

**FLUVANNA COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
Carysbrook Performing Arts Center  
8880 James Madison Hwy, Fork Union, VA 23055  
August 2, 2023  
Regular Meeting 5:00pm**

**MEMBERS PRESENT:**

Mozell Booker, Fork Union District, Chair  
Patricia Eager, Palmyra District, Vice Chair  
John M. (Mike) Sheridan, Columbia District  
Tony O’Brien, Rivanna District  
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 5:07pm, Chair Booker called to order the Regular Meeting of August 2, 2023. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

**3 - ADOPTION OF AGENDA**

<b>MOTION:</b>	Accept the Agenda, for the August 2, 2023 Regular Meeting of the Board of Supervisors, as presented.				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
<b>ACTION:</b>		Second		Motion	
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

**SPECIAL PRESENTATION**

*Resolution of Commendation and Appreciation for Paige Tomaras, Zach Butler, and Savannah Peterson – Eric Dahl, County Administrator*

- The Board of Supervisors expressed their appreciation for the heroism displayed by lifeguards Paige Tomaras, Zach Butler, and Savannah Peterson when they saved a motorist who crashed her car into Lake Monticello on July 6, 2023.

<b>MOTION:</b>	Approve a resolution entitled “Resolution of Commendation and Appreciation for Paige Tomaras, Zach Butler, and Savannah Peterson.”				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
<b>ACTION:</b>		Second		Motion	
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

**4 - COUNTY ADMINISTRATOR’S REPORT**

Mr. Dahl reported on the following topics:

Announcements and Updates – New Employees

- Welcome the New EMT Basic Life Support (BLS) Employees to Our Team! Heather Spence, Jonathan Hallquist, Evelyn Pinkney, Christopher Vess, Gracie Clifton, Hunter Ames, Virginia Davis, Melanie Johnson, and Noah Robertson. Everyone’s first day was July 10, 2023
- Joshua Redman, Public Works, Assistant Equipment & Fleet Maintenance Technician, Started July 17th
- Ashton Hudson, Public Works, Grounds Maintenance Worker I, Started July 31st
- Mya Sealock, Social Services, Human Services Assistant III, Started August 1st

Announcements and Updates

- Mrs. Booker was honored today at the FCPS Convocation and presented with the Fluco Legacy Award

2023 Fluvanna County Fair Information

- The Fluvanna County Fair will be held August 17 - 19, 2023 with opening times August 17 & 18 at 5pm and August 19 at 10am.
- There are a variety of attractions at the Fair this year: Carnival as always, Live Entertainment daily, Monster Truck rides Thursday and Friday, Axe Women of Maine daily shows, daily petting zoo and kids zone, beer

garden on Friday and Saturday, Axe throwing area on Saturday, along with the Rodeo to cap off the Fair on Saturday night. Plus many more events daily!

- There will be over 60 non-food vendors and over 15 food vendors at the event!
- Special THANK YOU to all the SPONSORS of the County Fair, with them this event would not be possible!

Lights at Pleasant Grove Park Athletic Fields

- Construction on the lights at Pleasant Grove Park Athletic Fields began on July 17, 2023.
- Completion of the project and being able to light the fields should be the week of July 31 pending any issues that could arise.

Next BOS Meetings:

Day	Date	Time	Purpose	Location
Wed	Aug 16	7:00 PM	Regular Meeting	Performing Arts Center
Wed	Sept 6	5:00 PM	Regular Meeting	Performing Arts Center
Wed	Sept 20	7:00 PM	Regular Meeting	Performing Arts Center

**5 - PUBLIC COMMENTS #1**

At 5:21pm, 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 5:21pm.

**6 - PUBLIC HEARING**

None.

**7 - ACTION MATTERS**

*FY23 BOS Contingency Budget Transfer - County Attorney Budget – Eric Dahl, County Administrator*

- The FY23 County Attorney budget is currently over-expended by \$91,625 through June 2023 for legal services.
- The main driver for increased costs are related to:
  - o Legal – Procurement: The County had an increase in the number of contracts/agreements in FY23, the prior Purchasing Officer wasn't as experienced with contracts/agreements (required more County Attorney office involvement) and the Purchasing Officer position was vacant for 3 months (required more County Attorney office involvement) .
  - o Legal – Special: The County had major ordinances updated, with a couple of larger ones being Chapter 21 Water and Sewage Disposal related to the Zion Crossroads water and sewer project and Chapter 8 Fire Protection and Public Safety related to the Fluvanna County Department of Emergency Services.
- A budget transfer of \$91,625 from BOS Contingency is recommended in order to bring the County Attorney line under budget for FY23.
- If approved, this budget transfer will increase the FY23 County Attorney budget from \$232,703 to \$324,328.
- If approved, this budget transfer will decrease FY23 BOS Contingency from \$92,006.96 to \$381.96.
- The FY24 in-house County Attorney budget is \$341,722.

**Fiscal Year County Attorney Costs:**

- FY16 - \$202,811
- FY17 - \$271,879
- FY18 - \$244,959\*
- FY19 - \$198,087\*
- FY20 - \$194,287\*
- FY21 - \$194,303\*
- FY22 - \$268,627\*
- FY23 - \$324,328\*

\*The costs above exclude costs specifically related to the Zion Crossroads Water and Sewer System project for real estate acquisition, contracting, legal concerns and litigation. Those costs are reflected separately in the Zion Crossroads enterprise fund budget.

<b>MOTION:</b>	Approve a budget transfer of \$91,625 from the FY23 BOS Contingency budget to the FY23 County Attorney budget for legal services.				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
<b>ACTION:</b>		Second		Motion	
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

*Budget Calendar – Tori Melton, Director of Finance*

Ms. Melton presented the FY25 Budget Calendar to the Board of Supervisors. After some discussion the Board agreed to move the Work Sessions only meetings to 5:30pm instead of 7:00pm, and move the February 14, 2024 Work Session presentations to February 28, 2024.

<b>MOTION:</b>	Approve the FY25 Budget Calendar, as presented and amended.				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
<b>ACTION:</b>			Second		Motion
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

*Resolution of Support for Line of Duty Act – Eric Dahl, County Administrator*

Nelson County is seeking support from Virginia Localities and that of the General Assembly in enacting legislation that will amend the State Code to provide private police officers Line of Duty Act benefits under §9.1-400 et seq. Wintergreen police officer Mark Christopher “Chris” Wagner, II lost his life in the line of duty on June 16, 2023. Officers of the Wintergreen Police Department, being a private police department, are not afforded the benefits available under the Line of Duty Act, Virginia Code Section 9.1-400 et seq., even though, along with their covered counterparts employed by a police department or sheriff’s office, they are responsible for the prevention and detection of crime and the enforcement of penal laws and are exposed to the same risks of injury or death in protecting citizens and visitors. There are many such other private police departments within our state that deserve these benefits, including the Lake Monticello Police Department.

The Virginia Line of Duty Act (LODA), established in Title 9.1 of the Code of Virginia and enacted in 1972, provides benefits to eligible family members of eligible employees and volunteers killed in the line of duty and to those eligible employees and volunteers disabled in the line of duty and their eligible family members. Funding of LODA benefits is provided by employers in one of two ways:

- Participation in the Line of Duty Death and Health Benefits Trust Fund (LODA Fund), administered by the Virginia Retirement System (VRS).
  - Self-funding by the employer or through an insurance company.
- After some discussion, Chair Booker asked for the Resolution to be read.

<b>MOTION:</b>	Approve the resolution entitled “A RESOLUTION HONORING OFFICER MARK CHRISTOPHER WAGNER, II AND REQUESTING LEGISLATIVE AMENDMENT OF THE LINE OF DUTY ACT.”				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
<b>ACTION:</b>				Second	Motion
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

*Palmyra Village Streetscape Project - VDOT: Transportation Alternatives Program Grant Update – Eric Dahl, County Administrator*

- The Transportation Alternatives Program (TAP) is intended to help grant fund community based projects such as sidewalks and enhance the transportation experience by improving both the cultural and historical aspects of a locality’s transportation infrastructure and seeks to strengthen the local economy and further improve the quality of life for its residents.
- The VDOT - Transportation Alternatives Program (TAP) Grant will provide funding to construct concrete sidewalks and related concrete curbing along Stone Jail Street, remove Court Square (road) that bisects the lawn area between Civil War Park and the Historic Courthouse, provide properly marked and much needed angled and parallel parking spaces along the new proposed one-way road system and to further improve the Palmyra Village VDOT roads.
- The Palmyra Village Streetscape Project is a part of the Board’s current BOS Goals, C3.1.
- On September 1, 2021, the board authorized and approved submission of the grant application.
- The County received notification on September 2, 2022 of being awarded the VDOT TAP grant funding in the amount of \$1,271,325 for the project.
- On October 19, 2022, the Board of Supervisors approved a supplemental appropriation of \$317,831 as its 20% match for the grant and approved a “Resolution Affirming Commitment to Fund the Locality Share of Projects Under Agreement with the Virginia Department of Transportation and Provide Signature Authority” for the Palmyra Village Streetscape project.
- As with many infrastructure projects, VDOT notified the County recently of cost increases on this project and needs a reaffirmation before proceeding. The chart below represents the total cost increase and the County is responsible for a 20% match. The 2021 County match was \$317,831 and the 2023 estimate is now \$436,000, an increase of \$118,169.

	2021 TAP Estimate	Updated Estimate
<b>Preliminary Engineering</b>	\$516,300	\$520,000
<b>Right of Way</b>	\$146,651	\$200,000
<b>Construction</b>	\$926,205	\$1,460,000
<b>Total</b>	<b>\$1,589,156</b>	<b>\$2,180,000</b>

- In order to continue moving forward, the County must:
  - o Approve an additional \$118,169 for the 20% match of the total estimated project cost of \$2,180,000. The County match will be expended over four fiscal years between FY23 and FY26, per the VDOT Administered – Locally Funded Project Administration Agreement.
  - o Adopt the “Resolution Reaffirming Commitment To Fund The Locality Share Of Projects Under Agreement With The Virginia Department Of Transportation And Provide Signature Authority.”

<b>MOTION #1:</b>	Approve an additional supplemental appropriation of \$118,169 from unassigned fund balance to allocate its required 20% match for the VDOT Transportation Alternatives Program (TAP) grant for the Palmyra Village Streetscape CIP project.				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
<b>ACTION:</b>				Motion	Second
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

<b>MOTION #2:</b>	Adopt the resolution entitled “Resolution Reaffirming Commitment To Fund The Locality Share Of Projects Under Agreement With The Virginia Department Of Transportation And Provide Signature Authority” for the Palmyra Village Streetscape project.				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
<b>ACTION:</b>				Motion	Second
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

**7A – BOARDS AND COMMISSIONS**

<b>MOTION:</b>	Move the Board of Supervisors approve the following Board, Commission, or Committee appointment(s)/reappointments(s):				
<b>BOARD/COMMISSION/COMMITTEE</b>	<b>APPOINTEES</b>		<b>APPT/ REAPPT</b>	<b>BEGINS TERM</b>	<b>ENDS TERM</b>
Monticello Area Community Action Agency (MACAA) – Fluvanna Citizen Representative	Austin Baker		APPT	8/2/2023	10/31/2023
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
<b>ACTION:</b>			Second	Motion	
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

**8 – PRESENTATIONS**

*Zion Crossroads Route 250 / Route 15 Wastewater Preliminary Engineering Report* – Eric Dahl, County Administrator

The intent of the Route 250 / Route 15 Corridor Preliminary Engineering Report is to develop updated wastewater demand projections for the area, present a thorough conceptual layout of the backbone wastewater system necessary to serve the study area, size the backbone system facilities, and to provide a cost for the proposed wastewater collection and conveyance system expansion.

- The anticipated major components of the Route 250 / Route 15 Corridor Wastewater System include:
  - o Zion Crossroads Wastewater Pump Station (WWPS) – (existing)
  - o Zion Crossroads WWPS force main – (existing)
  - o Route 15 Wastewater Pump Station located in the southern area of the project area – (new)
  - o Trunk sewer(s) to collect wastewater from within the project area and convey to the existing Zion WWPS or the Route 15 WWPS – (new)
  - o Route 15 WWPS force main – (new)
- Dewberry Engineers will provide a high level summary of the PER, wastewater collection and conveyance system options and costs associated with the options.

*Dogs Running at Large Ordinance – Dan Whitten, County Attorney*

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.

Optional Amendments to County Code §4-2-2

- Running at large ordinance would be applicable county-wide.
- Enforced by sworn law enforcement officers.
- Exemptions:
  - o Dogs engaged in lawful hunting or training for hunting.
  - o Dogs assisting in farming activity.
- Law enforcement officer can take dog into possession and return the dog to the owner or custodian.
- Violation results in warning to owner or custodian.
- Once the owner or custodian has three or more violations within 2 years, it will result in a \$100 fine.

Required amendments to County Code §4-2-2

- Virginia Code §3.2-6538 requires if a locality has a running at large ordinance that such ordinance shall provide that the owner or custodian of any dog found running at large in a pack shall be subject to a civil penalty in an amount established by the locality not to exceed \$100 per dog so found. A dog shall be deemed to be running at large in a pack if it is running at large in the company of one or more other dogs that are also running at large.
- *After some discussion, the Board agreed to pursue the Dogs Running at Large Ordinance and asked for a draft to be brought back at a future meeting.*

*Truckers/Tractor Trailer Signage on Rt. 600/618 – Eric Dahl County Administrator*

After being notified by the Sheriff’s Office, the steep incline at the bottom of Rt. 618 (Lake Monticello Rd.) intersecting with Rt. 600 (South Boston Rd.) has led to tractor trailers stalling and creating traffic issues from time to time for these vehicles travelling west up Lake Monticello Rd. from South Boston Rd.

- After working with VDOT, a sign will be installed recommending:
  - o “TRUCKERS – ROUTE 618 IS NOT RECOMMENDED FOR TRACTOR TRAILERS”

*JRWA Project Cost Update – Eric Dahl, County Administrator*

Timeline

- Fall 2020 – JRWA decision to look into Alternative 1c (new route)
- January 2021 – Monacan Indian Nation issued a letter of support for Alternative 1c
- Summer 2021 – Phase 1 Archeological Surveying begins Shovel Testing, Deep Core Sampling and Trenching
- March 2022 – JRWA Decision to proceed with alternative location
- August 2022 - Joint Permit Application submitted to USACE & DEQ
- September 2022 - Comprehensive Agreement Change Order #4 was approved, to include:
  - o Design and Engineering Services
  - o Administration and Due Diligence Services
  - o Proposed Development and Revised Comprehensive Agreement Negotiations
  - o Property Acquisitions Services
- Fall 2022 – Phase II Archeological and Architectural Surveying completed

Current Timeline

Summer 2023

- Comprehensive Agreement CO#4 initial design complete to get GMP (Guaranteed Maximum Price)
- Expecting Joint Permit Application approvals from DEQ (Draft Permit Issued) and USACE
- Phase III Archaeological Data Recovery Fieldwork and Study (RFP out now)
- Property acquisition commencing

Current Project Estimate

ITEM	DESCRIPTION	COSTS
1	Mobilization	\$575,000
2	General Conditions	\$1,480,000
3	Design & Construction Engineering Services	\$3,850,000
4	Surveying	\$110,000
5	Railroad Insurance/Flagging & Improvements	\$350,000
6	Material Storage & Handling	\$700,000
7	Pump Station Laydown	\$35,000
8	Clearing for UG Electric Across Brems Road	\$7,000
9	Existing Utility Protection & Potholing	\$75,000
10	Erosion Controls	\$475,000
11	Wetland and Sensitive Area Restoration	\$85,000
12	Temporary Construction Roads & Clearing	\$150,000
13	Pump Station Site Access Road	\$1,110,000
14	Site Access Road Storm Improvements	\$220,000
15	Pump Station Site Work	\$2,035,000
16	<b>Pump Station Work</b>	
16a	General Conditions	\$700,000
16b	Concrete + Structural	\$2,900,000
16c	Metals	\$880,000
16d	Equipment	\$1,500,000
16e	Mechanical	\$1,060,000
16f	Electrical	\$3,600,000
16g	Controls	\$410,000

ITEM	DESCRIPTION	COSTS
17	Furnish & Install Porta Dam	\$715,000
18	Intake Pipe Work	\$585,000
19	Intake Structure	\$850,000
20	Build Access Road Down Ramp Into River	\$30,000
21	Restore Bank of James River with Class 2 Rip Rap	\$175,000
22	Dewater Swale Between Pump Station & Swale	\$30,000
23	24" Raw Water Line	\$9,800,000
24	Water Line Appurtenances	\$2,080,000
25	Water Line Testing	\$200,000
26	Rail Road & Electrical Jack & Bore	\$500,000
27	Jack & Bore Electrical Under Brems Road (Now Open Cut)	\$55,000
28	Route 6 Jack & Bore	\$170,000
29	Jack and Bore at 127+00 Brems Road (Now Open Cut)	\$70,000
30	Jack and Bore at 133+00 Gale Hill Road (Now Open Cut)	\$110,000
31	Rivanna Crossing- Open Cut	\$960,000
32	Rock Blasting & Removal	\$370,000
33	Site & Easement Restoration	\$460,000
34	QC testing	\$185,000
35	SWPP Development & Inspections	\$35,850
<b>TOTAL CONSTRUCTION COSTS</b>		<b>\$39,687,850.00</b>
<b>TOTAL PERMITTING, PROPERTY ACQ. AND CONST. SUPPORT COSTS</b>		<b>\$5,922,800.00</b>
<b>TOTAL JRWA PROJECT COSTS</b>		<b>\$45,610,650.00</b>

## Future Estimated Timeline

- Fall 2023 - Other state and local permits, Phase III Cultural Resource Study completed, property acquisition, final design work
- Spring 2024 - Construction Start
- January 2026 – Construction Completion

**9 - CONSENT AGENDA**

The following items were approved under the Consent Agenda for August 2, 2023:

- *Minutes of July 5, 2023* – Caitlin Solis, Clerk to the Board
- *Blue Ridge Area Food Bank Partner Impact & Innovation Grant* – Kelly Harris, Assistant County Administrator

<b>MOTION:</b>	Approve the consent agenda, for the August 2, 2023 Board of Supervisors meeting.				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
<b>ACTION:</b>				Second	Motion
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

**10 - UNFINISHED BUSINESS**

None.

**11 - NEW BUSINESS**

None.

**12 - PUBLIC COMMENTS #2**

At 7:40pm, 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 7:40pm.

**13 - CLOSED MEETING**

<b>MOTION:</b>	At 7:40pm, 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.6, & A.8 of the Code of Virginia, 1950, as amended, for the purpose of discussing Personnel – County Administrator performance, Prospective Industry – prospective business update, Investment of Funds – JRWA project, and Legal Matters – Department of Emergency Services.				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
<b>ACTION:</b>		Second		Motion	
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

<b>MOTION:</b>	At 9:45pm, move the Fluvanna County Board of Supervisors recess the closed meeting.				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
<b>ACTION:</b>				Motion	Second
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

**MOTION TO EXTEND**

- *At 9:46pm, a motion was made to extend the Board of Supervisors meeting.*

<b>MOTION:</b>	Approve a motion to extend the August 2, 2023 Regular Board of Supervisors meeting to 10:00pm.				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
<b>ACTION:</b>				Second	Motion
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

**14 - ADJOURN**

<b>MOTION:</b>	Adjourn the regular meeting of Wednesday, August 2, 2023 at 9:46pm.				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
<b>ACTION:</b>				Motion	Second
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_

Caitlin Solis  
Clerk to the Board

\_\_\_\_\_

Mozell H. Booker  
Chair

APPROVED



**BOARD OF SUPERVISORS**  
 County of Fluvanna  
 Palmyra, Virginia  
**RESOLUTION No. 21-2023**

**Resolution of Commendation and Appreciation For  
 Paige Tomaras, Zach Butler, and Savannah Peterson**

**WHEREAS**, on Thursday, July 6, 2023, on-duty Lake Monticello life guards, Paige Tomaras, Zach Butler, and Savannah Peterson put their training into action, rescuing a motorist experiencing a medical emergency; and

**WHEREAS**, Paige Tomaras witnessed the car crash through the pool fence, proceed across the pool deck and through the other side of the fence, continue down the hill and across Beach 1, before coming to rest in the Lake; and

**WHEREAS**, Paige Tomaras having alerted Savannah Peterson and Zach Butler, the lifeguards then gathered their gear and ran to the beach, finding the car rapidly filling with water; and

**WHEREAS**, Zach Butler removed the driver from the submerging vehicle, Savannah Peterson and others helped the driver out of the water and onto a spine board; and

**WHEREAS**, these joint lifesaving-actions, taken by this team of lifeguards, assisted by Lake Monticello maintenance staff Josh Huntington and Travis Perry, as well as Lake Monticello residents Mark Post and Kerri Lambert, resulted in a successful and happy outcome.

**NOW THEREFORE BE IT RESOLVED**, the Fluvanna County Board of Supervisors does hereby recognize and extend our heartfelt gratitude to Paige Tomaras, Zach Butler, and Savannah Peterson, for their quick thinking and selfless actions. The Board also thanks the Lake Monticello staff and residents who assisted and called 911, and the quick response of Emergency Services. It is no understatement to proclaim that it was these combined efforts that saved the life of the driver.

**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** by the Fluvanna County Board of Supervisors of Fluvanna County on this 2nd day of August 2023.

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

Attest:

\_\_\_\_\_  
 Mozell H. Booker, Chair

Fluvanna County Board of Supervisors





**BOARD OF SUPERVISORS**  
 County of Fluvanna  
 Palmyra, Virginia  
**RESOLUTION No. 22-2023**

**A RESOLUTION HONORING OFFICER MARK CHRISTOPHER WAGNER, II  
 AND REQUESTING LEGISLATIVE AMENDMENT OF THE LINE OF DUTY ACT**

**WHEREAS**, Officer Mark Christopher Wagner II served the Wintergreen community as a private police officer, as recognized by the Commonwealth of Virginia, and while responding to a disturbance call in his capacity as a law enforcement officer, was shot and killed in the line of duty on June 16, 2023; and

**WHEREAS**, by definition under the Code of Virginia private police officers are law enforcement officers subject to the same training and statutory standards as a deputy sheriff or police officer of any city, county, or town of the Commonwealth; and

**WHEREAS**, the Line of Duty Act, Virginia Code § 9.1-400 *et seq.*, excludes private Police Officers from the benefits of that Act; and

**WHEREAS**, private Police Officers, just as their counterparts employed by a police department or sheriff’s office which is a part of or administered by the Commonwealth or any political subdivision thereof, are responsible for the prevention and detection of crime and the enforcement of penal laws, and are exposed to the same risks of injury or death; and

**WHEREAS**, the Lake Monticello Police Department, which is also one of eight private police department recognized by the Commonwealth, serves approximately 12,000 residents located within the Rivanna, Palmyra, and Cunningham districts of Fluvanna County; and

**WHEREAS**, it is the sense of the Fluvanna County Board of Supervisors that the Line of Duty Act should be amended to afford private police officers the benefits available under the Act.

**NOW, THEREFORE, BE IT RESOLVED**, the Fluvanna County Board of Supervisors hereby honors Officer Mark Christopher Wagner II of the Wintergreen Police Department for his heroism and honorable service to the citizens of Wintergreen and Nelson County, for whom he made the ultimate sacrifice, and

**BE IT FURTHER RESOLVED**, the Fluvanna County Board of Supervisors hereby calls upon the General Assembly to amend the Code of Virginia to afford private Police Officers the benefits available under Virginia Code § 9.1-400 *et seq.*, Line of Duty Act, and

**BE IT FINALLY RESOLVED**, said Board hereby directs that a copy of this Resolution requesting these State Code amendments be delivered forthwith to representatives in the General Assembly.

**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** by the Fluvanna County Board of Supervisors of Fluvanna County on this 2<sup>nd</sup> day of August 2023.

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Mozell H. Booker, Fork Union District	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				X	

Attest:

\_\_\_\_\_

Mozell H. Booker, Chair

Fluvanna County Board of Supervisors



**BOARD OF SUPERVISORS**  
 County of Fluvanna  
 Palmyra, Virginia  
**RESOLUTION No. 23-2023**

**A RESOLUTION REAFFIRMING COMMITMENT TO FUND  
 THE LOCALITY SHARE OF PROJECTS UNDER AGREEMENT  
 WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION  
 AND PROVIDE SIGNATURE AUTHORITY**

WHEREAS, the County of Fluvanna is a recipient of Virginia Department of Transportation funds under various grant programs for transportation-related projects; and

WHEREAS, the Virginia Department of Transportation requires each locality, by resolution, to provide assurance of its commitment to funding its local share; and

THEREFORE, IT IS HEREBY RESOLVED, by the Board of Supervisors of Fluvanna County hereby recommits to fund its local share of preliminary engineering, right-of-way, and construction (as applicable) of the project(s) under agreement with the Virginia Department of Transportation in accordance with the project financial document(s); and

BE IT FURTHER RESOLVED that the County Administrator and/or his designees is authorized to execute all agreements and/or addendums for any approved projects with the Virginia Department of Transportation.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Board of Supervisors of Fluvanna County on this 2nd day of August 2023.

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Mozell H. Booker, Fork Union District	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					X

Attest:

\_\_\_\_\_

Mozell H. Booker, Chair

Fluvanna County Board of Supervisors