

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES**

**Circuit Courtroom, Fluvanna Courts Building
72 Main Street, Palmyra, VA 22063
July 3, 2024**

Regular Meeting 5:00pm; Public Hearings 7:00pm

MEMBERS PRESENT:

Chris Fairchild, Cunningham District, Chair
John M. (Mike) Sheridan, Columbia District, Vice Chair (*arrived at 5:04pm*)
Mike Goad, Fork Union District
Timothy M. Hodge, Palmyra District
Tony O’Brien, Rivanna District (*arrived at 5:02pm*)

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 5:01pm, Chair Fairchild called to order the Regular Meeting of July 3, 2024. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

3 - ADOPTION OF AGENDA

- Mr. Dahl asked to add Board of Supervisors EDTAC replacement, historic courthouse update and Scenic River Designation for the Hardware River. As well as pull Resolution Recognizing Hayden Bridge - Eagle Scout from Consent Agenda and moving it to Action Items, and tabling Position Upgrades for the Commissioner of the Revenue’s Office until after closed session.

MOTION:	Accept the Agenda, for the July 3, 2024 Regular Meeting of the Board of Supervisors, as amended.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:		Motion		Second	
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

4 - COUNTY ADMINISTRATOR’S REPORT

Mr. Dahl reported on the following topics:

Happy Early Birthday Mr. Goad!

- July 17th

Announcements and Updates - New Employees

- Sydney Brookman, Social Services, Family Services Specialist I, Started June 24th
- Tashe’ Trent, Social Services, Benefit Programs Specialist I, Started July 1st
- Heather Vernon, Human Resources, Human Resources Generalist, Started July 2nd

Fluvanna 4-H Summer Update

- 4-H overnight summer camp at Holiday Lake was June 10-14, and was attended by 114 attendees from Fluvanna, 6 adult volunteers, 15 teen volunteers, 2 staff members with over 2,000 hours of volunteer service given to the program.
- 4-H Congress – state competition for teens at Virginia Tech was held June 18-21. 6 delegates attended.
- Summer Programs – Geocaching program, drone day camp, STEM day camp, exploring robotics day camp, garden to grow, and 4-H Livestock Show and sale at the County Fair.

Next BOS Meetings

Day	Date	Time	Purpose	Location
Wed	Aug 7	5:00 PM	Regular Meeting	Circuit Court
Wed	Aug 21	6:00 PM	Regular Meeting	Circuit Court
Wed	Sept 4	5:00 PM	Regular Meeting	Circuit Court

5 - PUBLIC COMMENTS #1

At 5:07pm, Chair Fairchild opened the first round of Public Comments. With no one wishing to speak, Chair Fairchild closed the first round of Public Comments at 5:07pm.

6 – BOARDS AND COMMISSIONS

None.

7 – PRESENTATIONS

None.

8 - ACTION MATTERS

Resolution Recognizing Hayden Bridge - Eagle Scout – Eric Dahl, County Administrator

Hayden has completed all requirements and has been examined by an Eagle Scout Board of Review and deemed worthy of the Eagle Scout Award.

MOTION:	Adopt the resolution entitled “Recognizing Hayden Bridge for Award of Eagle Scout Status.”				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:		Motion	Second		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Lafayette Trail Marker in Columbia – Jennifer Schmack, Director of Economic Development and Kathleen Kilpatrick, EDTAC/VA250 Committee Representative

Fluvanna County VA250 Committee

- Established by the General Assembly in 2020, the Virginia American Revolution 250 Commission (VA250) serves to commemorate the 250th anniversary of the American Revolution.
- In December 2023, the Board of Supervisors tasked the Economic Development and Tourism Advisory Council (EDTAC) to serve as Fluvanna County’s VA250 Committee.
- In January 2024, EDTAC formed a VA250 subcommittee to work on and promote VA250 events.

Lafayette Trail Marker in Columbia

- 2024 is the 200th Anniversary of General Lafayette’s Farewell Tour of the United States.
- In November 1824, General Lafayette passed through Fluvanna on his way to visit Thomas Jefferson and was welcomed by General Cocke and Reverend Timberlake in Columbia, where he was served lunch before traveling to Wilmington.
- Lafayette commemorative programs and events are logical as kick-offs, consistent with, and beneficial to later VA250 efforts.
- EDTAC, in partnership with the Point of Fork Chapter of the Daughters of the American Revolution (DAR) and the Fluvanna Historical Society, will work together to commemorate this anniversary.
- If approved by the Lafayette Trail Marker, Inc., the marker will be manufactured and shipped free of charge.
- The marker is 2’ x 3’ cast aluminum with a 7’ aluminum mounting pole.
- The County will be responsible for erecting and maintaining the marker, landscaping and regular maintenance.
- The group seeks approval to place a Lafayette Trail Marker on County owned property in Columbia.

MOTION:	Authorize the County Administrator to send a letter of willingness to the Lafayette Trail, Inc., in order to secure a Lafayette Trail marker that will be erected on County-owned property in the former town of Columbia.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:				Second	Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

TJPDC Spring Regional Housing Summit – Eric Dahl, County Administrator

- The 2025 Regional Housing Summit will be focusing on solutions to the housing crisis.
- TJPDC is seeking financial sponsorship from Fluvanna County to cover the cost of hosting the summit, including attracting high quality speakers, venue rental, refreshments, and promotional materials.
- Specifically, TJPDC is requesting a sponsorship of \$2500, which will greatly assist in ensuring the summit's effectiveness and reach. Sponsorship levels at \$5,000, \$2,500, \$1,000.

MOTION:	Approve \$2,500 in support of the Thomas Jefferson Planning District Commission’s Regional Housing Summit to be held in 2025, with the funding to come from the FY25 BOS Contingency.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:			Second	Motion	

VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Department of Emergency Services Organizational Changes – Eric Dahl, County Administrator

With the Department of Emergency Services growing and the discussions with the Board of Supervisors during the FY25 budget process for the need to implement some command structure, the following changes are being proposed:

1. Convert the EMS Supervisor position to a Director of Emergency Services, with an estimated increase of salary and benefits at \$22,670
2. Allow for the Director of Emergency Services to appoint (1) Captain to assist with operational functions and assume command in the absence (vacation/sick leave) of the Director of Emergency Services. The appointment would get a \$3.50/hr. stipend increase to existing pay for the additional duties/responsibilities, with an estimated annual salary and benefits amount of \$9,069.
3. Allow for the Director of Emergency Services to appoint (4) Lieutenant’s to assist with operational shift duties. These appointments would get a \$1.25/hr. stipend increase to existing pay for the additional duties/responsibilities, with an estimated annual salary and benefits amount of per Lieutenant of \$3,239 or \$12,956 for (4) Lieutenant’s.

Department of Emergency Services - Captain

- The Captain is responsible for assisting with management of on and off-shift personnel including both career staff and volunteers. Under the direction of Director of Emergency Services, the principle functions of this position are to assist with management of day to day activities and to assist with the development and implementation of plans that address the future strategic needs of the shift and the department.
- The Captain will also establish and maintain effective working relationships with shift members, supervisors, residents and visitors of Fluvanna county and surrounding areas as needed.
- In the times where Director of Emergency Services is not available the captain should be able to take calls from crews and make decisions on day to day operations, examples: schedule change, personnel issues, mutual aid requests and more.
- Assist in completing annual evaluations and assists employees with goal setting and achievement.
- Works with Training officer to ensure all employees, including on-shift crews are participating and proficient in all areas of skills required for EMS Duties.
- Serves on committees as needed

Department of Emergency Services - Lieutenant

- The Shift Lieutenant is responsible for assisting the Director of Emergency Services and the Captain in the daily management of all shift activities and functions.
- The Shift Lieutenant will be responsible for carrying out supervisory duties and tasks assigned by administration.
- Assists with shift training that is approved by the training officer.
- Assists with the release process in EMS skills and equipment for new shift hires.
- Fosters and maintains a good working relationship with all employees including supervisors, volunteers, other agencies, the general public, and other public safety groups
- Assists with performance evaluations of shift personnel
- Serves on committees as needed

MOTION:	Approve the position upgrade of the EMS Supervisor, to a Director of Emergency Services for the Department of Emergency Services for FY25 at a cost of \$22,670 for salary and benefits, with funding to come from the FY25 BOS Contingency budget and further approve the Director of Emergency Services position description, as presented.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:				Second	Motion
VOTE:	Yes	Yes	No	Yes	Yes
RESULT:	4-1				

MOTION:	Approve the creation of a command structure in the Department of Emergency Services for FY25, creating an appointment for (1) Captain and (4) Lieutenant’s at a cost of \$22,025 for stipends and benefits, with funding to come from the FY25 BOS Contingency budget.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:				Second	Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Authorization to Advertise a Public Hearing to consider waiver request for sign, Wawa at Zion Crossroads – Dan Whitten, County Attorney; Todd Fortune, Director of Planning

The design consultant for the developer submitted sign designs as part of a sign permit application. One sign, fronting U.S. 15 in Fluvanna County, does not meet the sign requirements per Section 22-15-3 of the Fluvanna County Code. A waiver of the Code requirements would be needed for the sign to be approved.

MOTION:	Advertise a Public Hearing to consider a request for a waiver to the sign requirements under Section 22-15-3 of the County Code for the Wawa at Zion Crossroads for a public hearing to be held August 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				

Authorization to Advertise for a public hearing to enact County Code Section 2-1-7 to assess an electronic summons system fee – Dan Whitten, County Attorney

- Virginia Code Section 17.1-279.1 authorizes an electronic summons system fee of \$5.00 on any defendant who is charged by the sheriff’s office with violating a statute or ordinance within Fluvanna County.
- The fee shall be used to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system.

MOTION:	Advertise a Public Hearing to consider amendments to the County Code to enact Section 2-1-7, with such public hearing to be held August 21, 2024.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:		Motion	Second		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Fork Union Water Supply Project Supplemental Appropriation – Eric Dahl, County Administrator

On June 16, 2021, the Board of Supervisors approved the rezoning for ZMP 21:02 Virginia Electric and Power Company (aka Dominion Energy) for the former Breomo Power Station Coal Combustion Residuals landfill, with the County receiving proffers in the amount of \$49,648,330 for:

- Fork Union Water Supply Improvements - \$47,148,330
- Public Amenity/Recreation and Green Infrastructure Mitigation Payment - \$500,00
- Transportation Improvements and Road Maintenance (Breomo and West Bottom Rd) - \$2,000,000

The total of these proffers are only eligible once Dominion Energy received all of its Local and State permits. The proffer statement does allow for a \$2,128,300 construction advance, which the County received on November 28, 2023.

On November 29, 2023, the County entered into an agreement with Dewberry Engineers to prepare a Fork Union Water Supply Project Preliminary Engineering Report (PER), to prepare for a new Fork Union Water Supply System from the Dominion Energy Proffer construction advance funds. The Board of Supervisors approved the PER agreement on December 15, 2021, but the County waited to execute the agreement until the construction advance funds were received. The amount of the PER was \$149,715.

In early March 2024, the Department of Public Utilities needed to replace approximately 3,000 feet of water line and valves along Breomo Rd in the Fork Union Sanitary District near the former Breomo Power Station. The cost to replace all of these waterlines in this vicinity cost \$149,500.

MOTION:	Approve a supplemental appropriation in FY24 for the Fork Union Sanitary District for: 1) The Fork Union Water Supply Project Preliminary Engineering Report in the amount of \$149,715 2) Waterline and valve replacements on Breomo Rd near the former Breomo Power Station in the amount of \$149,500 With funding to come from the Dominion Energy Proffer construction advance funds related to the Fork Union Water Supply Project.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:		Motion	Second		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

In the Spring of 2024, at the direction of the Board of Supervisors, staff began researching facilitators for a 2024 Board of Supervisors Leadership Retreat. Staff received a proposal from the Berkley Group.

The FY24 BOS Budget included \$5,000 for Professional Services related to a Leadership Retreat that was not expended in FY24. These unexpended funds will go back to fund balance. The FY25 BOS Budget includes \$2,500 for Professional Services. Staff recommends a supplemental appropriation of \$5,000 to the FY25 budget by moving the FY24 funds to the FY25 budget. Berkley Group is available to facilitate a retreat on August 24, 2024.

MOTION:	Authorize the County Administrator to execute an agreement with the Berkley Group for facilitator services for a Board of Supervisors Leadership Retreat to be held on a date to be determined, as approved as to form by the County Attorney and signed by the County administrator.				
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 budget transfer of a not to exceed amount of \$4,500 from the FY25 BOS Contingency to the Board of Supervisors budget.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:		Second	Motion		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

14 - CLOSED MEETING

MOTION:	At 6:24pm, move the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.1 of the Code of Virginia, 1950, as amended, for the purpose of discussing Personnel – Employees of the Commissioner of the Revenue office.				
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:	At 6:58 pm, 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				

Position Upgrades for the Commissioner of the Revenue’s Office – Mel Sheridan, Commissioner of the Revenue
 This request is for position upgrades and realignments for the following positions and to update position descriptions for:

- A current Deputy Commissioner of the Revenue II moves to a Deputy Commissioner of the Revenue III;
- A current Deputy Commissioner of the Revenue III moves to Deputy Commissioner of the Revenue IV.
- A current Deputy Commissioner of the Revenue IV remains in the position.
- The current Chief Deputy Commissioner of Revenue I moves to Chief Deputy Commissioner of the Revenue II;

These updates and requests are driven by the roles and responsibilities within the office.

These requests do not change the amount of staff for the office, rather it changes the skill level of the positions in the office (see the below chart)

Current	Deputy I	Deputy II	Deputy III	Deputy IV	Chief Deputy I	Chief Deputy II	Comm. of the Revenue	Total
	0	1	1	1	1	0	1	5
Request	Deputy I	Deputy II	Deputy III	Deputy IV	Chief Deputy I	Chief Deputy II	Comm. of the Revenue	Total
	0	0	1	2	0	1	1	5

MOTION:	Approve the position upgrade of a Full-time Deputy Commissioner of the Revenue II, to a Full-time Deputy Commissioner of the Revenue III in the Commissioner of the Revenue’s office for FY25 at a cost of \$5,156.00 for salary and benefits, with funding to come from the FY25 BOS Contingency budget and further approve the amended position description.				
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 the position upgrade of a Full-time Deputy Commissioner of the Revenue III, to a Full-time Deputy Commissioner of the Revenue IV in the Commissioner of the Revenue’s office for FY25 at a cost of \$5,692.00 for salary and benefits, with funding to come from the FY25 BOS Contingency budget and further approve the amended position description.				
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 the position realignment for the Full-time Deputy Commissioner of the Revenue IV due to compression in the Commissioner of the Revenue’s office for FY25 at a cost of \$5,153.00, with funding to come from the FY25 BOS Contingency budget and further approve the amended position description.				
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 the position upgrade of a Full-time Chief Deputy Commissioner of the Revenue I, to a Full-time Chief Deputy Commissioner of the Revenue II in the Commissioner of the Revenue’s office for FY25 at a cost of \$3,720.00 for salary and benefits, with funding to come from the FY25 BOS Contingency budget and further approve the amended position description.				
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 TO EXTEND

At 7:02pm, a motion was made to extend the Board of Supervisors meeting.

MOTION:	Approve a motion to extend the July 3, 2024 Regular Board of Supervisors meeting to 11:00pm.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:			Motion		Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

9 - PUBLIC HEARING

ZMP 24:02 BHL Group, LLC, et al - Amendment of the Fluvanna County Zoning Map to rezone 4.125 acres of Tax Map 5 Section A Parcel 22 from A-1, Agricultural, General to I-1, Industrial, Limited – Dan Whitten, County Attorney; Todd Fortune, Director of Planning

This property is located in the Zion Crossroads Industrial Park. It is currently zoned A-1, Agricultural, General. All surrounding properties are zoned I-1, Industrial, Limited.

The owners had requested a Boundary Line Adjustment (BLA) for the parcel in question, to provide for road access and adequate road frontage. A BLA because is currently not allowed due to the parcel being zoned differently from surrounding parcels. The rezoning is necessary for the BLA to move forward.

At 7:08pm, Chair Fairchild opened the Public Hearing. With no one wishing to speak, Chair Fairchild closed the Public Hearing at 7:08pm.

MOTION:	Approve ZMP 24:02, a request to amend the Fluvanna County Zoning map to rezone 4.125 acres of Tax Map 5 Section A Parcel 22 from A-1, Agricultural, General to I-1, Industrial, Limited subject to the revised proffers dated June 5, 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				

Approval of a Waiver Request for Mountain Hill Subdivision – Dan Whitten, County Attorney; Todd Fortune, Director of Planning

The property in question is located in the Fork Union District, Tax Map 50 A 33, and is zoned A-1. It was accepted by the Planning Commission at its regular meeting on September 12, 2023. However, the subdivision does not meet open space or density requirements per Section 22-4-10.3 of the Fluvanna County Code. A waiver of the Code requirements would be needed for the project to move forward.

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 request for a waiver to the rural cluster requirements under Section 22-4-10.3 of the County Code for SUB 23:34, Mountain Hill subdivision, 25.462 acres of Tax Map 50 Section A Parcel 33, subject to the five (5) conditions agreed to by the Planning Commission on September 12, 2023.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
ACTION:		Motion	Second		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Ordinance to Amend Section 6-1-5 of the County Code to Increase Erosion and Sediment Control Review Fees – Dan Whitten, County Attorney

This amendment simplifies the schedule for erosion and sediment control review fees by increasing two fees and eliminating others.

At 7:14pm, Chair Fairchild opened the Public Hearing. With no one wishing to speak, Chair Fairchild closed the Public Hearing at 7:14pm.

MOTION:	Approve the amendments to the County Code to amend Section 6-1-5 to increase erosion and sediment control review fees.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
ACTION:			Second	Motion	
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

ZTA 24:02 – An amendment to the Fluvanna County Zoning Ordinance, § 22-4-2.2, to remove Utility Scale Solar Generation Facilities as an approved use by special use permit under in the Agricultural, A-1 zoning district – Dan Whitten, County Attorney; Todd Fortune, Director of Planning

The Solar Ordinance Review Committee has had a number of meetings to discuss policy as it relates to solar development in Fluvanna County. The Committee has expressed a desire to remove utility scale solar generation as an allowed use with a Special Use Permit (SUP) in the A-1 zoning district in favor of creating a new district, S-1, for the location of such facilities. Additionally, the Board of Supervisors passed a resolution on March 6, 2024 stating a desire to remove utility scale solar generation facilities as a use allowed by SUP in the A-1 district.

At 7:33pm, Chair Fairchild opened the Public Hearing.

- Joe Creasey, 38 Jennings Dr, with a petition of over 80 signatures, spoke against ZTA 24:02.
- Harry Kingery, CEP Solar, spoke in opposition of ZTA 24:02.
- Jason Sweeny, 3456 James Madison Hwy, spoke in support of ZTA 24:02.
- Paul Beyer, 4873 James Madison Hwy, spoke in support of solar projects.

- James Merrick, 223 Paynes Ln, spoke in opposition to ZTA 24:02.
- Mario Kuhar, 3247 West River Rd, spoke in favor of ZTA 24:02.
- Josephus Allmond, 42 Partridge Berry Ln, spoke in opposition of ZTA 24:02.
- Karen Bowles 5520 James Madison Hwy, spoke in support of ZTA 24:02.
- Clyde Royston, 534 Rockfish Run Rd, spoke in support of ZTA 24:02.
- Martha McAloon, 56 Pine Ln, spoke in favor of the proposed amendments.
- Suzy Morris, 6840 Thomas Jefferson Hwy, spoke in favor of the proposed amendments.
- Kat Campbell, James Madison Hwy, spoke in support of ZTA 24:02.
- James Winsett, 8085 James Madison Hwy, spoke in support of ZTA 24:02.
- Donna Daguanno, 148 Crepe Myrtle Dr, spoke in favor of the proposed amendments.
- Nadine Armstrong, 2979 Bremono Rd, spoke in support of ZTA 24:02.
- Skyler Zunk, Energy Right, spoke in opposition of the proposed amendments.
- John Alexander, spoke in opposition to ZTA 24:02.
- Joel Loving, 6115 Stage Junction Rd, spoke in opposition to solar.
- Amanda Sweeny, 3456 James Madison Hwy, spoke in support of ZTA 24:02.
- Roger Bowles, 5520 James Madison Hwy, spoke in favor of the proposed amendments.

With no one else wishing to speak, Chair Fairchild closed the Public Hearing at 8:49pm.

- After much discussion the Board asked to amend the motion. Mr. Hodge made the motion to approve, and added “remand and refer to the Solar Committee and Planning Commission the creation of a S-1 solar district with agriculture uses and utility scale solar generation facilities allowed by special use permit in said S-1 district.”

MOTION:	Approve ZTA 24:02, an amendment to § 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 and to remand and refer to the Solar Committee and Planning Commission the creation of a S-1 solar district with agriculture uses and utility scale solar generation facilities allowed by special use permit in said S-1 district.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:		Second	Motion		
VOTE:	Yes	Yes	Yes	No	Yes
RESULT:	4-1				

MOTION TO RECESS

At 9:53pm, a motion was made to recess by Mr. Hodge and seconded by Mr. Sheridan. The Motion passed 3-0.

10 - CONSENT AGENDA

The following items were discussed before approval:

- O - Services Term Contract - Colossal Contractors, Inc. – Dan Whitten, County Attorney
- P - Services Term Contract - Historical Preservation and Restoration, Inc. – Dan Whitten, County Attorney
- Q - Services Term Contract - J&A Painting & Home Improvements, Inc. – Dan Whitten, County Attorney
- R - Services Term Contract - The Carpentry and Painting Experts, LLC – Dan Whitten, County Attorney
- S - Services Term Contract - United Unlimited Construction, Inc. – Dan Whitten, County Attorney

The following items were approved under the Consent Agenda for July 3, 2024:

- *Minutes of June 19, 2024* – Caitlin Solis, Clerk to the Board
- *Approval of a Resolution to authorize Fluvanna County’s participation in the proposed settlement of opioid-related claims against Kroger* – Dan Whitten, County Attorney
- *Services Term Contract - Colossal Contractors, Inc.* – Dan Whitten, County Attorney
- *Services Term Contract - Historical Preservation and Restoration, Inc.* – Dan Whitten, County Attorney
- *Services Term Contract - J&A Painting & Home Improvements, Inc.* – Dan Whitten, County Attorney
- *Services Term Contract – The Carpentry and Painting Experts, LLC* – Dan Whitten, County Attorney
- *Services Term Contract - United Unlimited Construction, Inc.* – Dan Whitten, County Attorney
- *FY24 Aid to Localities Fund – Fire Department* – Tori Melton, Director of Finance
- *FY24 Treasurer’s Office Supplemental Appropriation* – Tori Melton, Director of Finance
- *FY24 Sheriff’s Department Insurance Claim – 2022 Dodge Charger 9811* – Tori Melton, Director of Finance
- *CRMF - FMS Main Office HVAC Unit* – Don Stribling, FCPS Executive Director
- *Road Name Assignment - Still Waters Lane* – Todd Fortune, Director of Planning and Zoning

MOTION:	Approve the consent agenda, for the July 3, 2024 Board of Supervisors meeting excluding the previously approved Resolution Recognizing Hayden Bridge - Eagle Scout.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:		Second			Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

11 - UNFINISHED BUSINESS

- Mr. O’Brien mentioned developing a quarterly recognition program for volunteer organizations in the County.
- Mr. Hodge brought up the creation of a voucher program for emergency volunteers, County Attorney office renovation update, and the status of the New Administration Building Design RFP.

12 - NEW BUSINESS

Board of Supervisors EDTAC Replacement

MOTION:	Approve the replacement of Mr. Goad with Mr. Hodge as the Board of Supervisor representative on the Economic Development and Tourism Committee (EDTAC) July 3, 2024 and ending December 31, 2025.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:		Second			Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Historic Courthouse Update – Eric Dahl, County Administrator

- Mr. Dahl gave the Board a brief update on the Historic Courthouse consultant proposal.

Scenic River Designation of the Hardware River

- Mr. Dahl asked if the Board is still interested in getting the Hardware River designated as a Scenic River. The Board directed staff to proceed.

13 - PUBLIC COMMENTS #2

At 10:20pm, Chair Fairchild opened the second round of Public Comments. With no one wishing to speak, Chair Fairchild closed the second round of Public Comments at 10:20pm.

14 - CLOSED MEETING

MOTION:	At 10:21pm, 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 – County Attorney performance evaluation; Prospective Industry – prospective business updates in the Cunningham and Fork union Districts; Legal Matters – contract user grant under the water and sewer ordinance, and Stonegate Land Holdings easement; and adjourn from the Morris Room.				
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:	At 11:13 pm, 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:				Motion	Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

MOTION TO EXTEND

At 11:13pm a motion was made to extend the Board of Supervisors meeting.

MOTION:	Approve a motion to extend the July 3, 2024 Regular Board of Supervisors meeting to 11:15pm.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:			Motion		Sheridan
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

MOTION:	Adjourn the regular meeting of Wednesday, July 3, 2024 at 11:14pm.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
ACTION:			Second		Motion
VOTE:	No	Yes	No	Yes	Yes
RESULT:	3-2				

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

Caitlin Solis
Clerk to the Board

Christopher S. Fairchild
Chair

DRAFT



BOARD OF SUPERVISORS
 County of Fluvanna
 Palmyra, Virginia
RESOLUTION No. 26-2024

**A RESOLUTION RECOGNIZING
 HAYDEN BRIDGE
 AWARD OF EAGLE SCOUT STATUS**

The Fluvanna County Board of Supervisors adopted the following resolution on Wednesday, July 3, 2024

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910; and

WHEREAS, the Boy Scouts of America was founded to promote citizenship, training, personal development and fitness of individuals; and

WHEREAS, Hayden Bridge has completed all the requirements for becoming an Eagle Scout; and

WHEREAS, Hayden has been examined by an Eagle Scout Board of Review and deemed worthy of the Eagle Scout award; and

WHEREAS, Boy Scout Troop 154 convened an Eagle Scout Court of Honor on June 30, 2021 at 4:00 p.m. at Lake Christian Church, Palmyra, Virginia; and

WHEREAS, the Fluvanna County Board of Supervisors fully supports the programs of the Boy Scouts of America and recognizes the important services they provide to the youth of our Country.

NOW, THEREFORE BE IT RESOLVED that the Fluvanna County Board of Supervisors joins Hayden’s family and friends in congratulating him on his achievements, the award of Eagle Scout status and acknowledges the good fortune of the County to have such an outstanding young man as one of its citizens.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Board of Supervisors at a regular meeting of the Board held on the 3rd^h of July, 2024, by the following vote:

	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					X
Anthony P. O’Brien, Rivanna District	X					

Attest:

Christopher S. Fairchild, Chair
 Fluvanna County Board of Supervisors



BOARD OF SUPERVISORS
County of Fluvanna
Palmyra, Virginia
RESOLUTION No. 27-2024

RESOLUTION TO ASSIGN A ROAD NAME: Still Waters Lane

WHEREAS, the E911 emergency system requires the assignment of names to all streets and roads in the County, the assignment of building numbers to all buildings having telephones and/or occupancies, and the erection of appropriate street signs at intersections; and,

WHEREAS, a third address has been assigned to the private road serving Carols Farm subdivision which requires that a name be assigned; and,

WHEREAS, Section 18-2 (B) of the Code of the County of Fluvanna provides that the name of each street shown on a subdivision plat approved pursuant to Chapter 19 of the Code of the County of Fluvanna and subsequently recorded in the office of the Clerk of the Circuit Court shall be deemed to have been approved pursuant to this section; and,

WHEREAS, the Board of Supervisors is empowered to name streets, roads and alleys within the County in accordance with Section 18-2 of the Code of the County of Fluvanna;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Fluvanna County pursuant to Section 18-2 of the Code of the County of Fluvanna that the private road located off of Thomas Jefferson Parkway be named Still Waters Lane.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Board of Supervisors on this 3rd day of July 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					X
Timothy Hodge, Palmyra District	X					
Anthony P. O'Brien, Rivanna District	X					

Attest:

Christopher S. Fairchild, Chair
Fluvanna County Board of Supervisors



BOARD OF SUPERVISORS
 County of Fluvanna
 Palmyra, Virginia

RESOLUTION No. 28-2024

A RESOLUTION AUTHORIZING THE COUNTY’S PARTICIPATION IN THE PROPOSED SETTLEMENT OF OPIOID-RELATED CLAIMS AGAINST KROGER, AND DIRECTING THE COUNTY ATTORNEY TO EXECUTE THE DOCUMENTS NECESSARY TO EFFECTUATE THE COUNTY’S PARTICIPATION IN THE SETTLEMENT

WHEREAS, the opioid epidemic that has cost thousands of human lives across the country also impacts the Commonwealth of Virginia and its counties and cities, including the County of Fluvanna, by adversely impacting the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse services, and other services by Fluvanna’s various departments and agencies; and

WHEREAS, the Commonwealth of Virginia and its counties and cities, including Fluvanna County, have been required and will continue to be required to allocate substantial taxpayer dollars, resources, staff energy and time to address the damage the opioid epidemic has caused and continues to cause the citizens of the Commonwealth and Fluvanna; and

WHEREAS, a settlement proposal has been negotiated that will cause Kroger to pay over a billion dollars nationwide to resolve opioid-related claims against it; and

WHEREAS, the County has approved and adopted the Virginia Opioid Abatement Fund and Settlement Allocation Memorandum of Understanding (the “Virginia MOU”), and affirms that this pending settlement with Kroger shall be considered a “Settlement” that is subject to the Virginia MOU, and shall be administered and allocated in the same manner as the opioid settlements entered into previously with opioid distributors McKesson, Cardinal Health, and AmerisourceBergen, opioid manufacturers Janssen Pharmaceuticals, Teva Pharmaceuticals, and Allergan, and retail pharmacy chains CVS, Walgreens, and Walmart;

WHEREAS, the County Attorney has reviewed the available information about the proposed settlement and has recommended that the County participate in the settlement in order to recover its share of the funds that the settlement would provide;

NOW THEREFORE BE IT RESOLVED that the Fluvanna County Board of Supervisors, this 3rd day of July, 2024, authorizes the County’s participation in the proposed settlement of opioid-related claims against Kroger and its related corporate entities, and directs the County Attorney to execute the documents necessary to effectuate the County’s participation in the settlement, including the required release of claims against Kroger.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Board of Supervisors on this 3rd day of July, 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					X
Timothy Hodge, Palmyra District	X					
Anthony P. O’Brien, Rivanna District	X					

Attest:

 Christopher S. Fairchild, Chair
 Fluvanna County Board of Supervisors



BOARD OF SUPERVISORS

County of Fluvanna
Palmyra, Virginia

ORDINANCE No. 14-2024

AN ORDINANCE TO WAIVE RURAL CLUSTER REQUIREMENTS UNDER COUNTY CODE SECTION 22-4-10.3 FOR MOUNTAIN HILL SUBDIVISION

WHEREAS the Mountain Hill rural cluster subdivision was presented to the Fluvanna County Planning Commission on September 12, 2023 for acceptance; and

WHEREAS the Mountain Hill rural cluster subdivision does not meet all of the requirements under Section 22-4-10.3 of the County Code; and

WHEREAS the Fluvanna-Louisa Housing Foundation has requested a waiver of the open space and density requirements under Section 22-4-10.3 of the County Code; and

WHEREAS the Board, after public notice, public hearing and due deliberation in accordance with law approved the waiver of the requirements on **July 3, 2024**; and

NOW THEREFORE BE IT ORDAINED BY THE FLUVANNA BOARD OF SUPERVISORS, the waiver to the open space requirement under County Code Section 22-4-10.3 for the Mountain Hill rural cluster subdivision, BE, AND IT IS HEREBY, APPROVED; such waiver shall allow 15.71 acres (61.7%) of required open space instead of the required 19.09 acres (75%); and

BE IT FURTHER ORDAINED that the waiver to the density requirement under County Code Section 22-4-10.3 for the Mountain Hill rural cluster subdivision, BE, AND IT IS HEREBY, APPROVED; such waiver shall allow 17 dwelling units instead of the required 12 dwelling units.

Adopted this 3rd day of July 2024

by the Fluvanna County Board of Supervisors

	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					X
Anthony P. O'Brien, Rivanna District	X					

Attest:

Christopher S. Fairchild, Chair
Fluvanna County Board of Supervisors



BOARD OF SUPERVISORS

County of Fluvanna
Palmyra, Virginia

ORDINANCE No. 15-2024

AN ORDINANCE TO REZONE 4.125 ACRES FROM A-1 TO I-1 WITH PROFFERS

At a regular meeting of the Board of Supervisors of the County of Fluvanna held in the Fluvanna County Circuit Court at 72 Main Street, Palmyra, Virginia this 3rd day of July, 2024:

ZMP 24:02 BHL Group, LLC, et al – A request to rezone from A-1, Agricultural, General to the I-1, Industrial, Limited Zoning District of 4.125 +/- acres of Tax Map 5 Section A Parcel 22. The subject property is generally located on the northern side of Better Living Drive and in the Zion Crossroads Community Planning Area and in the Columbia Election District.

BE IT ORDAINED by the Board of Supervisors of Fluvanna County that the Rezoning Application identified as ZMP 24:02 is granted as an amendment to the official zoning map; and

The Property is currently identified as Tax Map 5 Section A Parcel 22; and

The Property, consisting of 4.125 acres, is hereby rezoned from A-1, Agricultural, General to the I-1, Industrial, Limited Zoning District; and

The Owner/Applicant in this zoning case, pursuant to the Zoning Ordinance of Fluvanna County, for themselves and their successors or assigns, proffer that the Property will be developed in accordance with the conditions voluntarily agreed to by the Owner/Applicant in the proffer statement dated June 5, 2024 which is included in this ordinance.

Adopted this 3rd day of July 2024

by the Fluvanna County Board of Supervisors

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

Attest:

Christopher S. Fairchild, Chair
Fluvanna County Board of Supervisors



BOARD OF SUPERVISORS

County of Fluvanna
Palmyra, Virginia

ORDINANCE No. 16-2024

ORDINANCE TO AMEND “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA”, BY AMENDING § 6-1-5 TO INCREASE EROSION AND SEDIMENT CONTROL REVIEW FEES

BE IT ORDAINED by the Board of Supervisors of Fluvanna County:

(1) That The Code of the County of Fluvanna, Virginia is amended by amending § 6-1-5 as follows:

CHAPTER 6 EROSION AND SEDIMENTATION CONTROL

ARTICLE 1. – IN GENERAL

Sec. 6-1-5. - Fees generally.

The following fees for the land-disturbing permits and related reviews pursuant to this chapter shall be paid. The purpose of these fees is to defray the cost of program administration, including costs associated with the issuance of grading or land disturbing permits, plan review, and periodic inspections for compliance with erosion and sediment control plans. The fee schedule set forth in this section shall supersede any fee schedule previously adopted with respect to such permits and related reviews.

Single Family	\$125.00 per lot
All Other	\$750.00 plus \$125.00/ac. \$1,000.00 plan review fee

The foregoing notwithstanding, except as otherwise expressly provided by law, none of the fees listed herein shall apply to any property owned by the County and used for County purposes.

(2) That the Ordinance shall be effective after adoption.

Adopted this 3rd day of July 2024

by the Fluvanna County Board of Supervisors

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

ORDINANCE No. 17-2024

ZTA 24:02

ORDINANCE TO AMEND AND REORDAIN "THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA" BY AMENDING § 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

BE IT ORDAINED by the Board of Supervisors of Fluvanna County:

(1) That the Code of the County of Fluvanna, Virginia is amended by amending § 22-4-2.2 as follows:

CHAPTER 22 ZONING

ARTICLE 4. - AGRICULTURAL, GENERAL, DISTRICT A-1

Amend Sec . 22-4-2.2 Uses permitted by special use permit only:

Miscellaneous Uses

- ~~Utility scale solar generation facility~~

(2) That the Ordinance shall be effective upon adoption.

Adopted this 3rd day of July 2024
by the Fluvanna County Board of Supervisors

	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				X	
Anthony P. O'Brien, Rivanna District		X				

Attest:

Christopher S. Fairchild, Chair
Fluvanna County Board of Supervisors