

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Fluvanna County Library
214 Commons Blvd, Palmyra, Virginia 22963
July 5, 2023
Regular Meeting 5:00pm and 7:00pm**

MEMBERS PRESENT:

Mozell Booker, Fork Union District, Chair
Patricia Eager, Palmyra District, Vice Chair
John M. (Mike) Sheridan, Columbia District (*entered meeting at 5:02pm*)
Tony O'Brien, Rivanna District (*entered meeting at 5:05pm*)
Chris Fairchild, Cunningham District

ABSENT:

None.

ALSO PRESENT:

Eric M. Dahl, County Administrator
Kelly Harris, Assistant County Administrator
Dan Whitten, County Attorney
Caitlin Solis, Clerk for the Board of Supervisors

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

At 5:00pm, Chair Booker called to order the Regular Meeting of July 5, 2023. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

3 - ADOPTION OF AGENDA

Mr. Dahl asked to add *Ambulance Purchase Agreement No.2 with Atlantic Emergency Solutions, Inc.* to the agenda.

MOTION:	Accept the Agenda, for the July 5, 2023 Regular Meeting of the Board of Supervisors, as amended.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
ACTION:				Second	Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

4 - COUNTY ADMINISTRATOR'S REPORT

Mr. Dahl reported on the following topics:

Announcements and Updates - New Employees

- Justin May, Sheriff's Office, Deputy Sheriff in Training, Started June 28th

Announcements and Updates - Summer Fun at the Library!!

FUN Workshops!!

- Bohemian Dreamcatcher – 2 workshops of 20 people each (Adults)
- Tech Day – LEGO Movie Maker & Robotics – 2 workshops of 20 people each

Special Performances:

- Peter McCory: One Man Band – 128 people
- Wes Iseli: Party Magic (magician) – 298 people

Next BOS Meetings:

Day	Date	Time	Purpose	Location
Wed	Aug 2	5:00 PM	Regular Meeting	Performing Arts Center
Wed	Aug 16	7:00 PM	Regular Meeting	Performing Arts Center
Wed	Sept 6	5:00 PM	Regular Meeting	Performing Arts Center

5 - PUBLIC COMMENTS #1

At 5:04pm, Chair Booker opened the first round of Public Comments.

- Tom Diggs, 947 Jefferson Dr, spoke in opposition to ZTA 21:03.
- Christina Dickerson, 723 North Ruritan Dr, spoke in favor of a running at large ordinance for Fluvanna County.
- Suzy Morris, 6840 Thomas Jefferson Pkwy, spoke in opposition of a leash law.

With no one else wishing to speak, Chair Booker closed the first round of Public Comments at 5:15pm.

6 - PUBLIC HEARING

None.

7 - ACTION MATTERS*Resolution Recommending Appointment to the Board of Equalization* – Eric Dahl, County Administrator

A member of the Fluvanna County Board of Equalization moved out of the County and had to resign from the Fluvanna BOE. This Resolution directs submission of the replacement nominee for Circuit Court consideration and formal appointment to the BOE.

MOTION:	Adopt a resolution entitled, “A RESOLUTION RECOMMENDING APPOINTMENT TO THE BOARD OF EQUALIZATION.”				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
ACTION:		Motion	Second		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Consulting Services Agreement with B. W. Murray, Inc. – Joyce Pace, General Registrar

Locality Election Security Standards (LESS) under Applicable Law make this Consulting Services Agreement necessary as the County Electoral Board must certify its compliance with these new standards. The County’s objective in entering into this Agreement is to comply with (i) the 2023 Local Election Security Standards dated November 16, 2022, Version Number 4 (“LESS Standards”), attached the Agreement as Exhibit 1, and (ii) the 2023 Local Election Security Standards Controls Matrix, Tools and Resources dated November 2022, Version Number 4 (“LESS Controls”), attached to the Agreement as Exhibit 2. LESS Standards and LESS Controls as used in the Agreement mean as such standards are amended, modified, or replaced by similar standards or rules from time to time throughout the Term by the Virginia Department of Elections, or other agency given authority under Applicable Law to modify such standards, or as such are amended by Applicable Law. The Consultant in performing any Services under the Agreement must perform all Services so as to meet all applicable requirements, deadlines and target dates as required by the LESS Standards, LESS Controls, and any applicable Project Agreement. The expectation is the standards may change and this term agreement will allow for changes in work/scope as requirements are changed under Applicable Law. This task-order based term contract allows the parties to issues additional as-needed tasks based on changes in law or issues discovered.

MOTION #1:	Approve the Consulting Services Agreement with B. W. Murray & Co., Inc., the Fluvanna County Electoral Board and the Fluvanna County Registrar and the County for as-needed Services up to an maximum of no more than \$20,000 per annual term and those current tasks for Project Agreement 1 for Cybersecurity Planning Services for \$1,070.91 monthly and that Project Agreement 2 for Penetration Testing at a one-time cost of \$3,240, and further authorize the County Administrator to execute the agreement, project agreement 1 and project agreement 2, 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				

MOTION #2:	Approve an FY24 supplemental appropriation for the Registrar’s Office in the amount of \$20,000 from FY24 BOS Contingency to cover cybersecurity consulting services costs to comply with 2023 Locality Election Security Standards (LESS) from the Virginia State Board of Elections and the Virginia Department of Elections.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
ACTION:				Second	Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Sheriff’s Office Recruitment, Retention, and Salary Increase – Eric Hess, Sheriff

The Sheriff’s Office discussed recruitment, retention and a proposal to increase minimum salaries for deputies, along with some other proposed changes at the June 21, 2023 BOS meeting. At that meeting, Sheriff Hess proposed the following changes:

- Change starting pay:
 - Certified Deputies to \$52,500 (currently \$49,500)
 - Non-certified to \$49,500 (currently \$46,500)
- Change sign-on Bonus amounts:
 - Certified sign-on bonus to \$7,500 (currently \$5,000)

- Non-certified sign-on bonus - \$4,000 (currently \$0)
 - Increase shift differential to \$2,200 for patrol deputies (currently \$1,100)
 - Change to 80 hour pay period to be more competitive across the board – FCSO deputies work on average of an additional 104 hours per year over competing agencies with higher starting salaries and bonuses
- The board requested staff to come back with estimates for the proposed changes. After reviewing the Sheriff’s Office resignations/retirements from calendar year 2020-2023, the average is about 5 resignations/retirements per year. Based upon this data, the below would represent the costs for various components of the Sheriff’s Office proposed changes:

- 1) Increase Starting Pay for Deputies by \$3,000 for Certified and Noncertified:
 - i) Certified Deputies to \$52,500 (currently \$49,500)
 - ii) Non-certified to \$49,500 (currently \$46,500)

	Increase Starting Pay \$3K
Vacancy #1	\$ 3,000
Vacancy #2	\$ 3,000
Vacancy #3	\$ 3,000
Vacancy #4	\$ 3,000
Vacancy #5	\$ 3,000
subtotal	\$ 15,000
Benefit Costs	\$ 3,003
EST. TOTAL	\$ 18,003

- 2) Make Changes to Sign-On Bonuses:
 - i) Certified sign-on bonus to \$7,500 (currently \$5,000)
 - ii) Non-certified sign-on bonus - \$4,000 (currently \$0)

	New Non-Certified Bonus	Increase Certified Bonus
Vacancy #1	\$ 4,000	\$ 7,500
Vacancy #2	\$ 4,000	\$ 7,500
Vacancy #3	\$ 4,000	\$ 7,500
Vacancy #4	\$ 4,000	\$ 7,500
Vacancy #5	\$ 4,000	\$ 7,500
subtotal	\$ 20,000	\$ 37,500
LESS existing bonus cost (\$5k per)	\$ -	\$ 25,000
Increased bonus cost	\$ 20,000	\$ 12,500
Benefit Costs	\$ 1,530	\$ 2,869
EST. TOTAL	\$ 21,530	\$ 15,369

- 3) Differential Pay Change:
 - i) Increase shift differential to \$2,200 for patrol deputies (currently \$1,100)

	Differential \$ Increase
Differential Pay	\$ 1,100
20 Patrol Deputies subtotal	\$ 22,000
Benefit Costs	\$ 4,404
EST. TOTAL	\$ 26,404

MOTION #1:	Approve increasing the Sheriff’s Office Deputies starting salary as follows: - Pay Band 106 for Certified Deputies from \$49,120 to \$52,500 - Pay Band 105 for Non-certified Deputies from \$46,800 to \$49,500 with funding to come from the FY24 Sheriff’s Office vacancies.				
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:	Approve increasing the Sheriff's Office Deputies Sign-on Bonus amounts as follows: - Certified Deputies from \$5,000 to \$7,500 - Non-certified Deputies from \$0 to \$4,000 with funding to come from the FY24 Sheriff's Office vacancies.				
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 #3:	Approve increasing Sheriff's Office Deputies differential pay from \$1,100 to \$2,200 per fiscal year with funding to come from the FY24 Sheriff's Office vacancies.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
ACTION:		Second		Motion	
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

JP Morgan Debt Service CIP Budget Transfers – Eric Dahl, County Administrator

The County closed on debt financing with JPMorgan Chase Bank back on February 3, 2022 in the amount of \$5,231,500 for multiple Countywide FY22 CIP vehicle/equipment projects. Per the financing documents, the spend-down period of proceeds needs to be completed by August 3, 2023, otherwise any remaining funds go back to JPMorgan Chase Bank. As part of the financing, \$3,333,500 was allocated for Fire and Rescue Apparatus. When the County closed on the debt proceeds, a prepayment on 3 pieces of apparatus was funded. At the time, the County was expecting to take delivery prior to the spend-down period and pay for the remaining outstanding balances, but Fire and Rescue apparatus build delays will not have the apparatus to the County prior to August 3, 2023 deadline. The chart below shows outstanding proceeds for these projects.

Apparatus	Budget	Paid	Difference
Response 5	\$ 100,000.00	\$ -	\$ 100,000.00
Car 1	\$ 74,500.00	\$ -	\$ 74,500.00
Tower Ladder 53	\$ 1,670,000.00	\$ 1,375,071.00	\$ 294,929.00
Tanker 10	\$ 495,000.00	\$ 398,410.00	\$ 96,590.00
Attack 20	\$ 239,000.00	\$ 239,000.00	\$ -
Engine 20	\$ 755,000.00	\$ 616,906.00	\$ 138,094.00
TOTAL	\$ 3,333,500.00	\$ 2,629,387.00	\$ 704,113.00

In addition, there are a couple other Public Works/Department of Social Services vehicle purchases that have been ordered and we are supposed to receive by August 3, 2023, but there is a possibility for other delays. If we do not receive delivery of any vehicles/equipment prior to August 3, 2023, the County would have to fund these projects with Unassigned Fund Balance. Currently, the rate of return on County invested funds is around 5.15%, so it makes sense to utilize the debt proceeds to the fullest, especially considering our interest rate is 1.37%.

Lastly, the County has earned to date about a little over \$82,000 on interest earned on the unspent proceeds, which can be used toward vehicle/equipment purchases.

With the next Board of Supervisors meeting (August 2, 2023) only being one day before all proceeds need to be requisitioned (August 3, 2023), I would request the Board allow the County Administrator flexibility with a funding source transfer of already approved FY22, FY23 and FY24 CIP projects to best utilize the full amount of the JPMorgan Chase Bank proceeds, with an not to exceed amount of \$900,000. Any change in funding sources would be brought back to the Board no later than the August 16, 2023 meeting for ratification by the Board.

Some initial thoughts on intended fund transfer uses that would be considered are:

- \$301,008 - 8 Vehicles – Dodge Chargers for the Sheriff's Office (contract on this agenda)
- \$331,070 - 1 Lake Monticello Ambulance being delivered June 30.
- \$108,990 – PG Athletic Field Lighting portion utilizing Unassigned Fund Balance

MOTION:	approve the County Administrator with the flexibility for a funding source transfer of already approved FY22, FY23 and FY24 CIP projects to best utilize the full amount of the JPMorgan Chase Bank proceeds issued February 3, 2022, with a not to exceed amount of \$900,000, and further require staff to bring any change in funding sources back to the Board for ratification no later than the August 16, 2023 Board of Supervisors meeting.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
ACTION:			Motion		Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Ambulance Purchase Agreement No. 2 with Atlantic Emergency Solutions, Inc. – Eric Dahl, County Administrator
Fluvanna County's ambulances have very high mileage and are in need of replacement. There are two build slots scheduled with Fluvanna and Atlantic Emergency Solutions, Inc. (AES); Lake Monticello Rescue is scheduled first, and the County Ambulance is scheduled to be built second. Lake Monticello Rescue offered to switch build slots so the County could get a new ambulance sooner, but the scheduled ambulance is priced \$100,000 over what was budgeted for the County's ambulance and the first build slot remained with Lake Monticello. During communications with AES, an earlier and comparable build slot for another county fell through, and by approving this purchase agreement, Fluvanna County is able to secure the earlier build slot, providing an ambulance sooner than originally expected.

MOTION:	Approve that cooperative purchase agreement entitled Ambulance Purchase Agreement No. 2 between Atlantic Emergency Solutions, Inc. and the County of Fluvanna for the purchase of Fluvanna County Wheeled Coach #622400 for \$337,076.00; and further authorize the County Administrator to execute the Agreement after attachment, review and approval by him of Exhibits 5 and 6 and 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				

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
JAUNT Board – Fluvanna County Representative	Iscella Wittich		Appt	7/5/2023	6/30/2025
Economic Development and Tourism Advisory Council (EDTAC) – At-Large	Suzy Morris		Appt	7/5/2023	6/30/2025
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

Dogs Running At Large Ordinance – Eric Dahl, County Administrator

There has been much discussion from residents and representatives of the Sheriff's Office over the years for a Dogs Running at Large ordinance, while trying to find a balance for all residents in the community. Currently, Fluvanna County only has a dogs running at large ordinance applicable to the Lake Monticello subdivision, which at minimum needs to be updated to reflect the correct magisterial districts representing Lake Monticello.

After some discussion, Staff was directed to bring a draft Dogs Running At Large Ordinance back to the Board.

MOTION:	At 6:29pm, move the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.1, A.5, & A.8 of the Code of Virginia, 1950, as amended, for the purpose of discussing Personnel – emergency services department salaries; Prospective Industry – prospective business update; and Legal Matters – emergency procurement for vehicles, contract user grant under the water and sewer ordinance, and temporary signs on county property.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
ACTION:				Motion	Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

MOTION:	At 7:24pm, move the Fluvanna County Board of Supervisors recess the closed meeting.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
ACTION:				Motion	Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

2023 General Assembly Update – Dan Whitten, County Attorney
 Mr. Whitten discussed legislation changes from the 2023 General Assembly that affects Fluvanna County.

9 - CONSENT AGENDA

The following items were approved under the Consent Agenda for July 5, 2023:

- Minutes of June 21, 2023 – Caitlin Solis, Clerk to the Board
- Purchase Agreement with Basic Auto Sales for 2022 Chevrolet Silverado 1500 – Tori Melton, Finance Director
- Magic City Vehicle Purchase Agreement – Tori Melton, Director of Finance
- FY23 ARPA Grant State Library – Tori Melton, Finance Director
- Cooperative Agreement under City of Charlottesville Virginia Contract No. 4600001760 for Police Uniforms with Howard Uniform Company, LLC – Eric Dahl, County Administrator
- County Attorney Paralegal/Legal Assistant Job Description – Donna Snow, Director of Human Resources
- Emergency Medical Services (EMS) Policies – Eric Dahl, County Administrator

MOTION:	Approve the consent agenda, for the July 5, 2023 Board of Supervisors meeting.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
ACTION:				Motion	Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

10 - UNFINISHED BUSINESS

Personnel Policy 2-8-3 Pay and Allowances Temporary Amendment and FY24 Pay Rates and Classifications Revision – Eric Dahl, County Administrator

In an effort to recruit Emergency Medical Technicians, the Board authorized a pay band increases and authorized the County Administrator to increase to the percentage above the minimum pay grade.

MOTION:	I move the Board of Supervisors approve an amendment to section 2.8.3(A) of the Personnel Policy to authorize the County Administrator to place a new employee at 20% above the minimum of the grade for a temporary 90 day period. I also move, that the pay band for an EMT BLS position be raised from a 12 to a 14, and the pay band for an EMT ALS position be raised from a 17 to a 19.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
ACTION:				Second	Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

11 - NEW BUSINESS

None.

12 - PUBLIC COMMENTS #2

At 7:58pm, Chair Booker opened the first round of Public Comments. With no one wishing to speak, Chair Booker closed the first round of Public Comments at 7:58pm.

MOTION:	At 7:58pm, move the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.1, A.5, & A.8 of the Code of Virginia, 1950, as amended, for the purpose of discussing Personnel – emergency services department salaries; Prospective Industry – prospective business update; and Legal Matters – emergency procurement for vehicles, contract user grant under the water and sewer ordinance, and temporary signs on county property.				
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 8:36pm, move the Fluvanna County Board of Supervisors recess the closed meeting.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
ACTION:				Motion	Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

14 - ADJOURN

MOTION:	Adjourn the regular meeting of Wednesday, July 5, 2023 at 8:37pm.				
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

 Mozell H. Booker
 Chair



BOARD OF SUPERVISORS
 County of Fluvanna
 Palmyra, Virginia

RESOLUTION No. 20-2023

A RESOLUTION RECOMMENDING APPOINTMENT TO THE BOARD OF EQUALIZATION

WHEREAS, Virginia Code Section 58.1-3370 requires the appointment of a Board of Equalization in each tax year immediately following the year a general reassessment is conducted in the County; and

WHEREAS, a member of the Board of Equalization, Ronald Lauziere, submitting his resignation after moving out of the County; and

WHEREAS, it is the desire of the Board of Supervisors of Fluvanna County to request that the Fluvanna County Circuit Court appoint a replacement Board of Equalization member and to suggest to the court the member to be appointed; and

WHEREAS, the Board of Supervisors desires to provide necessary clerical assistance for such Board of Equalization in accordance with Virginia Code Section 58-1-3376; and

WHEREAS, a general reassessment of the County has recently been completed; and

WHEREAS, the Fluvanna County Board of Supervisors requests the Board of Equalization to meet as frequently as necessary to hear all appeals from landowners concerning their reassessment; and

WHEREAS, the Fluvanna County Board of Supervisors encourages the Board of Equalization to meet with the assessors and review and evaluate their method of assessing the value of land in this reassessment; and

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of Fluvanna County, as follows:

1) That the County Attorney be, and he is hereby, **DIRECTED** to request the appointment by the Fluvanna County Circuit Court of a replacement member for the Board of Equalization as required by law; and that, in so doing, the County Attorney shall submit to the Circuit Court a suggested replacement member for the Board of Equalization, such list being attached to this resolution as Exhibit A; and

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Board of Supervisors at a meeting of the Board held on the 5th day of July 2023:

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

Attest:

Mozell H. Booker, Chair

Fluvanna County Board of Supervisors