnston & Co LLC a Special Use Permit request in the B-1, General Business Zoning District to permit a contractor’s storage yard with respect to 6.4 +/- acres of Tax Map 17 Section 2 Parcel 2 and subject to the eight (8) case conditions in the staff report. | | | | |
| MEMBER: | Mrs. Booker | Mrs. Eager | Mr. Fairchild | Mr. O’Brien | Mr. Sheridan |
| ACTION: | | | Motion | Second | |
| VOTE: | Yes | Yes | Yes | Yes | Yes |
| RESULT: | 5-0 | | | | |

ZTA 21:03 R-4 Zoning District – Multi-family Dwellings from 2.9 to 5.5 Dwelling Units – Douglas Miles, Community Development Director

- ZTA 21:03 R-4 Zoning Text Amendment to permit Multi-family Dwellings, with a density up to 5.5 dwelling units per acre provided the property is within an area subjected to a common plan of development and such property is served by a central water and sewer system.
- Staff requested deferral until the second meeting in June 2023.

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| MOTION: | Defer until the second meeting in June 2023, ZTA 21:03 an ordinance to amend Chapter 22 Zoning of the Fluvanna County Code by the addition of a uses permitted by right use under 22-8-2.1 in the R-4 zoning district: multi-family dwellings, with a density up to 5.5 dwelling units per acre, provided the property is within an area subjected to a common plan of development and such property is served by a central water and sewer system. | | | | |
| MEMBER: | Mrs. Booker | Mrs. Eager | Mr. Fairchild | Mr. O’Brien | Mr. Sheridan |

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|----------------|------------|--------|-----|-----|-----|
| ACTION: | Motion | Second | | | |
| VOTE: | Yes | Yes | Yes | Yes | Yes |
| RESULT: | 5-0 | | | | |

11 - NEW BUSINESS

Sheehy Ford of Richmond, Inc. Purchase Agreement – Eric Dahl, County Administrator

- With supply chain issues making it difficult to source vehicles for the Sheriff's Office, staff brought the opportunity to purchase vehicles to the Board as new business, rather than wait until the next meeting in August, fearing the emergency vehicles would not be available next month.

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| MOTION: | Approve the "2022 Ford F-150 Purchase Agreement" between Fluvanna County and Sheehy Ford of Richmond, Inc., for the purpose of purchasing four (4) 2022 F150 4X4 Crew Cab Police Responder Trucks as more specifically set forth in the agreement, at a total cost of \$143,620.80, and authorize the County Administrator to make revisions to the agreement in consultation with the County Attorney as may be appropriate and then to execute the final agreement, subject to approval as to form by the County Attorney | | | | |
| MEMBER: | Mrs. Booker | Mrs. Eager | Mr. Fairchild | Mr. O'Brien | Mr. Sheridan |
| ACTION: | | Second | | Motion | |
| VOTE: | Yes | Yes | Yes | Yes | Yes |
| RESULT: | 5-0 | | | | |

-Mrs. Booker asked the other members of the Board to visit the Fork Union Community Center to see its current condition and asked to revisit renovating the building, making it worthy of its dedication to her husband Jerome Booker.

MOTION TO EXTEND

- *At 8:58pm, a motion was made to extend the Board of Supervisors meeting.*

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| MOTION: | Approve a motion to extend the July 6, 2022 Regular Board of Supervisors meeting to 11:00pm. | | | | |
| MEMBER: | Mrs. Booker | Mrs. Eager | Mr. Fairchild | Mr. O'Brien | Mr. Sheridan |
| ACTION: | | | | | |
| VOTE: | Yes | Yes | Yes | Yes | Yes |
| RESULT: | 5-0 | | | | |

12 - PUBLIC COMMENTS #2

At 9:01pm, Chair Sheridan opened the second round of Public Comments.

- Corven Flynn, 319 Shiloh Church Rd, questioned the validity of the June 15, 2022 BOS meeting and spoke in opposition to SUP 22:01.
- Cyndra Kerley, TM 17-15-X, supported Mrs. Booker comments regarding the Fork Union Community Center condition. Also questioned the validity of the June 15, 2022 BOS meeting, specifically the process that allows remote participation in BOS meetings.

With no one else wishing to speak, Chair Sheridan closed the second round of Public Comments at 9:10pm.

13 - CLOSED MEETING

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|----------------|--|------------|---------------|-------------|--------------|
| MOTION: | At 9:11pm, move the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.1, & A.7 of the Code of Virginia, 1950, as amended, for the purpose of discussing Personnel – County Administrator performance evaluation, and Litigation – Actual litigation in connection with the Zion Crossroads water and sewer project. | | | | |
| MEMBER: | Mrs. Booker | Mrs. Eager | Mr. Fairchild | Mr. O'Brien | Mr. Sheridan |
| ACTION: | Second | | | Motion | |
| VOTE: | Yes | Yes | Yes | Yes | Yes |
| RESULT: | 5-0 | | | | |

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|----------------|---|--|--|--|--|
| MOTION: | At 10:59pm, 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." | | | | |
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| MEMBER: | Mrs. Booker | Mrs. Eager | Mr. Fairchild | Mr. O'Brien | Mr. Sheridan |
| ACTION: | Second | | | Motion | |
| VOTE: | Yes | Yes | Yes | Yes | Yes |
| RESULT: | 5-0 | | | | |

14 - ADJOURN

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|----------------|--|------------|---------------|-------------|--------------|
| MOTION: | Adjourn the regular meeting of Wednesday, July 6, 2022 at 10:59pm. | | | | |
| MEMBER: | Mrs. Booker | Mrs. Eager | Mr. Fairchild | Mr. O'Brien | Mr. Sheridan |
| 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

APPROVED



BOARD OF SUPERVISORS
 County of Fluvanna
 Palmyra, Virginia

RESOLUTION No. 12-2022

**A Resolution to Take Streets in the Village Oaks Subdivision
 into the Secondary System of Highways in Fluvanna County, Virginia**

At a regular meeting of the Board of Supervisors of Fluvanna County held at the Carysbrook Performing Arts Center at 5:00 PM on Wednesday, July 6, 2022, 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 eligible streets described on the attached VDOT AM-4.3 form, fully incorporated herein by reference, are shown on plats recorded in the clerk’s office of the Circuit Court of Fluvanna County; and

WHEREAS, the streets described in the Village Oaks Subdivision have been developed in Fluvanna County and the developer has constructed the streets in accordance with the plans submitted to and approved by the Virginia Department of Transportation and the streets have been inspected by the Office of the Land Development Engineer and found to be acceptable in the State Highway System; and

NOW, THEREFORE BE IT RESOLVED, on this 6th day of July, 2022, that the Fluvanna County Board of Supervisors hereby requests that the Virginia Department of Transportation add the described roads listed on the attached VDOT AM-4.3 form to the Secondary System of State Highways of Fluvanna County pursuant to Section 33.2-705 of the Code of Virginia, as amended, and the Subdivision Street Requirements; and

BE IT FURTHER RESOLVED, that the Fluvanna County Board of Supervisors guarantees a clear and unrestricted right-of-way, and any necessary easements for cuts, fills, and drainage; and

BE IT YET FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Land Development Engineer for the Virginia Department of Transportation.

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 6th day of July, 2022:

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

Attest:

 John M. Sheridan, Chair
 Board of Supervisors
 Fluvanna County, Virginia



BOARD OF SUPERVISORS
 County of Fluvanna Palmyra, Virginia
RESOLUTION No. 13-2021

A RESOLUTION RECOGNIZING
JOSEPH O'CONNOR
AWARD OF EAGLE SCOUT STATUS

The Fluvanna County Board of Supervisors adopted the following resolution on Wednesday, July 6, 2022:

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, Joseph O'Connor has completed all the requirements for becoming an Eagle Scout; and

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

WHEREAS, Boy Scout Troop 154 convened an Eagle Scout Court of Honor on June 25, 2022 at 2:00 p.m. at Cunningham Methodist 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 Joseph'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 6th day of July 2022, by the following vote:

| SUPERVISORS | AYE | NAY | ABSTAIN | ABSENT | MOTION | SECOND |
|---------------------------------------|-----|-----|---------|--------|--------|--------|
| Mozell H. Booker, Fork Union District | X | | | | | X |
| Patricia B. Eager, Palmyra District | X | | | | | |
| Anthony P. O'Brien, Rivanna District | X | | | | X | |
| John M. Sheridan, Columbia District | X | | | | | |
| Chris Fairchild, Cunningham District | X | | | | | |

Attest:

 John M. Sheridan, Chair
 Board of Supervisors



BOARD OF SUPERVISORS

County of Fluvanna
Palmyra, Virginia

RESOLUTION No. 14-2022

A RESOLUTION TO APPROVE A POLICY PERMITTING BOARD MEMBERS TO PARTICIPATE IN BOARD MEETINGS SUBJECT TO CERTAIN CONDITIONS PURSUANT TO VIRGINIA CODE SECTION 2.2-3708.2

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF FLUVANNA COUNTY, VIRGINIA, that the following policy be, and it is hereby, adopted pursuant to Virginia Code Section 2.2-3708.2, as follows:

A. The Board may conduct any meeting wherein the public business is discussed or transacted through electronic communication means if, on or before the day of a meeting, a member of the Board notifies the chair of the Board that:

1. Such member is unable to attend the meeting due to (i) a temporary or permanent disability or other medical condition that prevents the member’s physical attendance or (ii) a family member’s medical condition that requires the member to provide care for such family member, thereby preventing the member’s physical attendance; or
2. Such member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter. Participation by a member pursuant to this subdivision b is limited each calendar year to two meetings or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater.

B. If participation by a member through electronic communication means is approved pursuant to subdivision A., the Board shall record in its minutes the remote location from which the member participated; however, the remote location need not be open to the public. If participation is approved pursuant to subdivision A.1., the Board shall also include in its minutes the fact that the member participated through electronic communication means due to (i) a temporary or permanent disability or other medical condition that prevented the member’s physical attendance or (ii) a family member’s medical condition that required the member to provide care for such family member, thereby preventing the member’s physical attendance. If participation is approved pursuant to subdivision A.2., the Board shall also include in its minutes the specific nature of the personal matter cited by the member.

If a member’s participation from a remote location pursuant to subdivision A.2. is disapproved because such participation would violate the policy adopted pursuant to subsection C, such disapproval shall be recorded in the minutes with specificity.

C. Participation by a member of the Board in a meeting through electronic communication means pursuant to subdivisions A 1 and 2 and subsection B shall be authorized only if the following conditions are met:

1. The Board approves such participation pursuant to this policy allowing for and governing participation of its members by electronic communication means, including the approval process for such participation, subject to the express limitations imposed by Section 15.2-3708.2, as the same shall be amended from time to time. This policy shall be applied strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting;
2. A quorum of the Board is physically assembled at one primary or central meeting location; and
3. The Board makes arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Board of Supervisors of Fluvanna County on this 6th day of July 2022.

| | 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 | | | | | |
| Chris Fairchild, Cunningham District | | | X | | | |

Attest:

John M. Sheridan, Chair
Fluvanna County Board of Supervisors