

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Carysbrook Performing Arts Center
8880 James Madison Hwy, Fork Union, VA 23055
October 5, 2022
Regular Meeting 5:00pm**

MEMBERS PRESENT: John M. (Mike) Sheridan, Columbia District, Chair *(entered at 5:06pm)*
 Tony O’Brien, Rivanna District, Vice Chair
 Mozell Booker, Fork Union District *(entered at 5:08pm)*
 Patricia Eager, Palmyra District
 Chris Fairchild, Cunningham District

ABSENT: None.

ALSO PRESENT: Eric M. Dahl, County Administrator
 Kelly 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 5:04pm, Vice Chair O’Brien called to order the Regular Meeting of October 5, 2022. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

3 - ADOPTION OF AGENDA

- Mr. Dahl requested adding the *Cost of Community Services Study* to New Business.

MOTION:	Accept the Agenda, for the October 5, 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:	Absent	Yes	Yes	Yes	Absent
RESULT:	3-0				

- At 5:06pm Mr. O’Brien passed the gavel to Mr. Sheridan.

4 - COUNTY ADMINISTRATOR’S REPORT

Mr. Dahl reported on the following topics:

Announcements and Updates - New Employees

- Clifton Thomas, HVAC Specialist, Facilities Department, Started August 31st
- Travis Lawson, Athletics and Special Events Coordinator, Parks and Recreation Department, Started October 3rd

Announcements and Updates - New Position

- Victoria Melton, Director of Finance, Finance department, Started September 11th

Bremo Power Station Demolition

- On Friday, September 23, 2022 Dominion Energy completed a controlled demolition of Bremo Power Station, located in Bremo Bluff, Fluvanna County.

October Is Domestic Violence Awareness Month

- If you are the victim of domestic violence, or know someone who is, help is only a phone call away.
- Call the Fluvanna Victim/Witness Assistance Program at 591-1985 or the
- Shelter for Help in Emergency (SHE) at 293-8509 for assistance.

18th Annual Halloween Festival and Trunk or Treat

- Saturday, October 29th at Pleasant Grove Park
- The Semi-Scary Haunted Trail and Trunk or Treat starts at 6:30 pm and ends at 8:30 pm.
- Free and Open to the Public
 - If you plan on handing out candy or treats from a trunk you must Register your Vehicle’s Trunk at <https://fluvanna.recdesk.com> or call (434) 589-2016 Monday thru Friday, 9am - 4pm.
 - Trunks must be registered by 12 Noon, Thursday, October 27th!

Annual Friends of the Library Book Sale 2022

- Thursday, October 6- Saturday, October 22

Hours of the Library

- Thursday, October 6 - Saturday, October 8 - Full Price
- Tuesday, October 11 - Saturday, October 15 - 1/2 Price Sale (Library Closed Monday, October 10)
- Monday, October 17 - Saturday, October

White Oak Solar Farm Community Meeting

- Wednesday, October 12th from 6:30-8:00PM
- The Light Academy – Cafeteria, 479 Cunningham Rd., Palmyra, VA 22963

- White Oak Solar Farm is a 38MW solar project located off Shores Road about 2 miles south of Kidds Store, VA. The estimated project area is 355 acres.

Next BOS Meetings

Day	Date	Time	Purpose	Location
Wed	Oct 19	7:00 PM	Regular Meeting	Performing Arts Center
Wed	Nov 2	5:00 PM	Regular Meeting	Performing Arts Center
Wed	Nov 16	7:00 PM	Regular Meeting	Performing Arts Center

- Mr. Dahl mentioned the Elected officials breakfast on November 10, 2022
- Mrs. Booker mentioned that it was National Teacher's Day
- Mr. Sheridan provided an update about the Rivanna Conservation Alliance Trash Pickup on October 1, 2022
 - o 9.5 Miles of river cleaned
 - o 148 bags of trash collected
 - o 173 Tires were pulled from the river
- Mr. Dahl mentioned LMOA extending an invitation to the Board of Supervisors to attend their meetings.
- Mr. Dahl also asked if a board member would like to attend the TJPDC Regional Transit Governance Study meetings. Mrs. Eager offered to participate on the steering committee.

5 - PUBLIC COMMENTS #1

At 5:21pm, Chair Sheridan opened the first round of Public Comments.

- Corven Flynn, 319 Shiloh Church rd., made comments regarding the June 15, 2022 and September 21, 2022 Board of Supervisors meetings, and Board meeting minutes, generally.

With no one else wishing to speak, Chair Sheridan closed the first round of Public Comments at 5:26pm.

6 - PUBLIC HEARING

At 7:00pm.

7 - ACTION MATTERS

Selection of Voting Credentials for the 2022 VACo Annual Business Meeting – Eric Dahl, County Administrator

- Article VI, VACo Bylaws, states that each county shall designate a representative of its board of supervisors to cast its vote(s) at the Annual Business Meeting.
- Association's Bylaws allow a county to designate a non-elected official from your county or a member of a board of supervisors from another county to cast a proxy vote(s) for your county.
- For your county to be certified to vote at the Annual Business Meeting, a completed Voting Credentials Form or a Proxy Statement must be submitted to VACo by November 7, 2022.

MOTION #1:	Approve Michael Sheridan be appointed Voting Delegate, representing Fluvanna County by casting votes at the 2022 Annual Business Meeting of the Virginia Association of Counties.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
ACTION:	Second			Motion	
VOTE:	Yes	Yes	Yes	Yes	Abstain
RESULT:	4-0-1				

MOTION #2:	Approve Eric Dahl be appointed Alternate Delegate, representing Fluvanna County by casting votes at the 2022 Annual Business Meeting of the Virginia Association of Counties.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
ACTION:	Second	Motion			
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Judicial Assistant Job Description – Donna Snow, Director of Human Resources

With Judge Moore retiring, a new Circuit Court Judge is being assigned to Fluvanna County. Currently, Fluvanna County shares the cost of Judge Moore's Judicial Assistant with the City of Charlottesville, but the Judicial Assistant position is an employee of the City of Charlottesville. The current amount budgeted within FY23 is \$21,800, which accounts for 25% for personnel costs and 10% for office supply costs.

The new Circuit Court Judge being assigned to Fluvanna is Judge Barredo, who will split his time 50% between Fluvanna and Greene County. The effective date for the incoming Circuit Court Judge is December 1, 2022. It is

anticipated that based upon populations and caseloads, Fluvanna may have a greater percentage of court time in the future. It is being requested that Fluvanna County be the employer for the Judge's new Judicial Assistant and a new employee job description must be created. At a future meeting, a Memorandum of Agreement will be brought before the board between Fluvanna and Greene County for sharing costs of the position.

MOTION:	Approve the job description for the Judicial Assistant for the Office of the Circuit Court Judge.				
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

MOTION:	Move the Board of Supervisors approve the following Board, Commission, or Committee appointment(s)/reappointments(s):				
BOARD/COMMISSION/COMMITTEE	APPOINTEES		APPT/REAPPT	BEGINS TERM	ENDS TERM
Board of Building Code Appeals (BBCA) – At-Large Representative	James Halstead, Jr. (I)		Reappt	11/1/2022	10/31/2026
Board of Building Code Appeals (BBCA) – At-Large Representative	Gary Osteen (I)		Reappt	11/1/2022	10/31/2026
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
ACTION:		Second		Motion	
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

8 – PRESENTATIONS

Piedmont Virginia Community College Update – Dr. Jean Runyon, President PVCC

Dr. Runyon presented the Board with an update of Piedmont Virginia Community College. PVCC is celebrating 50 years of academic excellence and impact with a mission to offer accessible, affordable, high-quality educational programs that promote student success and community vitality.

Pearson Appraisal 2023 Reassessment Update – Randy Willis, Pearson Mass Appraisal and Andrew M. Sheridan, Jr., Commissioner of the Revenue

- Randy Willis presented an initial overview of the 2023 reassessment data and will return at a future meeting with a more comprehensive analysis of the data.
- Mel Sheridan mentioned property cards illustrating the 2023 assessments will be mailed in the next few weeks. There will be a window of time where property owners may appeal or discuss their assessments with Pearson Mass Appraisal. When the assessor appeal window closes, appeals may be brought to the Board of Equalization for review.

9 - CONSENT AGENDA

The following items were approved under the Consent Agenda for October 5, 2022:

- *Minutes of September 21, 2022* – Caitlin Solis, Clerk to the Board
- *CRMF - IT - FUSD Network Cabling* – Andy Notman, Information Technology Director
- *CRMF - PW23 - 005 - FY22 Capital Reserve Maintenance Fund Request Form PW22-009* – Dale Critzer, Assistant Director of Public Works
- *Permanent Part-time Deputy Registrar Job Description* – Donna Snow, Director of Human Resources
- *Department of Social Services Vehicles Contract* – Donna Allen, Purchasing Officer
- *Dewberry Project Agreement #15 for On-Call Water and Sewer Plan Review* – Donna Allen, Purchasing Officer

MOTION:	Approve the consent agenda, for the October 5, 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

None.

11 - NEW BUSINESS*Cost of Community Services Study* – Eric Dahl, County Administrator

- Mr. Dahl asked the Board of Supervisors for direction with the Cost of Community Services Study, and whether the Board would like a presentation brought back at a future meeting.

12 - PUBLIC COMMENTS #2

At 6:35pm, Chair Sheridan opened the second round of Public Comments. With no one wishing to speak, Chair Sheridan closed the second round of Public Comments at 6:35pm.

13 - CLOSED MEETING

MOTION:	At 6:35pm, move the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.19 of the Code of Virginia, 1950, as amended, for the purpose of discussing Public Safety – Structure of Emergency Services				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
ACTION:	Second			Motion	
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

MOTION:	At 7:13pm, 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				

PUBLIC HEARING*Public Hearing for Chapter 21 Water and Sewage Disposal Ordinance* – Eric Dahl, County Administrator

- Fluvanna County has targeted Zion Crossroads (ZXR) as a growth area. Water and Sewer system infrastructure is an important aspect to attracting and expanding business development in Fluvanna County. The ZXR system stretches nearly 4 miles of the Route 250 / Route 15 corridor. The service area stretches from Route 698, Memory Lane, east on Route 250 to Zion Crossroads, and south on Route 15 for a half mile.
- The County also has sewer systems in downtown Palmyra which are covered under Chapter 21 of the Fluvanna County Code. Fork Union Sanitary District is covered primarily under Chapter 9 of the Fluvanna County Code, which is not being amended at this time. There are sections of Chapter 21 that apply to the Fork Union Sanitary District which is consistent with prior treatment under Chapter 21.
- The proposed ordinance changes, fees, manuals and plans have been prepared to address the significant increase in the abilities of the County’s water and sewer system, as well as to address significant revisions to the Virginia Administrative Code Waterworks Regulations which were effective June 21, 2021 and to make other modifications deemed appropriate by staff to better manage the system and to address the financial impacts of the Project.
- The Proposed Reenacted Chapter 21 Water and Sewage Disposal ordinance:
 - Appendix A: Water and Sewer Fee Schedule
 - Cross-connection Control and Backflow Prevention Program Manual
 - Emergency Management Plan for Extended Power Outages
 - Utility Standards Manual

Meter Size	Capital EMU Ratio	Usage EMU Ratio	Water Availability Fee	Water Base Service Fee	GAL Included in Base Fee	Sewer Availability Fee	Sewer Base Service Fee	GAL Included in Base Fee
5/8x3/4	1.00	1.00	\$8,500	\$ 21.42	2,000	\$8,500	\$ 25.81	2,000
Full 3/4	1.00	1.00	\$8,500	\$ 21.42	2,000	\$8,500	\$ 25.81	2,000
1	2.00	3.00	\$17,000	\$ 64.26	6,000	\$17,000	\$ 77.43	6,000
1-1/2	5.00	6.00	\$42,500	\$ 128.52	12,000	\$42,500	\$ 154.86	12,000
2	8.00	10.00	\$68,000	\$ 214.20	20,000	\$68,000	\$ 258.10	20,000
3	16.00	24.00	\$136,000	\$ 514.08	48,000	\$136,000	\$ 619.44	48,000
4	32.00	48.00	\$272,000	\$ 1,028.16	96,000	\$272,000	\$ 1,238.88	96,000

Fee per 1,000 gal	
Water	Sewer
\$11.22	\$17.65

Based on existing FUSD and Palmyra Sewer Rates

Meter Size (Inches)	Monthly Usage (Gallons)	Water Base Service Fee	Water Usage Fee	Total Water Charges	Sewer Base Service Fee	Sewer Usage Fee	Total Sewer Charges	Total Water & Sewer Charges
5/8x3/4	3,000	\$ 21.42	\$11.22	\$ 32.64	\$ 25.81	\$17.65	\$ 43.46	\$ 76.10
Full 3/4	5,000	\$ 21.42	\$33.66	\$ 55.08	\$ 25.81	\$ 52.96	\$ 78.76	\$ 133.84
1	7,000	\$ 64.26	\$11.22	\$ 75.48	\$ 77.43	\$ 17.65	\$ 95.08	\$ 170.56
1-1/2	13,000	\$ 128.52	\$11.22	\$ 139.74	\$ 154.86	\$ 17.65	\$ 172.51	\$ 312.25
2	21,000	\$ 214.20	\$11.22	\$ 225.42	\$ 258.10	\$ 17.65	\$ 275.75	\$ 501.17
3	49,000	\$ 514.08	\$11.22	\$ 525.30	\$ 619.44	\$ 17.65	\$ 637.09	\$ 1,162.39
4	97,000	\$ 1,028.16	\$11.22	\$ 1,039.38	\$ 1,238.88	\$ 17.65	\$ 1,256.53	\$ 2,295.91

Richard Klinchoe, Project Manager, Dewberry, presented the Utility Master Plan Overview and Connection Fee Rate Analysis.

Overview and Goals

- Holistically analyze water and sewer rates and fees county-wide
- Ensure Water and Sewer funds are financially sustainable with in planning period (35 years)
- Provide sufficient revenue for emergencies and long-term infrastructure upgrades
- Ensure costs remain competitive within the region
- Minimize subsidies to Water and Sewer funds
- Set rates to meet future needs of the system
- Plan for preventative maintenance and recapitalization

Assumptions

- Ensure County repayment within the planning period
- Private well and septic system construction for 2 EMU equivalent customers (1-inch meter) is estimated at \$40,000
- Proposed rates set to match existing current rates
 - Water: FUSD
 - Sewer: County (Palmyra)
- Water Base Service Fee: \$21.42 per EMU
- Sewer Base Service Fee: \$25.81 per EMU
- Minimum Usage included in Base Service Fee: 2,000 gallons per month per EMU for both water and sewer

Projected Revenue over 35-Year Planning Period

	Water Connection Fee	Water Rates (above base service)	Sewer Connection Fee	Sewer Rates (above base service)	Capital Subsidy from O&M (W/S)	Overall Water Revenue	Total Sewer Revenue	Total Water and Sewer Revenue
Scenario 1 Break-Even, Separate Capital and O&M Budgets	\$17,422	\$5.93 per 1,000 gallons	\$25,206	\$7.28 per 1,000 gallons	W: 0% S: 0%	\$0	\$0	\$0
Scenario 2 Proposed Fees and Rates (BOS Presentation 9/7/22)	\$8,500	\$11.22 per 1,000 gallons	\$8,500	\$17.65 per 1,000 gallons	W: 57% S: 68%	\$28.7M	\$64.5M	\$93.2M
Scenario 3 Reduced W&S Connection Fees, includes County Debt Repayment	\$5,750	\$11.22 per 1,000 gallons	\$6,250	\$17.65 per 1,000 gallons	W: 74% S: 77%	\$3.9M	\$46.5	\$50.4M
Scenario 4 Reduced W&S Connection Fees, excludes County Debt Repayment (County Subsidy)	\$5,750	\$11.22 per 1,000 gallons	\$6,250	\$17.65 per 1,000 gallons	W: 64% S: 75%	\$18.4M	\$52.3M	\$70.7M

Recommendation

- Institute rates and fees summarized in Scenario 2
 - Water Connection Fee: \$8,500
 - Sewer Connection Fee: \$8,500
 - Water Rate: \$11.22 per 1,000 gallons above Base Service Fee
 - Sewer Rate: \$17.65 per 1,000 gallons above Base Service Fee

- Annually review and adjust fees and rates as needed to ensure financial sustainability and reasonable costs to customers

At 8:21pm, Chair Sheridan opened the Public Hearing. With no one wishing to speak, Chair Sheridan closed the Public Hearing at 8:22pm.

MOTION #1:	Adopt an ordinance to: (i) repeal Chapter 21 Water and Sewage Disposal of the Fluvanna County Code, in its entirety; (ii) adopt and reenact the proposed attached replacement Ordinance entitled Chapter 21 Water and Sewage Disposal of the Fluvanna County Code, in its entirety; and (iii) adopt the related proposed attached Appendix A entitled Water and Sewer Fee Schedule to be published as an appendix to the Fluvanna County Code; AND Further approve and adopt the proposed Fluvanna County Zion Crossroads Community Waterworks Utility Standards Manual, the Cross-Connection Control and Backflow Prevention Program Manual, and the Emergency Management Plan for Extended Power Outages, each dated September 2022.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
ACTION:		Second		Motion	
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

MOTION #2:	Adopt the Utility Master Plan dated September 2022, as presented.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
ACTION:	Motion	Second			
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

13 - CLOSED MEETING

MOTION:	At 8:32pm, move the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.1 of the Code of Virginia, 1950, as amended, for the purpose of discussing Personnel – County Attorney Services.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
ACTION:	Second			Motion	
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

MOTION:	At 9:28pm, 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				

MOTION TO EXTEND

- At 9:28pm, a motion was made to extend the Board of Supervisors meeting.

MOTION:	Approve a motion to extend the October 5, 2022 Regular Board of Supervisors meeting to 9:40pm.				
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

MOTION:	Adjourn the regular meeting of Wednesday, October 5, 2022 at 9:29pm.				
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