

**FLUVANNA COUNTY BOARD OF SUPERVISORS  
ACTIONS TAKEN ON JANUARY 17, 2024**

*Mike Sheridan, entered meeting at 5:04pm*

*Tony O'Brien, entered meeting at 5:09pm*

<b>No.</b>	<b>Item – 5:00 pm Work Session</b>	<b><u>Action</u></b>
1	Non-Profit Organization Presentations;	<b><u>BOARD PRESENTATIONS</u></b>
<b>No.</b>	<b>Item – Regular Meeting</b>	<b><u>Action</u></b>
2	Closed Session: Personnel – Former employee of the Department of Emergency Services, Legal Matters – Background check policy for employees/volunteers;	<b><u>NO ACTION</u></b>
3	Adoption of agenda: as amended;	<b><u>BOARD ADOPTED</u></b> <b>5-0</b>
4	Resolution Authorizing Participation in Application of Aqua Virginia, Inc. for an Increase in Rates: approved the resolution to authorize participation in application of Aqua Virginia, Inc. for an increase in rates, SCC Case No. Pur-2023-00073;	<b><u>BOARD APPROVED</u></b> <b>5-0</b>
5	Amendment to the Board of Supervisors' Bylaws and Rules of Practice and Procedures: adopted the 2024 Board of Supervisors' Bylaws and Rules of Practice and Procedures with the changes as amended;	<b><u>BOARD ADOPTED</u></b> <b>5-0</b>
6	Reclassification of Two Clerk of the Circuit Court Positions: approved the re-classification of a Full-time Deputy Clerk I, to a Full Time Deputy Clerk III for the Clerk of the Circuit Court's office;  approved the re-classification of a Full-time Deputy Clerk I, to a Full Time Deputy Clerk II for the Clerk of the Circuit Court's office;	<b><u>BOARD APPROVED</u></b> <b>5-0</b>  <b><u>BOARD APPROVED</u></b> <b>5-0</b>
7	Ambulance CIP Funding for the Department of Emergency Services: approved a supplemental appropriation for the Department of Emergency Services for an ambulance purchase in the amount of \$310,000 to purchase a 1-2 year old demo ambulance and power load system, with \$125,907 of funding to come from the Cynthia L. Morgenstern Trust, with the funding to come from the Cynthia L. Morgenstern Trust fund that was transferred to the County, due to the dissolution of Fluvanna County Rescue Squad, Inc. and \$184,093 to come from Unassigned Fund Balance;	<b><u>BOARD APPROVED</u></b> <b>5-0</b>
8	Amended FY25 Budget Calendar: approved the Amended FY25 Budget Calendar, as presented;	<b><u>BOARD APPROVED</u></b> <b>5-0</b>
9	Board, Commission, or Committee appointment(s): approved the decision to reappoint John Easter to the Thomas Jefferson Water Resources Protection Foundation - Fluvanna Citizen Representative position with a term to begin February 1, 2024, through January 31, 2028;	<b><u>BOARD APPROVED</u></b> <b>5-0</b>
10	AFD 23:01 Creation of Quaint Lea of Nahor Agricultural and Forestal District:	<b><u>BOARD APPROVED</u></b>

	approved the ordinance to create AFD 23:01, the creation of the Quaint Lea of Nahor Agricultural and Forestal District to include Tax Map 16 Section A Parcels 37 and 42; Tax Map 17 Section A Parcel 27 totaling 404 +/- acres;	<b>5-0</b>
11	<p>SUP 23:10 Anitoch Baptist Church:</p> <p>approved SUP 23:10, a request to permit a daycare center with respect to 9.3 ± acres of Tax Map 26 Section A Parcel 15 with the three conditions as described in the staff report.</p> <ol style="list-style-type: none"> <li>1. Daycare center hours of operation shall be 7:00 am to 6:00 pm, Monday through Friday.</li> <li>2. The Board of Supervisors, or representative, reserves the right to inspect the business for compliance with these conditions at any time.</li> <li>3. Under Sec. 22-17-4 F (2) of the Fluvanna County Code, the Board of Supervisors has the authority to revoke a Special Use Permit if the property owner has substantially breached the conditions of the Special Use Permit.</li> </ol>	<p><b><u>BOARD APPROVED</u></b></p> <p><b>5-0</b></p>
12	<p>ZTA 23:01 Marina Point at Lake Monticello, Inc.:</p> <p>Finding that the proposed zoning ordinance amendment is not appropriate for the public necessity, convenience and general welfare and is not good zoning practice, the Board of Supervisors denied ZTA 23:01 – An Ordinance to amend Chapter 22 Zoning, Article 8 of the Fluvanna County Code by the addition of the following text under Section 22-8-3(C): The permitted residential density for such permitted uses meeting the requirements in 22-8-3(B) shall be between two and nine-tenths (2.9) and five (5.0) units per acre by special use permit only;</p>	<p><b><u>BOARD DENIED</u></b></p> <p><b>5-0</b></p>
13	SUP 23:07 Marina Point at Lake Monticello, Inc.;	<b><u>NO ACTION</u></b>
14	<p>Amend Section 20-1-5 of the County Code to Authorize the Treasurer to Approve Refunds up to \$10,000:</p> <p>approved the ordinance to amend Section 20-1-5 of the Fluvanna County Code to authorize the Treasurer in accordance with Virginia Code Section 58.1-3981(A) to approve refunds up to \$10,000 without the approval of the Board of Supervisors upon certification of the Commissioner of Revenue with the consent of the County Attorney that such refund is the result of an erroneous assessment;</p>	<p><b><u>BOARD APPROVED</u></b></p> <p><b>5-0</b></p>
15	<p>Public hearing to enact Section 4-2-5 of the County Code to prohibit dogs from running off-leash on certain County property:</p> <p>approved the ordinance to amend the Fluvanna County Code to enact Section 4-2-5 to prohibit dogs from running unrestricted within the boundaries of property owned, leased, controlled or operated by the County with exemptions for (i) dogs within designated off-leash areas; (ii) service dogs; (iii) law enforcement canines; and (iv) dogs in county approved off-leash events;</p>	<p><b><u>BOARD APPROVED</u></b></p> <p><b>5-0</b></p>
16	Children’s Services Act Semi-Annual Report;	<b><u>BOARD PRESENTATION</u></b>
17	Motion to Extend:	<b><u>BOARD APPROVED</u></b>

	approved a motion to extend the January 17, 2024 Regular Board of Supervisors meeting to 11:00pm.	<b>5-0</b>
18	Minutes of January 3, 2024: as presented;	<b><u>BOARD ADOPTED</u></b> <b>5-0</b>
19	General Professional Engineering & Architectural Services Term Contract - Architectural Partners, P.C.:  approved the General Professional Engineering & Architectural Services Term Contract with Architectural Partners, P.C. and authorize the County Administrator to execute the Agreement, subject to approval as to form by the County Attorney;	<b><u>BOARD APPROVED</u></b> <b>5-0</b>
20	General Professional Engineering & Architectural Services Term Contract - Dewberry Engineers Inc.  approved the General Professional Engineering & Architectural Services Term Contract with Dewberry Engineers Inc., and authorize the County Administrator to execute the Agreement, subject to approval as to form by the County Attorney;	<b><u>BOARD APPROVED</u></b> <b>5-0</b>
21	General Professional Engineering & Architectural Services Term Contract - Hurt & Proffitt, Inc.:  approved the General Professional Engineering & Architectural Services Term Contract with Hurt & Proffitt, Inc. and authorize the County Administrator to execute the Agreement, subject to approval as to form by the County Attorney;	<b><u>BOARD APPROVED</u></b> <b>5-0</b>
22	General Professional Engineering & Architectural Services Term Contract - Rummel, Klepper & Kahl, LLP:  approved the General Professional Engineering & Architectural Services Term Contract with Rummel, Klepper & Kahl, LLP and authorize the County Administrator to execute the Agreement, subject to approval as to form by the County Attorney;	<b><u>BOARD APPROVED</u></b> <b>5-0</b>
23	General Professional Engineering & Architectural Services Term Contract - TRC Engineers Inc.:  approved the General Professional Engineering & Architectural Services Term Contract with TRC Engineers Inc. and authorize the County Administrator to execute the Agreement, subject to approval as to form by the County Attorney;	<b><u>BOARD APPROVED</u></b> <b>5-0</b>
24	Accept Dedication of Utility Easements from ZionsCo, LLC.: accepted the dedication of utility easements from ZionsCo, LLC.;	<b><u>BOARD APPROVED</u></b> <b>5-0</b>
25	JPMorgan Chase Bank Debt Proceeds Projects: approved a funding source transfer associated with the JPMorgan Chase Bank proceeds for already approved FY22, FY23 and FY24 CIP projects: <ul style="list-style-type: none"> <li>• Decrease Use of Debt Proceeds and Increase Use of Fund Balance by \$701,495.16: <ul style="list-style-type: none"> <li>• \$23,366.30 – Public Works and Administration Vehicles</li> <li>• \$50,262.73 – Public Works Major Equipment</li> <li>• \$624,866.13 – Fire and Rescue Apparatus</li> </ul> </li> </ul>	<b><u>BOARD APPROVED</u></b> <b>5-0</b>

	<ul style="list-style-type: none"> <li>• Increase Use of Debt Proceeds and Decrease Use of Fund Balance by \$701,495.16 and further approve a supplemental appropriation associated with the interest earnings from JPMorgan Chase Bank proceeds in the amount of \$110,523.62 for the approved CIP projects: <ul style="list-style-type: none"> <li>• \$321,958.78 – (8) Vehicles – Dodge Chargers for the Sheriff’s Office and equipment</li> <li>• \$331,070.00 – (1) Lake Monticello Ambulance being delivered June 30.</li> <li>• \$158,990.00 – PG Athletic Field Lighting portion utilizing Unassigned Fund Balance</li> </ul> </li> </ul>	
26	<p>Fire and Rescue CIP Transfer:</p> <p>approved a budget transfer in the amount of \$8,000 from the FY24 Fire and Rescue Computer Replacement CIP to the Fire and Rescue operational budget for additional Telecommunications cost;</p>	<p><b><u>BOARD APPROVED</u></b></p> <p><b>5-0</b></p>
27	<p>Approval of Open Space Agreement for Betty Sue Castle, Trustee of the Betty Sue Castle Trust dated December 22, 1997, and Mark Luther:</p> <p>approved the open space agreement for Betty Sue Castle, Trustee of the Betty Sue Castle Trust dated December 22, 1997, and Mark Luther for tax map parcel 60-6-13; agreement shall remain in effect for a term of ten (10) consecutive years;</p>	<p><b><u>BOARD APPROVED</u></b></p> <p><b>5-0</b></p>
28	<p>Approval of Open Space Agreement for Betty Sue Castle, Trustee of the Betty Sue Castle Trust dated December 22, 1997:</p> <p>approved the open space agreement for Betty Sue Castle, Trustee of the Betty Sue Castle Trust dated December 22, 1997, for tax map parcels 60-6-1, 60-6-2, 60-7-1, 60-7-2 and 60-7-12; agreement shall remain in effect for a term of ten (10) consecutive years;</p>	<p><b><u>BOARD APPROVED</u></b></p> <p><b>5-0</b></p>
29	<p>Approval of Open Space Agreement for Jacob Czajkowski and Nicole Deanne Czajkowski:</p> <p>approved the open space agreement for Jacob Czajkowski and Nicole Deanne Czajkowski for tax map parcel 50-A-113A; agreement shall remain in effect for a term of four (4) consecutive years;</p>	<p><b><u>BOARD APPROVED</u></b></p> <p><b>5-0</b></p>
30	<p>Approval of Open Space Agreement for Thomas Bryon Sandridge and Cheryl Sandridge:</p> <p>approved the open space agreement for Thomas Bryon Sandridge and Cheryl Sandridge for tax map parcel 4-A-127A; agreement shall remain in effect for a term of four (4) consecutive years;</p>	<p><b><u>BOARD APPROVED</u></b></p> <p><b>5-0</b></p>
31	<p>CRMF - CEN Fire Controls:</p> <p>approved a Capital Reserve Maintenance Fund Request in the amount of \$10,570.82 for the purpose(s) of repairing and updating the fire panel and fire pump systems at Central Elementary;</p>	<p><b><u>BOARD APPROVED</u></b></p> <p><b>5-0</b></p>
32	<p>CRMF - CEN-ECSE Playground Accessibility:</p> <p>approved a Capital Reserve Maintenance Fund Request in the amount of \$46,675.00 for the purpose(s) of excavating and removing current ground covering and materials, along with the installation of poured in</p>	<p><b><u>BOARD APPROVED</u></b></p> <p><b>5-0</b></p>

	place safety surfacing for our ECSE and PK students playground area;	
33	<p>CRMF - FCHS Pleasant Grove Well:</p> <p>approved a Capital Reserve Maintenance Fund Request in the amount of \$7,864.81 for the purpose(s) of replacing the pump and motor at the Pleasant Grove well site;</p>	<p><b><u>BOARD APPROVED</u></b></p> <p><b>5-0</b></p>
34	<p>Unfinished Business:</p> <p>Speed Cameras;</p> <p>Solar Work Sessions;</p> <p>Directed staff to find out everything they can about what the County of Appomattox enacted regarding solar and A1 zoning.</p>	<p><b><u>NO ACTION</u></b></p> <p><b><u>BOARD APPROVED</u></b></p> <p><b>3-2 (O'Brien, Sheridan)</b></p>

**Board Directives:**

- Direct staff to find out everything they can about what the County of Appomattox enacted regarding solar and A1 zoning