

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Carysbrook Performing Arts Center
8880 James Madison Hwy, Fork Union, VA 23055
May 15, 2024
Regular Meeting 6:00pm**

MEMBERS PRESENT:

Chris Fairchild, Cunningham District, Chair
John M. (Mike) Sheridan, Columbia District, Vice Chair
(entered meeting at 6:01pm)
Mike Goad, Fork Union District
Timothy M. Hodge, Palmyra District
Tony O’Brien, Rivanna District *(entered meeting at 6:03pm)*

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 6:00pm, Chair Fairchild called to order the Regular Meeting of May 15, 2024. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

3 - ADOPTION OF AGENDA

MOTION:	Accept the Agenda, for the May 15, 2024 Regular Meeting of the Board of Supervisors, as amended.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:		Second	Motion		
VOTE:	Yes	Yes	Yes	Absent	Absent
RESULT:	5-0				

4 - COUNTY ADMINISTRATOR’S REPORT

Mr. Dahl reported on the following topics:

Announcements and Updates - New Employees

- Ethan Noyes, Public Works Department, Assistant Equipment & Fleet Maintenance Technician, Started May 6th

Scouts Trash the Trash Day

- Saturday, May 4th was Scouts Trash the Trash Day 2024!
- Scouts Trash the Trash Day is an international Messengers of Peace project for Scouts around the world, where each Scout is challenged to bring a friend or family member along and pick up at least one Kilo (2.2 pounds) of trash each on the first Saturday in May.
- The idea for Scouts Trash the Trash Day came from the scouts of Troop 1206 in Helena, Montana after realizing that there are several days throughout the year that Scouts get together and do the same thing on the same day. Days like Jamboree on the Air and Internet, Jamboree on the Trail, Trees for the World, World Neckerchief Day, but there was not a day for Scouts to all get together and clean up their communities. Thus, Scouts Trash the Trash Day was started. Scouts are asked to bring a non-scout with them on this day of service in order to double the impact of their trash cleaning effort.
- Scouts Trash the Trash Day is about more than just cleaning our planet, it is a day to show the world what Scouting is about, educate individuals about Scouting and recruit new boys, girls and adults into the Scouting movement. <https://scoutstrashthetrashday.org/>

2024 MAY CARNIVAL

- The carnival was held Wednesday, May 8 through Saturday, May 11, 2024. There was rain on Friday and Saturday which kept some patrons from visiting the event.
- Valley Amusements (carnival) receives 75% of all ticket sales and the County receives 25% of all ticket sales plus \$100 per game (9). Carnival net was \$32,157.00 and the County net was \$11,919.00.
- Expenses were Sunbelt (8 light towers \$3,316.96), Mo Johns (5 Porta Johns, 3 hand wash stations, and 1 dumpster \$1,445.00), and VA Veterans for parking Saturday night only (2 workers \$360.00).
- County total after expenses is \$7,127.04.

- May 11, 2024 was the first official Groovin' at the Grove concert event.
- The Atkinsons were the musical performers and gave a great show despite it raining for the first hour of their performance.
- Fluvanna Youth Soccer Association (FYSA) sponsored and operated the beer garden for this event. Moe Betta Ice was the food truck at the event.
- The Fluvanna County Library hosted a "fun zone" for the children.
- An estimated 128 patrons were in attendance and many of them stayed during the rain.
- Our next event is Saturday, June 8 from 5 - 7pm. The JBB band will be our performers, whom is an eclectic psychedelic southern rock and roll jam band.

Goat Story Time at the Library!

- We had 51 kids and adults come to see Veterinarian Melinda McCall and her kids on Saturday, May 11 at the Library for a goat Story Time.

Next BOS Meetings

Day	Date	Time	Purpose	Location
Wed	Jun 5	5:00 PM	Regular Meeting	Circuit Court
Wed	Jun 5	7:00 PM	Solar Work Session	Morris Room
Thu	Jun 20	6:00 PM	Regular Meeting	Circuit Court
Wed	Jul 3	5:00 PM & 6:00 PM	Regular Meeting	Circuit Court

5 - PUBLIC COMMENTS #1

At 6:12pm, Chair Fairchild opened the first round of Public Comments.

- James Schoenster, 843 Jefferson Dr, commented on and encouraged the execution of a population study.
 - James von Ottenritter, 2126 Nahor Manor Rd, commented on public hearing notices in the Fluvanna Review.
- With no one else wishing to speak, Chair Fairchild closed the first round of Public Comments at 6:16pm.

6 – BOARDS AND COMMISSIONS

Per state and County Code, there can only be one Board of Supervisor Representative on the Agricultural-Forestal District Advisory Committee. Mr. Hodge was appointed to the Agricultural-Forestal District Advisory Committee prior to his election to the Board of Supervisors. Mr. Fairchild agreed to have Mr. Hodge replace him as Board representative for the Agricultural-Forestal District Advisory Committee.

MOTION:	Update the Board of Supervisor Representative on the Agricultural-Forestal District Advisory Committee from Christopher Fairchild to Timothy Hodge.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
ACTION:				Second	Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

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
Agricultural-Forestal District Advisory Committee – Landowner Position	Suzy Morris		Appt	05/15/2024	06/30/2026
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
ACTION:		Second			Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

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	
Agricultural-Forestal District Advisory Committee – Landowner Position	Kathleen Kilpatrick	Reappt	07/01/2024	06/30/2028	
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:				Motion	Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

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	
Agricultural-Forestal District Advisory Committee – Landowner Position	Robert Stoufer	Appt	07/01/2024	06/30/2028	
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:		Second	Motion		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

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	
Agricultural-Forestal District Advisory Committee – Land Use Position	Laura Lee	Reappt	07/01/2024	06/30/2028	
Agricultural-Forestal District Advisory Committee – Land Use Position	Marc Imhoff	Reappt	07/01/2024	06/30/2028	
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:		Second	Motion		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

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	
Economic Development and Tourism Advisory Council (EDTAC) – Business Representative Position	Nina Monroe	Reappt	07/01/2024	06/30/2027	
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:		Second	Motion		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

7 – PRESENTATIONS

James River Water Authority (JRWA) Bond Financing Update – Eric Dahl, County Administrator
 The JRWA (which is a 50/50 partnership between Fluvanna and Louisa County) have finalized the 2024 spring bond issuance with the Virginia Resource Authority (VRA), which is scheduled to close and fund on May 15, 2024. The All-In True Interest Cost of Borrower Bonds is 4.35% and the annual debt service payment is ~\$2.83M. This annual debt service payment will be split 50/50 between Fluvanna and Louisa County with each to pay ~\$1.42M

- \$42.5M is available for project costs
- \$2.1M is set aside for capitalized interest, which pushes back the first debt service payment until 10/1/2025 (FY26).
- \$2.8M is set aside for a debt service reserve fund, which is a requirement of VRA for debt service payment protection.

All project funds and debt service reserve funds are placed in an interest bearing account, to be used towards project costs and to credit debt service payments.

8 - ACTION MATTERS

Advertise Public Hearing to Amend Section 9-2-2 and 9-2-4 of the County Code Increase FUSD Water Rates and Charges – Dan Whitten, County Attorney

- The water rates and charges for FUSD are intended to cover operation and maintenance costs for the water and sewer system.
- Water rates have not increased since August 2014.
- The water connection charge has not changed since May 2010.

MOTION:	Advertise a public hearing on June 20, 2024 to amend Section 9-2-2 and 9-2-4 of the County Code to increase Fork Union Sanitary District water rates and charges.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:		Second	Motion		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

9 - PUBLIC HEARING

Public Hearing to Amend § 2-1-5 of the County Code to Increase Court Costs – Dan Whitten, County Attorney

- Virginia Code Section 53.1-120 was amended in 2020 to increase the maximum amount of costs in each criminal or traffic case in the district and circuit courts from \$10.00 to \$20.00, and the funds shall be used for courthouse security personnel and, if requested by the Sheriff, equipment and other personal property used in connection with courthouse security.

At 7:13pm, Chair Fairchild opened the Public Hearing. With no one wishing to speak, Chair Fairchild closed the Public Hearing at 7:13pm.

MOTION:	approve the amendments to the County Code to amend Section 2-1-5 to increase the costs in each criminal or traffic case in the district and circuit courts from \$10.00 to \$20.00				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:		Second			Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Public Hearing to Enact § 2-1-6 of the County Code to Authorize a Regional Jail Processing Fee – Dan Whitten, County Attorney

- Section 15.2-1613.1 of the Code of Virginia authorizes a processing fee of \$25.00 on any individual admitted to a regional jail following conviction.
- The fee shall be ordered as a part of court costs collected by the clerk, deposited into the account of the Treasurer of the County and shall be used by the sheriff's office to defray the costs of processing arrested persons into the regional jail.

At 7:15pm, Chair Fairchild opened the Public Hearing. With no one wishing to speak, Chair Fairchild closed the Public Hearing at 7:15pm.

MOTION:	approve the amendments to the County Code to enact Section 2-1-6 to authorize a \$25.00 processing fee on any individual admitted to a regional jail following conviction				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:			Second	Motion	
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Public Hearing to amend §§ 20-6-1, 20-6-2 and 20-6-3 to authorize a recordation fee – Dan Whitten, County Attorney

- *The ordinance would authorize the Clerk of the Circuit Court to collect a fee of \$25 per recordation of a list of heirs pursuant to § 64.2-509 or an affidavit pursuant to § 64.2-510, to be paid to the County treasury.*
- *Authorized by VA Code § 58.1-1718*

At 7:17pm, Chair Fairchild opened the Public Hearing. With no one wishing to speak, Chair Fairchild closed the Public Hearing at 7:17pm.

MOTION:	approve the amendments to County Code §§ 20-6-1, 20-6-2 and 20-6-3 to authorize a fee of \$25 per recordation of a list of heirs pursuant to § 64.2-509 or an affidavit pursuant to § 64.2-510.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
ACTION:		Second	Motion		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Public Hearing to Amend §§ 4-2-2 and 4-2-5 of the County Code to add a definition of a violation – Dan Whitten, County Attorney

- Amendments to Section 4-2-2 of the County Code were made on September 20, 2023 regarding the prohibition on dogs running at large. Section 4-2-5 was enacted on January 17, 2024 regarding the prohibition on unrestricted dogs.
- When the first case was brought to court, the Judge had questions regarding the definition of a “violation” and whether it was a violation when the person was found guilty in court or was a violation considered each time the sworn law enforcement officer completed a criminal incident report on the violation? The proposed definition of “violation” will clarify the intent of the ordinance that a violation means each criminal incident report filed by a sworn law enforcement officer for the violation.

At 7:21pm, Chair Fairchild opened the Public Hearing. With no one wishing to speak, Chair Fairchild closed the Public Hearing at 7:21pm.

MOTION:	approve the amendments to Section 4-2-2 and Section 4-2-5 of the County Code to clarify the definition of a violation under both the dog running at large ordinance and the unrestricted dog ordinance.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
ACTION:		Motion			Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

8 - ACTION MATTERS

Resolution to extend the due date for real estate taxes, personal property taxes, public service taxes, machinery and tools taxes and vehicle license fees to June 21, 2024 – Dan Whitten, County Attorney

- Fluvanna County Code § 20-1-2 states “The taxes on real property and tangible personal property, but excluding public service real property, shall be due in equal installments not later than the close of business of the County Treasurer’s office, on June 5 and December 5 of the calendar year in which the levy is made.”
- Fluvanna County Code § 15-2-3 states “The license fee on every motorcycle shall be \$18.00 per year, on every trailer and semi-trailer shall be \$18.00 and on every other type of motor vehicle shall be \$33.00 per year, payable to the Treasurer of this County. Such license fee shall be due and payable on June 5 in each year.”
- The Treasurer has requested an extension of the due date from June 5, 2024 to June 21, 2024.
- The due date for the real estate taxes, personal property taxes, public services taxes, machinery and tools taxes and vehicle license fees shall be extended from June 5, 2024 to June 21, 2024.

MOTION:	approve the resolution to extend the due date for real estate taxes, personal property taxes, public service taxes, machinery and tools taxes and vehicle license fees from June 5, 2024 to June 21, 2024.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
ACTION:		Second		Motion	
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Resolution to Adopt the VDOT Secondary Six Year Plan – Eric Dahl, County Administrator

- There were no changes to the VDOT Secondary Six Year Plan this year. Since there are no new projects and the County is receiving less than \$100,000 per year, we are able to forego a public hearing. In order to comply with State Code the Board must still adopt a resolution acknowledging there are no changes and sign plan for 2024/2025 through 2029/2030 and construction priority list for 2024/2025.

MOTION:	Adopt the VDOT Six-Year Secondary Improvement Plan and Budget Resolution for 2024/25 through 2029/30 and the VDOT Construction Priority List (2024/25) as required by sections 33.1-23 and 33.1-23.4 of the 1950 Code of Virginia.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
ACTION:				Second	Motion
VOTE:	Yes	Absent	Yes	Yes	Yes
RESULT:	4-0				

FY24 and FY25 FCPS CIP Budget – Dr. Peter Gretz, FCPS Superintendent

- This appropriation will allow work to begin the first week of June 2024 to be sure the projects are complete before the fall season use once school starts.

FCHS Track Total CIP FY25 funding - \$443,000 \$30,000 appropriate request for FY24	
Demo FCHS Track	\$30,000
FCHS Turf Total CIP FY25 funding - \$455,000 \$295,000 appropriation request for FY24	
General Conditions	\$10,000
Mobilization	\$5,000
FCHS Turf Demo	\$78,000
FCHS Turf materials	\$202,000
FMS Track Total CIP FY25 funding - \$1,060,000 \$525,000 appropriation request for FY24	
Field Irrigation	\$100,000
FMS Track Demo	\$47,000
Asphalt	\$378,000

MOTION:	Approve a supplemental appropriation of \$30,000 from Unassigned Fund Balance for the FY24 FCHS Track Resurfacing/Milling CIP and further decrease the FY25 FCHS Track Resurfacing/Milling CIP budget appropriation by \$30,000.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
ACTION:			Second	Motion	
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

MOTION:	Approve a supplemental appropriation of \$295,000 from Unassigned Fund Balance for the FY24 FCHS Football Field Turf Replacement and further decrease the FY25 FCHS Football Field Turf Replacement CIP budget appropriation by \$295,000.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
ACTION:			Motion	Second	
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

MOTION:	Approve a supplemental appropriation of \$525,000 from Unassigned Fund Balance for the FY24 FMS Track Resurfacing/Milling and further decrease the FY25 FMS Track Resurfacing/Milling budget appropriation by \$525,000.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
ACTION:		Motion	Second		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

10 - CONSENT AGENDA

The following items were discussed before approval:

P - FY24 Fork Union Fire Department Property Damage Insurance Claim

Q - FY24 Voluntary Contributions

The following items were approved under the Consent Agenda for May 15, 2024:

Minutes of May 1, 2024 – Caitlin Solis, Clerk to the Board

Virginia Opioid Abatement Authority Cooperative Partnership Agreement – Eric Dahl, County Administrator

Approval of updated Memorandum of Understanding with the Virginia State Police Bureau of Criminal

Investigation for Jefferson Area Drug Enforcement (JADE) Task Force – Dan Whitten, County Attorney

Sheriff's Office Body Worn Camera Grant – Tori Melton, Finance Director

FY24 Fluvanna County Circuit Court Property Damage Insurance Claim – Tori Melton, Director of Finance

FY24 Fork Union Fire Department Property Damage Insurance Claim – Tori Melton, Director of Finance

FY24 Voluntary Contributions – Tori Melton, Director of Finance

FY24 Kents Store Fire Department Property Damage Insurance Claim – Tori Melton, Director of Finance

FY24 Pleasant Grove Light Tower Property Damage Insurance Claim – Tori Melton, Director of Finance

FY24 Sheriff's Department Insurance Claim – 2020 Dodge Charger 0853 – Tori Melton, Director of Finance

FY24 Sheriff's Department Insurance Claim – 2020 Chevrolet Tahoe – Tori Melton, Director of Finance

FY25 Law Enforcement Pay Rates and Classifications – Eric Hess, Sheriff and Donna Snow, Director of Human Resources

Accounts Payable for April 2024 – Tori Melton, Director of Finance

Amendment to the Fluvanna County Board of Supervisors 2024 Bylaws and Rules of Procedure – Dan Whitten, County Attorney

CRMF - TRAN - Transmission Replacement – Don Stribling, FCPS Executive Director

CRMF - CES Chiller Motors (Labor) – Don Stribling, FCPS Executive Director

CRMF - FCHS Generator – Don Stribling, FCPS Executive Director

CRMF - FMS Chiller Disconnect Switch Panel – Don Stribling, FCPS Executive Director

MOTION:	Approve the consent agenda, for the May 15, 2024 Board of Supervisors meeting, and to ratify Accounts Payable and Payroll for April 2024, in the amount of \$ 3,709,509.32.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:		Second	Motion		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	4-0				

11 - UNFINISHED BUSINESS

Solar Ordinance Review Committee Update – Dan Whitten, County Attorney

Formation of Solar Ordinance Review Committee

The Board of Supervisors approved the creation of the committee on April 3, 2024. The Board appointed Mr. Hodge and Mr. O’Brien to the Committee. On April 9, 2024, the Planning Commission appointed Ms. Kilpatrick and Ms. Johnson-Morgan to the Committee.

Consideration to Remove Utility Scale Solar in A-1

At the Board of Supervisor’s meeting on March 6, the Board approved a resolution of intention to amend §22-4-2.2 to remove utility scale solar generation facilities as a use allowed by special use permit in the Agricultural, A-1 Zoning District. The Committee had the task of considering the removal of such use from the A-1 zoning district. The Planning Commission must hold a public hearing by June 20, 2024 regarding the removal of the use.

Consideration to Add Supplemental Regulations

At the Board of Supervisor’s meeting on March 6, the Board approved a resolution of intention to enact § 22-17-21 to add supplemental regulations for small scale solar generation facilities, minor scale solar generation facilities and utility scale solar generation facilities. The Committee will consider supplemental regulations at a future committee meeting. The Planning Commission must hold a public hearing by September 20, 2024 regarding the supplemental regulations.

Options for Removing the Utility Scale Solar Generation Facilities Use from A-1 District

The Committee discussed two options:

- 1) Creating a new zoning district that authorizes utility scale solar facilities and minor scale solar facility by special use permit; or
- 2) Creating a zoning overlay district that authorizes utility scale solar facilities and minor scale solar facilities by special use permit.

Pros/Cons of Creating a New Zoning District

- Positives
 - Rezoning is required which allows voluntary proffers.
 - Special use permit is required which allows conditions.
 - Certain A-1 by-right uses and uses by special use permit could still be allowed
- Negatives
 - Spot zoning consideration unless the action also serves some identifiable public interest. Illegal spot zoning is deemed to exist where a court can find that it has no public benefit and hence is effected “solely to serve the private interests of one or more landowners . . . [rather than] to further the welfare of the entire county.” Wilhelm v. Morgan, 208 Va. 398, 403, 157 S.E.2d 920, 924 (1967)

Pros/Cons of Overlay District

- Positives
 - Designated areas on either side of the high voltage transmission lines.
 - Special use permit required which allows conditions
 - Underlying zoning district by-right uses and uses by special use permit still allowed
- Negatives
 - No rezoning required so no voluntary proffers
 - Hard to contain the solar project completely within the overlay district
 - May have to constantly change boundaries of overlay district

Planning Commission Recommendation

Planning Commission recommended advertising a public hearing at the June 11, 2024 meeting to remove utility scale solar from the A-1 Zoning District. Planning Commission recommended advertising a new zoning district with supplemental regulations. The public hearing would be held before September 20, 2024.

12 - NEW BUSINESS

- Mr. Goad commented on the population study brought up during Mr. Schoenster's public comments earlier in the meeting.
- Mr. Sheridan mentioned residents reaching out to him regarding the speed limit on Dobby Creek Rd. asking to change the speed limit from 45MPH to 35MPH.
- *At 8:34pm, Mr. Fairchild stepped away and passed the gavel to Mr. Sheridan.*

13 - PUBLIC COMMENTS #2

At 8:36pm, Vice Chair Sheridan opened the second round of Public Comments.

- James Schoenster, 843 Jefferson Dr, thanked the Board for addressing his comments.
- Jason sweeny, 3456 James Madison Hwy, commented on the solar issues discussed by the Board.

With no one else wishing to speak, Vice Chair Sheridan closed the second round of Public Comments at 8:39pm.

14 - CLOSED MEETING

MOTION:	At 8:40pm, move the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.8 of the Code of Virginia, 1950, as amended, for the purpose of discussing Legal Matters – Woodson Settlement and release agreement; and Mountain Hill subdivision.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
ACTION:			Second	Motion	
VOTE:	Absent	Yes	Yes	Yes	Yes
RESULT:	4-0				

MOTION:	At 9:23pm, 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:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
ACTION:			Second	Motion	
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

15 - ADJOURN

MOTION:	Adjourn the regular meeting of Wednesday, May 15, 2024 at 9:23pm.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
ACTION:					
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

Caitlin Solis
Clerk to the Board

Christopher S. Fairchild
Chair



BOARD OF SUPERVISORS
 County of Fluvanna
 Palmyra, Virginia
RESOLUTION No. 23-2024

FY 2025-2030
SIX-YEAR SECONDARY IMPROVEMENT PLAN AND BUDGET RESOLUTION

At a Regular Meeting of the Fluvanna County Board of Supervisors held on the 15th day of May 2024, the following resolution was adopted:

WHEREAS, Section 33.2-231 of the 1950 Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Road Six-Year Plan; and

WHEREAS, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures; and

WHEREAS, after receiving updated and revised cost estimates for the current Fiscal Year (FY) 2024-2029 Secondary Road Six-Year Plan projects and learning that many of these planned projects will need additional funding to construct, the Board of Supervisors has decided to not add any new or additional projects to the proposed 2025-2030 Secondary Road Six-Year Plan. For this reason, the Board of Supervisors has elected to forgo an additional public hearing this calendar year and seek to program the allocated funds to the remaining, uncompleted projects from the prior year plan; and

WHEREAS, full consideration was given to any public requests that certain roads be advanced in the Six-Year Secondary Road Improvement Plan; and

WHEREAS, Eric M. Dahl, Fluvanna County Administrator has appeared before the board and recommended approval of the Six Year Plan for Secondary Roads (2024 - 2025 through 2029 – 2030 and Construction Priority List (2024 - 2025) for Fluvanna County, Virginia; and

WHEREAS, it is the intention of the Board of Supervisors that the Secondary Road Improvement budget for fiscal year 2025 be prepared in the same priority order as the adopted 2023/2024 – 2028/2029 Secondary Road Six-Year Improvement Plan within available funds; and

NOW, THEREFORE, BE IT RESOLVED, that since said Plan appears to be in the best interest of the Secondary Road System in Fluvanna County, the Fluvanna County Board of Supervisors hereby adopts this resolution approving said Secondary Six Year Plan (2024-2025 through 2029-2030) and Construction Priority List (2024-2025).

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Board of Supervisors on this 15th day of May 2024.

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Chris Fairchild, Cunningham District	X					
John M. Sheridan, Columbia District	X				X	
Mike Goad, Fork Union District				X		
Timothy Hodge, Palmyra District	X					
Anthony P. O'Brien, Rivanna District	X					X

Attest:

 Christopher S. Fairchild, Chair
 Fluvanna County Board of Supervisors



BOARD OF SUPERVISORS
 County of Fluvanna
 Palmyra, Virginia

RESOLUTION No. 24-2024

A RESOLUTION TO EXTEND THE DUE DATE FOR REAL ESTATE TAXES, PERSONAL PROPERTY TAXES, PUBLIC SERVICE TAXES, MACHINERY AND TOOLS TAXES AND VEHICLE LICENSE FEES TO JUNE 21, 2024

WHEREAS, Fluvanna County Code § 20-1-2 states “The taxes on real property and tangible personal property, but excluding public service real property, shall be due in equal installments not later than the close of business of the County Treasurer’s office, on June 5 and December 5 of the calendar year in which the levy is made”; and

WHEREAS, Fluvanna County Code § 15-2-3 states “The license fee on every motorcycle shall be \$18.00 per year, on every trailer and semi-trailer shall be \$18.00 and on every other type of motor vehicle shall be \$33.00 per year, payable to the Treasurer of this County. Such license fee shall be due and payable on June 5 in each year”; and

WHEREAS, the Fluvanna County Board of Supervisors desires to extend the June 5, 2024 due date for real estate taxes, personal property taxes, public services taxes, machinery and tools taxes and vehicle license fees to June 21, 2024.

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors that the June 5, 2024 due date for the real estate taxes, personal property taxes, public services taxes, machinery and tools taxes and vehicle license fees shall be extended from June 5, 2024 to June 21, 2024.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Board of Supervisors on this 15th day of May, 2024.

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Chris Fairchild, Cunningham District	X					
John M. Sheridan, Columbia District	X					
Mike Goad, Fork Union District	X					X
Timothy Hodge, Palmyra District	X					
Anthony P. O’Brien, Rivanna District	X				X	

Attest:

 Christopher S. Fairchild, Chair
 Fluvanna County Board of Supervisors