FLUVANNA COUNTY BOARD OF SUPERVISORS REGULAR MEETING MINUTES

Carysbrook Performing Arts Center 8880 James Madison Hwy, Fork Union, VA 23055 January 3, 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 Barry Bibb, Planning Commissioner, Chair

Howard Lagomarsino, Planning Commissioner, Vice Chair

Bree Key, Planning Commissioner

Lorretta Johnson-Morgan, Planning Commissioner Kathleen Kilpatrick, Planning Commissioner

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

At 5:03pm Mr. Eric Dahl, County Administrator called to order the 2024 Organizational Meeting. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

2024 Organizational Meeting of the Fluvanna County Board of Supervisors

Election of Chair - This action will elect a Chair to the Board of Supervisors for 2024. Mr. Eric M. Dahl, County Administrator, called for nominations.

- Mr. Hodge nominated Supervisor Fairchild.

NOMINATION: Supervisor Fairchild

SUPERVISOR	NOMINATE	SECOND	AYE	NAY	ABSTAIN	ABSENT			
Chris Fairchild, Cunningham District			X						
Mike Goad, Fork Union District		Х	Х						
Timothy M. Hodge, Palmyra District	X		Х						
Anthony P. O'Brien, Rivanna District			Х						
John M. Sheridan, Columbia District			Х						
5-0									

Following the election of Chair, Mr. Dahl turned the gavel, and the meeting, over to Chair Fairchild.

Election of Vice-Chair - This action will elect a new Vice-Chairperson to the Board of Supervisors for 2024. Chair Fairchild opened the floor for nominations for Vice-Chair.

Mr. O'Brien nominated Supervisor Sheridan.

 $\underline{\text{NOMINATION}} \colon \text{Supervisor Sheridan}$

SUPERVISOR	NOMINATE	SECOND	AYE	NAY	ABSTAIN	ABSENT			
Chris Fairchild, Cunningham District			Х						
Mike Goad, Fork Union District		Х	Х						
Timothy M. Hodge, Palmyra District			Х						
Anthony P. O'Brien, Rivanna District	Х		Х						
John M. Sheridan, Columbia District					Х				
4-0-1 (Sheridan abstained)									

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Supervisor Sheridan was elected Vice Chair, and the nomination/voting process was complete.

Resolution Entitled "Organizational Meeting of the Fluvanna County Board of Supervisors 2024" - The Code of Virginia requires an annual organizational meeting of the Board of Supervisors for the election of officers and the conduct of such other business as to meeting times and dates.

1 Supervisors will aces							
MOTION:	of meetings. Meeting Place:	ook Performing A etings begin at 5 leetings begin at ed; cheduled, Work	"Organizational 4" which designal Arts Center :00 p.m. and end 6:00 p.m. and er	ates the location, I at 9:00 p.m., un nd at 10:00 p.m.,	day, and time less extended; unless		
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan		
ACTION:			Motion	Second			
VOTE:	Yes	Yes	Yes	Yes	Yes		
RESULT:			5-0				

Selection of Dates for the Board Meetings - This action will adopt the Board of Supervisors 2024 Regular Meeting Calendar.

- 2024 Juneteenth falls on Wednesday, June 19, 2024 and County Offices will be closed. The Board agreed to move the Wednesday meeting to Thursday, June 20, 2024.
- During the month of July, only one meeting will be held on the first Wednesday starting at 5:00 p.m., breaking for dinner, then reconvening at 6:00 p.m. for public hearings.

MOTION:	•	Adopt the Board of Supervisors 2024 Regular Meeting Calendar as presented, with the changes so made.										
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Goad Mr. Hodge Mr. O'Brien Mr. Sh									
ACTION:				Second	Motion							
VOTE:	Yes	Yes	Yes	Yes	Yes							
RESULT:			5-0									

Adoption of Board By-Laws and Rules of Practice and Procedures - This action will adopt the Fluvanna County Board of Supervisors By-Laws and Rules of Practice and Procedures.

- The third Wednesday meeting of the month will be changed to start at 6:00pm, and was updated in the Bylaws.

MOTION:	Adopt the Board of Supervisors By-Laws and Rules of Practice and Procedure.									
MEMBER:	Mr. Fairchild	Mr. Fairchild Mr. Goad Mr. Hodge Mr. O'Brien Mr. Sheridan								
ACTION:				Motion	Second					
VOTE:	Yes	Yes	Yes	Yes	Yes					
RESULT:			5-0							

Appointment of Board of Supervisor Members to Boards, Commissions and Committees – Every two years in even years, the Board determines Board member assignments on various Boards, Commissions and Committees.

	Adopt the follo	wing Supervisor	appointments to	various boards a	ind				
	commissions fo	r terms effective	January 1, 2024,	through Decemb	per 31, 2025:				
	- Agricult	ural/Forestal Ad	visory Committee	e - Fairchild					
	- Central	Virginia Regiona	l Jail Authority - F	airchild					
	- Commu	nity Policy Mana	gement Team (C	PMT) – Hodge					
	- EDTAC -	- Goad							
	- Emerge	ncy Services Dire	ector (Chair or CC	AD - § 44-146.19	9) – Dahl				
	- Finance	Board (Chair) - F	airchild						
NAOTION.	- Fork Union Sanitary District Advisory Committee - Goad								
MOTION:	- Parks &	Recreation Advi	sory Board - Fair	child					
	- Piedmont Workforce Network Council - O'Brien								
	- Planning Commission - Goad								
	- Rivanna River Basin Commission (RRBC) - Mbr #1 - Hodge								
	- Rivanna								
		ervices Board - H	, ,						
			ing District Comn	nission (TJPDC) -	O'Brien				
			ounties (VACo) L						
	Fairchile		, ,	•	, ,				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan				
ACTION:			Second		Motion				
L	l .		1		l				

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

3 - ADOPTION OF AGENDA

MOTION:	Accept the Agenda, for the January 3, 2024 Regular Meeting of the Board of											
Supervisors, as amended.												
MEMBER:	Mr. Fairchild	Mr. Fairchild Mr. Goad Mr. Hodge Mr. O'Brien Mr. Sheridan										
ACTION:				Second	Motion							
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

- Derek Taylor, Emergency Services, EMT Basic Life Support (BLS), Started December 27th
- Rachel Elliott, Finance Department, Financial Services Specialist, Started January 2nd
- Shannton West, Social Services, Family Services Specialist II, Started January 2nd

January Is National Stalking Awareness Month

- Stalking is a crime in all 50 states.
- Stalking behavior can include:
 - o Unwanted phone calls, emails, texts, social media messages;
 - Approaching a victim or showing up unwanted at victim's home, workplace or school;
 - Watching, following or tracking a victim;
 - Doing/leaving things to let the victim know they have been there
- Need help? Know someone who does? Call the Fluvanna Victim/Witness Program at 591-1985 for more information and resources, or visit: www.stalkingawareness.org

Next BOS Meetings

Day	Date	Time	Purpose	Location
Wed	Jan 17	5:00 PM	BOS Budget Work Session – Non-Profit Presentations	Performing
vveu Jan 17		3.00 PW	BOS Budget Work Session - Non-Front Fresentations	Arts Center
Wed	Jan 17	7:00 PM	Regular Meeting	Performing
wed	Jan 17 7.00 PW Regular Weeting		Arts Center	
Wed	Jan 24	5:00 PM	BOS Budget Work Session – Non-Profit Presentations	Morris Room
Wed	Fob 7	5 00 D14	Pagular Maching	Performing
wed	reb /	Feb 7 5:00 PM Regular Meeting		Arts Center
Wed	Feb 7	7:00 PM	County Administrator's FY24 Budget Proposal and	Performing
wed	reb /	7:00 PIVI	Revenue/Expenditure Brief	Arts Center

5 - PUBLIC COMMENTS #1

At 5:54pm, Chair Fairchild opened the first round of Public Comments.

- Janes Schoenster, 843 Jefferson Dr, congratulated the new Board members on their positions, and commented that if there are any boards, committees, or commissions that they need participation on to reach out.

With no one else wishing to speak, Chair Fairchild closed the first round of Public Comments at 5:55pm.

6 - PUBLIC HEARING

None.

7 - ACTION MATTERS

Zion Crossroads West Waterline Funding – Eric Dahl, County Administrator

In February 2020, the Virginia Department of Environmental Quality (DEQ) approached the County about extending the Zion Crossroads waterline on U.S. Route 250 1.1 miles west of where it currently terminates on Memory Lane, to properties contaminated by an old petroleum release. Four petroleum impacted properties currently have water treatment systems until a permanent solution is provided. In addition, two nearby properties are at risk of petroleum contamination. This project extension helps to provide a reliable water source to the affected residents of the County and advances a Phase 2 component earlier with the assistance of DEQ.

The County has funding agreements with DEQ; the first is for Engineering Services, were DEQ will fund up to \$200,000, and the second is for Construction Services, were DEQ will fund up to \$800,000 and/or excess of remaining Engineering funds.

The board approved a project agreement with Dewberry Engineers for \$149,769 which includes, but is not limited to, preliminary design; subsurface utility engineer; surveying; geotechnical engineering; environmental investigation and permitting; PRV design; final design.

ZXR West Waterline Extension	Jui	ne 2020 Est.	No	ov. 2021 Est.	Ar	or. 2022 Est.	No	ov. 2022 Est.		Current Est.	Buy	current Est. with Build America/ y America & Davis Bacon (10% inc.)
Engineering Costs	-								г		_	(
Design, Survey, Geo-Tech., Environmental	\$	130,000	\$	149,769	Ś	149.769	\$	149,769	\$	149,769	Ś	149,769
Bidding, Construction Admin., Constuction Insp.	\$	70,000	\$	100,000	\$	125,000	\$	125,000	\$	100,000	\$	110,000
Additional Design	\$	-	\$	-	\$	-	\$	-	\$	19,450	\$	19,450
Legal Costs									Н			
Doc Prep (deeds, plats and title)	\$	75,000	\$	75,000	\$	75,000	\$	75,000	\$	25,000	\$	25,000
Easement Acquisition Estimates									L			
Easement valuation/appraisals and easement acq.	\$	35,000	\$	35,000	\$	35,000	\$	35,000	\$	141,875	\$	141,875
Estimated Construction Cost	\$	1,200,000	\$	1,816,000	\$	2,336,000	\$	2,503,000	\$	2,597,000	\$	2,856,700
Contingency	\$	-	\$	181,600	\$	233,600	\$	250,300	\$	259,700	\$	285,670
ESTIMATED TOTAL	\$	1,510,000	\$	2,357,369	\$	2,954,369	\$	3,138,069	\$	3,292,794	\$	3,588,464
DEQ Funding	\$	1,000,000	\$	1,000,000	\$	1,000,000	\$	1,000,000	\$	1,000,000	\$	1,000,000
Debt Proceeds	\$	500,000	\$	500,000	\$	500,000	\$	500,000	\$	500,000	\$	500,000
FUNDING	\$	1,500,000	\$	1,500,000	\$	1,500,000	\$	1,500,000	\$	1,500,000	\$	1,500,000
ADDITIONAL FUNDING NEEDED	\$	10,000	\$	857,369	\$	1,454,369	\$	1,638,069	\$	1,792,794	\$	2,088,464
										Current Est.	С	urrent Est. BABA
							Ir	iterest Rate		4.00%		3.00%
								Term (yr)		20		20
						Annu	al D	ebt Service	\$	131,917	\$	140,378
				Total P	rinc	ipal and Inte	eres	t Payments	\$	2,638,338	Ś	2,807,552
				· Otal I					Ĺ			
						Total Inte	eres	t Payments	\$	845,544	\$	719,088

The next decision for the Zion Crossroads West Waterline Extension Project:

- 1. Continue to move forward with the project and determine the funding source
- 2. Cease moving forward with the project

If the Board decides to move forward with the project, how to fund it:

- 1. Accept the approved FY2024 Bipartisan Infrastructure Law (BIL) loan
 - a. Slightly higher estimated project costs (10%) due to Build America/Buy America and Davis Bacon requirements of the loan, 1% below market rates for 20 years (current interest rate around 3%) with an estimated annual debt service payment of \$140,378
- 2. Reject the BIL loan and fund through the Virginia Resource Authority or another source
 - a. There is no Build America/Buy America and Davis Bacon requirements, slightly lower costs, 4% current interest rate for 20 years with an annual estimated debt service payment of \$131,917
- 3. Reject the BIL loan and fund with Unassigned fund balance
 - a. There is no Build America/Buy America and Davis Bacon requirements, slightly lower costs, no debt service payment, reducing unassigned fund balance and a reduction in interest income over 20 years.

If any debt options are selected, additional BOS approvals will be required.

- After some discussion, the Board agreed to defer the project until the July 3, 2024 meeting.

MOTION:	Defer the Zion C meeting.	Defer the Zion Crossroads West Waterline Extension project until July 3, 2024 meeting.									
MEMBER:	Mr. Fairchild	Mr. Fairchild Mr. Goad Mr. Hodge Mr. O'Brien Mr. Sherida									
ACTION:			M		S						
VOTE:	Yes	Yes Yes Yes									
RESULT:			5-0								

7A - BOARDS AND COMMISSIONS

MOTION:	Move the Board of Supervisors approve the following Board, Commission, or Committee appointment(s)/reappointments(s):									
BOARD/CON	MISSION/COMMI	TTEE	APPOINTEFS		APPT/ REAPPT		BEGINS TERM		ENDS TERM	
Planning Commission - Fork Union Representative			Kathleen Kilpatrick		Appt		1/3/2024		06/30/2025	
					_					
MEMBER:	Mr. Fairchild	М	r. Goad	Mr. Hodg	ge	Mr. O'Brien		ľ	Mr. Sheridan	
ACTION:		N	1 otion						Second	
VOTE:	Yes		Yes	Yes			Yes		Yes	
RESULT:	5-0									

	Bould of Supervisors Williams									
MOTION:		Move the Board of Supervisors approve the following Board, Commission, or Committee appointment(s)/reappointments(s):								
BOARD/COM	MMISSION/COMMITTEE APPOINTEES APPT/ REAPPT BEGINS TERM ENDS TE						ENDS TERM			
Social Service Representati	es Board - Cunningh ive	am	James H. Wilkin Appt 1/3/2024				James H. Wilkin Appt 1/3/2024 06/3		06/30/2026	
					_					
MEMBER:	Mr. Fairchild	М	r. Goad	Mr. Hodg	ge	М	r. O'Brien	N	Иr. Sheridan	
ACTION:		٨	1 otion	Second						
VOTE:	Yes		Yes Yes Yes Yes					Yes		
RESULT:				5-0						

8 – PRESENTATIONS

None.

9 - CONSENT AGENDA

The following items were discussed before approval:

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

- Minutes of December 20, 2023 Caitlin Solis, Clerk to the Board
- Position Description Updates Director of Planning Donna Snow, Director of Human Resources
- Children's Services Act (CSA) Program Manager Position Description Donna Snow, Director of Human Resources
- Appointment of Acting Director of Planning Eric Dahl, County Administrator
- Appointment of Zoning Administrator Eric Dahl, County Administrator

MOTION:	Approve the comeeting.	Approve the consent agenda, for the January 3, 2024 Board of Supervisors meeting.						
MEMBER:	Mr. Fairchild	Mr. Fairchild Mr. Goad Mr. Hodge Mr. O'Brien Mr. Sheridan						
ACTION:			Second		Motion			
VOTE:	Yes	Yes	Yes	Yes	Yes			
RESULT:			5-0					

10 - UNFINISHED BUSINESS

Voting District Name Change – Eric Dahl, County Administrator

- The Board agreed to table the discussion until the second meeting in August.

MOTION:	Defer Voting District Name Change until August 21, 2024.							
MEMBER:	Mr. Fairchild	Mr. Fairchild Mr. Goad Mr. Hodge Mr. O'Brien Mr. Sheridan						
ACTION:			Second	Motion				
VOTE:	Yes	Yes	Yes	Yes	Yes			
RESULT:			5-0					

11 - NEW BUSINESS

None.

12 - PUBLIC COMMENTS #2

At 6:43pm, 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 6:43pm.

14 - ADJOURN

MOTION:	Adjourn the Regular Meeting of Wednesday, January 3, 2024 at 6:45pm.						
MEMBER:	Mr. Fairchild	Mr. Fairchild Mr. Goad Mr. Hodge Mr. O'Brien Mr. Sheridan					
ACTION:		Second	Motion				
VOTE:	Yes	Yes	Yes	Yes	Yes		
RESULT:			5-0				

JOINT WORK SESSSION - CALL TO ORDER

At 7:04pm, Chair Fairchild called to order the Work Session of January 3, 2024. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

SOLAR PROJECTS INFORMATIONAL DISCUSSION

- Jason Sweeny, Attorney, M.B.A. and Board member of the Citizen Defenders of Fluvanna County.
- Scott J. Cameron, Second Vice President of the Virginia Association of Soil and Water Conservation Districts
- (VASWCD), is an active member of its Legislative Committee, and represents the VASWCD on the Virginia Noxious Weed Advisory Committee. Scott is a Director and Vice Chairman of the Northern Virginia Soil and Water Conservation District, which serves Fairfax County's 1.2 million people, where he also chairs its Legislative Committee. At the national level, he is a member of the Legislative Committee and Invasive Species Subcommittee of the National Association of Conservation Districts. Scott was appointed by Governor Glenn Youngkin to the Virginia State Water Control Board. He is a Fellow of the National Academy of Public Administration, a member of the Board of Directors of the Senior Executives Association, and a SAGE with the Partnership for Public Service.
- Winfred Nash, Retired President, BWX Technologies. Inc. Nuclear Operations Group
- George Almond, Member of Appomattox Planning Commission, Safety and Operations, JEJamerson
- The speakers discussed solar panel issues such as what Questions to Ask Every Utility Scale Solar Developer, Solar Panel Manufacture & Hazards, Utility Scale Solar Development Broken Promises in Appomattox County, Utility Scale Solar Other Problems, as well as policy recommendations.

MOTION TO EXTEND

- At 8:50pm, a motion was made to extend the Board of Supervisors meeting.

MOTION:	Approve a motion to extend the January 3, 2024 Regular Board of Supervisors meeting to 10:00pm.							
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Goad Mr. Hodge Mr. O'Brien Mr. Sheridan					
ACTION:			Second		Motion			
VOTE:	Yes	Yes	Yes	Yes	Yes			
RESULT:			5-0					

13 - CLOSED MEETING

MOTION:	At 8:51pm, 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 Bus	iness Update; Le	gai Matters – Aq	ua Virginia Rate	increase.			
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:	of Supervisors co Supervisors doe public business under Section 2. such public busi	onvene again in s hereby certify matters lawfully 2-3711-A of the ness matters as	ing be adjourned open session and to the best of each exempted from Code of Virginia were identified in vere heard, discussions	d "BE IT RESOLVE ch member's kno open meeting re , 1950, as amend n the motion by v	D, the Board of owledge (i) only quirements ed, and (ii) only which the
MEMBER:	meeting." Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
ACTION:	TVII. T dil Cillid	Wii. Godd	Motion	Will O Briefi	Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:			5-0		

MOTION TO EXTEND

- At 10:04pm, a motion was made to extend the Board of Supervisors meeting.

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

14 - ADJOURN

MOTION:	Adjourn the Work Session of Wednesday, January 3, 2024 at 10:05pm.						
MEMBER:	Mr. Fairchild	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	Chris Fairchild Chair



BOARD OF SUPERVISORS

County of Fluvanna Palmyra, Virginia

RESOLUTION No. 01-2024

A RESOLUTION RECOGNIZING THE 2024 ORGANIZATIONAL MEETING OF THE BOARD OF SUPERVISORS

At the annual Organizational Meeting of the Fluvanna County Board of Supervisors held in the Carysbrook Performing Arts Center at 5:00 PM on Wednesday, January 3, 2024, the following resolution was adopted by the Board of Supervisors, the vote being as shown below and recorded in the minutes of the meeting.

WHEREAS, the Code of Virginia requires an annual organizational meeting for the Board of Supervisors for the election of officers and the conduct of such other business as to meeting times and dates and,

WHEREAS, the Board of Supervisors does now conduct such an organizational meeting;

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors that it does hereby designate the Auditorium in the Carysbrook Performing Arts Center as its meeting place for Regular Meetings to be held on the first Wednesday of each month at 5:00 p.m. and the third Wednesday of each month at 6:00 p.m., except for the month of July when the only meeting shall be on the first Wednesday starting at 5:00 p.m., breaking for dinner, then reconvening at 6:00 p.m. for additional business or public hearings. When scheduled, Work Sessions will be held the third Wednesday of each month at 5:00 p.m. prior to the regular meeting.

BE IT FURTHER RESOLVED by the Board of Supervisors that it does hereby designate the fourth Wednesday at 6:00 p.m. as the meeting date for any such regular meeting that is postponed due to weather or such other circumstances.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY Zion Crossroads West Waterline Funding – Eric Dahl, County Administrator

ADOPTED by the Fluvanna County Board of Supervisors at the annual Organizational Meeting of the Board held on the 3rd day of January, 2024;

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

Caitlin Solis Clerk to the Board of Supervisors Fluvanna County, Virginia

A Copy, teste: