

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Carysbrook Performing Arts Center
8880 James Madison Hwy, Fork Union, VA 23055
January 17, 2024
Budget Work Session 5:00pm
Regular Meeting 6:00pm**

MEMBERS PRESENT: Chris Fairchild, Cunningham District
Mike Goad, Fork Union District
Timothy M. Hodge, Palmyra District
Tony O’Brien, Rivanna District (*entered meeting at 5:09pm*)
John M. (Mike) Sheridan, Columbia District (*entered meeting at 5:04pm*)

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

WORK SESSION – CALL TO ORDER

At 5:02pm, Chair Fairchild called to order the Budget Work Session of January 17, 2024. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

FY24 NON-PROFIT BUDGET PRESENTATIONS

- Legal Aid Justice Center*
 - Piedmont Virginia Community College – Dr. Jean Runyon, President and Dr. Scott Jeffries, Vice President of Finance and Administrative Services
 - Hospice of the Piedmont – Sarah-Grace Parr, Director of Donor Services and Business Intelligence Analyst
 - Ready Kids (formerly Children, Youth & Family Services)*
 - Region Ten Community Services Board*
 - Southeast Rural Community Assistance Project, Inc. (SERCAP)*
- *Did not present.

RECESS FOR DINNER AND CLOSED SESSION

CLOSED MEETING

MOTION:	At 5:30pm, move the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.1, & A.8 of the Code of Virginia, 1950, as amended, for the purpose of discussing Personnel – Former employee of the Department of Emergency Services, Legal Matters – Background check policy for employees/volunteers.				
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 6:02pm, 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:					
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

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

At 6:02pm, Chair Fairchild called to order the Regular Meeting of January 17, 2024. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

3 - ADOPTION OF AGENDA

- Mr. Dahl asked to move Public Hearings after Presentations on the agenda and move Resolution Authorizing Participation in Application of Aqua Virginia, Inc. for an Increase in Rates ahead of *Amendment to the Board of Supervisors’ Bylaws and Rules of Practice and Procedures.*

MOTION:	Accept the Agenda, for the January 17, 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	Yes	Yes
RESULT:	5-0				

4 - COUNTY ADMINISTRATOR’S REPORT

Mr. Dahl reported on the following topics:

Announcements and Updates - New Employees

- Benjamin Sheridan, Economic Development, Small Business and Tourism Specialist, Started January 9th

Staff and Community Recognitions

- Fluvanna County Department of Social Services coordinated the Christmas sponsors program again this year. 33 sponsors provided Christmas gifts for 30 seniors and 121 children! A big thanks to Jane Wilson who does a phenomenal job coordinating the program every year and to all of our sponsors.

Tax Help 2024 at the Fluvanna Library

- Fluvanna Library - 214 Commons Blvd, Palmyra, Thursdays (12-4 p.m.) & Saturdays (9-12 noon) By Appointment Only.

SBDC Business Plan 101

- February 20, 2024, from 11:30am to 1:30pm, Class will discuss types of business plan models, components of a business plan, and the importance of a “living” business plan.

SBA Portable Assistance Program

Central Virginia Small Business Development Center, in partnership with the Economic Development Office was one of fifteen in the country selected to receive a \$100,000 grant from the US Small Business Administration’s Portable Assistance Program.

- Fork Union Business Revitalization Strategy – Year One will allow for:
 - a part-time SBDC Business Advisor at Community Center two days a week, to provide business advising and connections to resources
 - a consultant to engage community stakeholders by conducting community meetings to strategize the creation of a Fork Union Revitalization Plan
- If benchmarks are met, grant may be renewed for 2 additional years

NEXT BOS MEETINGS:

Day	Date	Time	Purpose	Location
Wed	Jan 24	5:00 PM	BOS Budget Work Session – Non-Profit Presentations	Morris Room
Wed	Feb 7	5:00 PM	Regular Meeting	Performing Arts Center
Wed	Feb 7	7:00pm	County Administrator’s FY25 Budget Proposal and Revenue/Expenditure Brief	Performing Arts Center
Wed	Feb 21	5:00 PM	Budget Work Session – FCPS FY25 Adopted Budget Presentation	Performing Arts Center

5 - PUBLIC COMMENTS #1

At 6:11pm, 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 6:11pm.

7 - ACTION MATTERS

Resolution Authorizing Participation in Application of Aqua Virginia, Inc. for an Increase in Rates – Dan Whitten, County Attorney

MOTION:	Approve the resolution to authorize participation in application of Aqua Virginia, Inc. for an increase in rates, SCC Case No. Pur-2023-00073.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
ACTION:			Second	Motion	
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Amendment to the Board of Supervisors’ Bylaws and Rules of Practice and Procedures – Eric Dahl, County Administrator

- The Board agreed to change the start time of the second meeting of the month to 6:00pm and reorder the agenda.

MOTION:	Adopt the 2024 Board of Supervisors’ Bylaws and Rules of Practice and Procedures with the changes as amended.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
ACTION:		Second	Motion		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Reclassification of Two Clerk of the Circuit Court Positions - Tristana Treadway, Clerk of the Circuit Court

This request is to reclassify a Deputy Clerk I to a Deputy Clerk III. This change is necessary based on the change in job duties & requirements. With the current job descriptions, a Deputy Clerk III manages matters pertaining to probate of will, etc. When Ms. Frazier was hired her duties did not include any probate matters. Over the last 2 years she has trained and taken over all probate responsibilities from the Clerk.

In regard to the second request for a Deputy Clerk I to Deputy Clerk II position, given the current job description for a Deputy Clerk I, and the vacancy that has occurred in my office, a Deputy Clerk I position is not adequate to fill the vacant position. Based on the duties performed by the Deputy Clerk I who left employ, the duties performed are more accurately reflected by a Deputy Clerk II position.

MOTION:	Approve the re-classification of a Full-time Deputy Clerk I, to a Full Time Deputy Clerk III for the Clerk of the Circuit Court’s office.				
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 re-classification of a Full-time Deputy Clerk I, to a Full Time Deputy Clerk II for the Clerk of the Circuit Court’s office.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
ACTION:		Second	Motion		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Ambulance CIP Funding for the Department of Emergency Services – Jim True, EMS Supervisor

The Fluvanna County Department of Emergency Services is in need of a newer ambulance, due to the age and condition of the existing fleet and the need for reserves. The County has had to borrow ambulances from other agencies within the last month Due to the current condition of the fleet and numerous ambulances needing to be out for repairs at the same time. A brand new ambulance was approved in the FY23 CIP and has been ordered, with the expected delivery to take place in November 2024.

MOTION:	Approve a supplemental appropriation for the Department of Emergency Services for an ambulance purchase in the amount of \$310,000 to purchase a 1-2 year old demo ambulance and power load system, with \$125,907 of funding to come from the Cynthia L. Morgenstern Trust that was transferred to the County, due to the dissolution of Fluvanna County Rescue Squad, Inc. and \$184,093 to come from Unassigned Fund Balance.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
ACTION:			Motion		Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Amended FY25 Budget Calendar – Tori Melton, Finance Director

- Ms. Melton reviewed the changes made to the Budget Calendar. Second BOS meetings of the month start at 6:00pm, January 24, 2024 Budget Work Session – Non Profit Presentations was added, and Budget Work Sessions without Regular meetings will be held at 5:30pm in the Morris Room, County Administration Building.

MOTION:	Approve the Amended FY25 Budget Calendar, 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				

7A – BOARDS AND COMMISSIONS

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
Thomas Jefferson Water Resources Protection Foundation - Fluvanna Citizen Representative	John Easter (I)		Reappt	02/01/2024	01/31/2028
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:		Motion			Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

6 - PUBLIC HEARING

AFD 23:01 Creation of Quaint Lea of Nahor Agricultural and Forestal District – Jason Overstreet, Senior Planner
 AFD 23:01 Quaint Lea Nahor– A request to create an Agricultural and Forestal District in the A-1, Agricultural, General District under §3.1-4 on 404 +/- acres and known as Tax Map 16 Section A Parcels 37 and 42; Tax Map 17 Section A Parcel 27. These parcels are generally located on the north and south sides of Nahor Manor Road (SR 636) and east of North Ruritan Drive in the Rural Residential Planning Area and Cunningham Election District.

- Request for the creation of a new Agricultural and Forestal District in the Cunningham election district
- 3 parcels totaling 404 acres in the core (200 required)
- Rural Residential Planning Area
- Ten (10) year review period requested by applicants
- AFD Advisory Committee recommends approval 6-0
- Planning Commission recommends approval 5-0
- Meets all code requirements of Chapter 3.1-5. – Criteria for evaluating application

The existing conditions of the parcels to be included in the Quaint Lea of Nahor Agricultural and Forestal District meet the requirements for designation as an AFD. The creation of AFDs is supported by the Comprehensive Plan. AFDs were, “established to conserve, protect, and encourage the development of agricultural and forestal lands for food and other agricultural and forestal products. The districts conserve and protect agricultural and forestal lands as valued natural and ecological resources that provide open space for watershed protection, wildlife habitat, and aesthetic purposes”. Preservation of land through the creation of the Quaint Lea of Nahor AFD will help to conserve and promote the rural character of the county.

- Mr. Von Ottenritter (Applicant) spoke in favor of the creation of the Quaint Lea of Nahor Agricultural and Forestal District.

At 7:09pm, Chair Fairchild opened the Public Hearing.

- Tom Diggs, 947 Jefferson Dr, spoke in favor of AFD 23:01 Creation of Quaint Lea of Nahor Agricultural and Forestal District.

With no one else wishing to speak, Chair Fairchild closed the Public hearing at 7:10pm.

MOTION:	Approve the ordinance to create AFD 23:01, the creation of the Quaint Lea of Nahor Agricultural and Forestal District to include Tax Map 16 Section A Parcels 37 and 42; Tax Map 17 Section A Parcel 27 totaling 404 +/- acres.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:			Second		Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

SUP 23:10 Antioch Baptist Church – Jason Overstreet, Senior Planner

SUP 23:10 Antioch Baptist Church – A Special Use Permit request in the A-1, Agricultural, General District to operate a Daycare center under §22-4-2.2 on 9.3 ± acres and known as Tax Map 26 Section A Parcel 15. The existing church is located at 4422 Antioch Road and it is located in the Rural Preservation Area and Cunningham Election District.

- Preschool services for up to 37 children
- Compatible with existing by right uses
- Supported by the Comprehensive Plan
- Strong community support
- Planning Commission recommends approval 5-0
- Required improvements have been completed.
- The Building Official is prepared to issue the necessary A3/E certificate of occupancy required for operation of the facility once ADA door handles are added to the newly installed exterior doors that were required for this use.
- Septic system will be replaced or tied into a new system by 2026. Improvements have been completed to the existing system that will accommodate 39 children and 8 adults. The current system will be monitored

SUP 23:10 Recommended Conditions

- Daycare center hours of operation shall be 7:00 am to 6:00 pm, Monday through Friday.
- The Board of Supervisors, or representative, reserves the right to inspect the business for compliance with these conditions at any time.
- Under Sec. 22-17-4 F (2) of the Fluvanna County Code, the Board of Supervisors has the authority to revoke a Special Use Permit if the property owner has substantially breached the conditions of the Special Use Permit.

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 SUP 23:10, a request to permit a daycare center with respect to 9.3 ± acres of Tax Map 26 Section A Parcel 15 with the three conditions as described in the staff report. <ol style="list-style-type: none"> 1. Daycare center hours of operation shall be 7:00 am to 6:00 pm, Monday through Friday. 2. The Board of Supervisors, or representative, reserves the right to inspect the business for compliance with these conditions at any time. 3. Under Sec. 22-17-4 F (2) of the Fluvanna County Code, the Board of Supervisors has the authority to revoke a Special Use Permit if the property owner has substantially breached the conditions of the Special Use Permit. 				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
ACTION:		Motion		Second	
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

ZTA 23:01 Marina Point at Lake Monticello, Inc. – Kelly Harris, Assistant County Administrator/Acting Planning Director

Zoning Text Amendment 23:01 Marina Point at Lake Monticello, Inc. – is a request to amend Chapter 22, Zoning, Article 8 of the Fluvanna County Code by the addition of the following text under § 22-8-3 (C):

The permitted residential density for such permitted uses meeting the requirements in 22-8-3(B) shall be between two and nine-tenths (2.9) and five (5.0) units per acre by *special use permit only*.

Current Zoning Ordinance Text

Sec. 22-8-3. - Area and residential density regulations.

(A) The minimum lot area for permitted uses not utilizing central or public water and central or public sewerage systems shall be 87,120 square feet (2 acres). The maximum permitted residential density for such uses shall be one dwelling unit per two acres.

(B) The minimum lot area for permitted uses utilizing both central or public water and central or public sewerage systems shall be fifteen thousand (15,000) square feet. The maximum permitted residential density for such uses shall be two and nine-tenths (2.9) dwelling units per acre

Proposed Zoning Ordinance Text Amendment

Sec. 22-8-3 Area and residential density regulations

(A) The minimum lot area for permitted uses not utilizing central or public water and central or public sewerage systems shall be 87,120 square feet (2 acres). The maximum permitted residential density for such uses shall be one dwelling unit per two acres.

(B) The minimum lot area for permitted uses utilizing both central or public water and central or public sewerage systems shall be fifteen thousand (15,000) square feet. The maximum permitted residential density for such uses shall be two and nine-tenths (2.9) dwelling units per acre.

(C) The permitted residential density for such permitted uses meeting the requirements in 22-8-3(B) shall be between two and nine-tenths (2.9) and five (5.0) units per acre by special use permit only.

At 7:42pm, Chair Fairchild opened the Public Hearing.

- Wayne Nye, 176 Village Blvd, spoke in opposition to ZTA 23:01.
- Gary Hannifan, 953 Jefferson Dr, spoke in opposition to ZTA 23:01.
- John Danna, 951 Jefferson Dr, spoke in opposition to ZTA 23:01.
- Steve Smith, 6 Sunset Ct, spoke in opposition to ZTA 23:01.
- Tom Diggs, 947 Jefferson Dr, spoke in opposition to ZTA 23:01.

With no one else wishing to speak, Chair Fairchild closed the Public hearing at 8:04pm.

MOTION:	Finding that the proposed zoning ordinance amendment is not appropriate for the public necessity, convenience and general welfare and is not good zoning practice, I move that the Board of Supervisors deny ZTA 23:01 – An Ordinance to amend Chapter 22 Zoning, Article 8 of the Fluvanna County Code by the addition of the following text under Section 22-8-3(C): The permitted residential density for such permitted uses meeting the requirements in 22-8-3(B) shall be between two and nine-tenths (2.9) and five (5.0) units per acre by special use permit only.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
ACTION:		Motion	Second		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

SUP 23:07 Marina Point at Lake Monticello, Inc. – Kelly Harris, Assistant County Administrator/Acting Planning Director

ZTA 23:01 Marina Point at Lake Monticello, Inc. was denied, the Board of Supervisors could not move forward with SUP 23:07.

- *At 8:28pm, the Mr. Hodge made a motion to take a five minute recess, Mr. Goad seconded with a 5-0 vote.*

Amend Section 20-1-5 of the County Code to Authorize the Treasurer to Approve Refunds up to \$10,000 – Dan Whitten, County Attorney
State Authority

- Virginia Code Section 58.1-3981 was amended in 2022 to increase the maximum amount that the Treasurer may refund without Board of Supervisor’s approval to \$10,000 as the result of an erroneous assessment.

Proposed amendments

- Proposal is to amend County Code 20-1-5 to raise the authorized refund amount from \$2,500 to \$10,000.
- The Treasurer would have authority to approve refunds up to \$10,000 without the approval of the Board of Supervisors upon certification of the Commissioner of Revenue with the consent of the County Attorney that such refund is the result of an erroneous assessment.

Purpose and Reporting of Refund

- Normally, the refund is due when the resident has moved out of the County prior to the tax year or the owner has qualified for disabled veteran’s relief during the tax year.
- The Treasurer will still report the refund to the Board by the end of the month in which the refund is issued.

At 8:42pm, Chair Fairchild opened the Public Hearing. With no one wishing to speak, Chair Fairchild closed the Public hearing at 8:42pm.

MOTION:	Approve the ordinance to amend Section 20-1-5 of the Fluvanna County Code to authorize the Treasurer in accordance with Virginia Code Section 58.1-3981(A) to approve refunds up to \$10,000 without the approval of the Board of Supervisors upon certification of the Commissioner of Revenue with the consent of the County Attorney that such refund is the result of an erroneous assessment				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
ACTION:		Motion			Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

There has been an increase in dog related incidents at Pleasant Grove Park over the past few years. This includes issues at the soccer fields, main road around the Pleasant Grove House, trails, and the Library parking lot and entrance area. About 95% of these issues involve a dog off-leash without the owner in sight of the dog to keep the dog under control. Interactions with dogs off-leash is a contributing factor for not getting more visitors to the Park. Parks and Recreation deals with dogs off-leash almost daily while working in the park and on the trails.

The County Attorney has advised that an ordinance for this issue could alleviate the issues and work better than the current policy. There is suggested wording attached to amend the current Fluvanna County Code to clarify that dogs are only allowed off-leash in areas designated by the Board to include certain trails, the dog park, and the dog exercise areas shown on the attached map of the park. The draft ordinance also contains certain exemptions for services dogs, law enforcement dogs, and dogs at county-approved trainings and clinics. After two warnings, there would be a \$50 civil penalty. Signage will be posted at Pleasant Grove Park to inform the public of the designated off-leash areas which will be approved by the Board of Supervisors. The ordinance would be effective 30 days after adoption.

At 8:55pm, Chair Fairchild opened the Public Hearing.

- Patricia Beers Block, 103 Island Hill Rd, spoke in opposition to Section 4-2-5 of the County Code.
- Patricia Grunau, 342 Gravel Rd, spoke in opposition to Section 4-2-5 of the County Code.
- Amy Floyd, 4746 Rolling Road South, spoke in opposition to Section 4-2-5 of the County Code.
- Gary Grunau, 342 Gravel Rd, spoke in opposition to Section 4-2-5 of the County Code.

With no one else wishing to speak, Chair Fairchild closed the Public hearing at 9:08pm.

MOTION:	Approve the ordinance to amend the Fluvanna County Code to enact Section 4-2-5 to prohibit dogs from running unrestricted within the boundaries of property owned, leased, controlled or operated by the County with exemptions for (i) dogs within designated off-leash areas; (ii) service dogs; (iii) law enforcement canines; and (iv) dogs in county approved off-leash events				
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 – PRESENTATIONS

Children’s Services Act Semi-Annual Report – Bryan Moeller, CSA Program Manager

Mr. Moeller presented a mid-year update of the Children’s Services Act program including FY23 Purchase of Services and Total Expenditures, CSA Expenditure History, CSA Expenditures by Month, FY23 Per Capita Spending in the Region, funding increases, CPMT’S long term plan, and legislation changes.

MOTION TO EXTEND

- At 9:57pm, a motion was made to extend the Board of Supervisors meeting.

MOTION:	Approve a motion to extend the January 17, 2024 Regular Board of Supervisors meeting to 11:00pm.				
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 - CONSENT AGENDA

The following items were discussed before approval:

J - *CRMF - CEN-ECSE Playground Accessibility* – Don Stribling, FCPS Executive Director

The following items were approved under the Consent Agenda for January 17, 2024:

- *Minutes of January 3, 2024 Meeting* – Caitlin Solis, Clerk to the Board
- *General Professional Engineering & Architectural Services Term Contract* - Architectural Partners, P.C. – Dan Whitten, County Attorney
- *General Professional Engineering & Architectural Services Term Contract* - Dewberry Engineers Inc. – Dan Whitten, County Attorney
- *General Professional Engineering & Architectural Services Term Contract* - Hurt & Proffitt, Inc. – Dan Whitten, County Attorney
- *General Professional Engineering & Architectural Services Term Contract* - Rummel, Klepper & Kahl, LLP– Dan Whitten, County Attorney

- *General Professional Engineering & Architectural Services Term Contract* - TRC Engineers Inc. – Dan Whitten, County Attorney
- *Accept Dedication of Utility Easements from ZionsCo, LLC.* – Dan Whitten, County Attorney
- *JPMorgan Chase Bank Debt Proceeds Projects* – Eric Dahl, County Administrator
- *Fire and Rescue CIP Transfer* – Tori Melton, Finance Director
- *Approval of Open Space Agreement for Betty Sue Castle, Trustee of the Betty Sue Castle Trust dated December 22, 1997, and Mark Luther* – Andrew M. Sheridan, Jr., Commissioner of the Revenue
- *Approval of Open Space Agreement for Betty Sue Castle, Trustee of the Betty Sue Castle Trust dated December 22, 1997* – Andrew M. Sheridan, Jr., Commissioner of the Revenue
- *Approval of Open Space Agreement for Jacob Czajkowski and Nicole Deanne Czajkowski* – Andrew M. Sheridan, Jr., Commissioner of the Revenue
- *Approval of Open Space Agreement for Thomas Bryon Sandridge and Cheryl Sandridge* – Andrew M. Sheridan, Jr., Commissioner of the Revenue
- *CRMF - CEN Fire Controls* – Don Stribling, FCPS Executive Director
- *CRMF - CEN-ECSE Playground Accessibility* – Don Stribling, FCPS Executive Director
- *CRMF - FCHS Pleasant Grove Well* – Don Stribling, FCPS Executive Director

MOTION:	Approve the consent agenda, for the January 17, 2024 Board of Supervisors 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				

10 - UNFINISHED BUSINESS

Speed Cameras – Mr. Sheridan brought up speed cameras in school zones, and asked the Sheriff to speak on the matter. Sheriff Hess offered to ask Blue Line Solutions to visit the county to conduct a speed study in school zones and then give the Board a presentation at a later date.

Solar Work Sessions – The Board discussed solar issues, and the possibility of scheduling an additional Solar Work Session.

- After much discussion, Chair Fairchild relinquished the gavel to Vice Chair Sheridan at 10:42pm so he could make a motion.

MOTION:	Direct staff to find out everything they can about what the County of Appomattox enacted regarding solar and A1 zoning.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
ACTION:	Motion	Second			
VOTE:	Yes	Yes	Yes	No	No
RESULT:	3-2				

- At 10:45 Vice Chair Sheridan returned the gavel to Chair Sheridan.

11 - NEW BUSINESS

None.

12 - PUBLIC COMMENTS #2

At 10:46pm, 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 10:46pm.

14 - ADJOURN

MOTION:	Adjourn the regular meeting of Wednesday, January 17, 2024 at 10:47pm.				
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 Fairchild
Chair



BOARD OF SUPERVISORS
 County of Fluvanna
 Palmyra, Virginia

RESOLUTION No. 02-2024

A RESOLUTION AUTHORIZING PARTICIPATION IN APPLICATION OF AQUA VIRGINIA, INC. FOR AN INCREASE IN RATES, SCC CASE NO. PUR-2023-00073

WHEREAS, Aqua Virginia, Inc. (“Aqua”), a state-wide, investor-owned water and sewer utility company, owns and operates several water and wastewater systems in Fluvanna County; and

WHEREAS, Aqua is a utility company whose rates are regulated by the Virginia State Corporation Commission (“Commission”) and has filed a rate case in the Commission, Application of Aqua Virginia, Inc. for an Increase in Rates, Case No. PUR-2023-00073, seeking an increase in water and sewer rates; and

WHEREAS, Aqua is seeking an increase in its water revenues of \$5,214,892 and an increase in wastewater revenues of \$1,696,121, for a combined increase of \$6,911,013; and

WHEREAS, the requested increases constitute an approximate 33.88% increase in water revenues and a 21.08% increase in wastewater revenues, for a combined increase of 29.49% with potentially much greater impacts on certain individual customers in Fluvanna County; and

WHEREAS, this increase in rates would have deleterious effects on the County and its citizens and appears unjustified based on the filings made in the aforementioned case.

NOW THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Fluvanna County:

1. Authorizes and directs the County Attorney to file a Notice of Participation in the aforementioned rate case and to participate therein as a litigant, and to keep the Board informed of the progress of the case;
2. Calls upon the Staff of the Commission and the Office of the Attorney General Office of Consumer Counsel to investigate the application carefully and thoroughly analyze the basis therefor, if any;
3. Authorizes and directs the County Administrator and County Attorney to take or cause to be taken such other and further actions as may be necessary to protect the interest of the County and its citizens in this regard, and to keep the Board informed of the progress of the case regularly; and
4. This Resolution shall be in effect upon adoption.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Board of Supervisors at a meeting of the Board held on the 17th day of January 2024:

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

Attest:

 Christopher Fairchild, Chair
 Fluvanna County Board of Supervisors

**AN ORDINANCE TO APPROVE THE CREATION OF THE QUAINT LEA OF NAHOR
AGRICULTURAL AND FORESTAL DISTRICT**

WHEREAS the owners of certain lands hereinafter described have made written request to create a certain agricultural and forestal district, known as the **Quaint Lea of Nahor** Agricultural and Forestal District; and

WHEREAS the Board has referred such request to the Fluvanna County Planning Commission and the Agricultural and Forestal Districts Advisory Committee for their recommendations; and

WHEREAS the said Commission and Committee, after public notice, public hearing and due deliberation, all in accordance with law, have both recommended that such District be created; and

WHEREAS the Board, after public notice, public hearing and due deliberation in accordance with law approved the said District on **January 17, 2024**; and

NOW THEREFORE BE IT ORDAINED BY THE FLUVANNA BOARD OF SUPERVISORS, in accordance with Virginia Code Section 15.2-4309 and County Code Section 3.1-8, that the action of the Board taken on **January 17, 2024** creating the **Quaint Lea of Nahor** Agricultural and Forestal District, containing approximately **404 +/- acres** and composed of **3** parcels more particularly described on the list of properties below, BE, AND IT IS HEREBY, APPROVED as the **Quaint Lea of Nahor** Agricultural and Forestal District, such approval to be effective as of **January 17, 2024**; and

BE IT FURTHER ORDAINED that the conditions of the said District shall be as set forth in Sec. 3.1-8 of the County Code, and the period before the first review of the district shall be until **January 17, 2034**, a date **10** years from the date of its creation; and

BE IT FURTHER ORDAINED that the Clerk of the Board cause copies hereof to be submitted in accordance with the provisions of Virginia Code Section 15.2-4309(C) and with the provisions of County Code Section 3.1-8(E).

Quaint Lea of Nahor Agricultural and Forestal District property list:

- 126 acres of **Tax Map 16 Section A Parcel 37**
- 120.2 acres of **Tax Map 16 Section A Parcels 42**
- 157.9 acres of **Tax Map 17 Section A Parcel 27**

Adopted this 17th day of January 2024
by the Fluvanna County Board of Supervisors