

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Courtroom, Fluvanna Courts Building
72 Main Street, Palmyra, VA 22063
September 4, 2024
Regular Meeting 5:00pm**

MEMBERS PRESENT:

Chris Fairchild, Cunningham District, Chair
John M. (Mike) Sheridan, Columbia District, Vice Chair
Mike Goad, Fork Union District
Timothy M. Hodge, Palmyra District
Tony O’Brien, Rivanna District

ABSENT:

None.

ALSO PRESENT:

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

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

At 5:00pm, Chair Fairchild called to order the Regular Meeting of September 4, 2024. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

3 - ADOPTION OF AGENDA

- *Mr. Dahl asked to pull Authorization to Advertise Dangerous Dog Ordinance Amendment, and CRMF - Treasurers Office HVAC from the agenda. He also asked to add Solar Committee Ordinance Update to New Business.*

MOTION:	Accept the Agenda, for the September 4, 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:

Announcements and Updates - New Employees

- Taylor Campbell, DSS, Benefit Programs Specialist, Started August 19th
- Walter Opie, Public Works, Grounds Maintenance Worker, Started August 26th
- Pamela Staton, HR, Human Resources Generalist, Started August 26th
- Henry Vanden Brook, Public Works, HVAC Apprentice, Started August 26th

Next BOS Meetings

Day	Date	Time	Purpose	Location
Wed	Sept 18	6:00 PM	Regular Meeting	Circuit Court
Wed	Oct 2	5:00 PM	Regular Meeting	Circuit Court
Wed	Oct 16	6:00 PM	Regular Meeting	Circuit Court

5 - PUBLIC COMMENTS #1

At 5:05pm, 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 5:05pm.

6 – BOARDS AND COMMISSIONS

None.

7 – PRESENTATIONS

VDOT Quarterly Report – Scott Thornton, Residency Administrator/Louisa Residency

Scott Thornton gave an update on VDOT projects in the county including, road maintenance, and mowing. Mr. Thornton gave an update on the Transportation Alternatives and Revenue Share funding cycle for 2025.

- *The Board asked Mr. Thornton to look into various road issues, from missing road name and speed limit signs, to road maintenance, safety issues, and temporary signs and trash in the VDOT right of way.*

2024 Thomas Jefferson Planning District Legislative Program Update – David Blount, TJPDC Deputy Director/Director of Legislative Services

David Blount gave the Board of Supervisors an update on 2024 Legislative Priorities including public education funding, budgets and funding; and land use and growth management.

8 - ACTION MATTERS

Authorization to Advertise Dangerous Dog Ordinance Amendment – Dan Whitten, County Attorney

- *Pulled from agenda.*

Sale of Surplus – Palmyra Fire Tanker Truck – Eric Dahl, County Administrator; Jim True, Director of Emergency Services

- Palmyra Fire has received a new fire truck ordered in January 2023, which was funded in the FY22 CIP.
- The replacement apparatus deemed surplus is a 2000 Freightliner Tanker.
- It is general practice in Fluvanna that surplus property be sold at auction, generally through GovDeals.
- Under County Policy 4.3 Surplus Property, 4.3.6 Surplus Property and Surplus Vehicle(s), B. Disposition of Surplus Property by Sale, Trade or Exchange, “All sales of Surplus Property and Surplus Vehicle(s) shall be based on competitive principals and if feasible shall be sold on the basis of competitive bids to obtain the best price and insure that the County receives fair market value.”
- Drakes Branch Volunteer Fire Department in Charlotte County, Virginia made a request to Fluvanna to sell its used Palmyra Fire Tanker Truck to them.
- In the case of this vehicle, Drakes Branch Volunteer Fire Department has asked that we bypass the auction and sell them the surplus vehicle as they have an emergent need for the citizens in their community with limited resources to fill that need.
- The County received a used vehicle proposal for value from FESCO Emergency Sales, which values the truck at \$26,000.
- The options before the Board of Supervisors for the sale of surplus are:
 1. Strictly follow the County Policy 4.3 Surplus Property, which requires sales of Surplus Property and Surplus Vehicle(s) to be based on competitive principals and if feasible shall be sold on the basis of competitive bids to obtain the best price and insure that the County receives fair market value. Under this scenario, the County would list the vehicle for sale on GovDeals and any interested parties can bid on the tanker truck.
 2. The Board of Supervisors could waive the competitive principals process under Surplus Policy 4.3 and the tanker truck is sold at the used proposed value from FESCO “fair market value” of \$26,000 or more to an interested party. The County would then set the sale price at \$26,000 or above and negotiate that amount with Drakes Branch Volunteer Fire Department.
 3. The County could sell the tanker truck below fair market value to an interested party. While this is a variation on Fluvanna’s normal practices, according to Virginia Code 15.2-953, Fluvanna may make gifts and donations of personal property to any association or other organization furnishing voluntary firefighting services such as Drakes Branch. Under this scenario, the fair market value of the truck would exceed the Purchase Price, so the excess is considered a gift and/or donation. The County would need to determine the sale price below fair market value and negotiate that amount with Drakes Branch Volunteer Fire Department.

MOTION:	Waive the competitive principals process under Surplus Policy 4.3 and the tanker truck is sold at the used proposed value “fair market value” from FESCO of \$26,000.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:			Second		Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

9 - PUBLIC HEARING

None.

10 - CONSENT AGENDA

The following items were discussed before approval:

Q - CRMF - Treasurers Office HVAC – Dale Critzer, Asst. Director of Public Works, pulled from agenda.

The following items were approved under the Consent Agenda for September 4, 2024:

- *Minutes of August 21, 2024 – Caitlin Solis, Clerk to the Board*
- *Minutes of August 24, 2024 – Caitlin Solis, Clerk to the Board*
- *MACAA Board Term Adjustment – Eric Dahl, County Administrator*
- *Accept Dedication of Easement from Robert W. Brown – Dan Whitten, County Attorney*
- *Proposal for Professional Engineering Services for Communication Tower Inspection and Mapping Services – Dan Whitten, County Attorney*
- *FSPCA Public Animal Shelter Services Agreement – Dan Whitten, County Attorney*
- *FY24 Historic Courthouse Grant Supplemental Appropriation – Tori Melton, Director of Finance*

- Memorandum of Understanding with Antioch Baptist Church – Dan Whitten, County Attorney
- Memorandum of Understanding with Beaver Dam Baptist Church – Dan Whitten, County Attorney
- Memorandum of Understanding with Kents Store ARC – Dan Whitten, County Attorney
- Memorandum of Understanding with Lake Monticello VFD – Dan Whitten, County Attorney
- CRMF - Public Safety HVAC – Dale Critzer, Asst. Director of Public Works

MOTION:	Approve the consent agenda, for the September 4, 2024 Board of Supervisors 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				

11 - UNFINISHED BUSINESS

Solar Committee Ordinance Update – Dan Whitten, County Attorney

Removal of Utility Scale Solar in A-1

At the Board of Supervisors’ meeting on July 3, the Board approved the amendment to §22-4-2.2 of the Fluvanna County Code to remove utility scale solar generation facilities as a use allowed by special use permit in the Agricultural, A-1 Zoning District.

Creation of new County-wide S-1 District

The Solar Ordinance Review Committee has been working on a new proposed zoning district, S-1. The Committee discussed keeping the proposed S-1 district within a certain distance from transmission lines, but ultimately decided to make it available as an option for rezoning County-wide. S-1 keeps the following by-right A-1 uses: agriculture, conservation areas, farm sales, accessory uses, non-commercial cemeteries, non-commercial greenhouses, small-scale solar generating facilities, and minor utilities. S-1 keeps the following SUP-only A-1 uses: agricultural enterprise, wholesale agricultural sales, commercial livestock feed lots and sales yards, communications services, minor-scale solar generating facilities, telecommunication facilities, and major utilities. S-1 adds utility-scale solar generating facilities as use permitted by SUP only.

Mr. Whitten also presented the Solar Ordinance Committee’s supplemental regulations including, overview and max. acreage, Setbacks, buffers and screening, height, fencing, lighting, glare, signs, emergency, access, noise, wiring and transmission lines, Wildlife corridors, landscaping plan, vegetation management, E&S, slopes, historic resources, groundwater, emergency response, decommissioning, and a review of USSGFs.

12 - NEW BUSINESS

Signs in the VDOT Right of Way – Following the VDOT Quarterly report, the Board picked up the discussion about temporary signs along the VDOT right of way being an issue, and discussed how to remedy the problem.

- After some discussion about the removal of signs along the road in VDOT right of ways, the Board directed staff to report issues to VDOT via the VDOT portal for reporting road issues.

13 - PUBLIC COMMENTS #2

At 6:27pm, Chair Fairchild opened the second round of Public Comments.

- Tony O’Brien, 30 Chatham Rd, wanted to recognize Greg Kelly, and inform the Board of his passing. With no one else wishing to speak, Chair Fairchild closed the second round of Public Comments at 6:28pm.

14 - CLOSED MEETING

MOTION:	At 6:28pm, move the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.5, & A.8 of the Code of Virginia, 1950, as amended, for the purpose of discussing Prospective Industry – prospective business updates in the Fork Union District; and Legal Matters – contract user grants under the water and sewer ordinance in Zion Crossroads.				
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 6:55 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.”
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MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
ACTION:				Motion	Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

15 - ADJOURN

MOTION:	Adjourn the regular meeting of Wednesday, September 4, 2024 at 6:56pm.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
ACTION:			Second	Motion	
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

Caitlin Solis
Clerk to the Board

Christopher S. Fairchild
Chair

