



## FLUVANNA COUNTY BOARD OF SUPERVISORS

### REGULAR MEETING AGENDA

Circuit Courtroom, Fluvanna Courts Building  
October 16, 2024 at 6:00 pm

TAB	AGENDA ITEMS
<b>1 - CALL TO ORDER</b>	
<b>2 - PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE</b>	
<b>3 – ADOPTION OF AGENDA</b>	
<b>4 – COUNTY ADMINISTRATOR’S REPORT</b>	
<b>5 – PUBLIC COMMENTS #1</b> (5 minutes each)	
<b>6 – APPOINTMENTS</b>	
<b>7 – PRESENTATIONS (normally not to exceed 10 minutes each)</b>	
A	EDTAC Gateway Sign Committee Proposes Entrance Signs and Locations – Aaron Spitzer, Director of Parks and Recreation and Jennifer Schmack, Director of Economic Development
B	Firefly Broadband Update – Galen Creekmore, Government Affairs and Key Accounts Representative, Central Virginia Electric Cooperative
<b>8 – ACTION MATTERS</b>	
C	Selection of Voting Credentials for the 2024 VACo Annual Business Meeting – Eric Dahl, County Administrator
D	Authorization to Advertise for a Public Hearing to Enact Section 20-1-8 of the County Code to Exempt from Taxation Certain Classes of Tangible Personal Property – Dan Whitten, County Attorney
E	Proposal for Professional Engineering Services PFAS Sampling - Fork Union Water Treatment Plant PER – Bobby Popowicz, Director of Public Utilities
F	Preliminary Engineering Report Proposal for the Pleasant Grove Park and County Administration Building Water and Sewer Service Evaluation – Bobby Popowicz, Director of Public Utilities
<b>9 – PUBLIC HEARING</b>	
G	ZTA 24:04 to Create a Solar Zoning District and to add Supplemental Regulations for Utility Scale Solar Generation Facilities – Dan Whitten, County Attorney; Todd Fortune, Director of Planning
H	Public Hearing to Repeal Section 4-2-3 and enact Sections 4-2-3.1 Through 4-2-3.6 Relating to Control of Dangerous and Vicious Dogs and Make Other Changes Conforming to the VA Code – Dan Whitten, County Attorney
<b>10 – CONSENT AGENDA</b>	
I	Minutes of October 4, 2023 – Caitlin Solis, Clerk to the Board
J	FY25 General Government Pay Rates and Classifications – Donna Snow, Director of Human Resources
K	Administrative Programs Specialist (Planning) Position Description Update – Donna Snow, Director of Human Resources
L	FY24 DOJ Bullet Proof Vest Partnership Grant – Aaron Hurd, Captain / Eric B. Hess, Sheriff
M	FY25 FCPS Grants Supplemental Appropriation – Brenda Gilliam, Executive Director for Instruction and Finance
N	FY25 Voluntary Contributions – Theresa McAllister, Management Analyst

*Fluvanna County is committed to providing an excellent quality of life for our citizens and businesses through the efficient delivery of core services and programs, while preserving the unique identity and rural character of the County.*

O Fluvanna County Recovery Court Specialty Dockets Grant – Tori Melton, Director of Finance

P Resolution Recognizing Marie Grace Kenney - Eagle Scout – Eric Dahl, County Administrator

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**11 – UNFINISHED BUSINESS**

TBD

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**12 – NEW BUSINESS**

TBD

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**13 – PUBLIC COMMENTS #2** (5 minutes each)

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**14 – CLOSED MEETING**

TBD

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**15 – ADJOURN**

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County Administrator Review

## **PLEDGE OF ALLEGIANCE**

I pledge allegiance, to the flag,  
of the United States of America,  
and to the Republic for which it stands,  
one nation, under God, indivisible,  
with liberty and justice for all.

## **GENERAL RULES OF ORDER**

1. It shall be the duty of the Chairman to maintain order and decorum at meetings. The Chairman shall speak to points of order in preference to all other members.
2. In maintaining decorum and propriety of conduct, the Chairman shall not be challenged and no debate shall be allowed until after the Chairman declares that order has been restored. In the event the Board wishes to debate the matter of the disorder or the bringing of order; the regular business may be suspended by vote of the Board to discuss the matter.
3. No member or citizen shall be allowed to use defamatory or abusive language directed at any member of the Board or other person, to create excessive noise, or in any way incite persons to use such tactics. The Chair shall be the judge of such breaches, however, the Board may by majority vote of the Board members present and voting to overrule the judgment of the Chair.
4. When a person engages in such breaches, the Chairman shall order the person's removal from the building, or may order the person to stand silent, or may, if necessary, order the person removed from the County property.

## **RULES OF PROCEDURE FOR PUBLIC HEARINGS**

1. PURPOSE
  - The purpose of a public hearing is to receive testimony from the public on certain resolutions, ordinances or amendments prior to taking action.
  - A hearing is not a dialogue or debate. Its express purpose is to receive additional facts, comments and opinion on subject items.
2. SPEAKERS
  - Speakers should approach the lectern so they may be visible and audible to the Board.
  - Each speaker should clearly state his/her name and address.
  - All comments should be directed to the Board.
  - All questions should be directed to the Chairman. Members of the Board are not expected to respond to questions, and response to questions shall be made at the Chairman's discretion.
  - Speakers are encouraged to contact staff regarding unresolved concerns or to receive additional information.
  - Speakers with questions are encouraged to call County staff prior to the public hearing.
  - Speakers should be brief and avoid repetition of previously presented comments.
3. ACTION
  - At the conclusion of the public hearing on each item, the Chairman will close the public hearing.
  - The Board will proceed with its deliberation and will act on or formally postpone action on such item prior to proceeding to other agenda items.
  - Further public comment after the public hearing has been closed generally will not be permitted.

*Fluvanna County is committed to providing an excellent quality of life for our citizens and businesses through the efficient delivery of core services and programs, while preserving the unique identity and rural character of the County.*



**FLUVANNA COUNTY BOARD OF SUPERVISORS  
AGENDA ITEM STAFF REPORT**

**TAB A**

<b>MEETING DATE:</b>	October 16, 2024				
<b>AGENDA TITLE:</b>	EDTAC Gateway Sign Committee Proposes Entrance Signs and Locations				
<b>MOTION(s):</b>	N/A				
<b>BOS WORKPLAN?</b>	Yes	No	<b>If yes, list item(s):</b>		
		X			
<b>AGENDA CATEGORY:</b>	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
			X		
<b>STAFF CONTACT(S):</b>	Aaron Spitzer, Director of Parks and Recreation Jennifer Schmack, Director of Economic Development				
<b>PRESENTER(S):</b>	Aaron Spitzer, Director of Parks and Recreation Nina Monroe, EDTAC Chair Cathy Tatro, EDTAC Member Suzie Morris, EDTAC Member Ben Shaw, EDTAC Member				
<b>RECOMMENDATION:</b>	Proceed to move forward with project				
<b>TIMING:</b>	Routine				
<b>DISCUSSION:</b>	This presentation is to give information on the need for gateway signs into Fluvanna County. We have completed most of the pricing work for this project with a few numbers not yet known.				
<b>FISCAL IMPACT:</b>	Yes, currently unbudgeted.				
<b>POLICY IMPACT:</b>	N/A				
<b>LEGISLATIVE HISTORY:</b>	N/A				
<b>ENCLOSURES:</b>	None.				
<b>REVIEWS COMPLETED:</b>	Legal	Finance	Purchasing	HR	Other
					X



**FLUVANNA COUNTY BOARD OF SUPERVISORS  
AGENDA ITEM STAFF REPORT**

**TAB B**

<b>MEETING DATE:</b>	October 16, 2024				
<b>AGENDA TITLE:</b>	Firefly Broadband Update				
<b>MOTION(s):</b>	N/A				
<b>BOS WORKPLAN?</b>	Yes	No	<b>If yes, list item(s):</b>		
		X			
<b>AGENDA CATEGORY:</b>	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
			X		
<b>STAFF CONTACT(S):</b>	Eric Dahl, County Administrator				
<b>PRESENTER(S):</b>	Galen Creekmore, Key Accounts and Member Engagement Representative CVEC				
<b>RECOMMENDATION:</b>	N/A				
<b>TIMING:</b>	Routine				
<b>DISCUSSION:</b>	Central Virginia Electric Cooperative and Firefly are presenting an update to the Board of Supervisors to discuss the project status that the Board partnered with Firefly on, as well as discuss current construction and connections in Fluvanna and the Dominion middle mile fiber project.				
<b>FISCAL IMPACT:</b>	N/A				
<b>POLICY IMPACT:</b>	N/A				
<b>LEGISLATIVE HISTORY:</b>	N/A				
<b>ENCLOSURES:</b>	None				
<b>REVIEWS COMPLETED:</b>	Legal	Finance	Purchasing	HR	Other
					X





**FLUVANNA COUNTY BOARD OF SUPERVISORS  
AGENDA ITEM STAFF REPORT**

**TAB C**

<b>MEETING DATE:</b>	October 16, 2024				
<b>AGENDA TITLE:</b>	Selection of Voting Credentials for the 2024 VACo Annual Business Meeting				
<b>MOTION(s):</b>	<p><b>Motion 1:</b> I move the Board of Supervisors approve _____ be appointed Voting Delegate, representing Fluvanna County by casting votes at the 2024 Annual Business Meeting of the Virginia Association of Counties.</p> <p><b>Motion 2:</b> I move the Board of Supervisors approve _____ be appointed Alternate Delegate, representing Fluvanna County by casting votes at the 2024 Annual Business Meeting of the Virginia Association of Counties.</p>				
<b>BOS WORKPLAN?</b>	Yes	No	If yes, list item(s):		
		X			
<b>AGENDA CATEGORY:</b>	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
		X			
<b>STAFF CONTACT(S):</b>	Eric Dahl, County Administrator				
<b>PRESENTER(S):</b>	Eric Dahl, County Administrator				
<b>RECOMMENDATION:</b>	Approve				
<b>TIMING:</b>	Immediate				
<b>DISCUSSION:</b>	<ul style="list-style-type: none"> <li>Article VI, VACo Bylaws, states that each county shall designate a representative of its board of supervisors to cast its vote(s) at the Annual Business Meeting.</li> <li>Association's Bylaws allow a county to designate a non-elected official from your county or a member of a board of supervisors from another county to cast a proxy vote(s) for your county.</li> <li>For your county to be certified to vote at the Annual Business Meeting, a completed Voting Credentials Form or a Proxy Statement must be submitted to VACo by October 18, 2024.</li> </ul>				
<b>FISCAL IMPACT:</b>	N/A				
<b>POLICY IMPACT:</b>	N/A				
<b>LEGISLATIVE HISTORY:</b>	N/A				
<b>ENCLOSURES:</b>	VACo 2024 Annual Meeting letter and Voting Credentials Form				
<b>REVIEWS COMPLETED:</b>	Legal	Finance	Purchasing	HR	Other
					X



# Virginia Association of Counties

Connecting County Governments since 1934



**President**  
Ann H. Mallek  
Albemarle County

**President-Elect**  
Ruth Larson  
James City County

**First Vice President**  
William M. McCarty  
Isle of Wight County

**Second Vice President**  
Victor S. Angry  
Prince William County

**Secretary-Treasurer**  
Donald L. Hart, Jr.  
Accomack County


**Immediate Past President**  
Jason D. Bellows  
Lancaster County

**Executive Director**  
Dean A. Lynch, CAE

**General Counsel**  
Phyllis A. Errico, Esq., CAE

Date: September 26, 2024

To: Chairs, County Board of Supervisors  
County Administrators

From: Dean Lynch, CAE   
VACo Executive Director

Subject: Voting Credentials for the 2024 VACo Annual Business Meeting

The 2024 Annual Business Meeting of the Virginia Association of Counties will be held on Tuesday, November 12, 2024 at the Omni Homestead Resort (Bath County, VA), beginning at 10 am.

Article VI, VACo Bylaws, states that each county shall designate a representative of its board of supervisors to cast its vote(s) at the Annual Business Meeting.

However, if a member of the board of supervisors cannot be present for this meeting, the Association's Bylaws allow a county to designate a non-elected official from your county or a member of a board of supervisors from another county to cast a proxy vote(s) for your county.

For your county to be certified to vote at the Annual Business Meeting, a completed Voting Credentials Form or Proxy Statement must be submitted to VACo by Friday, October 18, 2024. Completed forms can be emailed to [finance@vaco.org](mailto:finance@vaco.org) or mailed to: VACo, 1207 E Main St. Suite 300, Richmond, VA 23219.

We look forward to your participation at the upcoming VACo Annual Conference, November 9-12, 2024!

1207 E. Main St., Suite 300  
Richmond, Va. 23219-3627

Phone: 804.788.6652  
Fax: 804.788.0083

Email: [mail@vaco.org](mailto:mail@vaco.org)  
Website: [www.vaco.org](http://www.vaco.org)



### VACo 2024 Annual Meeting Voting Credentials Form

Please return completed form to: [finance@vaco.org](mailto:finance@vaco.org)  
by Friday, October 18, 2024

Voting Delegate:  
(Supervisor)

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Locality: \_\_\_\_\_

Alternate Delegate:  
(Supervisor)

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Locality: \_\_\_\_\_

Verified by:  
(County Administrator or Clerk of the Board)

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Locality: \_\_\_\_\_

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**VACo 2024 Annual Meeting  
Proxy Statement Form**

\_\_\_\_\_ County authorizes the following person to cast its votes at the 2024 Annual Meeting of the Virginia Association of Counties on November 12, 2024.

\_\_\_\_\_, a non-elected official of this county.

-OR-

\_\_\_\_\_, a supervisor from \_\_\_\_\_ County.

This authorization is:

Uninstructed. The proxy may use their own discretion to cast \_\_\_\_\_ County's votes on any issue to come before the annual meeting.

Instructed. The proxy is limited in how they may cast \_\_\_\_\_ County's votes. The issues on which they may cast those votes and specific voting instructions are attached to this form.  
(List issues and specific instructions on a separate sheet and include with this form.)

Authorized by:

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Locality: \_\_\_\_\_

**FLUVANNA COUNTY BOARD OF SUPERVISORS  
AGENDA ITEM STAFF REPORT**

**TAB D**

<b>MEETING DATE:</b>	October 16, 2024				
<b>AGENDA TITLE:</b>	Authorization to Advertise for a public hearing to enact Section 20-1-8 of the County Code to exempt from taxation certain classes of tangible personal property				
<b>MOTION(s):</b>	<b>I move that the Board of Supervisors advertise the amendments to the County Code to enact Section 20-1-8 for a public hearing to be held November 20, 2024</b>				
<b>BOS WORKPLAN?</b>	Yes	No	<b>If yes, list item(s):</b>		
		X			
<b>AGENDA CATEGORY:</b>	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
		X			
<b>STAFF CONTACT(S):</b>	Dan Whitten, County Attorney				
<b>PRESENTER(S):</b>	Dan Whitten, County Attorney				
<b>RECOMMENDATION:</b>	Advertise a Public Hearing on November 20, 2024 to amend the County Code				
<b>TIMING:</b>	Ordinance would be effective January 1, 2024.				
<b>DISCUSSION:</b>	<p>Section 58.1-3504 of the Virginia Code gives optional authority to localities to exempt from taxation certain classes of household goods and personal effects.</p> <p>Section 58.1-3505 of the Virginia Code gives optional authority to localities to exempt from taxation certain classes of farm animals, grains and feeds used for the nurture of farm animals and agricultural products, farm machinery, farm implements and farm equipment.</p> <p>The proposed amendment to the County Code will enact Section 20-1-8 which will exempt from taxation all classes of property listed in Virginia Code Sections 58.1-3504 and certain classes of property from 58.1-3505.</p> <p>The Commissioner of Revenue has actually been exempting these classes of property for over 20 years but an ordinance has never adopted by the Board of Supervisors.</p>				
<b>FISCAL IMPACT:</b>	N/A				
<b>POLICY IMPACT:</b>	Amendment to the County Code				
<b>LEGISLATIVE HISTORY:</b>	County Code Section 20-1-8 is a new code section.				
<b>ENCLOSURES:</b>	<ul style="list-style-type: none"> <li>• Proposed Section 20-1-8 of the County Code</li> <li>• Advertisement for Public Hearing</li> </ul>				

	<ul style="list-style-type: none"><li>• Virginia Code Section 58.1-3504</li><li>• Virginia Code Section 58.1-3505</li></ul>				
<b>REVIEWS COMPLETED:</b>	Legal	Finance	Purchasing	HR	Other
	<b>X</b>				<b>X</b>

ORDINANCE TO AMEND “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA”, BY ENACTING § 20-1-8 TO EXEMPT FROM TAXATION AS PERSONAL PROPERTY THE FOLLOWING ITEMS: HOUSEHOLD GOODS AND PERSONAL EFFECTS AND FARM ANIMALS, GRAINS, AND OTHER FEEDS, AGRICULTURAL PRODUCTS, FARM MACHINERY AND FARM IMPLEMENTS

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

*(1) That the Code of the County of Fluvanna, Virginia is amended by enacting § 20-1-8, as follows:*

CHAPTER 20 TAXATION

ARTICLE 1. – IN GENERAL

Sec. 20-1-8. - Exemptions from taxation as tangible personal property.

(A) Household goods and personal effects of county residents, as defined by Code of Virginia, § 58.1-3504, as amended, are hereby exempt from taxation as tangible personal property.

(B) The following farm animals, agricultural products, farm machinery, farm implements and equipment of county residents, as defined by Code of Virginia, § 58.1-3505, as amended, are exempt from taxation as tangible personal property.

1. Horses, mules and other kindred animals.
2. Cattle.
3. Sheep and goats.
4. Hogs.
5. Poultry.
6. Grains and other feeds used for the nurture of farm animals.
7. Grain; tobacco; wine produced by farm wineries as defined in Virginia Code § 4.1-100; and other agricultural products in the hands of a producer.
8. Farm machinery, other than the farm machinery described in subdivision (10), and farm implements, which shall include (1) equipment and machinery used by farm wineries as defined in Virginia Code § 4.1-100, as amended, in the production of wine; (2) equipment and machinery used by a nursery, as defined in Virginia Code § 3.2-3800, as amended, for the production of horticultural products; and (3) any farm tractor, as defined in Virginia Code § 46.2-100, as amended, regardless of whether such farm tractor is used exclusively for agricultural purposes.
9. Equipment used by farmers or farm cooperatives qualifying under Internal Revenue Code § 521 to manufacture industrial ethanol, provided that the materials from which the ethanol is derived consist primarily of farm products.
10. Farm machinery designed solely for the planting, production or harvesting of a single product or commodity.

*(2) That the Ordinance shall be effective on January 1, 2025.*





Code of Virginia

Title 58.1. Taxation

Subtitle III. Local Taxes

Chapter 35. Tangible Personal Property, Machinery and Tools and Merchants' Capital

Article 1. Tangible Personal Property Tax

## § 58.1-3504. Classification of certain household goods and personal effects for taxation; governing body may exempt

A. Notwithstanding any provision of § 58.1-3503, household goods and personal effects are hereby defined as separate items of taxation and classified as follows:

1. Bicycles.
2. Household and kitchen furniture, including gold and silver plates, plated ware, watches and clocks, sewing machines, refrigerators, automatic refrigerating machinery of any type, vacuum cleaners and all other household machinery, books, firearms and weapons of all kinds.
3. Pianos, organs, and all other musical instruments; phonographs, record players, and records to be used therewith; and radio and television instruments and equipment.
4. Oil paintings, pictures, statuary, curios, articles of virtu and works of art.
5. Diamonds, cameos or other precious stones and all precious metals used as ornaments or jewelry.
6. Sporting and photographic equipment.
7. Clothing and objects of apparel.
8. Antique motor vehicles as defined in § 46.2-100 which may not be used for general transportation purposes.
9. All-terrain vehicles, mopeds, and off-road motorcycles as defined in § 46.2-100.
10. Electronic communications and processing devices and equipment, including but not limited to cell phones and tablet and personal computers, including peripheral equipment such as printers.
11. All other tangible personal property used by an individual or a family or household incident to maintaining an abode.

The classification above set forth shall apply only to such property owned and used by an individual or by a family or household primarily incident to maintaining an abode.

The governing body of any county, city or town may, by ordinance duly adopted, exempt from taxation all of the above classes of household goods and personal effects.

B. Notwithstanding any provision set forth above, household appliances in residential rental property used by an individual or by a family or household incident to maintaining an abode shall be deemed to be fixtures and shall be assessed as part of the real property in which they are located.

For purposes of this subsection, "household appliances" shall mean all major appliances customarily used in a residential home and which are the property of the owner of the real estate, including, without limitation, refrigerators, stoves, ranges, microwave ovens, dishwashers, trash compactors, clothes dryers, garbage disposals and air conditioning units.

Code 1950, § 58-829.1; 1958, c. 72; 1984, cc. 675, 768; 1997, c. [250](#); 2006, c. [896](#); 2013, c. [783](#); 2014, c. [279](#).

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

Code of Virginia

Title 58.1. Taxation

Subtitle III. Local Taxes

Chapter 35. Tangible Personal Property, Machinery and Tools and Merchants' Capital

Article 1. Tangible Personal Property Tax

## § 58.1-3505. Classification of farm animals, certain grains, agricultural products, farm machinery, farm implements and equipment; governing body may exempt

A. Farm animals, grains and other feeds used for the nurture of farm animals, agricultural products as defined in § 3.2-6400, farm machinery and farm implements are hereby defined as separate items of taxation and classified as follows:

1. Horses, mules and other kindred animals.
2. Cattle.
3. Sheep and goats.
4. Hogs.
5. Poultry.
6. Grains and other feeds used for the nurture of farm animals.
7. Grain; tobacco; wine produced by farm wineries as defined in § 4.1-100 and other agricultural products in the hands of a producer.
8. a. Farm machinery and farm implements other than the farm machinery and farm implements described in subdivision 10, which shall include (i) equipment and machinery used by farm wineries as defined in § 4.1-100 in the production of wine; (ii) equipment and machinery used by a nursery for the production of horticultural products; (iii) any farm tractor as defined in § 46.2-100, regardless of whether such farm tractor is used exclusively for agricultural purposes; (iv) motor vehicles that are used primarily for agricultural purposes, for which the owner is not required to obtain a registration certificate, license plate, and decal or pay a registration fee pursuant to § 46.2-665, 46.2-666, or 46.2-670; and (v) privately owned trailers as defined in § 46.2-100 that are primarily used by farmers in their farming operations for the transportation of farm animals or other farm products as enumerated in subdivisions 1 through 7. For purposes of this section, "nursery" means any premises where nursery stock is propagated, grown, fumigated, treated, packed, stored, or otherwise prepared for sale or distribution, and "nursery stock" means all trees, shrubs, woody vines (including ornamentals), bush fruits, grapevines, fruit trees, and nut trees offered for sale and distribution; all buds, grafts, scions, and cuttings from such plants; and any container, soil, and other packing material with such plants or plant products. "Nursery stock" also means herbaceous plants and any florist or greenhouse plants.
- b. Farm machinery, farm equipment, and farm implements, other than farm machinery and farm implements described in subdivision 10, used by an indoor, closed, controlled-environment commercial agricultural facility, including property described in subdivisions 8 a and b of § 58.1-609.2, for the production of agricultural products. For purposes of this subdivision, "indoor, closed, controlled-environment commercial agricultural facility" shall include indoor vertical

farming or a greenhouse.

9. Equipment used by farmers or farm cooperatives qualifying under § 521 of the Internal Revenue Code to manufacture industrial ethanol, provided that the materials from which the ethanol is derived consist primarily of farm products.
  10. Farm machinery designed solely for the planting, production or harvesting of a single product or commodity.
  11. Unless exempted by subdivision 8, privately owned trailers as defined in § 46.2-100 that are primarily used by farmers in their farming operations for the transportation of farm animals or other farm products as enumerated in subdivisions 1 through 7.
  12. Unless exempted by subdivision 8, motor vehicles that are used primarily for agricultural purposes, for which the owner is not required to obtain a registration certificate, license plate, and decal or pay a registration fee pursuant to § 46.2-665, 46.2-666, or 46.2-670, or pickup or panel trucks or sport utility vehicles for which the owner is required to obtain a permanent farm use placard pursuant to § 46.2-684.2.
  13. Trucks or tractor trucks as defined in § 46.2-100, that are primarily used by farmers in their farming operations for the transportation of farm animals or other farm products as enumerated in subdivisions 1 through 7 or for the transport of farm-related machinery.
  14. Farm machinery and farm implements, other than the farm machinery and farm implements described in subdivisions 8 and 10, which shall include equipment and machinery used for forest harvesting and silvicultural activities.
  15. Farm machinery and farm implements, other than the farm machinery and farm implements described in subdivisions 8, 10, and 14, which shall include season-extending vegetable hoop houses used for in-field production of produce.
- B. The governing body of any county, city or town may, by ordinance duly adopted, exempt in whole or in part from taxation, or provide a different rate of tax upon, all or any of the above classes of farm animals, grains and feeds used for the nurture of farm animals, farm vehicles, and farm machinery, implements or equipment set forth in subsection A.
- C. Grain; tobacco; wine produced by farm wineries as defined in § 4.1-100; and other agricultural products, as defined in § 3.2-6400, shall be exempt from taxation under this chapter while in the hands of a producer.
- 1976, c. 560; 1979, c. 576; 1980, c. 314; 1984, cc. 150, 675; 1993, c. 866; 1998, c. 332; 2004, c. 556; 2012, c. 272; 2018, cc. 30, 618; 2019, c. 259; 2020, c. 251; 2023, cc. 85, 86, 344; 2024, cc. 87, 88.

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

(Seal)

# PUBLIC HEARING

**Fluvanna County Board of Supervisors**  
Wednesday, November 20, 2024, at 7:00 p.m.

Pursuant to Virginia Code Section 15.2-1427, a Public Hearing will be held in the Fluvanna County Circuit Court, at 72 Main Street, Palmyra, VA 22963 Virginia for citizens of the County to have the opportunity to appear before and be heard by the Board of Supervisors for the following item:

**Ordinance to amend and reordain the “Code of County of Fluvanna, Virginia,” by enacting § 20-1-8 to exempt from taxation as tangible personal property the following items: household goods and personal effects and farm animals, grains, and other feeds, agricultural products, farm machinery and farm implements**

A copy of the full text of the ordinance is available for review by the public at [www.fluvannacounty.org](http://www.fluvannacounty.org) and in the office of the County Administrator during regular office hours. All interested persons wishing to be heard are invited to attend the public hearing.

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TO: Fluvanna Review

Advertise on the following dates: October 31, 2024 & November 7, 2024

Authorized by: Fluvanna County Board of Supervisors

Bill to: Board of Supervisors

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**CONTACT INFORMATION:**

Caitlin Solis  
Clerk, Board of Supervisors  
Fluvanna County  
P. O. Box 540  
Palmyra, VA 22963  
[csolis@fluvannacounty.org](mailto:csolis@fluvannacounty.org)  
434-591-1910  
434-591-1913



## FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

TAB E

<b>MEETING DATE:</b>	October 16, 2024				
<b>AGENDA TITLE:</b>	Proposal for Professional Engineering Services PFAS Sampling - Fork Union Water Treatment Plant PER				
<b>MOTION(s):</b>	<p><b><u>Motion #1:</u></b> I move the Board of Supervisors approve Project Agreement 05 with Dewberry Engineers, Inc. for professional engineering services and authorize the County Administrator to execute the Agreement subject to approval as to form by the County Attorney.</p> <p><b><u>Motion #2:</u></b> I move the Board of Supervisors approve a supplemental appropriation for the Fork Union Sanitary District budget in the amount of \$7,736.50, with funding to come from the Dominion Energy Proffer Funds for Engineering.</p>				
<b>BOS WORKPLAN?</b>	Yes	No	<b>If yes, which item(s):</b>	Infrastructure	
	X				
<b>AGENDA CATEGORY:</b>	Presentation	Action Matter	Public Hearing	Consent Agenda	Other
		X			
<b>STAFF CONTACT(S):</b>	Bobby Popowicz, Director of Public Utilities and Eric Dahl, County Administrator				
<b>PRESENTER(S):</b>	Bobby Popowicz, Director of Public Utilities				
<b>RECOMMENDATION:</b>	Approval of the project agreement and the supplemental appropriation.				
<b>TIMING:</b>	Routine				
<b>DISCUSSION:</b>	<p>Per- and polyfluoroalkyl substances – known as PFAS are widely used, long lasting chemicals, components of which break down very slowly over time.</p> <p>Because of their widespread use and their persistence in the environment, many PFAS are found in the blood of people and animals all over the world and are present at low levels in a variety of food products and in the environment. PFAS are found in water, air, fish, and soil at locations across the nation and the globe.</p> <p>Scientific studies have shown that exposure to some PFAS in the environment may be linked to harmful health effects in humans and animals.</p> <p>The EPA requires that the surface waters being used for drinking be sampled for the type and quantity of these potentially harmful compounds. This sampling will be used to determine if additional treatment is needed in the new Fork Union Surface Water Plant.</p>				
<b>FISCAL IMPACT:</b>	Lump Sum Fee - \$7,736.50. Dominion Energy Proffer Funds for Engineering will be used.				
<b>POLICY IMPACT:</b>	N/A				
<b>LEGISLATIVE HISTORY:</b>					

<b>ENCLOSURES:</b>	<ul style="list-style-type: none"><li>• Project Agreement 05</li><li>• Proposal for Professional Engineering Services PFAS Sampling for the Fork Union Water Treatment Plant PER</li></ul>				
<b>REVIEWS COMPLETED:</b>	Legal	Finance	Purchasing	HR	Other
	<b>X</b>	<b>X</b>			<b>X</b>



**PROJECT AGREEMENT # 05**  
**TERM CONTRACT BETWEEN COUNTY AND ARCHITECT/ENGINEER FOR**  
**PROFESSIONAL SERVICES**  
**PFAS Sampling for the Fork Union Water Treatment Plant PER**

This Project Agreement #05 (the "Project Agreement") made this \_\_\_ day of \_\_\_\_\_, 2024 between Fluvanna County, Virginia (the "County"), a political subdivision of the Commonwealth of Virginia, and Dewberry Engineers Inc. (the "Consultant"), a New York corporation authorized to transact business in Virginia, is an addendum to that TERM CONTRACT BETWEEN COUNTY AND ARCHITECT/ENGINEER FOR PROFESSIONAL SERVICES dated the 19th day of January, 2024 (including all exhibits, and as modified by any amendments or addendums thereto the "Agreement"). All defined terms in the Agreement shall have the same meaning in this Project Agreement unless the context used herein requires otherwise.

Whereas, pursuant to the Agreement the County shall issue written task orders to the Consultant as services are needed;

Whereas, the Consultant submitted a proposal letter dated August 21, 2024 entitled "Proposal for Professional Engineering Services: PFAS Sampling for the Fork Union Water Treatment Plant PER" (the "Proposal") which is attached hereto as **Exhibit 1** and made a material part hereof;

Whereas, the County desires that the Consultant complete the work and services set forth in the Proposal, including, without limitation, the services described in the "Scope of Services" section are generally described therein as:

- The purpose of this task order is for the Consultant to perform Per- and polyfluoroalkyl substances (PFAS) sampling services in the James River. This sampling with inform potential treatment requirements for compliance with current and pending regulations.

Now therefore, for good and valuable consideration, the parties hereby agree as follows:

**ARTICLE I: THE AGREEMENT**

The foregoing recitations are incorporated by reference into this Project Agreement.

This Project Agreement is an addendum to and made a material part of the Agreement. The parties hereto agree that except as specifically and expressly modified hereby that Agreement remains in full force and effect and the provisions of the Agreement are incorporated herein and are a material part hereof.

**ARTICLE II: TASK ORDER**

Consultant shall provide all work and services as needed and necessary or desired to complete Services on the Task Order consistent with all provisions of this Project Agreement, the Proposal, and the Agreement.

The County's project manager for technical inquiries relating to this Project Agreement shall be:

Robert Popowicz  
 Director of Utilities  
 P.O. Box 540  
 Palmyra, VA 22963  
 (434) 842-5310

Billing inquiries should be directed to Victoria Melton, Finance Director, whose contact information appears below in Article VI.

### **ARTICLE III: EXHIBITS AND RESOLVING CONFLICTS**

The rights and duties of the County and Consultant applicable to the County's projects under this Project Agreement are set forth in the following Agreement Documents:

- i. This Project Agreement;
- ii. Exhibit 1 hereto;
- iii. The Agreement including exhibits thereto; and
- iv. The County of Fluvanna General Terms Conditions and Instructions to Bidders and Contractors, being a portion of Attachment 1 which is attached to and a part of the Agreement.

Whenever possible, the terms of the above Agreement Documents shall be read together, however in the event of a conflict, the order of preference above shall govern which Document will control. In other words, (i) shall control over (ii) to (iv) above, and (ii) shall control over (iii) and (iv) and so forth.

### **ARTICLE IV: FEES**

The Consultant shall receive up to a not-to-exceed total of SEVEN THOUSAND SEVEN HUNDRED THIRTY-SIX DOLLARS AND 50/100 (\$7,736.50) based on actual time worked; and which shall be payable by the County MONTHLY based on actual time worked upon Final Completion of the Services.

The flat fee is a not-to exceed amount. The hourly fees up to the not-to-exceed total per task shall be payable by the County upon proper invoice by the Consultant as described herein. The Consultant shall submit invoices to the County monthly for services actually rendered on each subtask and upon final completion. The invoice shall describe the services rendered to date with specificity. The Consultant will be paid within forty-five (45) days of receipt of a valid invoice following final acceptance of all work by the County in the County's sole discretion ("Final Completion"). No invoice may be provided by the Consultant to the County until the items or services purchased have been delivered to, inspected by and accepted by the County. In no event shall the fees invoiced or due under this Project Agreement exceed \$7,736.50 total.

Notwithstanding anything to the contrary contained in the Proposal, the Consultant shall be paid the lower of the hourly rate for the title/type of person actually performing the work set forth in the Proposal hereto or the hourly rate set forth in Exhibit 3 to the Agreement (being that Term Contract between County and Architect/Engineer for Professional Services dated January 19, 2024); up to the not-to-exceed fees for the Task Order Services set forth in this Project Agreement. For clarification, the rate charged for a "Project Manager" would only apply if that person was at minimum an "Engineer VI"; and so forth consistent with or less than the rates as set forth in the Agreement. The County shall be billed for increments of an hour based on Consultant's standard procedure except as otherwise required by the Agreement.

The fee includes all fees, costs and charges of any kind to perform all the services and work, including supplying at its own cost and expense any necessary tools, equipment or materials necessary or desirable for completion of the task specified.

### **ARTICLE V: TERM**

Consultant shall with due diligence and dispatch assiduously pursue this Task Order to completion. In any event such Services and work on this Task Order must be completed to the sole satisfaction of the County no later than one (1) month from the date the County executes this Project Agreement, time being of the essence.

#### **ARTICLE VI: MISCELLANEOUS**

As appropriate to the context, the singular will include the plural and vice versa, and reference to one gender will include the others. This Project Agreement may be executed in one or more counterparts, each of which will be considered the Project Agreement for all purposes of proof. In addition to allowing electronic signatures upon an electronic copy of this Project Agreement, as provided by Virginia law, facsimile signatures upon any signature page will be considered to be original signatures. This Project Agreement contains the entire understanding of the parties with respect to the subject matter hereof and is to be modified only by a writing signed by the parties to this Project Agreement. This Project Agreement will be binding upon and inure to the benefit of the respective parties and their successors. This Project Agreement is not assignable by either party, except by operation of law. The legal address for the County and for the Consultant and the addresses for delivery of Notices and other documents related to the administration of this Project Agreement are as follows:

**County:**

ATTN: Victoria Melton, Finance Director  
 Fluvanna County  
 P.O. Box 540  
 Palmyra, VA 22963  
 Telephone (434) 591-1930  
 FAX (434) 591-1931

**Consultant:**

Dewberry Engineers Inc.  
 ATTN Dan Villhauer  
 4805 Lake Brook Drive, Suite 200  
 Glen Allen, VA 23060  
 Telephone: (804) 290-7957  
 Facsimile: (804) 290-7928

Any party may substitute another address for the one set forth above by giving a notice in the manner required. Any notice given by mail will be deemed to be received on the fifth (5<sup>th</sup>) day after deposit in the United States mail. Any notice given by hand will be deemed to be received when delivered. Notice by courier will be deemed to have been received on the date shown on any certificate of delivery.

**[Signature page to follow.]**

**In witness whereof the undersigned duly authorized representatives have executed this Project Agreement on the dates set forth beside their respective signatures.**

Consultant:  
Dewberry Engineers Inc.

County:  
Fluvanna County:

By: \_\_\_\_\_  
Name: Danylo A. Villhauer  
Title: Vice President

Date: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Name: Eric M. Dahl  
Title: County Administrator

Approved as to form:

By: \_\_\_\_\_  
Fluvanna County Attorney

**FLUVANNA COUNTY BOARD OF SUPERVISORS  
AGENDA ITEM STAFF REPORT**

**TAB F**

<b>MEETING DATE:</b>	October 16, 2024				
<b>AGENDA TITLE:</b>	Preliminary Engineering Report Proposal for the Pleasant Grove Park and Commons Boulevard Complex Water and Sewer Service Evaluation				
<b>MOTION(s):</b>	<p><b><u>Motion #1:</u></b> I move the Board of Supervisors approve Project Agreement 06 with Dewberry Engineers, Inc. for professional engineering services and authorize the County Administrator to execute the Agreement subject to approval as to form by the County Attorney.</p> <p><b><u>Motion #2:</u></b> I move the Board of Supervisors approve a budget transfer for the Public Utilities budget in the amount of \$31,555.00, with the funding to come from the FY25 BOS Contingency Budget, for the development of a Preliminary Engineering Report for the Pleasant Grove Park and Commons Boulevard Complex Water and Sewer Service Evaluation</p>				
<b>BOS WORKPLAN?</b>	Yes	No	<b>If yes, which item(s):</b>		
		X			
<b>AGENDA CATEGORY:</b>	Presentation	Action Matter	Public Hearing	Consent Agenda	Other
		X			
<b>STAFF CONTACT(S):</b>	Bobby Popowicz, Director of Public Utilities; Eric Dahl, County Administrator				
<b>PRESENTER(S):</b>	Bobby Popowicz, Director of Public Utilities				
<b>RECOMMENDATION:</b>	Approval of the Agreement and Authorize funds to perform a Preliminary Engineering Report for the Pleasant Grove Park and Commons Boulevard Complex Water and Sewer Service Evaluation				
<b>TIMING:</b>	Normal				
<b>DISCUSSION:</b>	<p>In June 2024, the Board approved Project Agreement 03 to authorize the Proposal for Professional Engineering Services for Pleasant Grove Park Water and Sewer Service Evaluation. Staff has now determined that the services should be expanded to provide a preliminary engineering report for water and sewer evaluation for the new proposed County buildings at Commons Blvd, the Sheriff’s Office and the Library as well.</p> <p>Dewberry Engineers proposes to evaluate the current well and capacity to see if there can be additional capacity obtained and/or where additional wells can be placed to augment the capacity. Dewberry will also evaluate the plausibility and possible location of a sewer force main and grinder station that could be connected to the current Palmyra sewer system. Note that the Palmyra WWTP has adequate capacity to handle the additional sewer demand.</p> <p>The amount to be appropriated represents the difference between the prior proposal and the new proposal from Dewberry.</p>				

<b>FISCAL IMPACT:</b>	If approved, this action would appropriate the \$31,555 funding to the Public Utilities budget for the Preliminary Engineering Report and it would also reduce the FY25 BOS Contingency Budget by the same amount.				
<b>POLICY IMPACT:</b>	None				
<b>LEGISLATIVE HISTORY:</b>	None				
<b>ENCLOSURES:</b>	Proposal for Professional Engineering Services for the Pleasant Grove Park and Commons Boulevard Complex Water and Sewer Service Evaluation				
<b>REVIEWS COMPLETED:</b>	Legal	Finance	Purchasing	HR	Other
	<b>X</b>	<b>X</b>			<b>X</b>

**PROJECT AGREEMENT # 06**  
**TERM CONTRACT BETWEEN COUNTY AND ARCHITECT/ENGINEER FOR**  
**PROFESSIONAL SERVICES**  
**Pleasant Grove Park and Commons Boulevard Complex**  
**Water and Sewer Service Evaluation**

This Project Agreement #06 (the Project Agreement") made this \_\_\_ day of \_\_\_\_\_, 2024 between Fluvanna County, Virginia (the "County"), a political subdivision of the Commonwealth of Virginia, and Dewberry Engineers Inc. (the "Consultant"), a New York corporation authorized to transact business in Virginia, is an addendum to that TERM CONTRACT BETWEEN COUNTY AND ARCHITECT/ENGINEER FOR PROFESSIONAL SERVICES dated the 19th day of January, 2024 (including all exhibits, and as modified by any amendments or addendums thereto the "Agreement"). All defined terms in the Agreement shall have the same meaning in this Project Agreement unless the context used herein requires otherwise.

Whereas, pursuant to the Agreement the County shall issue written task orders to the Consultant as services are needed;

Whereas, the Consultant submitted a proposal letter dated October 9, 2024 entitled "Proposal for Professional Engineering Services Pleasant Grove Park and County Administration Building Water and Sewer Service Evaluation" (the "Proposal") which is attached hereto as **Exhibit 1** and made a material part hereof;

Whereas, the County desires that the Consultant complete the work and services set forth in the Proposal, including, without limitation, the services described in the "Scope of Services" section are generally described therein as:

- The purpose of this task order will be to evaluate and identify the best way to serve this area with water and sewer. The results of this evaluation will allow the County to plan and budget for the design and construction of the recommended water and wastewater facilities.

Now therefore, for good and valuable consideration, the parties hereby agree as follows:

**ARTICLE I: THE AGREEMENT**

The foregoing recitations are incorporated by reference into this Project Agreement.

This Project Agreement is an addendum to and made a material part of the Agreement. The parties hereto agree that except as specifically and expressly modified hereby that Agreement remains in full force and effect and the provisions of the Agreement are incorporated herein and are a material part hereof.

The terms and conditions of this Project Agreement supersede the terms and conditions of the project agreement fully executed on July 30, 2024 between the Consultant and the County.

**ARTICLE II: TASK ORDER**

Consultant shall provide all work and services as needed and necessary or desired to complete Services on the Task Order consistent with all provisions of this Project Agreement, the Proposal, and the Agreement.

The County's project manager for technical inquiries relating to this Project Agreement shall be:

Bobby Popowicz  
 Director of Public Utilities  
 132 Main Street  
 Palmyra, VA 22963  
 Phone: (434) 591-1925 Ext. 1051  
 E-mail: rpopowicz@fluvannacounty.org

Billing inquiries should be directed to Victoria Melton, Finance Director, whose contact information appears below in Article VI.

### **ARTICLE III: EXHIBITS AND RESOLVING CONFLICTS**

The rights and duties of the County and Consultant applicable to the County's projects under this Project Agreement are set forth in the following Agreement Documents:

- i. This Project Agreement;
- ii. Exhibit 1 hereto;
- iii. The Agreement including exhibits thereto; and
- iv. The County of Fluvanna General Terms Conditions and Instructions to Bidders and Contractors, being a portion of Attachment 1 which is attached to and a part of the Agreement.

Whenever possible, the terms of the above Agreement Documents shall be read together, however in the event of a conflict, the order of preference above shall govern which Document will control. In other words, (i) shall control over (ii) to (iv) above, and (ii) shall control over (iii) and (iv) and so forth.

### **ARTICLE IV: FEES**

The Consultant shall receive up to a not-to-exceed total of SEVENTY-ONE THOUSAND TWO HUNDRED FORTY DOLLARS AND NO/100 (\$71,240.00) based on actual time worked; and which shall be payable by the County MONTHLY based on actual time worked upon Final Completion of the Services.

The flat fee is a not-to exceed amount. The hourly fees up to the not-to-exceed total per task shall be payable by the County upon proper invoice by the Consultant as described herein. The Consultant shall submit invoices to the County monthly for services actually rendered on each subtask and upon final completion. The invoice shall describe the services rendered to date with specificity. The Consultant will be paid within forty-five (45) days of receipt of a valid invoice following final acceptance of all work by the County in the County's sole discretion ("Final Completion"). No invoice may be provided by the Consultant to the County until the items or services purchased have been delivered to, inspected by and accepted by the County. In no event shall the fees invoiced or due under this Project Agreement exceed \$71,240.00 total.

Notwithstanding anything to the contrary contained in the Proposal, the Consultant shall be paid the lower of the hourly rate for the title/type of person actually performing the work set forth in the Proposal hereto or the hourly rate set forth in Exhibit 3 to the Agreement (being that Term Contract between County and Architect/Engineer for Professional Services dated January 19, 2024); up to the not-to-exceed fees for the Task Order Services set forth in this Project Agreement. For clarification, the rate charged for a "Project Manager" would only apply if that person was at minimum an "Engineer VI"; and so forth consistent with



or less than the rates as set forth in the Agreement. The County shall be billed for increments of an hour based on Consultant's standard procedure except as otherwise required by the Agreement.

The fee includes all fees, costs and charges of any kind to perform all the services and work, including supplying at its own cost and expense any necessary tools, equipment or materials necessary or desirable for completion of the task specified.

#### **ARTICLE V: TERM**

Consultant shall with due diligence and dispatch assiduously pursue this Task Order to completion. In any event such Services and work on this Task Order must be completed to the sole satisfaction of the County by April 30, 2025, time being of the essence.

#### **ARTICLE VI: MISCELLANEOUS**

As appropriate to the context, the singular will include the plural and vice versa, and reference to one gender will include the others. This Project Agreement may be executed in one or more counterparts, each of which will be considered the Project Agreement for all purposes of proof. In addition to allowing electronic signatures upon an electronic copy of this Project Agreement, as provided by Virginia law, facsimile signatures upon any signature page will be considered to be original signatures. This Project Agreement contains the entire understanding of the parties with respect to the subject matter hereof and is to be modified only by a writing signed by the parties to this Project Agreement. This Project Agreement will be binding upon and inure to the benefit of the respective parties and their successors. This Project Agreement is not assignable by either party, except by operation of law. The legal address for the County and for the Consultant and the addresses for delivery of Notices and other documents related to the administration of this Project Agreement are as follows:

**County:**

ATTN: Victoria Melton, Finance Director  
 Fluvanna County  
 P.O. Box 540  
 Palmyra, VA 22963  
 Telephone (434) 591-1930  
 FAX (434) 591-1931

**Consultant:**

Dewberry Engineers Inc.  
 ATTN Dan Villhauer  
 4805 Lake Brook Drive, Suite 200  
 Glen Allen, VA 23060  
 Telephone: (804) 290-7957  
 Facsimile: (804) 290-7928

Any party may substitute another address for the one set forth above by giving a notice in the manner required. Any notice given by mail will be deemed to be received on the fifth (5<sup>th</sup>) day after deposit in the United States mail. Any notice given by hand will be deemed to be received when delivered. Notice by courier will be deemed to have been received on the date shown on any certificate of delivery.

**[Signature page to follow.]**

**In witness whereof the undersigned duly authorized representatives have executed this Project Agreement on the dates set forth beside their respective signatures.**

Consultant:  
Dewberry Engineers Inc.

County:  
Fluvanna County:

By: \_\_\_\_\_  
Name: Danylo A. Villhauer  
Title: Vice President

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Name: Eric M. Dahl  
Title: County Administrator

Date: \_\_\_\_\_

Approved as to form:

By: \_\_\_\_\_  
Fluvanna County Attorney



October 9, 2024

Mr. Eric M. Dahl  
County Administrator  
County of Fluvanna  
132 Main Street  
Palmyra, Virginia 22963

**VIA E-MAIL**

**RE: Proposal for Professional Engineering Services  
Pleasant Grove Park and County Administration Building  
Water and Sewer Service Evaluation**

Dear Mr. Dahl:

Dewberry Engineers Inc. (Dewberry) is pleased to submit our proposal, in response to your request, to provide professional services for evaluate providing water and sewer service to the Pleasant Grove Park and the surrounding area. Dewberry's Project Understanding, Scope of Services, and Fee have been developed based on phone and email correspondence and a site visit on April 9, 2024. The Work will be performed in accordance with the Term Agreement for Professional Engineering Services, executed January 19, 2024.

**PROJECT UNDERSTANDING**

Dewberry understands Fluvanna County would like to add water and sewer service for the Pleasant Grove Park and the buildings for County Administration, Department of Social Services, and the School Board. It is our understanding that the existing well on site that serves the high school is at maximum capacity. The facilities at the park that Fluvanna County intends to serve are a public bathroom facility, Pleasant Grove House Museum, and a splash pad. The new County Administration building will be located at Commons Boulevard approximately one (1) mile from Pleasant Grove Park. A new Department of Social Services building, and future school board building is proposed adjacent to the new administration building. The existing library and sheriff's office on Commons Boulevard are served by individual wells and connected to the gravity sewer system. The County intends to abandon these wells and provide water service from a new well for all facilities along Commons Boulevard and Pleasant Grove Park. The new well required for the additional water demand is expected to require facilities for treatment for iron and manganese.

The purpose of this task order will be to evaluate and identify the best way to serve this area with water and sewer. The results of this evaluation will allow the County to plan and budget for the design and construction of the recommended water and wastewater facilities.

**SCOPE OF SERVICES**

**Task 1 – Water and Sewer Evaluation**

1. Project kickoff meeting to review scope and conduct site visit.

2. Determine gravity sewer and sewage grinder station size requirements. Provide a preliminary route alignment of the sewer utilities based on demands provided by the County.
3. New well evaluation (Subconsultant)
  - a. Preliminary Hydrogeologic Analysis
    - Review geologic maps and published reports underlying the study area.
    - Compile and review available data on area well yields, groundwater quality, soil thickness and character, potential contaminated sites, wetland areas, stream and surface water hydrology, septic systems, and other groundwater users located within the study area.
  - b. Detailed Groundwater Exploration - Conduct a focused non-intrusive geophysical survey using electrical resistivity imaging (ERI) to locate potential subsurface aquifers beneath areas identified as potentially favorable for groundwater development and areas that are accessible to drilling a new water supply well. The scope includes three (3) field days on site to perform this work.
  - c. Potential Well Siting and Report
    - Identify potential well sites based on analysis of available geologic and geophysical data, proximity to existing water system infrastructure, and other factors as appropriate. Potential well sites will be staked in the field.
4. Desktop evaluation of existing school well facility to determine if the facility has additional capacity to serve the proposed uses.
5. Identify other water facility upgrades needed to serve the proposed uses.
6. Prepare budgetary construction cost estimates for the recommended water distribution system, water treatment facility, and sewer utilities.
7. Develop a draft Technical Memorandum summarizing the field investigations and providing recommendations.
8. Conduct a workshop to review the draft Technical Memorandum.
9. Address County comments and finalize the Technical Memorandum.

## **SCHEDULE**

Dewberry assumes the following design schedule:

Mr. Eric M. Dahl  
Proposal for Professional Engineering Services  
Pleasant Grove Park and County Administration Building Water and Sewer Service Evaluation  
October 9, 2024  
Page 3 of 3

Project Kickoff and Preliminary Field Work .....	4 months
Draft Report .....	4 months
Finalize Report .....	1 month
 Total Project Duration.....	 9 months

**FEE**

Dewberry proposes to perform the scope of service described herein for a lump sum fee of **\$71,240**.

Refer to **Attachment A – Work Breakdown Structure and Cost Estimate** for additional details.

**CLARIFICATIONS AND EXCLUSIONS**

1. Specific services outside of those identified in the Scope of Services outlined above will be deemed an additional service.
2. Fluvanna County will provide a demand or fixture count for the proposed facilities to be served by the new utilities.
3. Services for environmental investigations, threatened and endangered species, wetland delineations, cultural resource surveys, and any associated permitting are excluded.
4. Flood plain studies are not included.
5. Geotechnical services, soil testing, and materials testing are not included.
6. Design and permitting for the recommended water and sewer facilities are not included.

We look forward to the opportunity to serve Fluvanna County on this project. If you have any questions, or require additional information, please feel free to contact us.

Sincerely,  
**Dewberry Engineers Inc.**



Dan Villhauer, PE  
Vice President



Ryan Bogese, PE  
Senior Associate, Senior Project Manager

Attachment A: Work Breakdown Structure and Cost Estimate



Fluvanna County								
Pleasant Grove Park and County Administration Building Water and Sewer Evaluation Technical Memorandum								
Attachment A - Work Breakdown Structure and Cost Estimate								
	Task/Subtask	QA/QC (Engineer VII)	Project Manager (Engineer VI)	Process Engineer (Engineer V)	Project Engineer (Engineer III)	Subs (+10% markup)	Other Direct Costs	Totals
		\$ 240.00	\$ 220.00	\$ 160.00	\$ 155.00			
	<b>Pleasant Grove Water and Sewer Evaluation</b>							
1	Site Visit		4		4		\$ 100.00	8
2	Park Sewer Utilities	1	4		12			17
3	County Administration Complex Sewer Utilities	1	8		16			
4	New Well Evaluation	2	4			\$24,750		6
5	Desktop Evaluation of Existing School Well	1	4		8			13
6	Identify other water facility upgrades	4	18		36			58
7	Prepare budgetary construction cost estimates	2	8		16			26
8	Draft Tech Memo	4	28		48			80
9	Review Workshop	2	2		2			6
10	Finalize Tech Memo	2	4		8		\$ 100.00	14
	<b>Subtotal Hours</b>	19	84	0	150			228
	<b>Subtotal Cost</b>	\$ 4,560.00	\$ 18,480.00	\$ -	\$ 23,250.00	\$24,750	\$200	
<b>TOTAL</b>								<b>\$ 71,240.00</b>



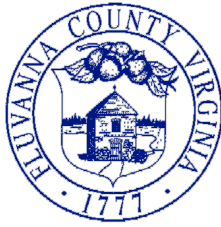


**FLUVANNA COUNTY BOARD OF SUPERVISORS  
AGENDA ITEM STAFF REPORT**

**TAB G**

<b>MEETING DATE:</b>	October 16, 2024				
<b>AGENDA TITLE:</b>	ZTA 24:04 – Amendments to the Fluvanna County Zoning Ordinance, amending § 22-2-1, enacting §§ 22-3-1 through 22-3-5.4 and enacting §§ 22-28-1 through 22-28-25 to create a solar zoning district and to add supplemental regulations for utility scale solar generation facilities (“USSGFs”).				
<b>MOTION(s):</b>	<b>I move that the Board of Supervisors (approve / deny / defer) ZTA 24:04, an ordinance to amend and reordain “The Code of the County of Fluvanna, Virginia” by amending § 22-2-1, enacting §§ 22-3-1 through 22-3-5.4 and enacting §§ 22-28-1 through 22-28-25 to create a solar zoning district and to add supplemental regulations for utility scale solar generation facilities.</b>				
<b>BOS WORKPLAN?</b>	Yes	No	<b>If yes, which item(s):</b>		
		X			
<b>AGENDA CATEGORY:</b>	Presentation	Action Matter	Public Hearing	Consent Agenda	Other
			X		
<b>STAFF CONTACT(S):</b>	Dan Whitten, County Attorney; Todd Fortune, Director of Planning				
<b>PRESENTER(S):</b>	Dan Whitten, County Attorney; Todd Fortune, Director of Planning				
<b>RECOMMENDATION:</b>	Approve				
<b>TIMING:</b>	Routine				
<b>DISCUSSION:</b>	This change to the ordinance is a result of the work by the Solar Ordinance Review Committee, which held a number of meetings to discuss policy as it relates to solar development in Fluvanna County. The Committee worked on the creation of a new district, S-1, for the location of utility scale solar generation facilities (USSGF) with a SUP. At its meeting on July 3, the Board of Supervisors approved the removal of USSGFs as an allowed use by SUP in the A-1 district.				
<b>FISCAL IMPACT:</b>	None				
<b>POLICY IMPACT:</b>	This change, if approved, would add a new zoning district, S-1 for the siting of utility scale solar generation facilities with a use allowed by special use permit. The Fluvanna County Code, §22-22-1, defines a utility scale solar generation facility as a facility that produces 2 or more MW of electricity to a utility provider.				
<b>LEGISLATIVE HISTORY:</b>	This proposed Zoning Text Amendment was presented to the Planning Commission for review on September 10, 2024. The Commission, by a vote of 5-0, recommended approval and recommend further review of the 3% cap and the Riparian Buffer.				
<b>ENCLOSURES:</b>	<ul style="list-style-type: none"> <li>• Staff Report</li> <li>• Proposed Ordinance Amendment</li> </ul>				
<b>REVIEWS COMPLETED:</b>	Legal	Finance	Purchasing	HR	Other
	X				X





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# COUNTY OF FLUVANNA

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*"Responsive & Responsible Government"*

BOE2024-10-16 p.43/154  
132 Main Street  
P.O. Box 540  
Palmyra, VA 22963  
(434) 591-1910  
Fax (434) 591-1911

## BOARD OF SUPERVISORS STAFF REPORT

**To:** Fluvanna County Planning Commissioners  
**From:** Dan Whitten, County Attorney  
**Case Number:** ZTA 24:04 Solar District and Supplemental Regulations  
**District:** Countywide Amendment

**General Information:** This Public Hearing request is to be heard by the Fluvanna County Board of Supervisors on Wednesday, October 16, 2024 at 7:00 pm in the Fluvanna County Circuit Court.

**Requested Action:** Recommend approval of amendments to the Fluvanna County Zoning Ordinance by amending § 22-2-1, enacting §§ 22-3-1 through 22-3-5.4 and enacting §§ 22-28-1 through 22-28-25 to create a solar zoning district and to add supplemental regulations for utility scale solar generation facilities ("USSGFs").

**Background Information:**

- 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 USSGFs as a use allowed by special use permit in the Agricultural, A-1 Zoning District.
- The Solar Ordinance Review Committee has been working on a new proposed zoning district, S-1 and adding supplemental regulation for USSGFs.
- The S-1 District adds USSGFs as use permitted by SUP only.
- At the Planning Commission meeting on September 10, the Planning Commission recommended approval of the amendment and recommend further review of the 3% cap and the Riparian Buffer.

**The Ordinance:**

- The maximum size for any USSGF is 500 acres, and no more than three percent of total County acreage (approx. 5400 acres) may be used for USSGFs and no more than one (1) percent of the total County acreage within each election district (approximately 1800 acres) may be used for USSGFs.
- Setbacks for USSGFs
  - o 500 feet from dwellings on the adjacent parcels.
  - o 375 feet from the adjacent property lines.
  - o 300 feet from all public right-of-way.
  - o 500 feet from entrance corridors which include Route 6, US 15, Route 53, and US 250.
  - o 1,000 feet from the James, Rivanna, and Hardware Rivers, and all lakes.

- 500 feet from ponds and perennial streams.
- Vegetative buffer
  - At least 175 feet, located within the required setback and around the entire perimeter.
  - May use an existing forest buffer, new vegetative screening, or berms.
  - Performance bond required for maintenance of buffer
- Maximum structure height of 20 feet
- Six-foot high security fencing with opaque screening on the interior of the vegetative buffer.
- Outdoor lighting will be permitted only for security and on-sight maintenance, and shall be shielded and dark sky compliant.
- Solar panels will be placed to prevent concentrated radiation or glare being directed onto other properties or roads.
- Signage only allowed at access points for emergency information
- Emergency Plan
  - Two emergency access points required
  - 20 foot emergency access road looping around inside of fence but outside of panel area.
  - Must provide emergency management plan for all phases of the life of the facility.
  - Emergency personnel must be provided a knox box or code to access the property.
  - Must coordinate plans and training with Fluvanna Fire and Rescue.
- Construction activity is limited to 7:00 a.m. – 6:00 p.m. on Monday through Saturday, other than emergency repairs.
- Wiring
  - Wires located on the poles of solar panels will be in conduit.
  - Wiring and all new distribution and transmission lines will be underground.
- If the project area is larger than 50 acres, the application must identify wildlife corridors that are shown on the site plan.
- Landscaping Plan
  - Maximize preservation of existing trees and vegetation.
  - For new vegetative buffer, native and pollinator-friendly plant species are preferred.
  - The evergreens must have a minimum planting height of eight feet.
  - Deciduous trees must have a minimum 2-inch caliper.
- Vegetation management plan
- Erosion and sediment control plan
  - Must be approved by Soil and Water Conservation District and DEQ prior to land disturbance.
  - No topsoil may be removed from the site, but must be used onsite.
  - Applicant may be required to fund a third-party E&S control inspector during construction.
- Panels shall not be installed on steep slopes of 20% or greater;
- Impact analysis is required for historical and cultural resources, including grave sites.

- Groundwater monitoring before construction, upon completion of construction, every five years during the operation of the USSGF, and upon completion of decommissioning.
- Decommissioning
  - Decommissioning and reclamation plan must be submitted and approved before permit issuance.
  - Decommissioning plans to be updated every five years.
  - USSGFs that have not been in active and continuous service for a period of six months must be removed at the expense of the owner or operator.
  - Surety agreement in the full amount of estimated decommissioning costs must be submitted before a building or land disturbing permit is issued.
  - Panels must be recycled at a certified recycling facility.
- County Review of Special Use Permit Applications
  - The County may engage independent third-party consultants to review applications and associated documents for completeness and compliance with applicable County, state and federal laws. Any costs associated with the review shall be paid by the applicant.
  - The Board of Supervisors may waive or modify any of the requirements within the supplemental regulations for USSGFs.
  - The property will be subject to inspection by County officers and employees upon reasonable notice to the owner/operator of the USSGF.

**Recommended Motion:**

I MOVE THAT THE BOARD OF SUPERVISORS (APPROVE / DENY / DEFER) ZTA 24:04 – AN ORDINANCE TO AMEND AND REORDAIN “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA” BY AMENDING § 22-2-1, ENACTING §§ 22-3-1 THROUGH 22-3-5.4 AND ENACTING §§ 22-28-1 THROUGH 22-28-25 TO CREATE A SOLAR ZONING DISTRICT AND TO ADD SUPPLEMENTAL REGULATIONS FOR UTILITY SCALE SOLAR GENERATION FACILITIES

**ZTA 24:04**

ORDINANCE TO AMEND AND REORDAIN “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA” BY AMENDING § 22-2-1, ENACTING §§ 22-3-1 THROUGH 22-3-5.4 AND ENACTING §§ 22-28-1 THROUGH 22-28-25 TO CREATE A SOLAR ZONING DISTRICT AND TO ADD SUPPLEMENTAL REGULATIONS FOR UTILITY SCALE SOLAR GENERATION FACILITIES

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 § 22-2-1, enacting §§ 22-3-1 through 22-3-10.3, and enacting §§ 22-28-1 through 22-28-? as follows:*

CHAPTER 22 ZONING

ARTICLE 2. – DISTRICTS.

Sec. 22-2-1. - Districts.

For the purpose of this chapter, the unincorporated area of the County is hereby divided into the following districts:\*

Agricultural, General, A-1

Residential, Limited, R-1

Residential, General, R-2

Residential, Planned Community, R-3

Residential, Limited, R-4

Business, General, B-1

Business, Convenience, B-C

Industrial, Limited, I-1

Industrial, General, I-2

Manufactured Home Park, MHP

Planned United Development, PUD

**Solar District, S-1.**

(Ord. 12-16-15)

\*Editor's note—Prior to August 19, 1992, the Zoning Ordinance of Fluvanna County, Virginia, contained a district identified as "Conservation, C-1." The Conservation, C-1 district was repealed by ordinance adopted on that date.

**ARTICLE 3. – SOLAR, GENERAL, DISTRICT S-1**

**Sec. 22-3-1. – Statement of intent.**

**The purpose of this ordinance is to outline the process and requirements for the construction, installation, operation and decommissioning of utility scale solar generation facilities and other uses in a manner that promotes economic development and ensures the protection of health, safety, and welfare while also avoiding and minimizing adverse impacts to agricultural lands, endangered species habitats, conservation lands to include rivers and streams, lakes, ponds and other sensitive lands. This division is not intended to replace safety, health or environmental requirements contained in other applicable codes, standards, or ordinances. The provisions of this division shall not be deemed to nullify any provisions of local, state or federal law.**

**Sec. 22-3-2. - Use regulations.**

**In Solar, General District S-1, the following uses, together with ordinary and necessary accessory uses, shall be permitted, and no others.**

**Sec. 22-3-2.1. - Uses permitted by right.**

**The following uses shall be permitted by right:**

**Agricultural Uses**

**Agriculture**

**Conservation areas**

**Farm sales**

**Miscellaneous Uses**

**Accessory uses**

**Cemeteries, non-commercial**

**Greenhouses, non-commercial**

**Small scale solar generation facility**

**Utilities, minor**

**Sec. 22-3-2.2. - Uses permitted by special use permit only.**  
**The following uses shall be permitted by special use permit only:**

**Agricultural Uses**

**Agricultural enterprise**

**Agricultural sales, wholesale**

**Livestock feed lots, commercial**

**Livestock sales yards, commercial**

**Commercial Uses**

**Communications service**

**Industrial Uses**

**Minor scale solar generation facility**

**Telecommunication facilities**

**Utilities, major**

**Utility scale solar generation facility**



**Sec. 22-3-3. - Sign regulations.****Sign regulations shall conform to Article 15 of this chapter.****Sec. 22-3-4. - Height regulations.****Buildings and structures may be erected up to thirty-five (35) feet in height, except that:**

- (A) **Spires, belfries, cupolas, monuments, water towers, chimneys, flues, flagpoles, television antennae and radio aerials may be erected to a height of sixty (60) feet from grade. Parapet walls may be up to four (4) feet above the height of the building on which the walls rest. Buildings and structures used for agricultural purposes, including barns, silos, windmills and the like, may be erected to a height of ninety (90) feet from grade.**
- (B) **No accessory building which is within fifteen (15) feet of any property lot line shall be more than one (1) story high. All accessory buildings and structures, other than those permitted under subsection (C) above, shall be less than the main building or structure in height.**

**Sec. 22-3-5. - Intensive livestock, dairy and poultry facilities; statement of intent.****This section (sections 22-3-5 through 22-3-5.4) encourages economic development, preserves farm land, and promotes the orderly and responsible growth of the livestock, dairy and poultry industries. In the Solar (S-1) district, all agricultural production uses, including the uses defined herein as intensive livestock, dairy and poultry facilities, shall be permitted by right.****Sec. 22-3-5.1. - Definitions.****For the purpose of sections 22-3-5 through 22-3-5.4, the following terms shall have the meaning indicated:**

- (1) **Livestock includes all domestic or domesticated animals, including, but not limited to: cattle, sheep, lambs, hogs, goats, horses, poultry and furbearing animals.**
- (2) **Intensive livestock, dairy or poultry facility means a livestock, dairy or poultry operation where, for a period of forty-five (45) consecutive days or more, 300 animal units are closely confined and not free-ranging, and are fed in the area of confinement. For the purpose of this article, 300 animal units shall be equivalent**

**to any of the following, or any combination thereof where the animals are confined in one location:**

**Livestock: 300 slaughter or feeder cattle**

**Livestock: 750 swine each weighing over 55 pounds**

**Livestock: 150 horses**

**Livestock: 3,000 sheep, lambs, or goats**

**Livestock: 16,500 furbearing animals such as rabbits or chinchilla**

**Dairy: 200 mature dairy cows (whether milked or dry cows)**

**Poultry: 16,500 turkeys**

**Poultry: 30,000 laying hens or broilers**

- (3) **Intensive livestock, dairy or poultry structure means a building, structure or other improved area used in the operation of an intensive livestock, dairy or poultry facility; including, but not limited to, litter storage sites, incinerators, manure storage sites, poultry houses, poultry disposal pits, or dead poultry cold storage chests. The term shall not include structures that are used only indirectly in the operation of the facility.**
- (4) **Operator means any person who operates an intensive livestock, dairy or poultry facility, or the land on which it is located.**
- (5) **Poultry means any domestic or domesticated fowl raised for meat or eggs; including, but not limited to, chickens and turkeys.**
- (6) **Existing intensive livestock, dairy or poultry structure means an intensive livestock, dairy or poultry structure that has been in operation for one (1) year within the five (5) years immediately preceding the date on which a building or zoning permit is sought for a dwelling.**

**Sec. 22-3-5.2. - Setbacks.**

- (1) **Except as otherwise expressly provided in this section, each intensive livestock, dairy or poultry structure shall be set back 300 feet from any property line.**
- (2) **Any dwelling not owned by the operator shall be set back 300 feet from any existing intensive livestock, dairy or poultry structure.**

- (3) Each intensive livestock, dairy or poultry structure shall be setback at least 200 feet from the right-of-way of any secondary road, and at least 300 feet from the right-of-way of any primary highway.
- (4) Each intensive livestock, dairy or poultry structure shall be setback at least 1,000 feet from any incorporated town, public school, place of worship, public water intake from a stream or river and from the boundary of any adjacent residential district.

Sec. 22-3-5.3. - Development plans to include plat or similar document.

- (1) Any person who intends to establish or expand an intensive livestock, dairy or poultry facility shall file with the Zoning Administrator a development plan, including a plat, or similar document, that indicates the number, size and location of all intensive livestock, dairy or poultry structures planned for the subject parcel; and a written statement, sworn to and subscribed before a notary public, by which the owner certifies to the Zoning Administrator that the facility meets all applicable requirements. Where a proposed expansion would not substantially change the character of the facility or the intensity of the use, the Zoning Administrator may approve the expansion without requiring a development plan.
- (2) If the plan meets the requirements of sections 22-3-5 through 22-3-5.4, the Zoning Administrator shall approve it within thirty (30) days of receipt. If the plan does not meet the requirements of sections 22-3-5 through 22-3-5.4 of this chapter, the Zoning Administrator shall return it to the applicant within thirty (30) days of receipt, together with a written description of the portion or portions of the plan that do not meet such requirements. Any plan not returned to the applicant within thirty (30) days of receipt shall be deemed approved. As long as an approved plan is in effect, the applicant shall have the right to build structures and operate the facilities shown thereon, notwithstanding any dwelling or other feature located after the time of approval.
- (3) The development plan shall remain in force only so long as the proposed structures are constructed in accordance with the development plan. At least one-third of the number of livestock or dairy animals indicated in the development plan, or one poultry structure, shall be placed in service within five (5) years of the date on which the development plan is approved by the Zoning Administrator, unless at least one-third the livestock, or one poultry structure, was already in service at the time the plan was filed. In the event the operator fails to obtain building and zoning permits for any of the proposed structures, or fails to have in place the minimum number of livestock required above, within five (5) years of the date on which the development plan is approved by the Zoning Administrator, the development plan shall expire.

- (4) The operator shall notify the Zoning Administrator in writing within thirty (30) days of placement into service of any structure indicated on his plan.
- (5) Each parcel for which a development plan has been approved shall display at its entrance a sign no smaller than two (2) square feet, and no larger than four (4) square feet, clearly visible from the nearest public road, indicating that a development plan is in effect for the parcel and containing the word "Certified Agricultural Development Site".
- (6) Nothing herein shall be construed to prohibit an operator or a potential operator from submitting amendments to his or her original development plan, or from submitting revised plans. The Zoning Administrator shall review such amendments or revised plans as required in subsection (1) above according to the zoning ordinance in effect at the time the amendments or revised plans are received.

Sec. 22-3-5.4. - Nutrient management plan.

After the effective date of this section, no intensive livestock, dairy or poultry facility for which the Commonwealth of Virginia requires a nutrient management plan shall commence operation until such plan has been approved by the Virginia Department of Conservation and Recreation, or by a person certified or employed by the Virginia Soil and Water Conservation Board or the Commonwealth as a nutrient management planner, in accordance with 4VAC50-85-10 et seq., "Nutrient Management Training and Certification Regulations."

If the nutrient management plan provides for off-site disposal of waste, the operator shall provide, as a part of the plan, written documentation of an agreement with the receiver of the waste produced at his facility, or affidavit, sworn and subscribed before a notary public, that states his intention to dispose of waste through sale in a retail establishment or otherwise marketing to consumers. Documentation shall specify the duration of the agreement and the nature of the application or use of the waste. A nutrient management plan containing such an agreement shall be valid only as long as the agreement remains in force and shall be reviewed whenever such agreement expires or is terminated. If such an agreement is terminated before its expiration date, the operator shall notify the Zoning Administrator within fifteen (15) days of termination.

**ARTICLE 28. – REGULATION OF UTILITY SCALE SOLAR GENERATION FACILITIES**

**Sec. 22-28-1. – Statement of intent.**

- (A) **The purpose of this article is to establish general guidelines for the siting of utility scale solar generation facilities (USSGF).**
- (B) **The purpose and intent of this article is to promote the health, safety, and general welfare of the public, including, but not limited to, such instances as:**
- (1) **Potential injury to people around USSGFs;**
  - (2) **Potential damage to property;**
  - (3) **Potential negative economic impacts on the heritage and scenic tourist industry.**
- (C) **The goals of this article are to:**
- (1) **Minimize the impacts of USSGFs on surrounding land uses by establishing standards for location, structural integrity, and compatibility;**
  - (2) **Avoid potential injury to persons and properties from USSGF failure through structural standards and setback requirements;**
  - (3) **Preserve the scenic and visual character of the geographic area by encouraging the location, design and architectural treatment of USSGFs to avoid the disruption of the natural and built environment, and to ensure harmony and compatibility with surrounding land use patterns;**
  - (4) **Provide a uniform and comprehensive framework for evaluating proposals for USSGFs;**
  - (5) **Encourage developers of USSGFs to locate USSGFs, to the extent possible, in areas where the visual impact on the community is minimal;**
  - (6) **Encourage the location of new USSGFs near existing USSGFs thereby minimizing new visual, aesthetic, public safety impacts, and effects upon the natural environment and wildlife;**
  - (7) **Avoid the location of battery energy storage systems in the County;**
  - (8) **Establish predictable and balanced codes governing the construction and location of USSGFs, within the confines of permissible local regulations;**
  - (9) **Establish review procedures to ensure that applications for USSGFs are reviewed and acted upon within a reasonable period of time;**
  - (10) **Consideration of and compatibility with the goals and objectives of the County's Comprehensive Plan.**

**Sec. 22-28-2. – Existing Utility Scale Solar Generation Facilities**

**Utility Scale Solar Generation Facilities existing or permitted prior to the adoption of this article shall be subject to the provisions of Article 16, Nonconforming Uses of this ordinance.**

**Sec. 22-28-3 – Size of Utility Scale Solar Generation Facilities**

**The maximum project area for any Utility Scale Solar Generation Facility shall be no more than 500 acres.**

**Sec. 22-28-4. – Limitation on acreage of all Utility Scale Solar Generation Facilities**

**In order to preserve and protect the County’s rural ambiance and its agricultural and forestal lands, the total project area for all Utility Scale Solar Generation Facilities (USSGFs) in the County shall be no more than three (3) percent of the total County acreage (approximately 5400 acres). The total project area for all USSGFs shall be no more than one (1) percent of the total County acreage within each election district (approximately 1800 acres).**

**Sec. 22-28-5. – Minimum setbacks for Utility Scale Solar Generation Facilities**

**The Utility Scale Solar Generation Facility operational area which includes any buildings, structures, equipment, parking, and disturbed areas shall have the following minimum setbacks:**

- A) **500 feet from dwellings on adjacent parcels.**
- B) **375 feet from the adjacent property lines.**
- C) **300 feet from all public rights-of-way.**
- D) **500 feet from all entrance corridors which include Route 6, US 15, Route 53, and US 250.**
- E) **1000-foot setback from the James River, Rivanna River, Hardware River and all lakes.**
- F) **500-foot setback from ponds and perennial streams.**

**Sec. 22-28-6. – Minimum buffers for Utility Scale Solar Generation Facilities**

- A) **Utility Scale Solar Generation Facilities (USSGF) must be screened from the ground-level view from adjacent properties and public roads by a vegetative buffer of at least 175 feet. The vegetative buffer must be located within the setbacks required under Sec. 22-28-5 and must be located around the entire perimeter of the property. Screening methods can include:**
  - 1) **Existing screening: The USSGF may use existing forested buffer to satisfy the screening requirement. The existing forested buffer must be undisturbed and**

permanently protected as the designated buffer. If existing trees and vegetation are removed when dead or diseased, the vegetative buffer must be replaced in accordance with Sec. 22-28-6.

- 2) Vegetative screening: In the event existing screening is inadequate, screening must be provided which consists of a combination of evergreen and deciduous trees that are 8 feet in height at time of planting. A triple staggered row of trees must be placed ten feet apart and on average at 15 feet on center. For the remainder of the vegetative screening, a combination of non-invasive species, pollinator species, and native plants, shrubs, trees, grasses, forbs and wildflowers shall be utilized.
  - 3) Berms: Berms must be constructed with a 3:1 side slope to rise ratio, 4-6 feet above the adjacent grade, with a 3-foot-wide top with pollinator friendly native shrubs, trees, forbs and wildflowers. The outside edges of the berm should be sculpted with vertical and horizontal variations so there is not a uniform appearance.
- B) A performance bond reflecting the estimated costs of anticipated landscaping maintenance shall be posted prior to construction to ensure the vegetative buffer is adequately maintained for the life of the project. Once the landscaping has been successfully established, the surety amount may be reduced to the amount needed for maintenance. The surety will be fully released only after decommissioning is complete.

#### Sec. 22-28-7. – Height regulation for Utility Scale Solar Generation Facilities

The maximum height for structures associated with the Utility Scale Generation Facility (USSGF) is 20 feet above the finished ground elevation. Ground mounted systems shall not exceed 20 feet in height when oriented at maximum vertical tilt. The height limit does not apply to associated aerial electric lines, utility poles and/or substation equipment that may be constructed in association with the USSGF.

#### Sec. 22-28-8. – Security fencing

The Utility Scale Solar Generation Facility project area must be enclosed by security fencing on the interior of the buffer area at a height of at least six feet. Fencing must be placed around sections of the project area to provide access corridors for wildlife. All fencing must be constructed to allow for the movement of small wildlife species. All fencing shall include opaque screening.

#### Sec. 22-28-9. – Lighting

**Outdoor lighting for the facility shall only be permitted for security and on-site maintenance. All outdoor lighting shall be fully shielded provided that these restrictions shall not apply to any outdoor lightning required by federal law. Lightning shall be dark sky compliant. The full site plan shall include a photometric plan that depicts the location, type, power and lightning levels of each permanent and semi-permanent fixture.**

**Sec. 22-28-10. – Signage**

**No signage shall be allowed on the fencing, structures or buildings in the project area for the Utility Scale Solar Generation Facility (USSGF). One sign shall be allowed at each of the emergency access points which shall list the required warnings, the name of the USSGF, address, and relevant emergency contact information. Any signage required by state or federal law or regulation shall be exempt from this section.**

**Sec. 22-28-11. – Emergency access**

**The applicant shall provide emergency access in at least two separate access points. Such access points shall include unobstructed access utilizing fire lane signage. The access points shall also be designed with a 20' wide looping system inside of the security fence but outside of the panel area in order for emergency apparatus to proceed without the need to back up the emergency apparatus.**

**Sec. 22-28-12. – Construction noise associated with Utility Scale Solar Generation Facilities**

**All construction activities may only occur between the hours of 7:00 a.m. and 6:00 p.m., Monday-Saturday and will be prohibited on Sundays. This restriction shall apply during construction of the facility, ongoing maintenance, replacement of equipment and decommissioning. This restriction shall not apply to emergency repairs.**

**Sec. 22-28-13. – Wiring and transmission lines**

- A) **Wiring shall be located underground except for wiring on a solar array or where necessary to directly connect to the public service corporation.**
- B) **All new distribution and transmission lines shall be located below ground except for lines solely subject to the State Corporation Commission jurisdiction or where necessary to connect to existing utility lines. New transmission lines are subject to plan of development review.**
- C) **Wires located on the poles of solar panels shall be placed in conduit.**



**Sec. 22-28-14. – Wildlife corridors**

**An application for a Utility Scale Solar Generation Facility (USSGF) with a project area of greater than 50 acres must identify access corridors for wildlife to navigate through and across the USSGF. The wildlife corridor must be shown on the site plan submitted to the County. Areas between fencing shall be kept open to allow for movement of migratory animals and other wildlife.**

**Sec. 22-28-15. – Glare from solar panels**

**Solar panels shall be placed so as to prevent concentrated solar radiation, heat or glare being directed onto other properties or roads.**

**Sec. 22-28-16. – Landscaping plan for Utility Scale Solar Generation Facilities**

**A preliminary landscaping plan shall be developed by a certified arborist or landscape architect, submitted with the application for the special use permit, and shall meet the following requirements:**

**A) Utilizing existing forested buffer**

- 1) **Preservation of existing trees and shrubs within require buffers shall be maximized.**
- 2) **The plan shall include a tree inventory indicating all trees that will be saved and that will be used for buffering.**
- 3) **The existing forested buffer may be used if it is covered with at least 75% of naturally established vegetation.**
- 4) **The existing plant material must be mature and in healthy condition.**
- 5) **The existing plant material must consist of a mix of evergreen and deciduous trees which meet the following criteria:**
  - a) **Existing deciduous trees have a minimum four-inch caliper measured two feet above the ground.**
  - b) **Evergreen trees must be a minimum of ten feet in height.**
  - c) **Hardy shrubs must be a minimum of two feet in height.**
  - d) **There is an established understory of small trees and shrubs to provide significant buffering at the lower forested area.**

**B) Improvements within buffer**

- 1) **Improvements within the vegetative buffer shall be limited to those required to provide access, utilities and drainage and shall be installed perpendicular to the buffer to reduce impacts to the buffer.**

**C) Proposed vegetative buffer**

- 1) The preliminary landscaping plan shall show all proposed plant species to be used for ground cover, screening and buffering.
  - 2) There is a preference for native and pollinator-friendly plant species.
  - 3) The evergreens shown on the plan must have a mature height of at least 30 feet.
  - 4) The evergreens must have a minimum planting height of eight (8) feet.
  - 5) Deciduous trees must have a minimum caliper of two (2) inches measured six (6) inches above final grade.
- D) Installation of landscaping
- 1) All landscaping shown on the approved plan shall be installed and in good condition prior to beginning production of power.
  - 2) All landscaping shall be planted between September 15 and June 30.

**Sec. 22-28-17. - Vegetation management plan for Utility Scale Solar Generation Facilities**

- A) The applicant for a Utility Scale Solar Generation Facility (USSGF) shall submit a preliminary proposed vegetation management plan at time of submittal of the application. The applicant for a USSGF shall submit a final proposed plan for ground cover within the fence lines of the project area for review and approval as part of the full site plan. The site plan shall include the following information:
- 1) Describe the design and type of ground cover which will consist of native grasses and low growing species.
  - 2) The plan should include a description of how existing tree and vegetation cover will be removed or reused.
  - 3) Include a plan and schedule for managing the growth of the vegetation cover over the life of the facility.
  - 4) Provide a plan to prevent and control noxious weeds and invasive species.
  - 5) Identify the type and quantity of herbicides that will be used.
  - 6) Provide that only biodegradable soap and water can be used to clean the surface of the solar panels.

**Sec. 22-28-18. – Erosion and sediment control plan**

- A) An erosion and sediment control plan must be submitted to the County and approved by the Soil and Water Conservation District and the Virginia Department of Environmental Quality prior to any land disturbance.
- B) The erosion and sediment control plan shall be prepared in accordance with the Chapter 6 of the County Code and the Virginia Erosion and Sediment Control Handbook.
- C) Permitholders shall provide evidence of any and all required state and/or federal permits prior to the issuance of a land disturbance permit.

- D) Prior to Applicant's submission of the Erosion and Sediment Control Plan, the Applicant will contact the County's erosion and sediment control reviewer to arrange a meeting on the Property with the Applicant's engineer.
- E) The County may obtain an independent third-party review of the Erosion and Sediment Control Plan at the expense of the Applicant.
- F) The erosion and sediment control plan shall provide that no topsoil will be removed from the facility/site but instead will be used onsite to establish ground cover.
- G) The Applicant shall include sufficient surety to guarantee that funding is available to implement and maintain all required erosion and sediment control measures.
- H) The County may require the Applicant to provide for the funding of a third-party erosion and sediment control inspector during the period of construction. Any as-needed third-party erosion and sediment control inspector, while paid for by the Applicant, Permitholders and/or any successor-in-interest, shall be selected and managed by the Planning Director, or his designee.
- I) In projects involving more than 100 acres of land disturbance, the following requirements will apply:
  - 1) Incorporate a protocol developed in coordination with the Planning Director, or his designee, the Soil and Water Conservation District, and the Virginia Department of Environmental Quality that specifies the phased construction of designated units of land so that the total area of disturbed land at any one time is appropriately limited given the nature of the construction activities, the size of the Project, the topography and water resources of and in the project area, and the erosion and sediment controls to be employed.
  - 2) The protocol will be designed to ensure that ground cover is expeditiously established, and appropriate site stabilization is achieved throughout construction.

Sec. 22-28-19. – Construction on steep slopes

- A) Solar panels shall not be installed on steep slopes of 20 percent or greater.
- B) Steep slopes of 20 percent or greater shall remain in their natural, undisturbed state to the maximum extent practicable, unless otherwise approved by the Planning Director.

Sec. 22-28-20. – Historic resources, cultural and grave site impact analysis

In accordance with the County's goals, an impact analysis for historic and cultural resources, including grave sites, shall be conducted and provided by the applicant to identify, preserve, and protect significant historic resources and to ensure respectful treatment of graves in accordance with applicable laws of the Commonwealth. The impact analysis shall identify graves and significant historic or cultural resources to be impacted, including but not limited

**to areas, districts, sites, structures and objects, locally designated as historic or culturally significant, or listed or determined eligible by the Department of Historic Resources' evaluation team for listing on the state and federal historic registers. If such resources are identified, the analysis shall include a proposed treatment plan to preserve, protect, and/or enhance these resources through avoidance, minimization or mitigation.**

**Sec. 22-28-21. – Groundwater monitoring**

**Groundwater monitoring must take place prior to the start of construction and upon completion of construction throughout the project area. After the Utility Scale Solar Generation Facility begins operations, groundwater monitoring shall take place every five (5) years and upon completion of decommissioning. Results from all groundwater monitoring shall be provided to the Planning Director.**

**Sec. 22-28-22. – Emergency response plan**

- A) **Prior to completion of construction, the owner or operator of the facility shall provide the Planning Director with an emergency management plan for the facility.**
- B) **The goal of this emergency response plan is to provide safety guidelines and procedures for potential emergency-related incidents during all phases of the life of the facility (construction, operation, and decommissioning).**
- C) **The owner or operator of a facility must coordinate with the Fluvanna County Coordinated Fire and Rescue System to provide materials, education, and/or training on how to safely respond to on-site emergencies, and to develop, implement, periodically update, and perform exercises on an emergency response plan.**
- D) **Emergency personnel must be provided a knox box or code to access the property in case of an on-site emergency.**
- E) **Training shall be provided and updated (i) whenever significant modifications and/or repairs are made to the facility and (ii) at the request of the County Fire Chief.**

**Sec. 22-28-23. – Special use permit application requirements**

- A) **All special use permit applications for Utility Scale Solar Generation Facilities must contain the following information:**
  - 1) **Project narrative. A detailed narrative shall identify the following:**
    - a. **The applicant, facility owner, site owner and operator;**
    - b. **The description of the facility;**
    - c. **Overview of the project and its location;**
    - d. **Size of the site and project area;**
    - e. **Current use and previous uses (10 years preceding application) of the site;**

- f. Estimated time for construction, any phasing schedule, and proposed date for commencement of operations;
  - g. Location of staging area;
  - h. Planned maximum rated capacity of the facility;
  - i. The approximate number, type, and footprint of solar equipment;
  - j. Specifications for proposed equipment including materials, color, finish, country of origin and racking type;
  - k. Information on ancillary facilities;
  - l. How and where the electricity at the facility will be transmitted;
  - m. General location of the proposed electrical grid interconnection; and
  - n. All adverse partition sales shall be disclosed.
- 2) Concept plan. The concept plan must be prepared by a professional Virginia licensed engineer and shall identify the following:
- a. Identification of subject parcels and property lines;
  - b. Identification of required setbacks;
  - c. Existing and proposed buildings and structures;
  - d. Preliminary locations and heights of solar panels, ground equipment, ancillary equipment and other proposed structures;
  - e. Location of proposed fencing, driveways, internal roads, parking and locations of points of ingress/egress;
  - f. Location of proposed buffers and screening elements;
  - g. Location of substations and electrical cabling from facility to substation;
  - h. Location of fencing or other methods of ensuring public safety;
  - i. Proposed lighting for the facility;
  - j. Aerial imagery showing the proposed location and boundaries of the facility, fenced areas, ingress/egress and the closest distance to all adjacent property lines and buildings; and
  - k. Additional information required by the Planning Director such as a scaled elevation view, photographs of the site, modeling of the project from sensitive locations, and additional information for a technical review of the facility.

**Sec. 22-28-24. – Review of Utility Scale Solar Generation Facility**

- A) The County may engage independent third-party consultants to review special use permit applications and associated documents for completeness and compliance with applicable County, state and federal laws. Any costs associated with the review shall be paid by the applicant.
- B) Applications for special use permits for Utility Scale Solar Generation Facilities (“USSGFs”) are subject to comprehensive plan review under Virginia Code Sec. 15.2-2232.

- C) For all USSGFs, the applicant must enter into a siting agreement with the County pursuant to Virginia Code Title 15.2, Article 7.3.
- D) In issuing any special use permit for a USSGF, the Board of Supervisors may waive or modify any of the requirements of this article.
- E) The property will be subject to inspection by County officers and employees upon reasonable notice to the owner/operator of the USSGF.

#### Sec. 22-28-25 Decommissioning

- A) Decommissioning plan- A draft decommissioning and reclamation plan shall be submitted and approved before issuance of the zoning permit, and the plan must be certified by an independent engineer with a Virginia professional engineering license selected by the County but paid for by the Applicant, and such plan shall contain the following information:
  - 1) Contact information for the party identified as primarily responsible for decommissioning;
    - a. Anticipated life of project;
    - b. Estimated decommissioning cost in current dollars;
    - c. How the cost is determined;
    - d. Method of ensuring funds will be available for decommissioning and restoration;
    - e. Estimation method to keep decommissioning cost current;
    - f. Manner in which facility will be decommissioned and the site restored; and
    - g. Plan should include statement of disposal or recycling destination for solar panels.
  - 2) Decommissioning plans shall be updated every five years.
- B) Decommissioning and reclamation
  - 1) Solar facilities that have reached the end of their useful life or have not been in active and continuous service for a period of six months must be removed at the owner's or operator's expense in accordance with this section and all other applicable local, state and federal laws and regulations. However, the County may extend this period upon a showing that a longer repair period is needed or where evidence is provided that the failure to utilize the facility is beyond the reasonable control of the owner or operator.
  - 2) The owner or operator must notify the Planning Director by certified mail of the proposed date of discontinued operations and plans for removal.
  - 3) The decommissioning must be performed in compliance with the approved decommissioning plan. The Planning Director must approve any amendments to the decommissioning plan.

- 4) The decommissioning shall be completed within 12 months of the date the owner or operator sends notice to the Planning Director.
  - 5) Decommissioning must include removal of all electric systems, buildings, cabling, electrical components, security barriers, roads, foundations, pilings, and any associated facilities.
  - 6) Components of the facility removed from the site shall be handled and disposed of in compliance with applicable local, state, and federal law and regulations.
  - 7) In no event shall any hardware, parts, structures, components or other portions of the facility be disposed of in a convenience center or transfer station in the County.
  - 8) All solar panels shall be disposed of in a certified recycling center for solar panels.
  - 9) After removal of all facilities, the ground upon which the facilities were located must be tillable and suitable for agricultural uses. Trenches, boring and excavations shall be filled and compacted. The soil shall be stabilized to a depth of three (3) feet, and the site must be graded and reseeded.
  - 10) Any exception to site restoration must be approved by the Planning Director.
  - 11) Hazardous material must be disposed of in accordance with federal and state law.
- C) Decommissioning surety
- 1) A surety agreement and attendant financial or bond instrument and guarantee for decommissioning, in a form acceptable to the County Attorney, and in amount as determined sufficient by the Board of Supervisors shall be submitted before a building permit or land disturbing permit is issued for the Utility Scale Solar Generation Facility. Any such surety shall include an automatic adjustment for inflation or as necessary based upon a decommissioning plan update.
  - 2) Options for surety include cash escrow, performance surety bond, certified check, irrevocable letter of credit or other security acceptable to the County.
  - 3) The surety agreement must prohibit the release of the surety without the written consent of the County. The County will consent to the release of the surety upon the owner's or operator's compliance with the approved decommission plan.
  - 4) The amount of funds required to be guaranteed by the surety must be the full amount of the estimated decommissioning costs without regard to possible salvage value.
  - 5) An independent professional engineer, selected by the County and paid for by the permitholder, must recalculate the estimated cost of decommissioning every three years, and the amount of the surety shall be updated accordingly.
  - 6) If the owner or operator fails to remove the installation in accordance with the requirements or within the permitted time, the County may collect the surety and the County or its agent may enter the property to perform any work necessary to complete the decommissioning.

7) **If the decommissioning surety and salvage recompense is insufficient, the County shall have the right to recover such costs from the owner or operator to include legal fees and expenses.**

**D) Damaged or unusable panels**

**1) Damaged or unusable panels or arrays shall be removed from the site within 60 days of removal from service.**

**2) In no event shall any damaged or unusable panels or arrays be disposed of in a convenience center or transfer station in the County.**

**3) All damaged or unusable solar panels shall be disposed of in a certified recycling center for solar panels.**

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



**FLUVANNA COUNTY BOARD OF SUPERVISORS  
AGENDA ITEM STAFF REPORT**

**TAB H**

<b>MEETING DATE:</b>	October 16, 2024				
<b>AGENDA TITLE:</b>	Public hearing to repeal Section 4-2-3 and enact Sections 4-2-3.1 through 4-2-3.6 relating to control of dangerous and vicious dogs and make other changes conforming to the VA Code				
<b>MOTION(s):</b>	<b>I move that the Board of Supervisors approve the ordinance to repeal County Code Section 4-2-3 and enact Sections 4-2-3.1 through 4-2-3.6</b>				
<b>BOS WORKPLAN?</b>	Yes	No	If yes, list item(s):		
		X			
<b>AGENDA CATEGORY:</b>	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
	X				
<b>STAFF CONTACT(S):</b>	Dan Whitten, County Attorney				
<b>PRESENTER(S):</b>	Dan Whitten, County Attorney				
<b>RECOMMENDATION:</b>	Approve the ordinance to amend the County Code				
<b>TIMING:</b>	Ordinance is effective after a public hearing and Board approval				
<b>DISCUSSION:</b>	<p>Fluvanna Code 4-2-3 has not been updated since 2015; since that time the corresponding Virginia statute has been amended several times. These Fluvanna Code changes conform County code to the Virginia statute. Changes include:</p> <ul style="list-style-type: none"> <li>• Extending the time permitted for the court to adjudicate dangerous dog cases, and allows a court to defer proceedings with conditions placed upon owner.</li> <li>• Allows the court to compel implantation of electronic identification if adjudication is deferred.</li> <li>• Limits appeal of dangerous dog adjudication to 30 days.</li> <li>• Requires the owner of a dangerous dog to spay or neuter the dog, and to carry and annually provide evidence of liability insurance of at least \$100,000 that covers animal bites.</li> <li>• A subsequent attack by a dog already found to be a dangerous dog is a Class 2 misdemeanor if a companion animal belonging to another owner is injured or killed, and a Class 1 misdemeanor if a human is bitten or attacked and injured.</li> <li>• Creates notification requirements for moving or disposing of a dangerous dog, a violation of which is a Class 3 misdemeanor.</li> <li>• Defines “vicious dog” and states that any willful act or omission in the care of such a dog that causes serious injury to a person is a Class 6 felony.</li> </ul>				
<b>FISCAL IMPACT:</b>	N/A				

<b>POLICY IMPACT:</b>	Amendment to the County Code				
<b>LEGISLATIVE HISTORY:</b>					
<b>ENCLOSURES:</b>	<ul style="list-style-type: none"> <li>Proposed ordinance to repeal County Code Section 4-2-3 and enact Sections 4-2-3.1 through 4-2-3.6</li> <li>Advertisement for Public Hearing</li> </ul>				
<b>REVIEWS COMPLETED:</b>	Legal	Finance	Purchasing	HR	Other
	<b>X</b>				<b>X</b>

ORDINANCE TO AMEND “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA,” BY REPEALING § 4-2-3 OF THE CODE AND REPLACING IT WITH §§4-2-3.1 THROUGH 4-2-3.6, RELATING TO CONTROL OF DANGEROUS AND VICIOUS DOGS TO CRIMINALIZE CERTAIN VIOLATIONS AND MAKE OTHER CHANGES TO CONFIRM WITH VIRGINIA CODE UPDATES.

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

*(1) That the Code of the County of Fluvanna, Virginia is amended by repealing § 4-2-3 and replacing it with §§ 4-2-3.1 through 4-2-3.6 as follows:*

Sec. 4-2-3. Control of dangerous or vicious dogs.

(A) As used in this section:

~~Dangerous dog means a canine or canine crossbreed that has bitten, attacked, or inflicted injury on a person or companion animal, or killed a companion animal that is a dog or cat; however, when a dog attacks or bites a companion animal that is a dog or cat, the attacking or biting dog shall not be deemed dangerous (i) if no serious physical injury as determined by a licensed veterinarian has occurred to the dog or cat as a result of the attack or bite or (ii) both animals are owned by the same person, (iii) if such attack occurs on the property of the attacking or biting dog's owner or custodian, or (iv) for other good cause as determined by the court. No dog shall be found to be a dangerous dog as a result of biting, attacking or inflicting injury on a dog or cat while engaged with an owner or custodian as part of lawful hunting or participating in an organized, lawful dog handling event. No dog that has bitten, attacked or inflicted injury on a person shall be found to be a dangerous dog if the court determines, based on the totality of the evidence before it, that the dog is not dangerous or a threat to the community.~~

~~Serious injury means an injury having a reasonable potential to cause death or any injury other than a sprain or strain including serious disfigurement, serious impairment of health, or serious impairment of bodily function and requiring significant medical attention.~~

~~Vicious dog means a canine or canine crossbreed that has (i) killed a person; (ii) inflicted serious injury to a person; or (iii) continued to exhibit the behavior that resulted in a previous finding by a court or, on or before July 1, 2006, an animal control officer as authorized by local ordinance that it is a dangerous dog, provided that its owner has been given notice of that finding.~~

~~(B) Any law enforcement officer or animal control officer who has reason to believe that a canine or canine crossbreed within his jurisdiction is a dangerous dog or vicious dog shall apply to a magistrate of the jurisdiction for the issuance of a summons requiring the owner or custodian, if known, to appear before a general district court at a specified time. The summons shall advise the owner of the nature of the proceeding and the matters at issue. If a law enforcement officer successfully makes an application for the issuance of a summons, he shall contact the local animal control officer and inform him of the location of the dog and the relevant facts pertaining to his belief that the dog is dangerous or vicious. The animal control officer shall confine the animal he has reason to believe is dangerous or vicious until such time as evidence shall be heard and a verdict rendered. With respect to allegedly dangerous animals only, if the animal control officer determines that the owner or custodian can confine the animal the officer has reason to believe is dangerous in a manner that protects the public safety, the officer may permit the owner or custodian to confine the animal until such time as evidence shall be heard and a verdict rendered. The court, through its contempt powers, may compel the owner, custodian or harbinger of the animal to produce the animal. If, after hearing the evidence, the court finds that the animal is a dangerous~~

dog, the court shall order the animal's owner to comply with the provisions of this section. If, after hearing the evidence, the court finds that the animal is a vicious dog, the court shall order the animal euthanized in accordance with the provisions of section 3.2-6562 of the Code of Virginia. The procedure for appeal and trial shall be the same as provided by law for misdemeanors. Trial by jury shall be as provided in article 4 (section 19.2-260 et seq.) of chapter 15 of title 19.2 of the Code of Virginia. The Commonwealth shall be required to prove its case beyond a reasonable doubt.

(C) ~~No canine or canine crossbreed shall be found to be a dangerous dog or vicious dog solely because it is a particular breed, nor is the ownership of a particular breed of canine or canine crossbreed prohibited. No animal shall be found to be a dangerous dog or vicious dog if the threat, injury or damage was sustained by a person who was (i) committing, at the time, a crime upon the premises occupied by the animal's owner or custodian, (ii) committing, at the time, a willful trespass or other tort upon the premises occupied by the animal's owner or custodian, or (iii) provoking, tormenting, or physically abusing the animal, or can be shown~~

~~to have repeatedly provoked, tormented, abused, or assaulted the animal at other times. No police dog that was engaged in the performance of its duties as such at the time of the acts complained of shall be found to be a dangerous dog or a vicious dog. No animal which, at the time of the acts complained of, was responding to pain or injury, or was protecting itself, its kennel, its offspring, a person, or its owner's or custodian's property, shall be found to be a dangerous dog or a vicious dog.~~

(D) ~~If the owner of an animal found to be a dangerous dog is a minor, the custodial parent or legal guardian shall be responsible for complying with all requirements of this section.~~

(E) ~~The owner of any animal found to be a dangerous dog shall, within forty five (45) days of such finding, obtain a dangerous dog registration certificate from the local animal control officer or treasurer for a fee of \$150.00 in addition to other fees that may be authorized by law. The local animal control officer or treasurer shall also provide the owner with a uniformly designed tag that identifies the animal as a dangerous dog. The owner shall affix the tag to the animal's collar and ensure that the animal wears the collar and tag at all times. By January 31 of each year, until such time as the dangerous dog is deceased all certificates obtained pursuant to this subdivision shall be updated and renewed annually for a fee of \$85.00 and in the same manner as the initial certificate was obtained. The animal control officer shall post registration information on the Virginia Dangerous Dog Registry.~~

(F) ~~All dangerous dog certificates or renewals thereof required to be obtained under this section shall only be issued to persons eighteen (18) years of age or older who present satisfactory evidence (i) of the animal's current rabies vaccination, if applicable, (ii) that the animal has been spayed or neutered, and (iii) that the animal is and will be confined in a proper enclosure or is and will be confined inside the owner's residence or is and will be muzzled and confined in the owner's fenced in yard until the proper enclosure is constructed. In addition, owners who apply for certificates or renewals thereof under this section shall not be issued a certificate or renewal thereof unless they present satisfactory evidence that (i) their residence is and will continue to be posted with clearly visible signs warning both minors and adults of the presence of a dangerous dog on the property and (ii) the animal has been permanently identified by means of electronic implantation. All certificates or renewals thereof required to be obtained under this section shall only be issued to persons who present satisfactory evidence that the owner has liability insurance coverage, to the value of at least \$100,000.00, that covers animal bites. The owner may obtain and maintain a bond in surety, in lieu of liability insurance to the value of at least \$100,000.00.~~

~~(G) While on the property of its owner, an animal found to be a dangerous dog shall be confined indoors or in a securely enclosed and locked structure of sufficient height and design to prevent its escape or direct contact with or entry by minors, adults or other animals. The structure shall be designed to provide the animal with shelter from the elements of nature. When off its owner's property, an animal found to be a dangerous dog shall be kept on a leash and muzzled in such a manner as not to cause injury to the animal or interfere with the animal's vision or respiration, but so as to prevent it from biting a person or another animal.~~

~~(H) The owner shall cause the local animal control officer to be promptly notified of (i) the names, addresses, and telephone numbers of all owners; (ii) all of the means necessary to locate the owner and the dog at any time; (iii) any complaints of incidents of attack by the dog upon any person or cat or dog; (iv) any claims made or lawsuits brought as a result of any attack; (v) chip identification information; (vi) proof of insurance or surety bond; and (vii) the death of the dog.~~

~~(I) After an animal has been found to be a dangerous dog, the animal's owner shall immediately, upon learning of same, cause the local animal control authority to be notified if the animal (i) is loose or unconfined; (ii) bites a person or attacks another animal; or (iii) is sold, given away, or dies. Any owner of a dangerous dog who relocates to a new address shall, within ten (10) days of relocating, provide written notice to the appropriate local animal control authority for the old address from which the animal has moved and the new address to which the animal has been moved.~~

~~(J) Any owner or custodian of a canine or canine crossbreed or other animal is guilty of a:~~

~~(1) Class 2 misdemeanor if the canine or canine crossbreed previously declared a dangerous dog pursuant to this section, when such declaration arose out of a separate and distinct incident, attacks and injures or kills a cat or dog that is a companion animal belonging to another person;~~

~~(2) Class 1 misdemeanor if the canine or canine crossbreed previously declared a dangerous dog pursuant to this section, when such declaration arose out of a separate and distinct incident, bites a human being or attacks a human being causing bodily injury.~~

~~The provisions of this subsection shall not apply to any animal that, at the time of the acts complained of, was responding to pain or injury, or was protecting itself, its kennel, its offspring, a person, or its owner's or custodian's property, or when the animal is a police dog that is engaged in the performance of its duties at the time of the attack.~~

~~(K) The owner of any animal that has been found to be a dangerous dog who willfully fails to comply with the requirements of this section shall be guilty of a Class 1 misdemeanor. Whenever an owner or custodian of an animal found to be a dangerous dog is charged with a violation of this section, the animal control officer shall confine the dangerous dog until such time as evidence shall be heard and a verdict rendered.~~

~~(L) All fees collected pursuant to this section, less the costs incurred by the animal control authority in producing and distributing the certificates and tags required by this section and fees due to the state veterinarian for maintenance of the Virginia Dangerous Dog Registry, shall be paid into a special dedicated fund in the treasury of the locality for the purpose of paying the expenses of any training course required under section 3.2-6556 of the Code of Virginia.~~

~~(Ord. 2-5-97; Ord. 10-15-03; Ord. 1-17-07; Ord. 11-18-15)~~

### **Sec. 4-2-3.1. - Control of dangerous dogs.**

**(A) As used in this section, "dog" includes a hybrid canine as defined in § 3.2-6581 of the Code of Virginia, as amended.**

**(B) Any law enforcement officer or animal control officer who (i) has reason to believe that an animal is a dangerous dog and (ii) is located in the jurisdiction where the animal resides or in the jurisdiction where the act was committed may apply to a magistrate for the issuance of a summons requiring the owner, if known, to appear before a general district court at a specified time. The summons shall advise the owner of the nature of the proceeding and the matters at issue.**

**(C) No law enforcement officer or animal control officer shall apply for a summons pursuant to subsection B if, upon investigation, the officer finds (i) in the case of an injury to a companion animal that is a dog or cat, that no serious injury has occurred as a result of the attack or bite, that both animals are owned by the same person, or that the incident originated on the property of the attacking or biting dog's owner or (ii) in the case of an injury to a person, that the injury caused by the dog upon the person consists solely of a single nip or bite resulting only in a scratch, abrasion, or other minor injury. In determining whether serious injury to a companion animal that is a dog or cat has occurred, the officer may consult with a licensed veterinarian.**

**(D) A law enforcement officer or animal control officer who applies for a summons pursuant to subsection B shall provide the owner with written notice of such application. For 30 days following such provision of written notice, the owner shall not dispose of the animal other than by surrender to the animal control officer or by euthanasia by a licensed veterinarian. Following such provision of written notice, an owner who elects to euthanize a dog that is the subject of a dangerous dog investigation shall provide documentation of such euthanasia to the animal control officer.**

**(E) If a law enforcement officer successfully makes an application for the issuance of a summons pursuant to subsection B, he shall contact the local animal control officer and inform him of the location of the dog and the relevant facts pertaining to his belief that the dog is dangerous.**

**(F) Following the issuance of a summons following an application pursuant to subsection B, an animal control officer may confine the animal until the evidence is heard and a verdict rendered. If the animal control officer determines that the owner can confine the animal in a manner that protects the public safety, he may permit the owner to confine the animal until the evidence is heard and a verdict rendered. Upon being served with a summons for a dangerous dog, the owner shall not dispose of the animal, other than by euthanasia, until the case has been adjudicated. The court, through its contempt powers, may compel the owner of the animal to produce the animal and to provide documentation that it has been, or will be within three business days, implanted with electronic identification registered to the owner. The owner shall provide the registration information to the animal control officer.**

**(G) Nothing in this section shall prohibit an animal control officer or law enforcement officer from securing a summons for a hearing to determine whether a dog that is surrendered but not euthanized is a dangerous dog.**

**(H) Unless good cause is determined by the court, the evidentiary hearing pursuant to the dangerous dog summons shall be within 30 days or as soon as practicable from the issuance of the summons. The procedure for appeal and trial shall be the same as provided by law for misdemeanors. Trial by jury shall be as provided in Article 4 (§ 19.2-260 et seq.) of Chapter 15 of Title 19.2 of the Code of Virginia, as amended. The Commonwealth shall be required to prove its case beyond a reasonable doubt. The court shall determine that the animal is a dangerous dog if the evidence shows that it (i) killed a companion animal that is a dog or cat or inflicted serious injury on a companion animal that is a dog or cat, including a serious impairment of health or bodily function that requires significant medical attention, a serious disfigurement, any injury that has a reasonable potential to cause death, or any injury other than a sprain or strain or (ii) directly caused serious injury to a person, including laceration, broken bone, or substantial puncture of skin by teeth. Unless good cause is determined by the court, the appeal of a dangerous dog finding shall be heard within 30 days.**

**(I) If after hearing the evidence the court finds that the animal is a dangerous dog, the court:**

**(1) Shall order the animal's owner to comply with the provisions of this section and §§ 3.2-6540.01, 3.2-6542, and 3.2-6542.1 of the Code of Virginia, as amended;**

**(2) May order the owner of the animal to pay restitution for actual damages to any person injured by the animal or whose companion animal was injured or killed by the animal. Such order shall not preclude the injured person from pursuing civil remedies, including damages that accrue after the original finding that the animal is a dangerous dog; and**

**(3) May order the owner to pay all reasonable expenses incurred in caring and providing for such dangerous dog from the time the animal is taken into custody until such time as the animal is disposed of or returned to the owner.**

**(J) If after hearing the evidence the court decides to defer further proceedings without entering an adjudication that the animal is a dangerous dog, it may do so, notwithstanding any other provision of this section. A court that defers further proceedings shall place specific conditions upon the owner of the dog, including the requirement that the owner provide documentation that the dog has been, or will be within three business days, implanted with electronic identification registered to the owner. The registration information shall be provided to the animal control officer. If the owner violates any of the conditions, the court may enter an adjudication that the animal is a dangerous dog and proceed as otherwise provided in this section. Upon fulfillment of the conditions, the court shall dismiss the proceedings against the animal and the owner without an adjudication that the animal is a dangerous dog.**

**(K) No animal shall be found by the court to be a dangerous dog:**

**(1) Solely because it is a particular breed;**

**(2) If the threat, injury, or damage was sustained by a person who was (i) committing at the time a crime upon the premises occupied by the animal's owner; (ii) committing at the time a willful trespass upon the premises occupied by the animal's owner; or (iii) provoking, tormenting, or physically abusing the animal or can be shown to have repeatedly provoked, tormented, abused, or assaulted the animal at other times;**

**(3) If the animal is a police dog that was engaged in the performance of its duties as such at the time of the act complained of;**

**(4) If at the time of the acts complained of the animal was responding to pain or injury or was protecting itself, its kennel, its offspring, a person, or its owner's property;**

**(5) As a result of killing or inflicting serious injury on a dog or cat while engaged with its owner as part of lawful hunting or participating in an organized, lawful dog handling event; or**

**(6) If the court determines based on the totality of the evidence before it, or for other good cause, that the dog is not dangerous or a threat to the community.**

**(L) If the owner of an animal found to be a dangerous dog is a minor, the custodial parent or legal guardian shall be responsible for complying with all requirements of this section and §§ 3.2-6540.01, 3.2-6540.02, 3.2-6540.03, 3.2-6540.04, 3.2-6542, and 3.2-6542.1 of the Code of Virginia, as amended.**

**State Law reference - Code of Va., § 3.2-6540, as amended.**

**Sec. 4-2-3.2. Obligations of officer and owner following dangerous dog finding.**

**(A) After an animal is found to be a dangerous dog pursuant to § 4-2-3.1, the local animal control officer or Treasurer shall provide the owner with a uniformly designed tag that identifies the animal as a dangerous dog. The owner shall affix the tag to the animal's collar and ensure that the animal wears the collar and tag at all times.**

**(B) Within 30 days of the finding that an animal is a dangerous dog pursuant to § 4-2-3.1 the owner shall:**

**(1) Provide documentation that the animal has been neutered or spayed;**



**(2) Provide documentation that the animal has been implanted with electronic identification registered to the owner. The registration information shall be provided to the animal control officer;**

**(3) Present satisfactory evidence to the animal control officer of liability insurance coverage, to the value of at least \$100,000, that covers animal bites. The owner may obtain and maintain a bond in surety to the value of at least \$100,000 in lieu of liability insurance;**

**(4) Pay to the Treasurer a fee of \$150 and under the direction of the animal control officer complete a dangerous dog registration certificate issued by the Virginia Department of Agriculture and Consumer Services pursuant to §3.2-6542 of the Code of Virginia, as amended. No dangerous dog registration certificate required to be obtained under this section shall be issued to any person younger than 18 years of age; and**

**(5) Post the residence where the animal is housed with clearly visible signs warning both minors and adults of the presence of a dangerous dog on the property. Such signs shall remain posted at all points of entry to the home and yard as long as the animal remains on the property.**

**(C) Any dangerous dog not confined inside a locked enclosure constructed pursuant to subsection D shall be (i) confined inside the owner's residence or (ii) if outdoors, controlled by a physical leash employed by the responsible adult owner and securely muzzled in a manner that does not cause injury to the animal or interfere with the animal's vision or respiration but prevents it from biting a person or another animal.**

**(D) Any owner of a dangerous dog who keeps the dog outdoors and not within the immediate physical presence of its owner shall, within 30 days of the finding that an animal is a dangerous dog, cause to be constructed a secure, locked enclosure of sufficient height and design to prevent escape by the animal or entry by or direct physical contact with any person or other animal. While so confined within the structure, the animal shall be provided for according to § 3.2-6503 of the Code of Virginia, as amended.**

**(E) The owner of a dog found to be dangerous shall cause the animal control officer to be promptly notified of (i) any change in the manner of locating the owner or the dog at any time; (ii) any transfer of ownership of the dog to a new owner, including the name and address of the new owner; (iii) any instance in which the animal is loose or unconfined; (iv) any complaint or incident of attack or bite by the dog upon any person or cat or dog; (v) any claim made or lawsuit brought as a result of any attack; and (vi) the escape, loss, or death of the dog.**

**(F) Unless for good cause shown, the owner of a dangerous dog shall notify the animal control officer at least 10 days prior to moving or relocating the animal and the officer shall update the dangerous dog registry accordingly.**

**(G) Any dangerous dog not reclaimed by the owner from the animal control officer within 10 days of notice to do so by such animal control officer shall be considered abandoned and may be disposed of according to the provisions of § 3.2-6546 of the Code of Virginia, as amended.**

**(H) Any contract or agreement for the use of real property, including a recorded restrictive covenant, condominium instrument of a condominium created pursuant to the Virginia Condominium Act (§ 55.1-1900 et seq.), declaration of a common interest community as defined in § 54.1-2345, or cooperative instrument of a cooperative created pursuant to the Virginia Real Estate Cooperative Act (§ 55.1-2100 et seq.), all as amended, may prohibit the keeping of a dangerous dog or otherwise impose conditions that are more restrictive than those provided in subsection B.**

**(I) The owner of a dog found to be dangerous shall maintain the liability insurance coverage or bond in surety required by subdivision (B)3 as long as he owns the dangerous dog and shall submit a certificate of insurance or evidence of such bond to the animal control officer on an annual basis.**

**State Law reference - Code of Va., § 3.2-6540.01, as amended.**

**Sec. 4-2-3.3. - Notice of dangerous dog finding; penalty.**

**(A) Any releasing agency transferring or releasing for adoption within the County an animal found to be a dangerous dog pursuant to § 4-2-3.1 shall notify in writing the receiving party of the requirements of this section and §§ 4-2-3.1, 4-2-3.2, 4-2-3.4, and 4-2-3.5.**

**(B) Any releasing agency transferring or releasing for adoption outside the County an animal found to be a dangerous dog pursuant to § 4-3-2.1 shall notify the appropriate animal control officer in the receiving jurisdiction that the animal has been so adjudicated.**

**(C) Any owner of an animal found to be a dangerous dog in another state shall, upon bringing such animal to reside within the County, notify the animal control officer of the jurisdiction in which the owner resides that the animal has been so adjudicated.**

**(D) Any owner who disposes by surrender to a releasing agency, gift, sale, transfer, or trade of an animal found to be a dangerous dog pursuant to § 4-3-2.1 shall notify the receiver in writing that the animal has been so adjudicated. A violation of this subsection is a Class 3 misdemeanor.**

**State Law reference - Code of Va., § 3.2-6540.012, as amended.**

**Sec. 4-2-3.4. - Violation of law by owner of dangerous dog; penalty.**

**(A) If an owner of an animal previously found to be a dangerous dog pursuant to § 4-2-3.1 is charged with a violation of § 4-2-3.1, 4-2-3.2, 4-2-3.3, or 4-2-3.5, the animal control**

officer shall confine the dangerous dog until such time as evidence shall be heard and a verdict rendered pursuant to § 4-2-3.1 Unless good cause is determined by the court, such evidentiary hearing shall be held within 30 days or as soon as practicable of the issuance of the summons. The court, through its contempt powers, may compel the owner of the animal to produce the animal.

(B) Upon conviction, the court may (i) order the dangerous dog to be disposed of pursuant to § 3.2-6562 of the Code of Virginia, as amended or (ii) grant the owner up to 30 days to comply with the requirements of § 4-2-3.2, during which time the dangerous dog shall remain in the custody of the animal control officer until compliance has been verified. If the owner fails to achieve compliance within the time specified by the court, the court shall order the dangerous dog to be disposed of pursuant to § 3.2-6562 of the Code of Virginia, as amended. The court may order the owner to pay all reasonable expenses incurred in caring and providing for such dangerous dog from the time the animal is taken into custody until such time that the animal is disposed of or returned to the owner.

(C) Any owner of a dangerous dog who is charged with a violation pursuant to subsection (A) and is found to have willfully failed to comply with the requirements of § 4-2-3.1, 4-2-3.2, 4-2-3.3, or 4-2-3.5 is guilty of a Class 1 misdemeanor. The court may determine that a person convicted under this subsection shall be prohibited from owning, possessing, or residing on the same property with a dog.

State Law reference - Code of Va., § 3.2-6540.03, as amended.

Sec. 4-2-3.5. - Subsequent attack or bite by dangerous dog; penalty.

(A) Any owner of an animal found to be a dangerous dog pursuant to § 4-2-3.1, when such finding arose out of a separate and distinct incident, is guilty of a:

- (1) Class 2 misdemeanor if such dog attacks and injures or kills a cat or dog that is a companion animal belonging to another person; or
- (2) Class 1 misdemeanor if such dog bites a human being or attacks a human being causing bodily injury.

(B) The provisions of subsection A shall not apply to any animal that at the time of the act complained of was responding to pain or injury, was protecting itself, its kennel, its offspring, a person, or its owner's property, or was a police dog engaged in the performance of its duties at the time of the attack.

(C) The court may determine that a person convicted under this section shall be prohibited from owning, possessing, or residing on the same property with a dog.

State Law reference - Code of Va., § 3.2-6540.04, as amended.

Sec. 4-2-3.6. - Vicious dogs; penalties.

**(A) As used in this section:**

**"Serious injury" means an injury having a reasonable potential to cause death or any injury other than a sprain or strain, including serious disfigurement, serious impairment of health, or serious impairment of bodily function and requiring significant medical attention.**

**"Vicious dog" means a canine or canine crossbreed that has (i) killed a person, (ii) inflicted serious injury to a person, or (iii) continued to exhibit the behavior that resulted in a previous finding by a court or, on or before July 1, 2006, by an animal control officer as authorized by ordinance that it is a dangerous dog, provided that its owner has been given notice of that finding.**

**(B) If any Fluvanna County law enforcement officer or animal control officer has reason to believe that a canine or canine crossbreed is a vicious dog and (i) the dog resides in the County or (ii) has committed an act in the County set forth in the definition above, the officer shall apply to a magistrate serving Fluvanna County for the issuance of a summons requiring the owner or custodian, if known, to appear before a general district court at a specified time. The summons shall advise the owner of the nature of the proceeding and the matters at issue. If a law enforcement officer successfully makes an application for the issuance of a summons, he shall contact the animal control officer and inform him of the location of the dog and the relevant facts pertaining to his belief that the dog is vicious. The animal control officer shall confine the animal until such time as evidence shall be heard and a verdict rendered. Unless good cause is determined by the court, the evidentiary hearing shall be held not more than 30 days from the issuance of the summons. The court, through its contempt powers, may compel the owner, custodian, or harbinger of the animal to produce the animal. If, after hearing the evidence, the court finds that the animal is a vicious dog, the court shall order the animal euthanized in accordance with the provisions of § 3.2-6562 of the Code of Virginia, as amended. The court, upon finding the animal to be a vicious dog, may order the owner, custodian, or harbinger thereof to pay restitution for actual damages to any person injured by the animal or to the estate of any person killed by the animal. The court, in its discretion, may also order the owner to pay all reasonable expenses incurred in caring and providing for such vicious dog from the time the animal is taken into custody until such time as the animal is disposed of. The procedure for appeal and trial shall be the same as provided by law for misdemeanors, except that unless good cause is determined by the court, an appeal shall be heard within 30 days. Trial by jury shall be as provided in Article 4 (§ 19.2-260 et seq.) of Chapter 15 of Title 19.2 of the Code of Virginia, as amended. The Commonwealth shall be required to prove its case beyond a reasonable doubt.**

**(C) No canine or canine crossbreed shall be found to be a vicious dog solely because it is a particular breed, nor is the ownership of a particular breed of canine or canine crossbreed prohibited. No animal shall be found to be a vicious dog if the threat, injury, or damage was**

sustained by a person who was (i) committing, at the time, a crime upon the premises occupied by the animal's owner or custodian; (ii) committing, at the time, a willful trespass upon the premises occupied by the animal's owner or custodian; or (iii) provoking, tormenting, or physically abusing the animal, or can be shown to have repeatedly provoked, tormented, abused, or assaulted the animal at other times. No police dog that was engaged in the performance of its duties as such at the time of the acts complained of shall be found to be a vicious dog. No animal that, at the time of the acts complained of, was responding to pain or injury or was protecting itself, its kennel, its offspring, a person, or its owner's or custodian's property, shall be found to be a vicious dog.

(D) Any owner or custodian of a canine or canine crossbreed or other animal whose willful act or omission in the care, control, or containment of a canine, canine crossbreed, or other animal is so gross, wanton, and culpable as to show a reckless disregard for human life and is the proximate cause of such dog or other animal attacking and causing serious injury to any person is guilty of a Class 6 felony. The provisions of this subsection shall not apply to any animal that, at the time of the acts complained of, was responding to pain or injury or was protecting itself, its kennel, its offspring, a person, or its owner's or custodian's property, or when the animal is a police dog that is engaged in the performance of its duties at the time of the attack.

State Law reference - Code of Va., § 3.2-6540.1, as amended.

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

ORDINANCE TO AMEND “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA,” BY REPEALING § 4-2-3 OF THE CODE AND REPLACING IT WITH §§4-2-3.1 THROUGH 4-2-3.6, RELATING TO CONTROL OF DANGEROUS AND VICIOUS DOGS TO CRIMINALIZE CERTAIN VIOLATIONS AND MAKE OTHER CHANGES TO CONFIRM WITH VIRGINIA CODE UPDATES.

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

*(1) That the Code of the County of Fluvanna, Virginia is amended by repealing § 4-2-3 and replacing it with §§ 4-2-3.1 through 4-2-3.6 as follows:*

Sec. 4-2-3.1. - Control of dangerous dogs.

(A) As used in this section, "dog" includes a hybrid canine as defined in § 3.2-6581 of the Code of Virginia, as amended.

(B) Any law enforcement officer or animal control officer who (i) has reason to believe that an animal is a dangerous dog and (ii) is located in the jurisdiction where the animal resides or in the jurisdiction where the act was committed may apply to a magistrate for the issuance of a summons requiring the owner, if known, to appear before a general district court at a specified time. The summons shall advise the owner of the nature of the proceeding and the matters at issue.

(C) No law enforcement officer or animal control officer shall apply for a summons pursuant to subsection B if, upon investigation, the officer finds (i) in the case of an injury to a companion animal that is a dog or cat, that no serious injury has occurred as a result of the attack or bite, that both animals are owned by the same person, or that the incident originated on the property of the attacking or biting dog's owner or (ii) in the case of an injury to a person, that the injury caused by the dog upon the person consists solely of a single nip or bite resulting only in a scratch, abrasion, or other minor injury. In determining whether serious injury to a companion animal that is a dog or cat has occurred, the officer may consult with a licensed veterinarian.

(D) A law enforcement officer or animal control officer who applies for a summons pursuant to subsection B shall provide the owner with written notice of such application. For 30 days following such provision of written notice, the owner shall not dispose of the animal other than by surrender to the animal control officer or by euthanasia by a licensed veterinarian. Following such provision of written notice, an owner who elects to euthanize a dog that is the subject of a dangerous dog investigation shall provide documentation of such euthanasia to the animal control officer.

(E) If a law enforcement officer successfully makes an application for the issuance of a summons pursuant to subsection B, he shall contact the local animal control officer and inform him of the location of the dog and the relevant facts pertaining to his belief that the dog is dangerous.

(F) Following the issuance of a summons following an application pursuant to subsection B, an animal control officer may confine the animal until the evidence is heard and a verdict rendered.

If the animal control officer determines that the owner can confine the animal in a manner that protects the public safety, he may permit the owner to confine the animal until the evidence is heard and a verdict rendered. Upon being served with a summons for a dangerous dog, the owner shall not dispose of the animal, other than by euthanasia, until the case has been adjudicated. The court, through its contempt powers, may compel the owner of the animal to produce the animal and to provide documentation that it has been, or will be within three business days, implanted with electronic identification registered to the owner. The owner shall provide the registration information to the animal control officer.

(G) Nothing in this section shall prohibit an animal control officer or law enforcement officer from securing a summons for a hearing to determine whether a dog that is surrendered but not euthanized is a dangerous dog.

(H) Unless good cause is determined by the court, the evidentiary hearing pursuant to the dangerous dog summons shall be within 30 days or as soon as practicable from the issuance of the summons. The procedure for appeal and trial shall be the same as provided by law for misdemeanors. Trial by jury shall be as provided in Article 4 (§ 19.2-260 et seq.) of Chapter 15 of Title 19.2 of the Code of Virginia, as amended. The Commonwealth shall be required to prove its case beyond a reasonable doubt. The court shall determine that the animal is a dangerous dog if the evidence shows that it (i) killed a companion animal that is a dog or cat or inflicted serious injury on a companion animal that is a dog or cat, including a serious impairment of health or bodily function that requires significant medical attention, a serious disfigurement, any injury that has a reasonable potential to cause death, or any injury other than a sprain or strain or (ii) directly caused serious injury to a person, including laceration, broken bone, or substantial puncture of skin by teeth. Unless good cause is determined by the court, the appeal of a dangerous dog finding shall be heard within 30 days.

(I) If after hearing the evidence the court finds that the animal is a dangerous dog, the court:

(1) Shall order the animal's owner to comply with the provisions of this section and §§ 3.2-6540.01, 3.2-6542, and 3.2-6542.1 of the Code of Virginia, as amended;

(2) May order the owner of the animal to pay restitution for actual damages to any person injured by the animal or whose companion animal was injured or killed by the animal. Such order shall not preclude the injured person from pursuing civil remedies, including damages that accrue after the original finding that the animal is a dangerous dog; and

(3) May order the owner to pay all reasonable expenses incurred in caring and providing for such dangerous dog from the time the animal is taken into custody until such time as the animal is disposed of or returned to the owner.

(J) If after hearing the evidence the court decides to defer further proceedings without entering an adjudication that the animal is a dangerous dog, it may do so, notwithstanding any other provision of this section. A court that defers further proceedings shall place specific conditions upon the owner of the dog, including the requirement that the owner provide documentation that the dog has been, or will be within three business days, implanted with electronic identification

registered to the owner. The registration information shall be provided to the animal control officer. If the owner violates any of the conditions, the court may enter an adjudication that the animal is a dangerous dog and proceed as otherwise provided in this section. Upon fulfillment of the conditions, the court shall dismiss the proceedings against the animal and the owner without an adjudication that the animal is a dangerous dog.

(K) No animal shall be found by the court to be a dangerous dog:

- (1) Solely because it is a particular breed;
- (2) If the threat, injury, or damage was sustained by a person who was (i) committing at the time a crime upon the premises occupied by the animal's owner; (ii) committing at the time a willful trespass upon the premises occupied by the animal's owner; or (iii) provoking, tormenting, or physically abusing the animal or can be shown to have repeatedly provoked, tormented, abused, or assaulted the animal at other times;
- (3) If the animal is a police dog that was engaged in the performance of its duties as such at the time of the act complained of;
- (4) If at the time of the acts complained of the animal was responding to pain or injury or was protecting itself, its kennel, its offspring, a person, or its owner's property;
- (5) As a result of killing or inflicting serious injury on a dog or cat while engaged with its owner as part of lawful hunting or participating in an organized, lawful dog handling event; or
- (6) If the court determines based on the totality of the evidence before it, or for other good cause, that the dog is not dangerous or a threat to the community.

(L) If the owner of an animal found to be a dangerous dog is a minor, the custodial parent or legal guardian shall be responsible for complying with all requirements of this section and §§ 3.2-6540.01, 3.2-6540.02, 3.2-6540.03, 3.2-6540.04, 3.2-6542, and 3.2-6542.1 of the Code of Virginia, as amended.

State Law reference - Code of Va., § 3.2-6540, as amended.

Sec. 4-2-3.2. Obligations of officer and owner following dangerous dog finding.

(A) After an animal is found to be a dangerous dog pursuant to § 4-2-3.1, the local animal control officer or Treasurer shall provide the owner with a uniformly designed tag that identifies the animal as a dangerous dog. The owner shall affix the tag to the animal's collar and ensure that the animal wears the collar and tag at all times.

(B) Within 30 days of the finding that an animal is a dangerous dog pursuant to § 4-2-3.1 the owner shall:



- (1) Provide documentation that the animal has been neutered or spayed;
- (2) Provide documentation that the animal has been implanted with electronic identification registered to the owner. The registration information shall be provided to the animal control officer;
- (3) Present satisfactory evidence to the animal control officer of liability insurance coverage, to the value of at least \$100,000, that covers animal bites. The owner may obtain and maintain a bond in surety to the value of at least \$100,000 in lieu of liability insurance;
- (4) Pay to the Treasurer a fee of \$150 and under the direction of the animal control officer complete a dangerous dog registration certificate issued by the Virginia Department of Agriculture and Consumer Services pursuant to §3.2-6542 of the Code of Virginia, as amended. No dangerous dog registration certificate required to be obtained under this section shall be issued to any person younger than 18 years of age; and
- (5) Post the residence where the animal is housed with clearly visible signs warning both minors and adults of the presence of a dangerous dog on the property. Such signs shall remain posted at all points of entry to the home and yard as long as the animal remains on the property.

(C) Any dangerous dog not confined inside a locked enclosure constructed pursuant to subsection D shall be (i) confined inside the owner's residence or (ii) if outdoors, controlled by a physical leash employed by the responsible adult owner and securely muzzled in a manner that does not cause injury to the animal or interfere with the animal's vision or respiration but prevents it from biting a person or another animal.

(D) Any owner of a dangerous dog who keeps the dog outdoors and not within the immediate physical presence of its owner shall, within 30 days of the finding that an animal is a dangerous dog, cause to be constructed a secure, locked enclosure of sufficient height and design to prevent escape by the animal or entry by or direct physical contact with any person or other animal. While so confined within the structure, the animal shall be provided for according to § 3.2-6503 of the Code of Virginia, as amended.

(E) The owner of a dog found to be dangerous shall cause the animal control officer to be promptly notified of (i) any change in the manner of locating the owner or the dog at any time; (ii) any transfer of ownership of the dog to a new owner, including the name and address of the new owner; (iii) any instance in which the animal is loose or unconfined; (iv) any complaint or incident of attack or bite by the dog upon any person or cat or dog; (v) any claim made or lawsuit brought as a result of any attack; and (vi) the escape, loss, or death of the dog.

(F) Unless for good cause shown, the owner of a dangerous dog shall notify the animal control officer at least 10 days prior to moving or relocating the animal and the officer shall update the dangerous dog registry accordingly.

(G) Any dangerous dog not reclaimed by the owner from the animal control officer within 10 days of notice to do so by such animal control officer shall be considered abandoned and may be disposed of according to the provisions of § 3.2-6546 of the Code of Virginia, as amended.

(H) Any contract or agreement for the use of real property, including a recorded restrictive covenant, condominium instrument of a condominium created pursuant to the Virginia Condominium Act (§ 55.1-1900 et seq.), declaration of a common interest community as defined in § 54.1-2345, or cooperative instrument of a cooperative created pursuant to the Virginia Real Estate Cooperative Act (§ 55.1-2100 et seq.), all as amended, may prohibit the keeping of a dangerous dog or otherwise impose conditions that are more restrictive than those provided in subsection B.

(I) The owner of a dog found to be dangerous shall maintain the liability insurance coverage or bond in surety required by subdivision (B)3 as long as he owns the dangerous dog and shall submit a certificate of insurance or evidence of such bond to the animal control officer on an annual basis.

State Law reference - Code of Va., § 3.2-6540.01, as amended.

Sec. 4-2-3.3. - Notice of dangerous dog finding; penalty.

(A) Any releasing agency transferring or releasing for adoption within the County an animal found to be a dangerous dog pursuant to § 4-2-3.1 shall notify in writing the receiving party of the requirements of this section and §§ 4-2-3.1, 4-2-3.2, 4-2-3.4, and 4-2-3.5.

(B) Any releasing agency transferring or releasing for adoption outside the County an animal found to be a dangerous dog pursuant to § 4-3-2.1 shall notify the appropriate animal control officer in the receiving jurisdiction that the animal has been so adjudicated.

(C) Any owner of an animal found to be a dangerous dog in another state shall, upon bringing such animal to reside within the County, notify the animal control officer of the jurisdiction in which the owner resides that the animal has been so adjudicated.

(D) Any owner who disposes by surrender to a releasing agency, gift, sale, transfer, or trade of an animal found to be a dangerous dog pursuant to § 4-3-2.1 shall notify the receiver in writing that the animal has been so adjudicated. A violation of this subsection is a Class 3 misdemeanor.

State Law reference - Code of Va., § 3.2-6540.012, as amended.

Sec. 4-2-3.4. - Violation of law by owner of dangerous dog; penalty.

(A) If an owner of an animal previously found to be a dangerous dog pursuant to § 4-2-3.1 is charged with a violation of § 4-2-3.1, 4-2-3.2, 4-2-3.3, or 4-2-3.5, the animal control officer shall confine the dangerous dog until such time as evidence shall be heard and a verdict rendered

pursuant to § 4-2-3.1 Unless good cause is determined by the court, such evidentiary hearing shall be held within 30 days or as soon as practicable of the issuance of the summons. The court, through its contempt powers, may compel the owner of the animal to produce the animal.

(B) Upon conviction, the court may (i) order the dangerous dog to be disposed of pursuant to § 3.2-6562 of the Code of Virginia, as amended or (ii) grant the owner up to 30 days to comply with the requirements of § 4-2-3.2, during which time the dangerous dog shall remain in the custody of the animal control officer until compliance has been verified. If the owner fails to achieve compliance within the time specified by the court, the court shall order the dangerous dog to be disposed of pursuant to § 3.2-6562 of the Code of Virginia, as amended. The court may order the owner to pay all reasonable expenses incurred in caring and providing for such dangerous dog from the time the animal is taken into custody until such time that the animal is disposed of or returned to the owner.

(C) Any owner of a dangerous dog who is charged with a violation pursuant to subsection (A) and is found to have willfully failed to comply with the requirements of § 4-2-3.1, 4-2-3.2, 4-2-3.3, or 4-2-3.5 is guilty of a Class 1 misdemeanor. The court may determine that a person convicted under this subsection shall be prohibited from owning, possessing, or residing on the same property with a dog.

State Law reference - Code of Va., § 3.2-6540.03, as amended.

Sec. 4-2-3.5. - Subsequent attack or bite by dangerous dog; penalty.

(A) Any owner of an animal found to be a dangerous dog pursuant to § 4-2-3.1, when such finding arose out of a separate and distinct incident, is guilty of a:

- (1) Class 2 misdemeanor if such dog attacks and injures or kills a cat or dog that is a companion animal belonging to another person; or
- (2) Class 1 misdemeanor if such dog bites a human being or attacks a human being causing bodily injury.

(B) The provisions of subsection A shall not apply to any animal that at the time of the act complained of was responding to pain or injury, was protecting itself, its kennel, its offspring, a person, or its owner's property, or was a police dog engaged in the performance of its duties at the time of the attack.

(C) The court may determine that a person convicted under this section shall be prohibited from owning, possessing, or residing on the same property with a dog.

State Law reference - Code of Va., § 3.2-6540.04, as amended.

Sec. 4-2-3.6. - Vicious dogs; penalties.

(A) As used in this section:

"Serious injury" means an injury having a reasonable potential to cause death or any injury other than a sprain or strain, including serious disfigurement, serious impairment of health, or serious impairment of bodily function and requiring significant medical attention.

"Vicious dog" means a canine or canine crossbreed that has (i) killed a person, (ii) inflicted serious injury to a person, or (iii) continued to exhibit the behavior that resulted in a previous finding by a court or, on or before July 1, 2006, by an animal control officer as authorized by ordinance that it is a dangerous dog, provided that its owner has been given notice of that finding.

(B) If any Fluvanna County law enforcement officer or animal control officer has reason to believe that a canine or canine crossbreed is a vicious dog and (i) the dog resides in the County or (ii) has committed an act in the County set forth in the definition above, the officer shall apply to a magistrate serving Fluvanna County for the issuance of a summons requiring the owner or custodian, if known, to appear before a general district court at a specified time. The summons shall advise the owner of the nature of the proceeding and the matters at issue. If a law enforcement officer successfully makes an application for the issuance of a summons, he shall contact the animal control officer and inform him of the location of the dog and the relevant facts pertaining to his belief that the dog is vicious. The animal control officer shall confine the animal until such time as evidence shall be heard and a verdict rendered. Unless good cause is determined by the court, the evidentiary hearing shall be held not more than 30 days from the issuance of the summons. The court, through its contempt powers, may compel the owner, custodian, or harbinger of the animal to produce the animal. If, after hearing the evidence, the court finds that the animal is a vicious dog, the court shall order the animal euthanized in accordance with the provisions of § 3.2-6562 of the Code of Virginia, as amended. The court, upon finding the animal to be a vicious dog, may order the owner, custodian, or harbinger thereof to pay restitution for actual damages to any person injured by the animal or to the estate of any person killed by the animal. The court, in its discretion, may also order the owner to pay all reasonable expenses incurred in caring and providing for such vicious dog from the time the animal is taken into custody until such time as the animal is disposed of. The procedure for appeal and trial shall be the same as provided by law for misdemeanors, except that unless good cause is determined by the court, an appeal shall be heard within 30 days. Trial by jury shall be as provided in Article 4 (§ 19.2-260 et seq.) of Chapter 15 of Title 19.2 of the Code of Virginia, as amended. The Commonwealth shall be required to prove its case beyond a reasonable doubt.

(C) No canine or canine crossbreed shall be found to be a vicious dog solely because it is a particular breed, nor is the ownership of a particular breed of canine or canine crossbreed prohibited. No animal shall be found to be a vicious dog if the threat, injury, or damage was sustained by a person who was (i) committing, at the time, a crime upon the premises occupied by the animal's owner or custodian; (ii) committing, at the time, a willful trespass upon the premises occupied by the animal's owner or custodian; or (iii) provoking, tormenting, or physically abusing the animal, or can be shown to have repeatedly provoked, tormented, abused, or assaulted the animal at other times. No police dog that was engaged in the performance of its duties as such at the time of the acts complained of shall be found to be a vicious dog. No animal that, at the time of the acts complained of, was responding to pain or injury or was protecting

itself, its kennel, its offspring, a person, or its owner's or custodian's property, shall be found to be a vicious dog.

(D) Any owner or custodian of a canine or canine crossbreed or other animal whose willful act or omission in the care, control, or containment of a canine, canine crossbreed, or other animal is so gross, wanton, and culpable as to show a reckless disregard for human life and is the proximate cause of such dog or other animal attacking and causing serious injury to any person is guilty of a Class 6 felony. The provisions of this subsection shall not apply to any animal that, at the time of the acts complained of, was responding to pain or injury or was protecting itself, its kennel, its offspring, a person, or its owner's or custodian's property, or when the animal is a police dog that is engaged in the performance of its duties at the time of the attack.

State Law reference - Code of Va., § 3.2-6540.1, as amended.

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

(Seal)

**PUBLIC HEARING**  
**Fluvanna County Board of Supervisors**  
Wednesday, October 16, 2024, at 7:00 p.m.

Pursuant to Virginia Code Section 15.2-1427, a Public Hearing will be held in the Fluvanna County Circuit Court, at 72 Main Street, Palmyra, VA 22963 Virginia for citizens of the County to have the opportunity to appear before and be heard by the Board of Supervisors for the following item:

**Ordinance to amend and reordain “Code of the County of Fluvanna, Virginia,” by repealing § 4-2-3 and enacting §§ 4-2-3.1 through 4-2-3.6 relating to the control of dangerous dogs, obligations following a dangerous dog finding, violation of law by the owner of a dangerous dog, and penalties for a vicious dog.**

**A copy of the full text of the ordinance is available for review by the public on the County’s website and in the office of the County Administrator during regular office hours.**

All interested persons wishing to be heard are invited to attend the public hearing.

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TO: Fluvanna Review

Advertise on the following dates: September 26 & October 3, 2024

Authorized by: Fluvanna County Board of Supervisors

Bill to: Board of Supervisors

\*\*\*\*\*

CONTACT INFORMATION:

Caitlin Solis  
Clerk, Board of Supervisors  
Fluvanna County  
P. O. Box 540  
Palmyra, VA 22963  
[csolis@fluvannacounty.org](mailto:csolis@fluvannacounty.org)  
434-591-1910  
434-591-1913

**FLUVANNA COUNTY BOARD OF SUPERVISORS  
AGENDA ITEM STAFF REPORT**

**TAB I**

<b>MEETING DATE:</b>	October 2, 2024				
<b>AGENDA TITLE:</b>	Adoption of the Fluvanna County Board of Supervisors September 18, 2024 Meeting Minutes.				
<b>MOTION(s):</b>	<b>I move the meeting minutes of the Fluvanna County Board of Supervisors Regular Meeting on Wednesday September 18, 2024, be adopted.</b>				
<b>BOS WORKPLAN?</b>	Yes	No	<b>If yes, list item(s):</b>		
		X			
<b>AGENDA CATEGORY:</b>	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				<b>XX</b>	
<b>STAFF CONTACT(S):</b>	Caitlin Solis, Clerk to the Board				
<b>PRESENTER(S):</b>	Eric Dahl, County Administrator				
<b>RECOMMENDATION:</b>	Approve				
<b>TIMING:</b>	Routine				
<b>DISCUSSION:</b>	None.				
<b>FISCAL IMPACT:</b>	N/A				
<b>POLICY IMPACT:</b>	N/A				
<b>LEGISLATIVE HISTORY:</b>	N/A				
<b>ENCLOSURES:</b>	Draft Minutes September 18, 2024.				
<b>REVIEWS COMPLETED:</b>	Legal	Finance	Purchasing	HR	Other
					<b>X</b>





**FLUVANNA COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
Circuit Courtroom, Fluvanna Courts Building  
72 Main Street, Palmyra, VA 22063  
October 2, 2024  
Regular Meeting 5:00pm**

**MEMBERS PRESENT:**

Chris Fairchild, Cunningham District, Chair  
John M. (Mike) Sheridan, Columbia District, Vice Chair  
*(entered meeting at 5:59pm)*  
Mike Goad, Fork Union District  
Timothy M. Hodge, Palmyra District  
Tony O'Brien, Rivanna District *(entered meeting at 5:06pm)*

**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 October 2, 2024. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

**3 - ADOPTION OF AGENDA**

- Mr. Dahl asked to move FY25 FCPS Grants Supplemental Appropriation from the Consent Agenda to Action Matters.

<b>MOTION:</b>	Accept the Agenda, for the October 2, 2024 Regular Meeting of the Board of Supervisors, as amended.				
<b>MEMBER:</b>	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
<b>ACTION:</b>		Second	Motion		
<b>VOTE:</b>	Yes	Yes	Yes	Absent	Absent
<b>RESULT:</b>	<b>3-0</b>				

**4 - COUNTY ADMINISTRATOR'S REPORT**

Mr. Dahl reported on the following topics:

Announcements and Updates - New Employees

- William York, Economic Development, Small Business Development and Tourism Specialist., Started September 24th

24' Bridge Behind Library Reopening/Reclosing

- In January 2024, the bridge behind the library was deemed unsafe by Parks and Recreation staff followed by agreement from the County Administrator and County Attorney then closed.
- The county had RK&K come check out the bridge in June 2024 to see what they estimated the cost to be (\$150,000.00) to fix the current bridge or replace it.
- My trail staff member (Matt Stancil) and myself had the idea to use an excavator to lift the bridge to move it back about three feet to be able secure it on level ground while winching the other side to slide it about a foot to line it up with the trail hoping to make it useable again.
- With the assistance of Greg Sawyer from FUSD operating the mini-excavator, Matt Stancil was able to work with him to reposition the bridge in late August 2024.
- Matt then rebuilt the bridge how it previously was using new materials. We were able to reopen the bridge to hikers and bikers on September 20, 2024 feeling they will be safe using the bridge. Horses are prohibited from crossing over the bridge, signage is visible. Total cost \$1,031.82. Bridge wood materials \$925.92 and signage \$105.90.

**Next BOS Meetings**

Day	Date	Time	Purpose	Location
Wed	Oct 16	6:00 PM	Regular Meeting	Circuit Court
Wed	Nov 6	5:00 PM	Regular Meeting	Circuit Court
Wed	Nov 20	6:00 PM	Regular Meeting	Circuit Court

**5 - PUBLIC COMMENTS #1**

Board of Supervisors Minutes

At 5:09pm, Chair Fairchild opened the first round of Public Comments.

- James Kelley, 363 Manor Blvd, commented on Fluvanna County Public Schools Funding Appropriation Method discussion at the last meeting.

With no one else wishing to speak, Chair Fairchild closed the first round of Public Comments at 5:12pm.

**6 – BOARDS AND COMMISSIONS**

<b>MOTION:</b>	Move the Board of Supervisors approve the following Board, Commission, or Committee appointment(s)/reappointments(s):				
<b>BOARD/COMMISSION/COMMITTEE</b>	<b>APPOINTEES</b>		<b>APPT/REAPPT</b>	<b>BEGINS TERM</b>	<b>ENDS TERM</b>
Community Planning and Management Team (CPMT) – Parent Representative	Kristen Hoberg		Appt	10/2/2024	6/30/2026
<b>MEMBER:</b>	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
<b>ACTION:</b>			Motion	Second	
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Absent
<b>RESULT:</b>	<b>4-0</b>				

**7 – PRESENTATIONS**

*2024 Fluvanna County Fair Review* – Aaron Spitzer, Director of Parks and Recreation

Attendance

- This year’s County Fair was a success with 7,887 paying visitors and an estimated 9,500+ visitors over the four days with Wednesday free admission and Thursday 17 and under free.

Parks and Recreation Expenses

- Advertising - \$748.35, Fair Tri-Folds and Fluvanna Review ads (2). Budget - \$2,200.00
- General Supplies - \$5,188.03, Fun Zone, Banners, Staff T-Shirts, and various stores. Budget - \$7,300.00
- Contract Services - \$21,314.70, Gibson Tent Rental, Sunbelt (lights), Porta Johns, Dumpster, and Security from Sheriff’s Office. Budget - \$22,200.00
- Total Expenses = \$27,251.08

Parks and Recreation Revenues

- Gate Sales - \$23,505.00 (\$3 of the \$5 gate fee). 7,887 paying visitors; we did not take gate sales on Wednesday or for anyone under 18 years old on Thursday and everyday children under the age of 2 years old got in free.
- Carnival Ride Sales - \$17,940.00. \$100 for each food/concession (11) as well as 25% of all ticket sales.
- Fair Vendors - \$6,420.00. 4 Sponsors, 18 food, and 69 non-food.
- Total Revenue = \$47,865.00

Fair Board’s Expenses

- Stage Entertainment - \$1,860.00. DJ Crazy Craig, South Canal Street, Wes Iseli, and Cheap Whiskey.
- Fair Grounds Entertainment - \$33,509.00. Virginia Giant, Axe Women of Maine, Beer Garden, Rodeo, Barrel Train, Mechanical Bull and Petting Zoo.
- Parking - \$6,190.00. HS Cross Country (Thursday) and Virginia Veterans Security LLC (Friday and Saturday).
- General Supplies - \$26,789.51. Fair Books, Wristbands/bags, Card Reader, Golf Carts, Banners, Tent Rental, Bleachers, Advertising, Signs, Volunteers, Axe Throwing, Welcome Tent, Grant Payments and miscellaneous items.
- Total Expenses = \$68,348.51

Fair Board’s Revenues

- Sponsors - \$42,600.00
- Gate Sales - \$11,752.00. Fair Board received \$2 per gate sale transaction over 3 days.
- Fair Ground Activities - \$31,412.00. Corn Hole tournament, Excavator challenge, Virginia Giant, Beer Garden, and Rodeo. Virginia Giant had 558 sales (\$10 per ride). Beer Garden had 770 sales (\$8 per drink). Rodeo had 964 sales (\$20 per ticket).
- Total Revenue = \$85,764.00

Special Needs Event

- Valley Amusements opened up rides and a few games for area youth and adults with special needs on Friday from 10am – 12:30pm. The Axe Women of Maine put on a show, plus the 4-H Tent and Bar “C” Ranch Petting Zoo also opened for viewing of the animals.
  - Approx. 60 participants that came to this event.
  - EW Thomas and Pyramid Excavating and Paving whom provided meals for the participants and staff.

Board of Supervisors Minutes

October 2, 2024

- SPECIAL THANKS to Valley Amusements, Pyramid Excavating and Paving, the Fluvanna County Public Schools, Fluvanna County Fair Board, and Parks and Recreation whom partnered together to provide this unique experience.

Home Arts Competition

- Melinda Braid and Susan Edginton organized and ran the competition this year – very difficult to secure volunteers & judges.
  - We had over 115 entries, which was down from last year.
  - A new category was introduced this year - Lego sculptures!
  - We will be expanding several categories for next year based on feedback that we received this year.
  - We only had 21 volunteers to cover over 90 hours of work (registration, setting up the displays and manning the 3 sheds).
  - For next year, we will be focusing efforts on looking for volunteers, increasing our entries, and getting more judges by reaching out to groups in the community and the schools.

Recognitions

- 2024 Fair Board
  - President - Wade Parrish
  - Vice President - Kirsten Cropp
  - Secretary - Rachel Crenshaw
  - Treasurer - Channing Snoodly
  - Home Arts Directors - Melinda Braid and Susan Edginton
  - 4-H Director - Kim Mayo
  - Equipment & Flowers - George and Gene Goin
  - County Representatives - Brendan Krett and Aaron Spitzer
- Thanks to Fluvanna Fire and Rescue and the Fluvanna Sheriff’s Department for being at the Fair to help out with any emergencies that arose!
- Special THANK YOU to all the volunteers that helped at various events throughout the Fair!

**8 - ACTION MATTERS**

*Handicap Hunt – Aaron Spitzer, Director of Parks and Recreation*

- The Sheriff’s office continues to believe that it is necessary to reduce the numbers of deer on Pleasant Grove Park and that the best means of such control is through a managed hunt under the auspices of Wheelin’ Sportsmen, a group affiliated with the National Wild Turkey Federation.
- The proposal is to permit a small (7-10) group of hunters to take deer during the current hunting season on December 27, 2024.
- All hunters will be wheel-chair bound or otherwise handicapped, will be duly licensed and will be escorted by qualified volunteers from the community.
- Similar hunts were held in December/January of 2013-2023 with safety and success. It is expected that, if approved, this hunt will be similar, with minor changes based on previous years’ experience.

<b>MOTION:</b>	Authorize the Sheriff to conduct a deer hunt at Pleasant Grove Park on December 27, 2024 for the purpose of controlling deer numbers, such hunt to be managed by Wheelin’ Sportsmen, a non-profit organization providing outdoor recreation opportunities for handicapped hunters.				
<b>MEMBER:</b>	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
<b>ACTION:</b>		Motion	Second		
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Absent
<b>RESULT:</b>	<b>4-0</b>				

*Authorization to Advertise E&S Ordinance – Dan Whitten, County Attorney*

- Except for the fee update, Chapter 6 has not been updated since 2015.
- In June of 2023 the State Water Control Board approved and adopted the Virginia Erosion and Stormwater Management (VESM) Regulation (9VAC25-875) and approved the repeal of the Erosion and Sediment Control Regulations (9VAC25-840), Erosion and Sediment Control and Stormwater Management Certification Regulations (9VAC25-850), and Virginia Stormwater Management Program Regulation (9VAC25-870).
- The VESM Regulation and repeal of the other regulations became effective July 1, 2024.
- Also, on July 1, 2024, Chapters 68 and 758 of the 2016 Acts of Assembly become effective. Those Acts, referred to as the “Consolidation Bill,” combine stormwater management and erosion and sediment control requirements under the Virginia Erosion and Stormwater Management Act (VESMA), §§ 62.1-44.15:24 through 62.1-44.15:50 of the Code of Virginia.
- DEQ developed a VESCP model ordinance to incorporate requirements in the VESMA and VESM Regulation; that model ordinance is the basis for this revised Chapter 6.
- If a VESCP authority elects to adopt more stringent ordinances, the authority must report to the DEQ when more stringent erosion and sediment control ordinances are determined to be necessary.

Board of Supervisors Minutes

<b>MOTION:</b>	Advertise a public hearing to be held November 20, 2024 to repeal and reenact County Code Chapter 6 - Erosion and Sedimentation Control.				
<b>MEMBER:</b>	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
<b>ACTION:</b>		Second		Motion	
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Absent
<b>RESULT:</b>	<b>4-0</b>				

*Authorization to Advertise a Public Hearing for a Lease Agreement with Fluvanna Christian Service Society, Inc. to Lease Property at Carysbrook Complex – Dan Whitten, County Attorney*

- Since 2018, FCCS has leased property at Carysbrook Complex from the County for three storage buildings owned by FCCS.
- The buildings have been the primary location of the food pantry.
- The food pantry has moved to the MACAA space, but FCSS wants to use one building for a freezer to be used by MACAA for overflow freezer items.
- FCSS would like to use the buildings to store donations for the Happy Face Christmas toy and clothes distribution program.
- Lease term will be 5 years with automatic with an automatic 5-year renewal term.

<b>MOTION:</b>	Advertise a public hearing to be held November 20, 2024 for the lease of property to the Fluvanna Christian Service Society, Inc.				
<b>MEMBER:</b>	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
<b>ACTION:</b>		Motion	Second		
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Absent
<b>RESULT:</b>	<b>4-0</b>				

*BOS Retreat and Workplan – Eric Dahl, County Administrator*

Following the 2024 Board of Supervisors Planning Retreat, retreat facilitator, Kimball Payne of the Berkley Group, and County Staff, refined the goals established at the retreat into a work plan with due dates. It is anticipated this work plan will be updated as projects progress and that staff will present updates to the Board on a regular schedule.

- Mr. Dahl gave a brief run-through of the 2024 Board of Supervisors Workplan.

<b>MOTION:</b>	Approve the 2024 Board of Supervisors Work Plan as presented.				
<b>MEMBER:</b>	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
<b>ACTION:</b>		Second	Motion		
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Absent
<b>RESULT:</b>	<b>4-0</b>				

*FY25 FCPS Grants Supplemental Appropriation – Tori Melton, Director of Finance and Brenda Gilliam, Executive Director for Instruction and Finance*

- The Adopted FY2025 budget totals \$107,505,194 in revenues and expenditures. The proposed amendment for the FCPS Budget calls for an increase of \$3,211,343.17 in revenues and expenditures.
- Per Code of Virginia 15.2-2507, any additional appropriation which increases the total budget by more than 1% of the total expenditure budget for that fiscal year requires a public hearing.
- Notice of the public hearing must be advertised at least once in a newspaper of general circulation in the locality at least 7 days prior to the hearing.

<b>MOTION:</b>	Authorize staff to advertise for a Public Hearing on an FY25 budget amendment of \$3,211,343.17 from the FCPS carryover of state and federal funds, with a public hearing to be held on November 20, 2024.				
<b>MEMBER:</b>	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
<b>ACTION:</b>		Second		Motion	
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

**9 - PUBLIC HEARING**

None.

**10 - CONSENT AGENDA**

The following items were discussed before approval:

*K - Four-for-Life Supplemental Appropriation*

The following items were approved under the Consent Agenda for October 2, 2024:

- *Minutes of September 18, 2024* – Caitlin Solis, Clerk to the Board
- *Registrar's Office Location Lease Renewal* – Tori Melton, Director of Finance
- *Accounts Payable Report for August 2024* – Theresa McAllister, Management Analyst

Board of Supervisors Minutes

- *Four-for-Life Supplemental Appropriation* – Theresa McAllister, Management Analyst
- *Services Agreement for Legal Services* – Dan Whitten, County Attorney
- *Environmental Monitoring and Reporting Services for County Landfill* – Dan Whitten, County Attorney
- *Temporary Staff Stipend for Additional Duties - White* – Dan Whitten, County Attorney
- *Approval of Open Space Agreement for April M. Baber* – Andrew M. Sheridan, Jr., Commissioner of the Revenue
- *Approval of Open Space Agreement for Colin B. Gates and Jenna P. Gates* – Andrew M. Sheridan, Jr., Commissioner of the Revenue
- *Approval of Open Space Agreement for Ronald P. Lauziere and Wanda A. Lauziere* – Andrew M. Sheridan, Jr., Commissioner of the Revenue
- *CRMF - CEN Fan Modules for Chillers* – Don Stribling, FCPS Executive Director
- *CRMF - FMS Bat Exclusion* – Don Stribling, FCPS Executive Director
- *CRMF - Fork Union Fire Company Bay 5 Roll Up Door Repair* – Dale Critzer, Assistant Director of Public Works
- *CRMF - Library Unit 4 Replacement* – Dale Critzer, Assistant Director of Public Works
- *CRMF - Public Safety Building Sewer System* – Dale Critzer, Assistant Director of Public Works

<b>MOTION:</b>	Approve the consent agenda, for the October 2, 2024 Board of Supervisors meeting, and to ratify Accounts Payable and Payroll for August 2024, in the amount of \$ 5,348,912.58.				
<b>MEMBER:</b>	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
<b>ACTION:</b>			Motion	Second	
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

**11 - UNFINISHED BUSINESS**

*Fluvanna County Public Schools Funding Appropriation Method*

- Mr. Goad asked Dr. Kelley for clarification on a few items in the *Categorical Transfers within the School Board Budget* document provided to the Board of Supervisors by Dr. Gretz.

**12 - NEW BUSINESS**

*Staff Survey*

- Mr. Goad asked about the staff survey completed in 2023. The Board commented on the methodology and timing of the next survey. The Board asked staff to bring back information in companies that offer survey consulting at the first meeting in November.

**13 - PUBLIC COMMENTS #2**

At 6:26pm, Chair Fairchild opened the second round of Public Comments.

- Mr. Kelley, 363 Manor Blvd, gave some recommendations on survey best practices to use in the future. With no one else wishing to speak, Chair Fairchild closed the second round of Public Comments at 6:31pm.

**14 - CLOSED MEETING**

<b>MOTION:</b>	At 6:31pm, 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; Legal Matters – Contract user grants under the water and sewer ordinance in Zion Crossroads.				
<b>MEMBER:</b>	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
<b>ACTION:</b>				Motion	Second
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

<b>MOTION:</b>	At 8:09 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.”				
<b>MEMBER:</b>	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
<b>ACTION:</b>				Motion	Second
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

**15 - ADJOURN**

<b>MOTION:</b>	Adjourn the regular meeting of Wednesday, October 2, 2024 at 8:11pm.				
<b>MEMBER:</b>	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
<b>ACTION:</b>			Second		Motion
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_

Caitlin Solis  
Clerk to the Board

\_\_\_\_\_

Christopher S. Fairchild  
Chair

DRAFT


**FLUVANNA COUNTY BOARD OF SUPERVISORS  
AGENDA ITEM STAFF REPORT**


**TAB J**


<b>MEETING DATE:</b>	October 16, 2024				
<b>AGENDA TITLE:</b>	FY25 General Government Pay Rates and Classifications				
<b>MOTION(s):</b>	<b>I move the Board of Supervisors to approve the FY25 General Government Pay Rates and Classifications.</b>				
<b>BOS WORKPLAN?</b>	Yes	No	<b>If yes, list item(s):</b>		
		X			
<b>AGENDA CATEGORY:</b>	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				X	
<b>STAFF CONTACT(S):</b>	Donna Snow, Director of Human Resources				
<b>PRESENTER(S):</b>	Donna Snow, Director of Human Resources				
<b>RECOMMENDATION:</b>	Approve				
<b>TIMING:</b>	Normal				
<b>DISCUSSION:</b>	The FY25 pay rates and classifications are attached. This reflects the new positions approved for FY25, that were included in the budget. There are no additional salary changes noted for the new fiscal year.				
<b>FISCAL IMPACT:</b>	None				
<b>POLICY IMPACT:</b>	None				
<b>LEGISLATIVE HISTORY:</b>	None				
<b>ENCLOSURES:</b>	FY25 General Government Pay Rates and Classifications				
<b>REVIEWS COMPLETED:</b>	Legal	Finance	Purchasing	HR	Other
				X	COAD







 <b>FY25 General Government Pay Rates and Classifications Fluvanna County</b>			<b>Mid-Range 25% above Min; Max 50% above Min</b>			<b>* 2,184 hrs annually included 208 hrs scheduled OT</b>		
			<b>Full-Time Hourly Rates</b>			<b>Full-Time Annual Pay (Expected)</b>		
<b>Pay Band</b>	<b>Class</b>	<b>Position Title</b>	<b>Minimum</b>	<b>Mid-Range</b>	<b>Maximum</b>	<b>Minimum</b>	<b>Mid-Range</b>	<b>Maximum</b>
5	4090	P&R Camp Counselor Seasonal	\$12.52	\$15.65	\$18.78	NA	NA	NA
	8851	Library Clerk						
6	1612	Registrar Clerk	\$13.15	\$16.43	\$19.72	NA	NA	NA
	4131	Facilities Assistant						
	4132	Museum Attendant						
7	3150	Building Services Worker I	\$13.80	\$17.25	\$20.70	\$28,710	\$35,887	\$43,065
	3461	Convenience Ctr Attendant						
	4065	Park Maintenance Worker						
8	3151	Building Services Worker II	\$14.49	\$18.12	\$21.74	\$30,145	\$37,681	\$45,218
	3171	Grounds Maintenance Worker I						
	8831	Library Assistant I						
9	3172	Grounds Maintenance Worker II	\$15.22	\$19.02	\$22.83	\$31,652	\$39,565	\$47,478
	8832	Library Assistant II						
	1020	Commercial Kitchen Coordinator(PT/No Benefits)						
10	1511	Deputy Commissioner I	\$15.98	\$19.97	\$23.97	\$33,234	\$41,543	\$49,851
	1811	Deputy Clerk I						
	2540	Deputy Treasurer I						
	3180	Facility Maintenance Technician						
	3611	Utilities System Operator I (Trainee)						
	7401	Assistant Equipment & Fleet Maintenance Technician						

 <b>FY25 General Government Pay Rates and Classifications Fluvanna County</b>			<b>Mid-Range 25% above Min; Max 50% above Min</b>			<b>* 2,184 hrs annually included 208 hrs scheduled OT</b>								
			<b>Full-Time Hourly Rates</b>			<b>Full-Time Annual Pay (Expected)</b>								
<b>Pay Band</b>	<b>Class</b>	<b>Position Title</b>	<b>Minimum</b>	<b>Mid-Range</b>	<b>Maximum</b>	<b>Minimum</b>	<b>Mid-Range</b>	<b>Maximum</b>						
11	1052	Administrative Assistant- Admin Asst.	\$16.78	\$20.97	\$25.17	\$34,896	\$43,620	\$52,344						
	1092	Admin Program Assistant- PT												
	1093	Children's Services Act(CSA) Programs Assistant												
	1094	Law Enforcement Support Technician												
	1250	Human Resources Assistant												
	1321	Financial Services Technician												
	7400	Equipment & Fleet Maintenance Technician												
	8833	Children's Prgram Specialist-Library												
12	1521	Deputy Commissioner II	\$17.62	\$22.02	\$26.42	\$36,641	\$45,801	\$54,962						
	1611	Deputy Registrar-Assistant Registrar												
	1821	Deputy Clerk II												
	2530	Deputy Treasurer II												
	3181	Facilities Maintenance Specialist												
	3531	Utilities System Operator II												
	4112	Active Seniors &Therapeutic Recreation Coordinator												
	4113	Recreational Programs and Special Events Coordinator												
	4114	Athletics and Special Events Coordinator												
	9102	EMT Basic Life Support (BLS)												
13	3431	Convenience Center Manager - Recycle Coordinator	\$18.50	\$23.12	\$27.75	\$38,473	\$48,091	\$57,710						
	6211	Communications Officer I (No EMD Certification)*(E911)	\$18.50	\$23.12	\$27.75	\$38,473	\$48,091	\$57,710						
14	1051	Administrative Program Specialist	\$19.42	\$24.28	\$29.13	\$40,397	\$50,496	\$60,596						
	1081	Paralegal/Legal Assistant												
	1430	Deputy Treasurer III												
	1831	Deputy Clerk III-Criminal Division Clerk & Executive Assistant												
	1832	Deputy Clerk III-Jury Management Coordinator												
	2030	Deputy Commissioner of the Revenue III												
	3371	Grounds Services Supervisor												
	3391	Buildings Supervisor												
	3632	Utilities System Operator III												
	4115	Parks and Recreation Services Specialist												
	6213	Communications Officer II (With EMD Certification)*(E911)							\$19.42	\$24.28	\$29.13	\$40,397	\$50,496	\$60,596
	6214	Communications Services Technician *(E911)							\$19.42	\$24.28	\$29.13	\$40,397	\$50,496	\$60,596
9102	EMT Basic Life Support (BLS)													

 <b>FY25 General Government Pay Rates and Classifications Fluvanna County</b>			<b>Mid-Range 25% above Min; Max 50% above Min</b>			<b>* 2,184 hrs annually included 208 hrs scheduled OT</b>		
Pay Band	Class	Position Title	Full-Time Hourly Rates			Full-Time Annual Pay (Expected)		
			Minimum	Mid-Range	Maximum	Minimum	Mid-Range	Maximum
15	1122	IT Systems Specialist	\$20.39	\$25.49	\$30.59	\$42,417	\$53,021	\$63,626
	1251	Human Resources Generalist						
	1330	Financial Services Specialist						
	2211	Code Inspector - Building & Site Inspector						
	6212	Communications Team Lead*(E911)						
16	1541	Deputy Commissioner of the Revenue IV	\$21.41	\$26.77	\$32.12	\$44,538	\$55,672	\$66,807
	1542	Deputy Commissioner of the Revenue IV-II						
	1841	Deputy Clerk IV- Probate Clerk						
	1842	Deputy Clerk IV- Court Financial Management Analyst I/II						
	1843	Deputy Clerk IV- Criminal Court Division Lead						
	2111	Code Inspector - Code Enforcement Officer						
	2112	Code Inspector - E&SC Plans Reviewer						
	3631	Utilities Specialist						
	3633	Utilities System Operator IV						
17	3670	Project Manager, PT/Temp	\$22.48	\$28.10	\$33.73	\$46,765	\$58,456	\$70,148
	5130	Planner/GIS Technician						
	1332	Judicial Assistant						
	2451	Small Business Development & Tourism Specialist						
	3634	Utilites System Operator V						
	6251	Communications Supervisor*(E911)						
18	1381	Purchasing Officer	\$23.61	\$29.51	\$35.41	\$49,103	\$61,379	\$73,655
	2351	Senior Planner						
	3635	Chief Utilities Operator						
	7300	HVAC Specialist						
	6281	Communications Operations Coordinator *(E911)						
19 Exempt	1091	Executive Assistant / Clerk to the Board	\$24.79	\$30.98	\$37.18	\$51,558	\$64,448	\$77,337
	1384	Management Analyst I						
	1551	Chief Deputy Commissioner of the Revenue						
	1711	Victim/Witness Manager						
	1851	Chief Deputy Clerk I						
	2510	Chief Deputy Treasurer						
	9101	EMT Advanced Life Support (ALS)						

 <b>FY25 General Government Pay Rates and Classifications Fluvanna County</b>			Mid-Range 25% above Min; Max 50% above Min			* 2,184 hrs annually included 208 hrs scheduled OT		
			Full-Time Hourly Rates			Full-Time Annual Pay (Expected)		
Pay Band	Class	Position Title	Minimum	Mid-Range	Maximum	Minimum	Mid-Range	Maximum
20 Exempt	1385	Management Analyst II	\$26.03	\$32.53	\$39.04	\$54,136	\$67,670	\$81,204
	1852	Chief Deputy Clerk II						
21 Exempt	1351	CSA Manager	\$27.33	\$34.16	\$40.99	\$56,843	\$71,054	\$85,265
	9410	Emergency Management Coordinator						
22 Exempt	1121	Information Technology Systems Engineer	\$28.70	\$35.87	\$43.04	\$59,686	\$74,607	\$89,529
	3550	Utilities System Supervisor						
23 Exempt	3680	Assistant Public Works Director	\$30.13	\$37.66	\$45.19	\$62,670	\$78,337	\$94,005
	7510	Assistant Public Works Director- Utilities						
24 Exempt			\$31.64	\$39.55	\$47.45	\$65,803	\$82,254	\$98,705
25 Exempt	2250	Building Official	\$33.22	\$41.52	\$49.83	\$69,094	\$86,367	\$103,641
26 Exempt	6291	Director of Communications*(E911 )	\$34.88	\$43.60	\$52.32	\$72,548	\$90,685	\$108,822
	8800	Library Director						
27 Exempt	1750	Assistant Commonwealth's Attorney	\$36.62	\$45.78	\$54.93	\$76,175	\$95,219	\$114,263
	1002	Assistant County Attorney						
	4290	Director of Parks and Recreation						
	9100	Director of Emergency Services						
28 Exempt			\$38.45	\$48.07	\$57.68	\$79,984	\$99,980	\$119,976
29 Exempt	1120	Director of Information Technology	\$40.38	\$50.47	\$60.56	\$83,983	\$104,979	\$125,975
	1130	Director of Human Resources						
	1600	Director of Elections/General Registrar						
	2390	Director of Planning						
	2450	Director of Economic Development						
	3690	Director of Public Works						
7500	Director of Public Utilities							
30 Exempt	2000	Director of Community Development	\$42.40	\$52.99	\$63.59	\$88,182	\$110,228	\$132,273
	9000	Chief of Fire and EMS						

 <b>FY25 General Government Pay Rates and Classifications Fluvanna County</b>			Mid-Range 25% above Min; Max 50% above Min			* 2,184 hrs annually included 208 hrs scheduled OT		
			Full-Time Hourly Rates			Full-Time Annual Pay (Expected)		
Pay Band	Class	Position Title	Minimum	Mid-Range	Maximum	Minimum	Mid-Range	Maximum
<b>31</b> Exempt	1390	Director of Finance	\$44.51	\$55.64	\$66.77	\$92,591	\$115,739	\$138,887
<b>32</b> Exempt	1150	Assistant County Administrator	\$46.74	\$58.43	\$70.11	\$97,221	\$121,526	\$145,832
<b>33</b> Exempt	1001	County Attorney	\$49.08	\$61.35	\$73.62	\$102,082	\$127,602	\$153,123
<b>34</b> Exempt			\$51.53	\$64.41	\$77.30	\$107,186	\$133,982	\$160,779
<b>35</b> Exempt			\$54.11	\$67.64	\$81.16	\$112,545	\$140,681	\$168,818
<b>36</b> Exempt			\$56.81	\$71.02	\$85.22	\$118,172	\$147,715	\$177,258
	Special	Seasonal Time Keepers		\$20.00	Per Game			
	Special	Seasonal Referees		\$32.00	Per Game			



**FLUVANNA COUNTY BOARD OF SUPERVISORS  
AGENDA ITEM STAFF REPORT**

**TAB K**

<b>MEETING DATE:</b>	October 16, 2024				
<b>AGENDA TITLE:</b>	Administrative Programs Specialist (Planning) Position Description Update				
<b>MOTION(s):</b>	<b>I move the Board of Supervisors to ratify the updated position description for the Administrative Program Specialist (Planning.)</b>				
<b>BOS WORKPLAN?</b>	Yes	No	<b>If yes, list item(s):</b>		
		X			
<b>AGENDA CATEGORY:</b>	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				X	
<b>STAFF CONTACT(S):</b>	Donna Snow, Director of Human Resources				
<b>PRESENTER(S):</b>	Donna Snow, Director of Human Resources				
<b>RECOMMENDATION:</b>	Approve				
<b>TIMING:</b>	Normal				
<b>DISCUSSION:</b>	The position description has been updated for clarity, removing duplication, and adding emphasis on certain portions of the position description. There is no salary change nor additional job duties requested.				
<b>FISCAL IMPACT:</b>	None				
<b>POLICY IMPACT:</b>	None				
<b>LEGISLATIVE HISTORY:</b>	None				
<b>ENCLOSURES:</b>	Administrative Programs Specialist (Planning) Position Description (redline and clean versions.)				
<b>REVIEWS COMPLETED:</b>	Legal	Finance	Purchasing	HR	Other
	X			X	COAD







Fluvanna County, Virginia  
Department of Community Development  
Job Description

**ADMINISTRATIVE PROGRAM SPECIALIST (PLANNING)**

<b>Job Class #:</b>	1051
<b>Pay Grade:</b>	14
<b>Category:</b>	Full-Time (with benefits)
<b>FLSA Status:</b>	Non-Exempt
<b>Reports To:</b>	Director of Planning

**SUMMARY**

Performs complex, professional work providing office and administrative assistance to the departments of Planning and Zoning, Building Inspections, and various Boards and Commissions; does related work as required. To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skills, and/or abilities required. The omission of specific duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position. Reasonable accommodations may be made to enable individuals with disabilities to perform essential functions. To be successful in this position, must be able to perform each essential function satisfactorily. Work is performed under general supervision of the Director of Planning.

**ESSENTIAL FUNCTIONS**

- Prepares and maintains official records while serving as administrative assistant ~~for in~~ Planning/Zoning.
- Provides immediate assistance to the general public including visitors and callers; responds to emails, telephone calls, and counter visits, directing visitors to appropriate departments; answers routine questions concerning activities, programs, policies, procedures, and rules governing department or activity.
- Receives and processes applications and plan submittals; receives payment for applications, submittals, or permits, and makes deposits with the County Treasurer.
- Assists the public with zoning and subdivision matters.
- Handles a variety of routine administrative tasks related to meetings of the Planning Commission and the Board of Zoning Appeals (BZA) actions; collects material to assist in preparing the meeting agenda for meetings; prepares room for ~~Commission~~ meetings, attends regular and special meetings of the Commission or Board while documenting and transcribing minutes of proceedings.
- Prepares copies of Planning Commission and BZA minutes and distributes them to appropriate officials.
- ~~Prepares copies of Board of Zoning Appeals minutes and distributes them to appropriate officials.~~
- Indexes Commission meeting topics for cross-reference filing and maintains official minutes book.
- Maintains ~~a~~ Permits/planning/zoning dDatabase and generates reports from the database, as needed.
- ~~Creates and maintains a filing system for Planning/Zoning.~~
- Types ordinance amendments, resolutions, letters, and reports, as needed.
- ~~Collects material to prepare the meeting agenda for Commission meetings.~~
- ~~Provides~~ administrative support to the Building Inspections Staff and the Building Official, as needed.
- ~~Assists department heads in preparing ordinance amendments.~~
- ~~Receives visitors at the County Administration Building and refers them to proper departments.~~
- Arranges meetings, schedules appointments, and handles correspondences.
- ~~Maintains an updated County Code Book and Zoning Map.~~

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<ul style="list-style-type: none"> <li>Operates standard office and word processing equipment.</li> <li><del>Receives payment for permits and makes deposits with the County Treasurer.</del></li> <li><u>Manages Planning/Zoning Department payroll; prepares payroll summary sheet for MUNIS system.</u></li> <li><del>Assists with billing and payroll functions; prepares timesheets.</del></li> <li>Creates and maintains file systems and purges files consistent with policy and records retention requirements.</li> <li>Maintains and updates various records, logs, and manuals.</li> <li><u>Manages annual budget expenditures, tracks funds status, and codes accounts payable for payment.</u></li> <li>Orders departmental supplies, uniforms, and equipment; maintains required inventories.</li> <li><del>Answers routine questions concerning activities, programs, policies, procedures, and rules governing department or activity.</del></li> <li>Enters a variety of data into the computer system; receives and processes reports.</li> <li><del>Maintains schedules of facilities use; keeps reservation book.</del></li> <li>Receives and processes incoming and outgoing mail; transports mail to the post office; delivers items to various County departments.</li> <li>Operates standard office, data entry, and word processing equipment.</li> <li><del>Provides backup support to the Administrative Program Specialist (Building Inspections).</del></li> <li>Serves as <u>primary</u> backup to Clerk for Board of Supervisors during Board meetings, as needed.</li> <li>Performs related tasks as required.</li> </ul>
<p><b>REQUIRED KNOWLEDGE, SKILLS, AND ABILITIES</b></p> <p>General knowledge of the functions and organization of the county government; thorough knowledge of standard office procedures, practices, equipment, and software; ability to research and prepare reports; ability to express ideas effectively, both orally and in writing; ability to establish and maintain effective working relationships with government officials, <del>associates/colleagues</del>, and the general public; <u>ability to maintain confidentiality. ability to take and transcribe dictation at a reasonable rate of speed. Ability to work evenings and some weekends, as needed.</u></p>
<p><b>ACCEPTABLE EDUCATION, EXPERIENCE, AND TRAINING</b></p> <p>Any combination of education and experience equivalent to graduation from high school and two years of office assistance experience.</p> <p><u>Experience with Tyler Tech products, or comparable software, including Munis and Enterprise Permitting and Licensing (formerly EnerGov) helpful, but not required.</u></p>
<p><b>WORKING CONDITIONS AND PHYSICAL REQUIREMENTS</b></p> <ul style="list-style-type: none"> <li><del>Office environment exposure to computer screens; sitting for prolonged periods.</del></li> <li><del>Must have the ability to occasionally lift, push/pull, and hold/carry 25 pounds.</del></li> <li><del>Must have the ability to frequently stand and sit, and occasionally walk over flat and uneven terrain.</del></li> <li><del>Must be available to work some weekends and evenings for presentations, training, and meetings.</del></li> <li><del>Must possess an appropriate driver's license valid in the Commonwealth of Virginia. This is sedentary work requiring the exertion of up to 10 pounds of force occasionally and a negligible amount of force frequently or constantly to move objects; work requires identifying, grasping, and repetitive motions; vocal communication is required for expressing or exchanging ideas by means of the spoken word; hearing is required to perceive information at normal spoken word levels; visual acuity is required for preparing and analyzing written or computer data, determining the accuracy and thoroughness of work, and observing general surroundings and activities; the worker is not subject to adverse environmental conditions.</del></li> </ul>
<p><b>POST OFFER REQUIREMENTS</b></p> <ul style="list-style-type: none"> <li>Background Check</li> </ul>

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<b>Department Head Recommended:</b>	<b>HR Manager Approval as to Form:</b>	<b>County Administrator Recommended:</b>	<b>Board of Supervisors Approved:</b>
May 28, 2018	May 28, 2018	May 28, 2018	June 6, 2023



Fluvanna County, Virginia  
Department of Community Development  
Job Description

**ADMINISTRATIVE PROGRAM SPECIALIST (PLANNING)**

<b>Job Class #:</b>	1051
<b>Pay Grade:</b>	14
<b>Category:</b>	Full-Time (with benefits)
<b>FLSA Status:</b>	Non-Exempt
<b>Reports To:</b>	Director of Planning

**SUMMARY**

Performs complex, professional work providing office and administrative assistance to the departments of Planning and Zoning, Building Inspections, and various Boards and Commissions; does related work as required. The requirements listed below are representative of the knowledge, skills, and/or abilities required. The omission of specific duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position. Reasonable accommodations may be made to enable individuals with disabilities to perform essential functions. To be successful in this position, must be able to perform each essential function satisfactorily. Work is performed under the general supervision of the Director of Planning.

**ESSENTIAL FUNCTIONS**

- Prepares and maintains official records while serving as administrative assistant for Planning/Zoning.
- Provides immediate assistance to the general public including visitors and callers; responds to emails, telephone calls, and counter visits, directing visitors to appropriate departments; answers routine questions concerning activities, programs, policies, procedures, and rules governing department or activity.
- Receives and processes applications and plan submittals; receives payment for applications, submittals, or permits, and makes deposits with the County Treasurer.
- Assists the public with zoning and subdivision matters.
- Handles a variety of routine administrative tasks related to meetings of the Planning Commission and the Board of Zoning Appeals (BZA): collects material to assist in preparing the meeting agenda for meetings; prepares room for meetings, attends regular and special meetings of the Commission or Board while documenting and transcribing minutes of proceedings.
- Prepares copies of Planning Commission and BZA minutes and distributes them to appropriate officials.
- Indexes Commission meeting topics for cross-reference filing and maintains official minutes book.
- Maintains planning/zoning database and generates reports from the database, as needed.
- Types ordinance amendments, resolutions, letters, and reports, as needed.
- Provides administrative support to the Building Inspections Staff and the Building Official, as needed.
- Arranges meetings, schedules appointments, and handles correspondence.
- Operates standard office and word processing equipment.
- Manages Planning/Zoning Department payroll; prepares payroll summary sheet for MUNIS system.
- Creates and maintains file systems and purges files consistent with policy and records retention requirements.
- Maintains and updates various records, logs, and manuals.
- Manages annual budget expenditures, tracks funds status, and codes accounts payable for payment.
- Orders departmental supplies, uniforms, and equipment; maintains required inventories.
- Enters a variety of data into the computer system; receives and processes reports.

- Receives and processes incoming and outgoing mail; transports mail to the post office; delivers items to various County departments.
- Operates standard office, data entry, and word processing equipment.
- Serves as the primary backup to the Clerk for the Board of Supervisors during Board meetings, as needed.
- Performs related tasks as required.

#### **REQUIRED KNOWLEDGE, SKILLS, AND ABILITIES**

General knowledge of the functions and organization of the county government; thorough knowledge of standard office procedures, practices, equipment, and software; ability to research and prepare reports; ability to express ideas effectively, both orally and in writing; ability to establish and maintain effective working relationships with government officials, colleagues, and the general public; ability to maintain confidentiality. Ability to work evenings and some weekends, as needed.

#### **ACCEPTABLE EDUCATION, EXPERIENCE, AND TRAINING**

Any combination of education and experience equivalent to graduation from high school and two years of office assistance experience.

Experience with Tyler Tech products, or comparable software, including Munis and Enterprise Permitting and Licensing (formerly EnerGov) helpful, but not required.

#### **WORKING CONDITIONS AND PHYSICAL REQUIREMENTS**

- Office environment exposure to computer screens; sitting for prolonged periods.
- Must have the ability to occasionally lift, push/pull, and hold/carry 25 pounds.
- Must have the ability to frequently stand and sit, and occasionally walk over flat and uneven terrain.
- Must be available to work some weekends and evenings for presentations, training, and meetings.
- Must possess an appropriate driver's license valid in the Commonwealth of Virginia.

#### **POST OFFER REQUIREMENTS**

- Background Check

<b>Department Head Recommended:</b>	<b>Director of HR Approval as to Form:</b>	<b>County Administrator Recommended:</b>	<b>Board of Supervisors Approved:</b>
September 30,2024	September 30,2024	September 30,2024	September 30,2024



**FLUVANNA COUNTY BOARD OF SUPERVISORS  
AGENDA ITEM STAFF REPORT**

**TAB L**

<b>MEETING DATE:</b>	October 16, 2024				
<b>AGENDA TITLE:</b>	FY24 DOJ Bullet Proof Vest Partnership Grant				
<b>MOTION(s):</b>	<b>I move the Board of Supervisors ratify the application and accept the FY24 DOJ Bullet Proof Vest Partnership Grant from the Department of Justice (DOJ) in the amount of \$9,900 to fund the Sheriff's Office purchase and replacement of ballistic vests.</b>				
<b>BOS WORKPLAN?</b>	Yes	No	<b>If yes, list item(s):</b>		
		X			
<b>AGENDA CATEGORY:</b>	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				X	
<b>STAFF CONTACT(S):</b>	Aaron Hurd, Captain / Eric B. Hess, Sheriff				
<b>PRESENTER(S):</b>	Aaron Hurd, Captain / Eric B. Hess, Sheriff				
<b>RECOMMENDATION:</b>	Ratify and accept the FY24 DOJ Bullet Proof Vest Partnership Grant				
<b>TIMING:</b>	Effective Immediately				
<b>DISCUSSION:</b>	<ul style="list-style-type: none"> <li>• Grant funds will be used for the purchase and replacement of ballistic vests for deputies.</li> <li>• Approximately eleven (11) vests are scheduled to be purchased or replaced.</li> <li>• National Institute of Justice replacement standards recommend a five (5) year replacement cycle.</li> <li>• Vests are individually fit for each deputy sheriff.</li> <li>• FY24 grant total of \$9,900.</li> <li>• Match requirement of \$5,011.21 will be met by the county using existing budgeted funds for ballistic vest replacement.</li> </ul>				
<b>FISCAL IMPACT:</b>	Approval of the motion will allow a supplemental appropriation of funds to the Sheriff's Office Budget and allow for the federal reimbursement of \$4,888.79 to the county by DOJ related to the purchase of ballistic vests.				
<b>POLICY IMPACT:</b>	N/A				
<b>LEGISLATIVE HISTORY:</b>	Competitive grants awarded from DOJ in fiscal years 2004, 2005, 2006, 2007, 2008, 2009, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, and 2023 for vest purchase and replacement.				
<b>ENCLOSURES:</b>	Grant Award				
<b>REVIEWS COMPLETED:</b>	Legal	Finance	Purchasing	HR	Other
		X			







## REVIEW APPLICATION



Application Profile



Application



NIJ Approved Vests



Submit Application

Below is the current status of your application.

### REVIEW BVP APPLICATION FOR FUNDING

Applicant	Quantity	Total Cost	Date Submitted	Application Status
FLUVANNA COUNTY	11	\$9,900.00		Approved by BVP
Grand Totals:	11	\$9,900.00		

# STATUS

This "Status" page shows any pending actions that must be completed prior to program deadlines. It also provides you with payment(s) status for tracking your requests for approved funds.

- Red **!**'s indicate your attention is needed in order to complete a task for action.

## CURRENT ACTIVITY STATUS

Application ✔ Approved by BVP [View Details](#)

## AVAILABLE AWARDS

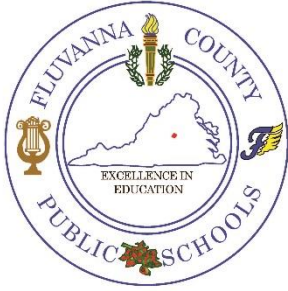
ATTN	Fiscal Year ⬇	Award Amount ⬇	Total Paid ⬆	Total Requests ⬆	Eligible Balance ⬆	Expiration Date
	2022	\$955.08	\$955.08	\$0.00	\$0.00	11/29/2024
<b>!</b>	2023	\$3,183.60	\$2,213.96	\$0.00	\$969.64	08/31/2025
	2024	\$4,888.79	\$0.00	\$0.00	\$4,888.79	08/31/2026

**FLUVANNA COUNTY BOARD OF SUPERVISORS  
AGENDA ITEM STAFF REPORT**

TAB M

<b>MEETING DATE:</b>	October 16, 2024				
<b>AGENDA TITLE:</b>	FY25 FCPS Grants Supplemental Appropriation				
<b>MOTION(s):</b>	<b>I move the Board of Supervisors approve a supplemental appropriation of \$3,000 to the Fluvanna County Public Schools FY25 budget for funds received from Federal revenue sources.</b>				
<b>BOS WORKPLAN?</b>	Yes	No	<b>If yes, list item(s):</b>		
		X			
<b>AGENDA CATEGORY:</b>	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				X	
<b>STAFF CONTACT(S):</b>	Tori Melton, Director of Finance Brenda Gilliam, Executive Director for Instruction and Finance				
<b>PRESENTER(S):</b>	Brenda Gilliam, Executive Director for Instruction and Finance				
<b>RECOMMENDATION:</b>	I recommend approval of the motion as stated above.				
<b>TIMING:</b>	Routine				
<b>DISCUSSION:</b>	Fluvanna County Public Schools has received \$3,000 in new FY25 grant funding from Federal revenue sources that were not included in the FY25 budget. The supplemental appropriation breakdown is provided on the FCPS request enclosed. The below tables show the change in the FY25 FCPS budget:				
		<b>FY25 Adopted</b>	<b>FY25 Revised</b>	<b>FY25 Request</b>	<b>FY25 Revised (NEW Total)</b>
	<b>Revenue Category</b>				
	<b>Local - County</b>	22,269,388	-	-	22,269,388
	<b>Other Local</b>	454,200	-	-	454,200
	<b>State</b>	30,750,000	-	-	30,750,000
	<b>Federal</b>	1,676,800	3,000	-	1,679,800
<b>TOTAL</b>	55,150,388	3,000	-	55,153,388	
<b>FISCAL IMPACT:</b>	Approval of this supplemental appropriation will authorize staff to increase the Revenue and Expenditures by \$3,000 as outlined in the above table.  There is no local County match required for these funds. In addition, this request is not for County Local funding carryover. Any requests for County Local funding carryovers will not occur until December 2024.				
<b>POLICY IMPACT:</b>	N/A				

<b>LEGISLATIVE HISTORY:</b>	N/A				
<b>ENCLOSURES:</b>	FCPS Supplemental Appropriation Request				
<b>REVIEWS COMPLETED:</b>	Legal	Finance	Purchasing	HR	Other
		X			



## FLUVANNA COUNTY PUBLIC SCHOOLS

14455 JAMES MADISON HIGHWAY  
PALMYRA, VIRGINIA 22963

Phone: (434) 589-8208 Fax: (434) 589-2248

TO: Eric Dahl, County Administrator, Fluvanna County

FROM: Brenda Grasser, Executive Director for Instruction and Finance

Cc: Dr. Peter Gretz, Superintendent Fluvanna County Public Schools  
Tori Melton, Fluvanna County Finance Director

DATE: October 4, 2024

RE: Supplemental Appropriations

We were notified of this funding opportunity on September 28, 2024.

It is requested the funds be appropriated to the Schools as an increase in funds as outlined below:

Categorical		Revenue Source	
Instruction	\$3,000.00	Federal	\$3,000.00
Attendance/Administration/Health	\$0.00	Local	\$0.00
Technology	\$0.00	Other Local	\$0.00
Transportation	\$0.00	State	\$0.00
Operations	\$0.00	<b>Total</b>	<b>\$3,000.00</b>
<b>Total</b>	<b>\$3,000.00</b>		

Funding Source	Year	Type	Category	Amount	Expiration	SUPPLEMENTAL/CARRYOVER
ARP ESSER Fund- Homeless Children	2025	Federal	Instruction	\$3,000.00	09/2025	SUP
<b>TOTAL</b>				<b>\$3,000.00</b>		

The Fluvanna County School Board is committed to nondiscrimination with regard to sex, sexual orientation, gender, gender identity, race, color, national origin, disability, religion, ancestry, age, marital status, pregnancy, childbirth or related medical conditions, status as a veteran, genetic information or any other characteristic protected by law. This commitment prevails in all of its policies and practices concerning staff, students, educational programs and services, and individuals and entities with whom the Board does business. Mr. Don Stribling, Executive Director for Human Resources, Operations, and Student Services, is designated as the responsible person (Compliance Officer) regarding assurances of nondiscrimination. Any complaint alleging discrimination based on a disability shall be directed to Ms. Jennifer Valentine, Director of Special Education (the Section 504 Coordinator). Both may be reached at the following address: 14455 James Madison Highway, Palmyra, VA 22963; telephone (434) 589-8208. The Fluvanna County School Board is an Equal Opportunity Employer.



**FLUVANNA COUNTY BOARD OF SUPERVISORS**  
**AGENDA ITEM STAFF REPORT**

**TAB N**

<b>MEETING DATE:</b>	October 16, 2024				
<b>AGENDA TITLE:</b>	FY25 Voluntary Contributions				
<b>MOTION(s):</b>	<p><b>I move the Board of Supervisors approve the following supplemental appropriations for FY25 Voluntary Contributions Program:</b></p> <ol style="list-style-type: none"> <li><b>1. \$25.00 – Transfer to the Emergency Services FY25 Budget</b></li> <li><b>2. \$50.00 – Transfer to the Parks &amp; Rec FY25 Budget</b></li> <li><b>3. \$1,000 – Transfer to the Sheriffs FY25 Budget</b></li> </ol>				
<b>BOS WORKPLAN?</b>	Yes	No	<b>If yes, list item(s):</b>		
		X			
<b>AGENDA CATEGORY:</b>	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				<b>X</b>	
<b>STAFF CONTACT(S):</b>	Theresa McAllister, Management Analyst				
<b>PRESENTER(S):</b>	Theresa McAllister, Management Analyst				
<b>RECOMMENDATION:</b>	I recommend approval of the motion as stated above.				
<b>TIMING:</b>	Effective: October 31, 2024				
<b>DISCUSSION:</b>	<p>The Board of Supervisors approved the “Fluvanna County Voluntary Contributions Program Policy” on August 7<sup>th</sup>, 2013, with the program to become effective September 1<sup>st</sup>, 2013.</p> <p>The Voluntary Contributions Program has 100% of your contribution going to the department/agency selected – The money donated goes to directly support the area selected after it is appropriated by the Board of Supervisors.</p> <p>Contributions can be designated for any one of the seven department/agencies noted below.</p> <ol style="list-style-type: none"> <li>(1) County Government General Fund</li> <li>(2) Fluvanna County Public Schools (FCPS)</li> <li>(3) Parks and Recreation Department</li> <li>(4) Social Services Special Welfare Fund</li> <li>(5) Sheriff’s Department</li> <li>(6) County Library</li> <li>(7) Emergency Services</li> </ol>				
<b>FISCAL IMPACT:</b>	This supplemental appropriation would authorize staff to appropriate the revenue to the specific donation general ledger account and expenditures as indicated above.				

<b>POLICY IMPACT:</b>	N/A				
<b>LEGISLATIVE HISTORY:</b>	N/A				
<b>ENCLOSURES:</b>	None				
<b>REVIEWS COMPLETED:</b>	Legal	Finance	Purchasing	HR	Other
		X			



**FLUVANNA COUNTY BOARD OF SUPERVISORS  
AGENDA ITEM STAFF REPORT**

**TAB O**

<b>MEETING DATE:</b>	October 16, 2024				
<b>AGENDA TITLE:</b>	Fluvanna County Recovery Court Specialty Dockets Grant				
<b>MOTION(s):</b>	<p><b><u>MOTION 1:</u></b> I move the Board of Supervisors ratify the prior submission of a grant application under the Specialty Dockets Grant program administered by the Office of the Executive Secretary (OES), accept the award for \$75,000 and further authorize the County Administrator to execute the agreement subject to approval as to form by the County Attorney.</p> <p><b><u>MOTION 2:</u></b> I move the Board of Supervisors approve a supplemental appropriation of \$75,000 from State funds to the Fluvanna County Drug Court Budget.</p> <p><b><u>MOTION 3:</u></b> I move the Board of Supervisors authorize the County Administrator to execute the Memorandum of Agreement between Fluvanna County and Offender Aid &amp; Restoration (OAR).</p>				
<b>BOS WORKPLAN?</b>	Yes	No	<b>If yes, which item(s):</b>		
		X			
<b>AGENDA CATEGORY:</b>	Presentation	Action Matter	Public Hearing	Consent Agenda	Other
				X	
<b>STAFF CONTACT(S):</b>	Tori Melton, Director of Finance				
<b>PRESENTER(S):</b>	Tori Melton, Director of Finance				
<b>RECOMMENDATION:</b>	Approve				
<b>TIMING:</b>	Routine				
<b>DISCUSSION:</b>	<ul style="list-style-type: none"> <li>The Supreme Court of Virginia, Office of the Executive Secretary (hereinafter "OES") is willing to provide funding through grant period July 1, 2024-June 30, 2025 for the services being provided to persons through the Recovery Court.</li> <li>Funds were awarded on August 9, 2024</li> <li>This is a non-match grant</li> </ul>				
<b>FISCAL IMPACT:</b>	Approval of the motion as stated above will allow the Finance Department to increase the FY25 revenue and expenditure budgets equally within the assigned fund.				
<b>POLICY IMPACT:</b>	N/A				
<b>LEGISLATIVE HISTORY:</b>	N/A				
<b>ENCLOSURES:</b>	<ul style="list-style-type: none"> <li>Fluvanna RC Award Letter</li> <li>Memorandum of Agreement</li> </ul>				
	Legal	Finance	Purchasing	HR	Other

<b>REVIEWS COMPLETED:</b>	<b>X</b>	<b>X</b>			
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## SUPREME COURT OF VIRGINIA

EXECUTIVE SECRETARY  
KARL R. HADE

ASSISTANT EXECUTIVE SECRETARY &  
LEGAL COUNSEL  
EDWARD M. MACON

COURT IMPROVEMENT PROGRAM  
SANDRA L. KARISON, DIRECTOR

EDUCATIONAL SERVICES  
CAROLINE E. KIRKPATRICK, DIRECTOR

FISCAL SERVICES  
BARRY M. WENZIG, DIRECTOR

HUMAN RESOURCES  
RENÉE FLEMING MILLS, DIRECTOR

JUDICIAL INFORMATION TECHNOLOGY  
MICHAEL J. RIGGS, SR., DIRECTOR

JUDICIAL SERVICES  
PAUL F. DELOSH, DIRECTOR

LEGAL RESEARCH  
STEVEN L. DALLE MURA, DIRECTOR

LEGISLATIVE & PUBLIC RELATIONS  
ALISA W. PADDEN, DIRECTOR

MAGISTRATE SERVICES  
JONATHAN E. GREEN, DIRECTOR



OFFICE OF THE EXECUTIVE SECRETARY  
100 NORTH NINTH STREET  
RICHMOND, VIRGINIA 23219-2334  
(804) 786-6455

August 9, 2024

Cherita Jones, Recovery Court Coordinator  
Fluvanna County Recovery Court  
1218 Harris Street  
Charlottesville, VA 22903

**Office of the Executive Secretary at the Supreme Court of Virginia Specialty Dockets Grant,  
Fluvanna County Recovery Court**

Dear Ms. Jones:

I am pleased to advise you that your grant for the above-referenced grant program has been approved in the amount of \$75,000 in State funds for fiscal year 2025.

Enclosed you will find a Statement of Grant Award and a Statement of Grant Award Special Conditions. To indicate your acceptance of the award and conditions, please sign the award acceptance and return it to Auriel Diggs, Grants Management Analyst, at the Office of the Executive Secretary (OES). Please review the conditions carefully as they require action on your part before we will disburse grant funds. Prior to the OES disbursing of funds, the Subrecipient must agree to comply with the following special conditions:

- a. Submit quarterly grant reports by their due date to the Specialty Docket Grants Database, <https://vacourts.smapply.us>.
- b. Maintain accurate & current data in the web-based specialty docket court database.
- c. Submit a copy of your final federal grant report(s) and/or quarterly reports of any Federal grant funds awarded.

When we receive documentation showing that you have complied with the conditions, you will be eligible to request funds awarded under this grant. A **REQUEST FOR FUNDS** form is also included with this letter and should be used for this purpose. You may request funds at the same time you submit the documentation of compliance with the grant conditions or at any time Fluvanna County Recovery Court

August 9, 2024  
Page Two

thereafter. However, we cannot process your request until we have received and approved all required information.

We appreciate your interest in this grant program and will be happy to assist you in any way we can to assure your project's success. If you have any questions, please call Auriel Diggs at 804-356-1064.

Yours very truly,



Paul F. DeLosh

PFD/ces  
Enclosures

cc: Eric Dahl, County Administrator  
Victoria Melton, Director of Finance  
Karl R. Hade, Executive Secretary  
Anna Powers, Specialty Dockets Coordinator

## MEMORANDUM OF AGREEMENT

Regarding Administration of the Fluvanna Recovery Court  
Pursuant to OES Grant Period July 1, 2024-June 30, 2025

**THIS AGREEMENT** is entered into this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by and between the County of Fluvanna, VA, a political subdivision of the Commonwealth of Virginia (hereinafter “County”), and Offender Aid and Restoration of Charlottesville-Albemarle, Inc., a Virginia corporation (hereinafter “OAR”) to provide funding and services for the operation and administration of the Fluvanna Recovery Court (“Recovery Court”).

**WHEREAS**, the parties hereto desire to facilitate funding and staffing of the Recovery Court, which is administered by OAR; and

**WHEREAS**, the Supreme Court of Virginia, Office of the Executive Secretary (hereinafter “OES”) is willing to provide funding through grant period July 1, 2024-June 30, 2025 for the services being provided to persons through the Recovery Court; and

**WHEREAS**, the administrators of the Recovery Court desire for the County to serve as their fiscal agent with respect to state funding allocated for the Recovery Court and to provide certain other assistance to facilitate the staffing and continued funding of the Recovery Court;  
**NOW, THEREFORE,**

### WITNESS:

In consideration of the mutual premises set forth within this Memorandum of Agreement, the undersigned parties do hereby set forth their agreement as follows:

1. Term. The term of this Agreement shall be for one fiscal year, commencing on July 1, 2024 (hereinafter “Commencement Date”) and continuing through June 30, 2025.
2. Appropriations. This Agreement, and each party’s obligations hereunder, is expressly made contingent upon the availability and appropriation of public funds to support performance of the Agreement.
3. Funding Provided by OES. The parties acknowledge and understand that state funding for the Recovery Court (total grant amount: \$75,000) shall be received by the County and administered by the parties as follows:
  - a. Funding for the Recovery Court, through general fund appropriation(s) made to OES, shall be provided as follows: (i) for OAR, an amount not less than \$75,000 per fiscal year, payable to the County, as fiscal agent for the Recovery Court, in quarterly installments. Requests for funds shall be submitted to OES by the County according to the OES approved schedule. Quarterly reimbursements are to be received by the County and disbursed to OAR. Invoices from OAR are due

to the County by the 10<sup>th</sup> of each month or the following Monday if the 10<sup>th</sup> falls on a weekend.

- b. Recovery Court Services. This contract shall implement the conditions of the Statement of Grant Award and the Statement of Grant Award Special Conditions for OES grant period July 1, 2024-June 30, 2025. This contract may remain in effect beyond the specified term, provided OES grant funds are available in subsequent fiscal years and provided the contract is not terminated by one of the parties as outlined in paragraph 7 of this Memorandum of Agreement.
    - c. Designation of Fiscal Agent. OAR specifically and expressly designates the County as their fiscal agent for receipt, administration and disbursement of the funding which is the subject of this Agreement.
4. Obligations of Recovery Court. Both parties to this Agreement agree to cooperate fully with the other party to ensure that the conditions attached to and made a part of the grant award for OES grant period July 1, 2024-June 30, 2025 are complied with in the administration of the Recovery Court. The parties to this agreement shall together be responsible for timely preparation and completion of all reports required by the grant conditions; upon request by a party preparing any such report(s), the other party shall provide necessary statistical, budgetary, financial or other information necessary to complete a required report.
5. Obligations of the County. The County shall provide the following:
  - a. Fiscal Agent services, to receive, to disburse to OAR, and to account for funds received from OES for the operation and administration of the Recovery Court, in accordance with this Agreement;
  - b. Documentation and follow-up, regarding funds received from OES, as required by OES and the administrators of the Recovery Court;
  - c. Cooperation with Recovery Court staff and administrators in connection with the preparation of quarterly fiscal reports on expenditures and quarterly financial requests for funding;
6. Notice and Other Communications. Any notice, report, request, correspondence or other communication(s) required or provided in connection with this Agreement shall be in writing and shall be deemed given when actually received by the addressee. Notices to the County shall be addressed as follows: Attention: Eric Dahl, County Administrator, 132 Main Street, Palmyra, VA. Fax: 434-591-1931. All correspondence or other communications shall be cc'd to Victoria Melton, Director of Finance at the same address as above.
7. Termination of Agreement. Either party may terminate this Agreement at any time, for its convenience and/or for lack of available or appropriated funding, by giving thirty (30) days advance written notice to the other.

8. No Discrimination. Each party hereto agrees that in the provision of services contemplated by this Agreement, it will not discriminate on the basis of race, religion, color, sex, handicap, national origin, or any other basis prohibited by law. Further, during the performance of this contract, each party agrees that it will not discriminate against any employee or applicant for employment because of race, religion, color, sex, sexual orientation, national origin, age, disability or any other basis prohibited by law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the party. Each party agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause. In all solicitations or advertisements for employees placed by or on behalf of a party hereto, the party will state that it is an equal opportunity employer. Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.
9. Drug Free Workplace. During performance of this contract, each party agrees as follows: (i) to provide a drug-free workplace for the party's employees; (ii) to post in conspicuous places, available to employees and applicants for employment, a statement notifying employees that the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana is prohibited in the party's workplace, specifying the actions that will be taken against employees for violations of such prohibition; and (iii) to state in all solicitations or advertisements for employees placed by or on behalf of the party that the contractor maintains a drug-free workplace. For the purposes of this paragraph, "drug-free workplace" means a site for the performance by a party of services in connection with this Agreement, where employees at such sites are prohibited from engaging in the unlawful manufacture, sale, distribution, dispensation, possession or use of any controlled substance or marijuana.
10. Entire Agreement. This document sets forth the complete understanding of the parties hereto.

**IN WITNESS WHEREOF**, the parties do hereby set forth their signatures, representing that the individuals who affix their signatures hereto have been duly authorized to bind each party to the terms and conditions of the foregoing Agreement:

**County of Fluvanna:**

By: \_\_\_\_\_

Title: \_\_\_\_\_

**Offender Aid and Restoration of Charlottesville-Albemarle, Inc.**

By: \_\_\_\_\_

Title: \_\_\_\_\_

**Approved as to form:**

\_\_\_\_\_

County Attorney



**FLUVANNA COUNTY BOARD OF SUPERVISORS  
AGENDA ITEM STAFF REPORT**

**TAB P**

<b>MEETING DATE:</b>	October 16, 2024				
<b>AGENDA TITLE:</b>	Resolution Recognizing Marie Grace Kenney– Eagle Scout				
<b>MOTION(s):</b>	<b>I move the Fluvanna County Board of Supervisors adopt the resolution entitled “Recognizing Marie Grace Kenney for Award of Eagle Scout Status.”</b>				
<b>BOS WORKPLAN?</b>	Yes	No	<b>If yes, list item(s):</b>		
		XX			
<b>AGENDA CATEGORY:</b>	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				<b>X</b>	
<b>STAFF CONTACT(S):</b>	Caitlin Solis, Clerk to the Board of Supervisors				
<b>PRESENTER(S):</b>	Eric Dahl, County Administrator				
<b>RECOMMENDATION:</b>	Approve				
<b>TIMING:</b>	Routine				
<b>DISCUSSION:</b>	Marie Grace Kenney has completed all requirements and has been examined by an Eagle Scout Board of Review and deemed worthy of the Eagle Scout Award.				
<b>FISCAL IMPACT:</b>	N/A				
<b>POLICY IMPACT:</b>	N/A				
<b>LEGISLATIVE HISTORY:</b>	N/A				
<b>ENCLOSURES:</b>	Resolution				
<b>REVIEWS COMPLETED:</b>	Legal	Finance	Purchasing	HR	Other
					<b>X</b>





**BOARD OF SUPERVISORS**

County of Fluvanna  
Palmyra, Virginia

**RESOLUTION No. 38-2024**

**A RESOLUTION RECOGNIZING  
MARIE GRACE KENNEY  
AWARD OF EAGLE SCOUT STATUS**

*The Fluvanna County Board of Supervisors adopted the following resolution on Wednesday, October 16, 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**, Marie Grace Kenney has completed all the requirements for becoming an Eagle Scout; and

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

**WHEREAS**, Boy Scout Troop 1138 will convene an Eagle Scout Court of Honor on October 12, 2024 at 4:00 p.m. at Saints Peter and Paul Catholic Church, 4309 Thomas Jefferson Parkway, Palmyra, VA; 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 Marie’s family and friends in congratulating her on her achievements, the award of Eagle Scout status and acknowledges the good fortune of the County to have such an outstanding youth 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 21st of August, 2024, by the following vote:

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

Attest:

\_\_\_\_\_  
Christopher S. Fairchild, Chair  
Fluvanna County Board of Supervisors



**FLUVANNA COUNTY BOARD OF SUPERVISORS  
MEETING PACKAGE ATTACHMENTS**

Incl?	Item
<input checked="" type="checkbox"/>	BOS Contingency Balance Report
<input checked="" type="checkbox"/>	Building Inspections Report
<input checked="" type="checkbox"/>	Capital Reserve Balances Memo
<input type="checkbox"/>	Fluvanna County Bank Balance and Investment Report
<input checked="" type="checkbox"/>	Unassigned Fund Balance Report
<input type="checkbox"/>	VDOT Monthly Report & 2020 Resurfacing List
<input type="checkbox"/>	ARPA Fund Balance Memo
<input checked="" type="checkbox"/>	The Board of Supervisors Workplan





# COUNTY OF FLUVANNA

*"Responsive & Responsible Government"*

BOE2024-10-16 p.135/154  
P.O. Box 540  
Palmyra, VA 22963  
(434) 591-1910  
Fax (434) 591-1911  
www.fluvannacounty.org

## MEMORANDUM

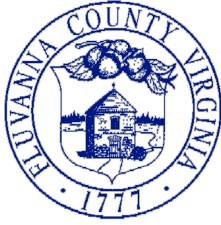
**Date:** October 16, 2024  
**From:** Theresa McAllister – Management Analyst  
**To:** Board of Supervisors  
**Subject:** FY24 BOS Contingency Balance

The FY24 BOS Contingency line balance is as follows:

<b>Beginning Original Budget:</b>	<b>\$146,615</b>
Less: Consulting Services Agreement with B.W. Murray, Inc. – Registrar – BOS Approval 07.05.23	-\$20,000
Less: Agreement with VDOT regarding "Watch for Children" signs – Public Works - BOS Approval 09.20.23	-850
Less: Annual Card Terminal Fees – Information Technology – BOS Approval 10.04.23	-2,736
Less: Additional Funding for Car 1 & Car 30 – BOS Approval 02.21.24	-29,982
Less: Reassessment Budget Transfer – 08.07.24	-49,284.47
<b>Available:</b>	<b>\$43,762.53</b>







# COUNTY OF FLUVANNA

*"Responsive & Responsible Government"*

BOE2024-10-16 p.137/154  
P.O. Box 540  
Palmyra, VA 22963  
(434) 591-1910  
Fax (434) 591-1911  
www.fluvannacounty.org

## MEMORANDUM

**Date:** October 16, 2024  
**From:** Theresa McAllister – Management Analyst  
**To:** Board of Supervisors  
**Subject:** FY25 BOS Contingency Balance

The FY25 BOS Contingency line balance is as follows:

<b>Beginning Original Budget:</b>	<b>\$248,824</b>
Less: Position Upgrades for COR's Office – 07.03.24	-\$19,721
Less: TJPDC Spring Regional Housing Summit – 07.03.24	-\$2,500
Less: BOS Leadership Retreat – 07.03.24	-\$4,500
Less: Position Upgrade from EMS Supervisor to Director – 07.03.24	-\$22,670
Less: Command Structure in Emergency Services – 07.03.24	-\$22,025
Reassessment Budget Transfer – 08.07.24	\$49,284.47
Less: Dewberry Engr Svc for Comms Twr Inspect and Mapping – 09.04.24	-\$5,300
<b>Available:</b>	<b>\$221,392.47</b>



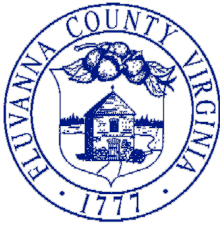
### BUILDING INSPECTIONS MONTHLY REPORT

County of Fluvanna

<b>Building Official:</b>	<b>Period:</b>
Andrew Wills	Sep-2024

Category	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTAL
<b>BUILDING PERMITS ISSUED</b>														
<b>NEW - Single Family Detached (incl. Trades permits &amp; SWMH)</b>	2020	12	13	23	14	8	19	19	17	16	20	22	11	194
	2021	15	9	19	20	16	22	15	11	8	22	13	8	178
	2022	17	11	20	11	18	32	10	9	11	12	9	4	164
	2023	5	6	6	12	12	6	10	5	7	8	9	7	93
	2024	9	7	13	7	8	12	16	8	11	0	0	0	91
<b>NEW - Single Family Attached (Town Homes)</b>	2020	0	0	0	0	1	6	0	0	6	0	0	0	13
	2021	0	0	0	0	0	0	0	0	6	0	0	0	6
	2022	0	0	0	0	0	0	0	0	0	0	0	0	0
	2023	0	8	0	0	0	0	0	0	0	0	0	7	15
	2024	0	0	0	0	0	0	0	6	0	0	0	0	6
<b>Multi Family (Apartment, Duplex)</b>	2020	0	0	0	0	0	0	0	0	1	0	0	0	1
	2021	0	0	0	0	0	0	0	0	1	0	0	0	0
	2022	0	0	0	0	0	0	0	5	0	0	0	0	5
	2023	1	0	0	0	0	0	0	0	0	0	0	0	1
	2024	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Additions and Alterations</b>	2020	37	38	23	30	30	22	27	20	30	34	35	23	349
	2021	28	14	43	39	31	40	30	29	26	30	35	33	378
	2022	33	48	60	45	47	50	51	63	45	63	51	44	600
	2023	52	34	51	34	36	28	36	35	45	39	43	37	470
	2024	39	33	45	31	43	29	39	27	38	0	0	0	324
* Trade permits count not in .														
<b>Accessory Buildings</b>	2020	2	4	4	4	5	5	1	7	8	3	5	1	49
	2021	1	3	3	6	3	6	1	3	2	4	4	2	38
	2022	3	4	13	6	5	2	5	4	5	3	0	2	52
	2023	7	2	7	5	6	2	5	8	4	7	5	6	64
	2024	1	6	5	3	9	3	5	2	8	0	0	0	42
<b>Swimming Pools</b>	2020	0	1	3	3	1	2	3	1	1	0	0	0	15
	2021	0	0	7	1	5	2	3	4	1	0	1	2	26
	2022	0	2	4	4	1	0	3	3	0	0	0	0	17
	2023	1	0	6	1	2	4	0	0	0	2	0	0	16
	2024	0	0	1	3	3	0	0	0	0	0	0	0	7
<b>Commercial/ Industrial Build/Cell Towers</b>	2020	0	0	1	0	1	0	0	3	0	0	2	0	7
	2021	1	0	1	0	0	0	1	0	0	0	2	0	5
	2022	0	0	0	0	0	2	3	2	0	2	1	0	10
	2023	1	1	0	1	0	0	0	0	0	0	0	0	3
	2024	0	0	0	0	0	1	0	1	0	0	0	0	2
<b>TOTAL BUILDING PERMITS</b>	2020	51	56	54	51	46	54	50	48	63	57	54	40	624
	2021	51	26	73	66	55	70	50	47	37	56	55	45	631
	2022	54	65	97	66	71	86	72	77	61	80	61	50	840
	2023	67	51	64	52	51	40	52	48	56	56	57	57	651
	2024	49	46	64	44	63	45	60	44	57	0	0	0	472
* Trade permits count not included as in previous years														
<b>BUILDING VALUES FOR PERMITS ISSUED</b>														
<b>TOTAL BUILDING VALUES</b>	2020	\$2,292,161	\$3,206,055	\$7,238,708	\$2,997,448	\$2,245,411	\$4,389,903	\$3,644,002	\$5,555,492	\$5,271,906	\$4,201,357	\$3,513,834	\$2,954,193	\$ 47,506,500
	2021	\$5,397,000	\$1,687,484	\$2,506,869	\$4,952,702	\$3,473,256	\$5,766,891	\$2,885,146	\$2,506,053	\$2,046,134	\$3,637,390	\$4,633,868	\$2,712,396	\$ 41,734,789
	2022	\$5,073,054	\$3,017,155	\$5,012,175	\$2,937,240	\$5,694,955	\$9,371,750	\$11,374,772	\$17,974,068	\$2,743,309	\$4,363,026	\$6,842,941	\$1,046,000	\$ 75,410,524
	2023	\$3,929,572	\$4,916,308	\$3,029,674	\$3,087,131	\$6,370,476	\$3,088,398	\$4,234,315	\$3,224,163	\$2,474,897	\$2,332,220	\$3,542,065	\$4,921,239	\$ 45,140,458
	2024	\$4,126,791	\$1,874,058	\$5,852,079	\$2,471,063	\$3,280,586	\$3,890,154	\$4,188,990	\$3,864,595	\$5,369,898	\$0	\$0	\$0	\$ 34,918,214

Category	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTAL
<b>LAND DISTURBING PERMITS ISSUED</b>														
<b>LAND DISTURBING PERMITS</b>	2020	11	10	26	13	8	24	13	19	20	19	13	16	192
	2021	22	10	18	20	18	22	16	11	4	23	13	8	185
	2022	16	13	19	11	18	34	11	10	8	13	8	3	164
	2023	5	14	9	15	10	7	10	5	10	8	8	14	115
	2024	8	6	15	8	9	11	16	12	12	0	0	0	97
<b>INSPECTIONS COMPLETED</b>														
<b>TOTAL INSPECTIONS</b>	2020	213	197	302	369	371	304	434	368	439	464	407	412	4,280
	2021	430	349	465	431	402	426	333	355	419	453	422	356	4,841
	2022	304	414	551	449	439	486	594	589	523	400	300	351	5,400
	2023	350	298	321	308	288	285	261	294	287	375	297	300	3,664
	2024	272	200	226	226	256	266	308	435	352	0	0	0	2,541
<b>FEES COLLECTED</b>														
<b>Building Permits</b>	2020	\$12,863	\$15,468	\$18,152	\$16,803	\$13,147	\$28,068	\$23,193	\$28,887	\$24,237	\$19,359	\$15,359	\$15,871	\$ 231,407
	2021	\$18,733	\$15,400	\$15,654	\$21,333	\$16,184	\$23,031	\$27,000	\$11,923	\$9,144	\$20,620	\$15,563	\$9,211	\$ 203,796
	2022	\$21,100	\$19,347	\$23,488	\$15,404	\$19,739	\$23,621	\$18,713	\$54,782	\$11,348	\$34,994	\$17,567	\$6,021	\$ 266,124
	2023	\$11,925	\$20,870	\$11,256	\$15,385	\$21,848	\$9,751	\$9,429	\$8,207	\$10,590	\$11,603	\$11,462	\$14,778	\$ 157,104
	2024	\$21,425	\$8,680	\$19,958	\$9,063	\$8,812	\$17,936	\$21,896	\$18,824	\$19,968	\$0	\$0	\$0	\$ 146,562
<b>Land Disturbing Permits</b>	2020	\$1,375	\$1,250	\$6,365	\$1,625	\$1,000	\$3,000	\$2,125	\$8,369	\$2,500	\$2,375	\$4,294	\$1,875	\$ 36,153
	2021	\$5,678	\$1,250	\$14,463	\$2,500	\$2,250	\$2,750	\$13,581	\$2,824	\$500	\$4,848	\$1,625	\$1,000	\$ 53,268
	2022	\$2,000	\$2,050	\$9,963	\$1,375	\$2,250	\$10,014	\$1,375	\$2,175	\$27,725	\$3,649	\$2,175	\$375	\$ 65,126
	2023	\$625	\$1,875	\$1,125	\$2,300	\$1,625	\$5,000	\$2,408	\$625	\$4,975	\$1,000	\$1,000	\$1,750	\$ 24,308
	2024	\$1,000	\$750	\$9,584	\$1,000	\$3,713	\$1,375	\$2,000	\$1,500	\$2,375	\$0	\$0	\$0	\$ 23,237
<b>Zoning Fees collected by Building Dept starting February 2024</b>	2020	\$1,650	\$1,600	\$3,000	\$1,700	\$15,550	\$3,050	\$2,350	\$2,300	\$2,900	\$2,850	\$1,600	\$1,700	\$ 26,250
	2021	\$2,150	\$1,150	\$3,650	\$2,950	\$2,650	\$3,400	\$2,450	\$1,850	\$1,300	\$2,900	\$1,900	\$1,150	\$ 27,500
	2022	\$1,900	\$1,400	\$3,900	\$1,650	\$2,300	\$3,900	\$1,800	\$1,500	\$1,500	\$2,000	\$1,450	\$750	\$ 24,050
	2022	\$1,350	\$1,950	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$ 3,300
	2024	\$0	\$800	\$2,250	\$1,150	\$1,800	\$2,250	\$2,250	\$1,650	\$1,750	\$0	\$0	\$0	\$ 13,900
<b>TOTAL FEES</b>	2020	\$15,888	\$18,318	\$27,517	\$20,128	\$15,697	\$34,118	\$27,668	\$39,556	\$29,637	\$24,584	\$24,584	\$19,446	\$ 293,810
	2021	\$25,000	\$22,797	\$37,351	\$18,429	\$24,289	\$37,535	\$21,888	\$58,457	\$40,573	\$40,643	\$24,584	\$7,146	\$ 290,061
	2022	\$25,001	\$22,797	\$37,351	\$18,429	\$24,289	\$37,535	\$21,888	\$58,457	\$40,573	\$40,643	\$24,584	\$7,146	\$ 335,300
	2023	\$13,900	\$24,395	\$12,381	\$17,685	\$23,473	\$14,751	\$11,837	\$8,834	\$15,565	\$12,603	\$12,462	\$16,528	\$ 184,714
	2024	\$22,425	\$10,230	\$31,792	\$11,213	\$14,325	\$21,561	\$26,146	\$21,974	\$24,093	\$0	\$0	\$0	\$ 183,759



# COUNTY OF FLUVANNA

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(434) 591-1910  
Fax (434) 591-1911  
www.fluvannacounty.org

## MEMORANDUM

**Date:** October 16, 2024  
**From:** Theresa McAllister – Management Analyst  
**To:** Board of Supervisors  
**Subject:** FY24 Capital Reserve Balances

The FY24 Capital Reserve account balances are as follows:

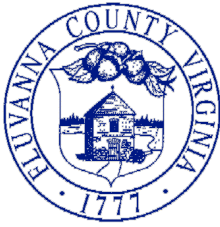
### County Capital Reserve:

FY23 Carryover	\$540,981.86
<b>FY24 Budget Allocation:</b>	<b>\$250,000</b>
Add: Closed CRM Projects 07.24.23	6,477.05
Add: Closed CRM Projects 08.21.23	3,769.97
Less: Lower Court Clerk's Office Mold Remediation. 11.01.23	-37,079
Less: Replace Turbo Assembly and minor repairs to Ambulance 49. 12.06.23	-6,198.36
Less: Commonwealth Attorney's Office Restoration. 12.20.23	-78,504
Less: Fluvanna County Attorney's Office Restoration. 12.20.23	-180,720
Less: Registrar Office Server. 02.21.24	-5,437.19
Less: Kent Store Firehouse Water Mitigation and Restoration. 03.06.24	-22,294.10
Less: Carysbrook Scoreboard Electricity. 03.06.24	-4,700
Less: Pleasant Grove Stage. 03.06.24	-2,450
Less: Upgrade Existing Camera System in Treasurer/COR Building. 04.17.24	-16,445
Less: Engine and Transmission Replacement in Ambulance 49. 06.05.24	-40,081.86
Add: Closed CRM Projects 06.07.24	1,457.44
Add: Closed CRM Projects 06.12.24	44,826.29
Add: Closed CRM Projects 06.24.24	13,090

Add: VACORP Reimbursement CH Clog Roof Drain 05.15.24	23,166.21
Add: VACORP Reimbursement KSFD Clogged Toilet 05.15.24	18,399.85
Less: Run New Fiber to the Rescue Squad on Rescue Lane – 08.07.24	-\$10,410
<b>FY24 Available:</b>	<b>\$497,849.16</b>

### Schools Capital Reserve:

FY23 Carryover	\$296,395.57
<b>FY24 Budget Allocation:</b>	<b>\$200,000</b>
Less: Repair and updating equip at FMS due to vandalism, duplicate entries	-38,498.27
Add: Closed CRM Projects 07.24.23	365.93
Add: Closed CRM Projects 08.21.23	3,071
Add: Closed CRM Project 08.21.23	1,095.92
Less: Quality CCTV Systems Abrams Academy. 09.06.23	-11,800
Less: Bluebird Buses. 09.06.23	-9,994.74
Less: Central Elementary Capital and Budget Electric. 09.20.23	-5,785
Less: HAVTECH at FCHS. 09.20.23	-12,861.39
Less: Replace Transceiver and Supply Boards. 01.17.24	-10,570.82
Less: VPS Recreation. 01.17.24	-46,675
Less: Replace Pump and Motor at Pleasant Grove. 01.17.24	-7,864.81
Less: Carysbrook Elementary Playground. 02.21.24	-9,620
Less: Central Elementary new doors. 02.21.24	-21,065
Less FCHS Chiller. 02.21.24	-11,880
Add: Closed CRM Project 04.17.24	1,168.54



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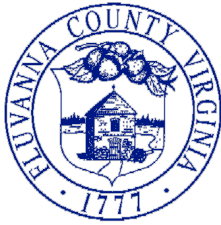
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Less: Replace & Install (2) new doors at CE. 05.01.24	-14,044
Less: Labor to Replace (3) Chiller Motors at CE. 05.15.24	-4,385.06
Less: FCHS Generator Repairs. 05.15.24	-5,070.47
Less: FMS Chiller. 05.15.24	-5,146.83
Less: Transmission Replacement 2016 Ford Fusion. 05.15.24	-6,688.10
Less: Replacing Hot Water Heater at FMS. 06.05.24	-9,094.12
Less: Repairing Damage to FMS GYM Floor. 06.05.24	-39,497
Less: Installation of CAT 6 Cable and Vape Detectors at FMS/FCHS. 06.05.24	-52,879
Add: Closed CRM Project 06.25.24	27,637.88
Add: Refund of Overpayment on FMS Vandalism	266.12
Add: VACORP Insurance Claim Reimbursement FMS Gym Floor – 08.07.24	30,464.20
<b>FY24 Available:</b>	<b>\$237,045.55</b>







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## MEMORANDUM

**Date:** October 16, 2024  
**From:** Theresa McAllister – Management Analyst  
**To:** Board of Supervisors  
**Subject:** FY25 Capital Reserve Balances

The FY25 Capital Reserve account balances are as follows:

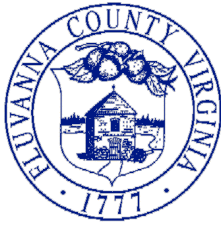
### County Capital Reserve:

FY24 Carryover	\$497,849.16
<b>FY25 Budget Allocation:</b>	<b>\$250,000</b>
Less: Public Safety Building Replace HVAC Unit #4 – 09.04.24	-\$19,318.80
Less: Library Heat Pump Unit #4 Replacement – 10.02.24	-\$7,000
Less: FUFC Bay #5 Roll Up Door Repair – 10.02.24	-\$9,055
Less: Public Safety Building Sewer Back-Up – 10.02.24	-\$10,175
<b>FY25 Available:</b>	<b>\$702,300.36</b>

### Schools Capital Reserve:

FY24 Carryover	\$237,045.55
<b>FY25 Budget Allocation:</b>	<b>\$200,000</b>
Less: FMS HVAC Unit Replacement & Installation – 07.03.24	-\$39,566
Less: FMS Bat Elimination – 08.07.24	-\$30,000
Less: School's Asphalt Patching (FCHS, CB, & CE) – 08.07.24	-\$9,759
Less: FCHS Driver on Chiller Circulation Pump – 08.21.24	-\$9,850
Less: CE Failed Condenser Fan's Chillers 1 & 2 – 10.02.24	-\$5,985
Less: FMS Remove Bat Colony & Seal Roofline – 10.02.24	-\$61,129
<b>FY25 Available:</b>	<b>\$280,756.55</b>





# COUNTY OF FLUVANNA

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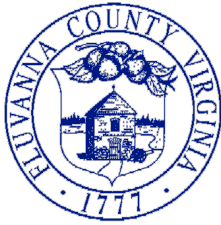
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## MEMORANDUM

**Date:** October 16, 2024  
**From:** Theresa McAllister– Management Analyst  
**To:** Board of Supervisors  
**Subject:** FY24 Unassigned Fund Balance

<b>FY23 Year End Audited Total Unassigned Fund Balance:</b>	<b>\$26,584,082</b>
<b>Unassigned Fund Balance – 12% Target Per Policy:</b>	\$11,198,981
<b>Unassigned Fund Balance – Excess Above Policy Target:</b>	\$15,385,101
Less: Jaunt Increase – 07.01.23	-\$10,950
Less: Palmyra Village Streetscape Project – 08.02.23	-\$118,169
Less: School Carryover Request – 12.06.23	-\$488,891.92
Less: FY23 Carryover Request – 12.06.23	-\$236,378.83
Less: EMS for an Ambulance Purchase - 01.17.24	-\$184,093
Less: Live Fire Training Structure – 02.07.24	-\$550,000
Less: CVEC Broadband Local Taxes Grant – 04.03.24	-\$500,000
Less: VDOC Fluvanna Women’s Correctional Center WWTP – 06.20.24	-\$84,215
Less: Engineer Report for Pleasant Grove WTR & SWR Expansion 06.20.24	-\$39,685
Less: FY25 Adopted CIP – 04.17.24	-\$5,612,856
Less: FY24 FCHS Track Resurfacing/Milling – 05.15.24	-\$30,000
Less: FY24 FCHS Football Field Turf Replacement – 05.15.24	-\$295,000
Less: FY24 FMS Track Resurfacing/Milling – 05.15.24	-\$525,000
<b>Current Unassigned Fund Balance – Excess Above Policy Target:</b>	<b>\$6,709,862.25</b>





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## MEMORANDUM

**Date:** October 16, 2024  
**From:** Theresa McAllister– Management Analyst  
**To:** Board of Supervisors  
**Subject:** FY25 Unassigned Fund Balance

<b>*FY24 Year End (Unaudited) Unassigned Fund Balance:</b>	<b>\$6,709,862.25</b>
Less: FCMS Track Resurfacing/Milling CIP – 08.06.24	-\$221,000
Less: Dev Agrmt btw Fluvanna, Zion 3 Notch, & Econ Dev Auth – 08.07.24	-\$250,000
<b>Current (Unaudited) Unassigned Fund Balance:</b>	<b>\$6,238,862.25</b>

\*Audited FY24 Year End Unassigned Fund Balance will be available upon Completion of the FY24 Annual Comprehensive Financial Report



Completed	#	BOS 2024 Work Plan Adopted Oct 2, 2024	Due	Progress Notes (Most recent appear in red.)
A	Infrastructure: Develop and maintain adequate utilities and facilities to sustain quality of life and, support appropriate new development and provide for efficient County operations			
	1	<b>Develop sewer infrastructure at Zions Crossroads and Fork Union</b>		
	1a	A preliminary engineering report (PER) is being developed for Zions Crossroads and will be completed by July 1, 2025	1-Jul-25	
	1b	Re-engage w/ Fork Union Military Academy (FUMA) regarding a partnership, or the County taking over the wastewater treatment plant – County Administrator to initiate discussions with FUMA leadership and provide a status report.	1-Jan-25	
	2	<b>Develop water and sewer infrastructure in Pleasant Grove Park</b>		
	2a	PER completion.	1-Jul-25	
	2b	Include funding for master plan development in the FY 2026 Budget with completion.	31-Dec-26	Oct 2024 - Submitted for FY26 CIP
	3	<b>Provide for public water in Fork Union</b>		
	3a	PER to be completed by December 31, 2024	31-Dec-24	
	3b	Develop an implementation plan by July 1, 2025	1-Jul-25	
	3c	Include the project or project components in the FY 2026 Budget and CIP.	FY26	Oct 2024 - Submitted for FY26 CIP
	4	<b>Extension of water service west on Route 250 from Zions Crossroads – go/no-go decision by December 31, 2024.</b>	31-Dec-24	
	5	<b>Construct a new County Administration and Social Services Building and renovate the existing County Administration and Social Services Building for department expansion and consolidation.</b>		

Completed	#	BOS 2024 Work Plan Adopted Oct 2, 2024	Due	Progress Notes (Most recent appear in red.)
	5a	Issue RFP for design and construction	1-Oct-24	Post for 30 days 10/10/2024 - RFP Issued
	5b	Select an architect by December 31, 2024.	18-Dec-24	Present for approval at second mtg in December 2024.
	5c	Include the project in the FY 2026 CIP.	3-Sep-24	Oct 2024 - Submitted for FY26 CIP
	5d	Complete space needs analysis and preliminary planning and develop and adopt a financing plan.	1-Nov-25	
	5e	Occupancy planned for July 2028.	30-Jul-28	
<b>B Government Performance: Continually work to improve efficiency, effectiveness, and equity in service delivery and project management with an appropriate organizational structure and through the adoption of appropriate policies, procedures, and practices; adapt and implement best practices.</b>				
	<b>1</b>	<b>Prepare an enhanced Capital Improvements Plan for the current fiscal year plus 5 for the Fiscal Year 2027 Budget:</b>		
	1a	include project descriptions, costs, sources of funding, potential operating costs.	FY27	
	1b	identify other projects outside of the six-year window or that, while desirable, are of a lower priority for funding.	FY27	
	<b>2</b>	<b>Develop a budget projection tool looking at least five years out (with a goal of a ten-year projection).</b>	1-Dec-25	
	<b>3</b>	<b>Develop or procure an Asset Management Plan for the maintenance and replacement of capital assets for the Fiscal Year 2028 Budget and CIP.</b>	FY28	Sept 2024: Munis module already purchased, not currently implemented
<b>C Citizen Engagement: Actively engage citizens through outreach and effective two-way communications.</b>				
	<b>1</b>	<b>Complete implementation of the Citizens Self-Service Portal.</b>	31-Dec-25	
	<b>2</b>	<b>Upgrade the County website to include important information and access to documents</b>	1-Jul-26	



Completed	#	BOS 2024 Work Plan Adopted Oct 2, 2024	Due	Progress Notes (Most recent appear in red.)
	3	<b>Develop a Communications Plan for citizen engagement</b>		
	3a	identify audiences, potential platforms, information priorities, communications mechanisms, and timing.	1-Jul-25	
	3b	Immediate action to conduct citizen outreach in May and November of 2025, possibly through tax bills, and to include information such as on the budget and County accomplishments.	05/2025 & 11/2025	
<b>D</b>	<b>Economic Development: Support business development and expansion that increases the tax base, provides gainful employment, and enhances quality of life. Agriculture and tourism are important components.</b>			
	1	<b>Provide an annual report on implementation of the Economic Development Strategic Plan and other accomplishments.</b>	1-Mar-25	
	2	<b>Provide an annual report on implementation of the Tourism Strategic Plan and other accomplishments.</b>	1-Mar-25	
<b>E</b>	<b>Rural Preservation: Foster rural open space, protect the natural beauty of the County, and support agricultural production through appropriate land use planning and regulation.</b>			
	1	<b>Provide a report on the number of approved cluster subdivisions, including the number of undeveloped lots, and the status of proposed cluster subdivisions. Identify options for management.</b>	1-Nov-24	09/18/2024 BOS Mtg - Provided report and discussed rural cluster subdivisions; Board remanded to PC for further research and options 10/08/2024 PC Mtg - Planning Commission adopted a resolution authorizing and advertisement for Zoning Text Amendment to eliminate rural cluster subdivisions in A1 Zoning District.
	2	<b>Provide a report on undeveloped parcels in the County in size categories such as greater than 1000 acres, 500-1000 acres, 200-500 acres, etc.</b>	1-Nov-24	Planned for the Nov 6, 2024 BOS Mtg.
<b>F</b>	<b>Growth Management: Act to accommodate responsible growth that enhances quality of life, preserves rural character, and provides economic opportunities.</b>			
	1	<b>Revise and update the Comprehensive Plan – provide a plan for the process of updating the plan by January 1, 2025.</b>	1-Jan-25	10/08/2024 PC Mtg - Provided timeline and work plan to Planning Commission; will present to BOS on 11/06/2024

Completed	#	BOS 2024 Work Plan Adopted Oct 2, 2024	Due	Progress Notes (Most recent appear in red.)
<b>G</b> Community Development and Enrichment: Support infrastructure development, revitalization, streetscape improvements, and amenities to promote village centers of housing, commerce, and cultural activities in areas such as Columbia, Fork Union, Palmyra, and Zions Crossroads.				
	1	Complete Phase 1 of the Palmyra Streetscape Improvements by December 31, 2025.	31-Dec-25	
		1a Include future phases in the FY 2026 CIP.	3-Sep-24	Oct 2024 - Submitted for FY26 CIP
	2	Provide a preliminary plan to complete Fork Union streetscape improvements – by December 31, 2024.	31-Dec-24	
	3	Explore planning grants opportunities for the development of a Columbia area plan.	31-Dec-25	
	4	Incorporate the use of the \$500,000 grant from Dominion Energy as a funding source for selected projects in the Fiscal Year 2026 CIP.	FY26	

<b>H</b> Public Safety: Protect life and property, plan for emergency management, mitigate risks, and respond to individual and community-wide crises.				
	1	Present the incentives plan to promote greater volunteer participation developed by the Fire and Rescue Association (FRA) by March 31, 2025.	31-Mar-25	
	2	Include funding for a County Fire Chief in the FY 2026 Budget.	FY26	