

**FLUVANNA COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
Fluvanna County Library, 214 Commons Blvd.  
Palmyra, VA 22963  
April 21, 2021  
Regular Meeting 7:00pm**

**MEMBERS PRESENT:** John M. (Mike) Sheridan, Columbia District, Chair  
Tony O’Brien, Rivanna District, Vice Chair  
Mozell Booker, Fork Union District  
Patricia Eager, Palmyra District  
Donald W. Weaver, Cunningham District

**ABSENT:** None.

**ALSO PRESENT:** Eric M. Dahl, County Administrator  
Fred Payne, County Attorney  
Caitlin Solis, Clerk for the Board of Supervisors

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

At 7:02pm, Chair Sheridan called to order the Regular Meeting April 14, 2021. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

**3 - ADOPTION OF AGENDA**

<b>MOTION:</b>	Accept the Agenda, for the April 21, 2021 Regular Meeting of the Board of Supervisors.				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
<b>ACTION:</b>			Second		Motion
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

**4 - COUNTY ADMINISTRATOR’S REPORT**

Mr. Dahl reported on the following topics:

**Announcements and Updates:**

Drive-thru Rabies Clinic

- Saturday, April 24, 2021
- From 9:00 am to 12:00pm
- Fluvanna County High School
  - 1918 Thomas Jefferson Hwy, Palmyra, VA 22963
- \$10 CASH ONLY donation to FSPCA
- Pre-registration form must be picked up at FSPCA, FCSO, or <https://fspca.org> filled out, and returned PRIOR to rabies clinic

Announcements and Updates

- Fluvanna County Tire Drop Off and Hazardous Waste Collection
- Saturday, April 24 from 10am-2pm at Pleasant Grove Park
- No commercial vehicles, no moving trucks, no trailers
- Safe disposal of:
  - old tires (limit 12 per person and must be off rims, no tractor or big rig tires)
  - Gasoline
  - Paints
  - Thinners
  - Solvents
  - Lightbulbs

Dominion Energy Brema Power Station Project Open House

- Dominion Energy has filed a rezoning application for an adjacent parcel to the Brema Power Station. The rezoning and companion Special Use Permit (SUP) is to build a lined landfill to deposit the residual coal ash from the plant. This is federally and state regulated process.
- Dominion Energy will be holding an open house information session on April 29, 2021 from 6-7:30 pm at the Fluvanna Community Center in Fork Union.
- Dominion Energy has a website for this project: [www.DominionEnergy.com/BremoCCR](http://www.DominionEnergy.com/BremoCCR) or you can email [BremoCCR@dominionenergy.com](mailto:BremoCCR@dominionenergy.com).

National Crime Victims’ Rights Week

- Every year, millions of Americans are affected by crime.



- April 18–24, 2021 is National Crime Victims’ Rights Week, a time to commemorate the progress achieved, raise awareness of victims’ rights and services, and stand with our families, neighbors, friends, and colleagues whose lives have been forever altered by crime.
- If you are a victim of crime in Fluvanna County, please call the Victim/Witness Assistance Program at 591-1985 to learn about rights and services available to you.”

Spotlight on Business

Small Business Week 2021

- Fluvanna will celebrate Small Business Week May 2-8.
- Postcards are going to all listed businesses on BuyFromFluvanna.org.
- FromFluvanna.org/SBW will have resources for residents and businesses alike.

Next BOS Meetings

Day	Date	Time	Purpose	Location
Wed	Apr 28	7:00 PM	BOS Special Meeting - TBD - Adopt FY22 Budget & CY21 Tax Rate	Library
Wed	May 5	4:00 PM	BOS Regular Meeting	Library
Wed	May 19	7:00 PM	BOS Regular Meeting	Library

**5 - PUBLIC COMMENTS #1**

At 7:08pm Chair Sheridan opened the first round of Public Comments.

- Overton McGhee, 924 Courthouse Road, spoke against selling office space on the court green once the New Administration Building is built.
- Haden Parrish, 429 Main Street, thanked the Board for passing Resolution 19-2020 last year and asked them to amend the Resolution to change the word “death” to “murder.”

With no one else wishing to speak, Chair Sheridan closed the first round of Public Comments at 7:14pm.

**6 - PUBLIC HEARING**

SUP 20:03 Steven L. & Codie C. Peters – Douglas Miles, Community Development Director

A Special Use Permit request in the R-3, Residential Planned Community District to permit both car wash and gas station uses with respect to 60.9 +/- acres of Tax Map 8, Section A, Parcel A14A. The property is located on the northeast corner of the intersection of Thomas Jefferson Parkway (Route 53) and Lake Monticello Road. The subject parcel is within the Rivanna Community Planning Area and the Palmyra Election District.

Site Location:



R-3 Residential Planned Community:



Colonial Circle - Aerial Map Location:



**Colonial Circle R-3 Planned Community:**

- The Neighborhood Convenience Retail Store proposed is a by-right use in the R-3 District and would serve the Colonial Circle Planned Community and the surrounding community
- Special Use Permit for Commercial Car Wash and Gas Station which allows for gasoline and diesel fuel sales and the installation of Electric Vehicle charging stations as well

**Recommended SUP Conditions:**

- Site Development Plan Submittal for proposed use
- Site shall be screened from view on the premises
- Site Lighting shall illuminate only this premises
- Site Noises shall be in compliance with Sheriff
- Site shall be maintained in neat and orderly manner
- Site may be inspected by County and State Staff
- The Board of Supervisors may revoke the SUP due to lack of site compliance with these SUP conditions

At 7:28pm, Chair Sheridan opened the Public Hearing. With no one wishing to speak, Chair Sheridan closed Public Comments at 7:28pm.

<b>MOTION:</b>	Approve SUP 20:03, a request to permit both car wash and gas station uses with respect to 60.9 +/- acres of Tax Map 8 Section A Parcel A14A, subject to the seven (7) conditions listed in the staff report.				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
<b>ACTION:</b>	Second		Motion		
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

**ZMP 21:01 Christian & Associates Excavating – Douglas Miles, Community Development Director**

A Conditional Rezoning from A-1, Agricultural, General to the B-1, Business, General District on 14 +/- acres of Tax Map 9 Section A Parcel 12A. The property is located on the north line of Lake Monticello Road and 0.1 miles west of River Run Road. The subject parcel is within the Rivanna Community Planning Area and the Palmyra Election District.

**Site Location:**

**Rezone from A-1 to B-1 with an SUP:**



**Christian & Associates Excavating- Aerial Map Location**



**Christian Conditional Rezoning Proffers**

- The Applicant has proffered out B-1 uses:

the higher B-1, General Business land uses include Automobile repair service; RV sales; Fast food restaurants; Neighborhood retail C-stores; Dance Halls; commercial kennels; adult entertainment establishments; and other similar land uses that are not suitable along this neighborhood commercial use corridor

At 7:44pm, Chair Sheridan opened the Public Hearing. With no one wishing to speak, Chair Sheridan closed Public Comments at 7:44pm.

<b>MOTION:</b>	Approve ZMP 21:01, a request to amend the Fluvanna County Zoning Map on Tax Map 9 Section A Parcel 12A to rezone from A-1 Agricultural, General to B-1, Business, General and subject to the proffers dated March 19, 2021.				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
<b>ACTION:</b>		Motion			Second
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

*SUP 21:01 Christian & Associates Excavating – Douglas Miles, Community Development Director*

A Special Use Permit request in the B-1, Business, General District to permit a contractor’s storage yard with respect to 14 +/- acres of Tax Map 9 Section A Parcel 12A. The property is located on the north line of Lake Monticello Road and 0.1 miles west of River Run Road. The subject parcel is within the Rivanna Community Planning Area and the Palmyra Election District.

**Recommended SUP Conditions**

- Site Development Plan Submittal for proposed use
- Site shall be screened from view on the premises
- Site Lighting shall illuminate only this premises
- Site Noises shall be in compliance with Sheriff
- Site shall be maintained in neat and orderly manner
- Site may be inspected by County and State Staff
- The Board of Supervisors may revoke the SUP due to lack of site compliance with these SUP conditions

At 7:44pm, Chair Sheridan opened the Public Hearing. With no one wishing to speak, Chair Sheridan closed Public Comments at 7:44pm.

<b>MOTION:</b>	Approve SUP 21:01, a request to construct a contractor’s storage yard on Tax Map 9 Section A Parcel 12A subject to the seven (7) conditions within the staff report.				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
<b>ACTION:</b>	Second	Motion			
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

*SUP 20:04 Cunningham Solar, LLC – Douglas Miles, Community Development Director*

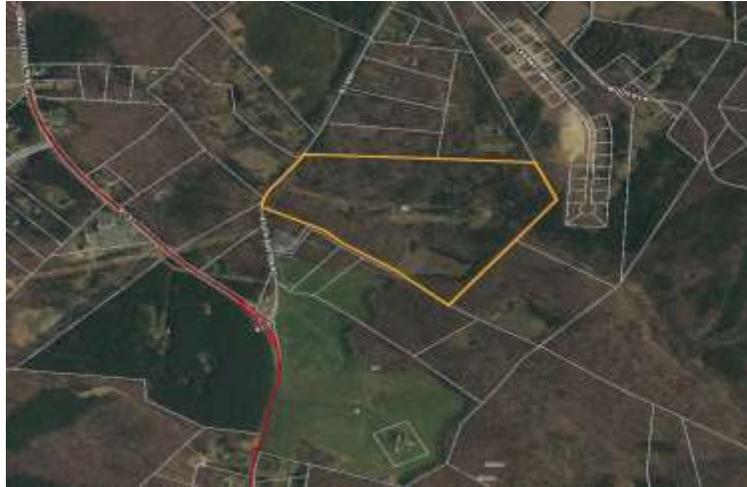
A request for a Special Use Permit in the A-1, Agricultural, General District to construct a utility, major use (solar energy facility) on 62.4 +/- acres, Tax Map 18 Section A Parcel 44. The property is located on the east side of South Boston Road (SR 600) approximately 0.2 miles north of its intersection with Thomas Jefferson Parkway (Route 53). The subject parcel is within the Rivanna Community Planning Area and the Fork Union and Palmyra Election Districts.

**Site Location:**

**A-1, General Agricultural Zoning:**



**Cunningham Solar - Aerial Map Location:**



**Cunningham Solar – Comp Plan Goals**

Rivanna Community Planning Area is for designated growth in the 2015 Comp Plan

- Green Infrastructure and Energy Efficiency where clean energy helps support planning
- Preservation of the wetlands on the rear portion of this property; wildlife corridors integrated to lessen the environmental site impacts and the preservation of farmland

**Recommended SUP Conditions**

- Special Use Permit for a 5 MW Major Utility use
- No pile driving and site deliveries on Sundays
- Construction Traffic Management Plan condition
- On Site Parking and Staging Plan condition
- Construction Mitigation Plan for dust and smoke
- Fifty (50) foot Setback from public right-of-ways
- Twenty-Five (25) foot Buffer for site screening
- Fire Chief Notification and public safety training
- Decommissioning Plan for solar energy removal

At 8:12pm, Chair Sheridan opened the Public Hearing. With no one wishing to speak, Chair Sheridan closed Public Comments at 8:13pm.

<b>MOTION:</b>	Approve SUP 20:04, a request to construct a major utility (solar energy facility) on Tax Map 18 Section A Parcel 44, subject to the nine (9) conditions within the staff report.				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
<b>ACTION:</b>		Second	Motion		
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

*Public Hearing for A Temporary Ordinance for the Postponement of Penalty and Interest on the First Half Taxes of 2021 – Eric Dahl, County Administrator*

**Postponement of Penalty and Interest:**

- This temporary ordinance is meant to ease the financial burden of residents and businesses during the coronavirus pandemic.
- This ordinance is designed to be temporary in nature and therefore will only apply to the payment of the first half 2021 taxes.
- It extends the time at which penalty and interest will be imposed until June 30 but not beyond.
- It does NOT extend the time for payment of taxes beyond June 5, merely suspending the penalty and interest. It will expire according to its terms after June 30.
- Since it is temporary in nature, it is not intended to be set out in the County Code.

BE IT ORDAINED BY THE FLUVANNA BOARD OF SUPERVISORS as follows:

WHEREAS the Commonwealth of Virginia and the County of Fluvanna are currently subject to a pandemic infection of the virus commonly known as COVID 19; and

WHEREAS the citizens of Fluvanna County have been greatly inconvenienced by the consequences of the said pandemic, including a significant disruption of their lives and economic activities; and

WHEREAS it is anticipated that such inconveniences will not be remedied prior to the date due for payment of real and tangible personal property taxes on June 5, 2021, as required by County Code Section 20-1-2; and

WHEREAS the Board of Supervisors has determined that, it is appropriate to postpone the imposition of penalty and interest for late payment of such taxes until June 30, 2021;

NOW THEREFORE BE IT ORDAINED

- (1) that the penalty and interest provisions for failing to pay real estate and tangible personal property taxes on June 5, 2021, as set out in Chapter 20, Article 1, Sec. 2.1, of the Fluvanna County Code shall not apply to the payment of such taxes made after December 5, 2020, but not later than June 30, 2021: provided that
  - payment of such taxes after June 30, 2021, shall thereafter be subject to the penalty and interest provisions as set out in Chapter 20, Article 1, Sec. 2.1.
- (2) The foregoing amendment shall expire and shall be of no further effect after June 30, 2021.

At 8:22pm, Chair Sheridan opened the Public Hearing. With no one wishing to speak, Chair Sheridan closed Public Comments at 8:22pm.

<b>MOTION:</b>	Approve "A TEMPORARY ORDINANCE TO PROVIDE FOR CERTAIN RELIEF FROM PENALTY AND INTEREST FOR LATE PAYMENT OF TAXES FOR THE FIRST HALF OF 2021."				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
<b>ACTION:</b>			Motion		Second
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

**7 - ACTION MATTERS**

*Fiscal Year 2022 Operations Budget and Tax Rates – Liz McIver, Management Analyst*

**FY22 Budget Highlights**

- **Budget totals \$110,600,979**
  - Real Estate tax rate of \$0.884 (Equalized Tax Rate \$0.865)(FY21 - \$0.925)
    - Results in a tax increase of 2.19% for the average homeowner.
  - No change to the Personal Property tax rate (Remains at \$4.35 per \$100 of assessed value)
  - No change to the Business and Public Utility Personal Property tax rates (Remains at \$2.90 per \$100 of assessed value)
  - No change to the Machinery & Tools tax rate (Remains at \$1.90)
- **Overall increase in total County expenditures by \$30.9 million, a 38.7% increase from the FY21 amended budget**
  - Largest Increases:
    - Capital Improvements Plan: \$25.0 million (Debt Issuance)
    - Debt Service: \$1.6 million (Use of Fund Balance FY22-24)
    - Schools: \$2.5 million (\$1.9 million offset by state/fed and \$600K County)
    - Dept. of Social Services: \$216K (New Position and increases offset by state/fed)
    - Sheriff's Office: \$157K ( Court Deputy and Admin position)
    - E911: \$277K (Implement Emergency Medical Dispatch (EMD) and 2 positions)
    - Fire and Rescue: \$93K (Ops increase and volunteer incentives)
    - Emergency Management: \$272K (convert 2<sup>nd</sup> contract crew ambulance to 24/7)
    - COLA & Health Insurance: \$505K - 5% COLA for all County staff (\$170K offset by state/fed) and \$107K health Insurance increase.

Position	Department	Notes
Included in FY2022 Budget (planned for July 2021)		
CSA Program Asst.	CSA	New PT Position
Park Maintenance Worker	P&R	New PT Position
Communications Team Lead	E-911	New FT Position
Communications Officer	E-911	New FT Position
Utility Technician (w/license)	Public Utilities	New FT Position
Desk Services Administrative	Sheriff's Office	New FT Position
Court Deputy	Sheriff's Office	New FT Position
Accountant	Finance	New FT Position
Children's Program Specialist	Library	Position Upgrade
Not Included in FY2022 Budget (planned for July 2021)		
Grounds Maintenance Worker I	Facilities	New FT Position
Project Manager	Public Works	New FT Position

<b>MOTION:</b>	Adopt the resolution entitled "A Resolution to Adopt the FY22 Operations Budget, Set the Tax Rates and Appropriate Funds."				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
<b>ACTION:</b>	Second		Motion		
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

*Fiscal Year 2022 – 2026 Capital Improvements Plan – Liz Mclver, Management Analyst*  
**\$25 Million Capital Projects**

- **30 Year Term**
  - \$5,476,560 - New County Administration Building
  - \$7,364,400 - New Dept. of Social Services Building
  - \$1,642,356 - Renovate Old Admin Building to Courts
  - \$2,016,684 - Renovate Old DSS Building to Various Uses (P&R and PW)
- **20 Year Term**
  - \$1,250,000 - Abrams
  - \$1,500,000 - Carysbrook HVAC
  - \$685,000 - Parks & Rec PG Field Lights
- **10 Year Term**
  - Fire & Rescue \$2,971,000 (items in red included)
    - **\$710,000** - Engine 20 plus tools and equipment to make it fully functional (Fork Union), built in 1993 (carried over from FY20 Request)
    - \$0 - Ambulance 49 (Palmyra) built in 2011 (\*Funded with FB in FY20 currently on hold)
    - **\$484,000** - Tanker 10 (Palmyra) built in 1999
    - **\$200,000** - Attack-20 (Fork Union), built in 2001
    - **\$96,000** - Response 5 (LMVRS), built in 2003
    - **\$71,000** - Car-1 (Chief-1), built in in 2008 (carried over from FY21 Request)
    - \$100,000 - Ambulance 553 (LMVRS), built in 2009
    - \$299,000 - Ambulance 554 (LMVRS), built in 2013
    - \$71,000 - Car-30 (Kent's Store), built in 2009
    - **\$1,300,000** - Tower Ladder 53 (LMVFD), built in 1993 (\$1,700,000)
    - **\$100,000** - Heart Monitor Replacement
- **10 Year Term**
  - \$1,021,000 - Buses (10)
  - \$93,000 - PW Equipment Shed
  - \$355,000 – PW/Utilities Major Equip.
- **7 Year Term**
  - \$300,000 - Sheriff's Vehicles (7)
  - \$325,000 - County Vehicles (6)
- **Items not included**
  - \$75,000 - Secure Sally Port

- \$75,000 - School Safety Vestibules
- \$175,000 - Middle School Annex Floor & Bleachers
- \$75,000 - School Transport Vehicles

<b>MOTION:</b>	Adopt the resolution entitled "Adoption of the FY2022-2026 Capital Improvements Plan."				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
<b>ACTION:</b>	Second		Motion		
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

**7A – BOARDS AND COMMISSIONS**

<b>MOTION:</b>	Move the Board of Supervisors approve the following Board, Commission, or Committee appointment(s): <ul style="list-style-type: none"> <li>➤ James River Water Authority, Mark Dunning, Term April 19, 2021, through April 18, 2025.</li> <li>➤ Fluvanna Partnership for Aging, Joan T. Talley, Term April 21, 2021, through December 31, 2023.</li> <li>➤ Parks and Recreation Advisory Board (RAB) - Community Member, Raghvendra Singh, Term April 21, 2021 through June 30, 2022.</li> </ul>				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
<b>ACTION:</b>	Second	Motion			
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

**8 - PRESENTATIONS**

None.

**9 - CONSENT AGENDA**

The following items were discussed before approval:

P- Accounts Payable Report for March 2021

The following items were approved under the Consent Agenda for April 21, 2020:

- Minutes of April 7, 2021* – Caitlin Solis, Clerk to the Board
- Minutes of April 14, 2021* – Caitlin Solis, Clerk to the Board
- FY21 Animal Friendly Supplemental Appropriation* – Liz McIver – Management Analyst
- FY21 3rd Quarter Voluntary Contributions* – Liz McIver, Management Analyst
- FY21 Facilities Department Insurance Claim* –2012 Ford F-250 VIN# 4087 – Liz McIver, Management Analyst
- FY21 Facilities Department Insurance Claim* –2015 GMC Savannah VIN# 2486 – Liz McIver, Management Analyst
- FY21 Sheriff Department Insurance Claim* – 2019 Dodge Charger VIN# 2558 – Liz McIver, Management Analyst
- Accounts Payable Report for March 2021* – Liz McIver, Management Analyst
- Fair Housing Month Proclamation* – Eric Dahl, County Administrator

<b>MOTION:</b>	Approve the consent agenda, for the April 21, 2021 Board of Supervisors meeting, and to ratify Accounts Payable and Payroll for March 2021, in the amount of \$2,518,168.55.				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
<b>ACTION:</b>	Second				Motion
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

**10 - UNFINISHED BUSINESS**

Redistricting Update 2021 – Eric Dahl, County Administrator & Kelly Belanger Harris, Assistant County Administrator

**Redistricting – Requirements and Considerations**

- Article VII, Section 5 of the Constitution of Virginia requires any locality that conducts elections by district to change its district boundaries every 10 years in the year ending in one.
  - The County must redistrict in 2021
- Virginia Code 24.2-304.1 Section C. states "For the purposes of redistricting and reapportioning representation in 2021 and every 10 years thereafter, the governing body of a county, city, or town shall use the most recent decennial population figures for such county, city, or town from the United States Bureau of the Census, as adjusted by the Division of Legislative Services pursuant to § 24.2-314".
  - 2020 census data is currently not available and is not projected to be available until September 2021.
  - The only census data currently available is the 2010.

- Virginia Code 24.2-314, Population data; reallocation of prison population, Section 1. "A person incarcerated in a federal, state, or local correctional facility whose address at the time of incarceration was located within the Commonwealth shall be deemed to reside at such address".
  - Fluvanna must now remove the roughly ~1,000 Fluvanna Women's Correctional Center population from its 2021 redistricting numbers.

## Option #1

- **Redistrict Prior to June 8<sup>th</sup> Filing Date.**
  - Per Article VII, Section 5 of the Constitution of Virginia, Fluvanna must redistrict in 2021, but it does not specify when.
  - Per Virginia Code 24.2-304.1, the most recent decennial population figures must be used.
    - 2010 census data is the most recent decennial population figures available (26,591 - 2010 census population).
  - Per Virginia Code 24.2-314, the incarcerated population would need to be removed. (~1,000)
    - The districts would have to be reallocated, since the Columbia district is losing ~1,000 from the prison population.
  - Time is of the essence with this option, since this requires an ordinance change, which also requires a public hearing and 2 weeks of advertising for the public hearing.
    - The Board of Supervisors would need to call a Special Meeting on April 28, 2021 to authorize staff to advertise for a Public Hearing
    - Staff and the Redistricting Committee would need to meet to configure the reallocated district based upon the above criteria for the April 28, 2021 meeting.
    - To meet timing requirements, the Board of Supervisors would hold a Public Hearing on the May 19, 2021 regular meeting.
    - Staff would need to hold community meetings on the new redrawn districts between April 28<sup>th</sup> and May 19<sup>th</sup>.
  - As stated, it is possible that actual 2020 census data could still be received in 2021.
  - With the unknown changes or legislation from the Commonwealth due to the 2021 census data, it is also possible that the County could have to redistrict again next year.

## Option #2

- **Wait for the 2021 Census Data to come out in September 2021 and still redistrict in 2021.**
  - This would meet Article VII, Section 5 of the Constitution of Virginia, for Fluvanna to redistrict in 2021.
  - The County would still need to determine district numbers, reallocate districts, hold public hearings and make ordinance changes prior to the end of calendar year 2021.
  - It is highly possible that this would not be accomplished prior 60 days before the General Election in November.
  - Any local elections would be based on the current 5 districts.

## Option #3

- **Wait for the 2021 Census Data to come out in September 2021 and if it does not, the County could still redistrict based upon the criteria under option #1 above.**
  - This would meet Article VII, Section 5 of the Constitution of Virginia, for Fluvanna to redistrict in 2021.
  - The County would still need to determine district numbers, reallocate districts, hold public hearings and make ordinance changes prior to the end of calendar year 2021 based upon 2010 census data, with the prison population removed.
  - It is highly possible that this would not be accomplished prior 60 days before the General Election in November.
  - Any local elections would be based on the current five districts.
  - The County Attorney, County Administration and the Registrar recommend this option.

- After some discussion, the Board of Supervisors decided to select Option #3-Wait for 2021 Census Data to come out in September.

**11 - NEW BUSINESS**

-Mrs. Booker asked the Board to consider changing Resolution 19-2020 to say "murder" instead of "death." After a lengthy discussion, the Board decided not to amend the Resolution now and to wait pending final legal outcome.

-The Board directed Staff to hang resolution 19-2020 in a public location such as the Administration Building.

**12 - PUBLIC COMMENTS #2**

At 9:40pm, Chair Sheridan opened the second round of Public Comments. With no one wishing to speak, Chair Sheridan closed the second round of Public Comments at 9:40pm.

**13 - CLOSED MEETING****MOTION:**

At 9:41pm, move the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.6, & A.8 of the Code of

	Virginia, 1950, as amended, for the purpose of discussing Investment of Funds, and Legal Matters.				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
<b>ACTION:</b>	Second		Motion		
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

<b>MOTION:</b>	At 10:31pm, 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>	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
<b>ACTION:</b>			Motion		Second
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

*Resolution for Transfer of Fire Truck*

<b>MOTION:</b>	Approve the resolution entitled “A Resolution to Transfer the Kents Store Spartan Fire Truck to Cartersville Volunteer Fire Department” Transferring surplus property used by Kents Store Fire to Cartersville Volunteer Fire Department for the amount of \$20,000;				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
<b>ACTION:</b>	Second	Motion			
<b>VOTE:</b>	Yes	Yes	Yes	Abstain	No
<b>RESULT:</b>	<b>4-1-1</b>				

-The Board of Supervisors decided to cancel the board meeting on April 28, 2021.

**14 - ADJOURN**

<b>MOTION:</b>	Adjourn the regular meeting of Wednesday, April 21, 2021 at 10:32pm.				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
<b>ACTION:</b>	Motion				Second
<b>VOTE:</b>	Yes	Yes	No	Yes	Yes
<b>RESULT:</b>	<b>4-1</b>				

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_  
Caitlin Solis  
Clerk to the Board

\_\_\_\_\_  
John M. Sheridan  
Chair



**BOARD OF SUPERVISORS**

County of Fluvanna  
Palmyra, Virginia

**PROCLAMATION 02 - 2020**

**FAIR HOUSING MONTH PROCLAMATION**

**WHEREAS**, The Fair Housing Act, enacted on April 11, 1968, enshrined into federal law the goal of eliminating racial segregation and ending housing discrimination in the United States; and

**WHEREAS**, The Fair Housing Act prohibits discrimination in housing based on race, color, religion, sex, familial status, national origin, and disability, and commits recipients of federal funding to affirmatively further fair housing in their communities; and

**WHEREAS**, Fluvanna County is committed to the mission and intent of Congress to provide fair and equal housing opportunities for all; and

**WHEREAS**, Our social fabric, the economy, health, and environment are strengthened in diverse, inclusive communities; and

**WHEREAS**, More than fifty years after the passage of the Fair Housing Act, discrimination persists, and many communities remain segregated; and

**WHEREAS**, Acts of housing discrimination and barriers to equal housing opportunity are repugnant to a common sense of decency and fairness.

**NOW, THEREFORE BE IT RESOLVED**, the Fluvanna County Board of Supervisors does hereby **PROCLAIM** the month of April, 2021 as Fair Housing Month in the County of Fluvanna and as an inclusive community committed to fair housing, and to promoting appropriate activities by private and public entities to provide and advocate for equal housing opportunities for all residents and prospective residents of Fluvanna County.

Passed and adopted this 14th day of April 2021.

---

John M. Sheridan

Chair, Board of Supervisors



**BOARD OF SUPERVISORS**  
 County of Fluvanna  
 Palmyra, Virginia

**RESOLUTION No. 10-2021**

**A RESOLUTION TO ADOPT THE FY22 OPERATIONS BUDGET,  
 SET THE TAX RATES AND APPROPRIATE FUNDS**

**WHEREAS**, it is the responsibility of the Fluvanna County Board of Supervisors to approve and control the County’s fiscal plan for FY22; and,

**WHEREAS**, the Board of Supervisors has received numerous staff reports; received comments from residents at a duly advertised public hearing on April 14, 2021; and has reviewed each request for funding;

**NOW, THEREFORE, BE IT RESOLVED** by the Fluvanna County Board of Supervisors this 21<sup>st</sup> day of April 2021, that the Fluvanna County budget totaling **\$110,600,979** is adopted and the tax rates for FY22, the period July 1, 2021 through June 30, 2022, are set as given below:

**COUNTY TAX RATES**

Real Estate	\$0.884 per \$100 of assessed value
Mobile Homes	\$0.884 per \$100 of assessed value
Public Service Corps.	\$0.884 per \$100 of assessed value
Personal Property (Residential)	\$4.35 per \$100 of assessed value
Personal Property (Business)	\$2.90 per \$100 of assessed value
Personal Property (Public Utilities)	\$2.90 per \$100 of assessed value
Machinery & Tools	\$1.90 per \$100 of assessed value

**BE IT FURTHER RESOLVED** that the Board of Supervisors does hereby budget and appropriate to the COUNTY OPERATING BUDGET the following revenues and expenditures; this appropriation is also conditioned on the understanding that, with regard to the operating budget for the School system, revenues received from the Commonwealth will be expended prior to local dollars:

**GOVERNMENTAL REVENUES**

Local	\$47,407,608
State	32,357,556
Federal	<u>3,559,342</u>
<b>TOTAL</b>	<b>\$83,324,506</b>

**GOVERNMENTAL EXPENDITURES**

General Government Administration	\$ 3,036,447
Judicial Administration	1,234,176
Public Safety	9,507,116
Public Works	2,686,841
Health and Welfare	6,724,865
Education	44,948,630
Parks and Recreation	1,084,623
Community Development	1,227,394
Non-Departmental	888,238
Debt Service	<u>10,608,096</u>
<b>TOTAL</b>	<b>\$ 81,946,426</b>

**BE IT FURTHER RESOLVED** that for budgeting and accounting purposes, the adopted budget revenues and expenditures for the Capital Improvements fund are set as follows:

Capital Fund Revenues*	
Local Use of General Fund Balance	\$ 0
Grants	100,000
Proceeds from Indebtedness	<u>25,000,000</u>

**TOTAL** **\$25,100,000**

Capital Fund Expenditures	
Community Services	\$685,000
Public Works	17,573,000
Public Safety	3,271,000
Schools	<u>3,971,000</u>
<b>TOTAL</b>	<b>\$ 25,500,000</b>

\*Capital fund revenues are supplemented by transfers from the General Fund.

**FINALLY BE IT RESOLVED** that for budgeting and accounting purposes the adopted budget revenues and expenditures for the Enterprise funds are set as follows:

	<b>Expenditures</b>	<b>Revenues</b>
School Food Service	\$1,597,046	\$1,597,046
Fork Union Sanitary District	408,645	408,645
Palmyra Sewer*	266,992	25,000
ZXR**	<u>881,870</u>	<u>145,782</u>
<b>TOTAL</b>	<b>\$3,154,553</b>	<b>\$2,176,473</b>

\*\*Utility fund & ZXR revenues are supplemented by transfers from the General Fund.

**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** by the Fluvanna County Board of Supervisors at the annual Organizational Meeting of the Board held on the 21<sup>st</sup> day of April, 2021;

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Mozell H. Booker, Fork Union District	X					X
Patricia B. Eager, Palmyra District	X					
Anthony P. O'Brien, Rivanna District	X				X	
John M. Sheridan, Columbia District	X					
Donald W. Weaver, Cunningham District	X					

Attest:

\_\_\_\_\_  
John M. Sheridan, Chairman



**BOARD OF SUPERVISORS**

County of Fluvanna  
Palmyra, Virginia

**RESOLUTION No. 11-2021**

**A RESOLUTION TO ADOPT THE FY22-26 CAPITAL IMPROVEMENTS PLAN**

At a meeting of the Fluvanna County Board of Supervisors held in the Fluvanna County Administration Building at 7:00 PM on Wednesday, April 21, 2021, the following resolution was adopted by the Board of Supervisors, the vote being as shown below and recorded in the minutes of the meeting.

**WHEREAS**, it is the responsibility of the Fluvanna County Board of Supervisors to approve the County’s Capital Improvements Plan; and,

**WHEREAS**, the Capital Improvements Plan recommends the initiation and completion of numerous capital projects based upon staff recommendations and citizen input; and,

**WHEREAS**, the Board of Supervisors held a public hearing on the proposed Capital Improvements Plan on April 14, 2021; and,

**WHEREAS**, the Board of Supervisors has approved the FY2022 Capital Improvements Budget as part of the overall Fluvanna County Budget;

**NOW THEREFORE, BE IT RESOLVED** by the Board of Supervisors that the FY 2022-2026 Capital Improvements Plan hereby be approved.

**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** by the Fluvanna County Board of Supervisors at the annual Organizational Meeting of the Board held on the 21<sup>st</sup> day of April, 2021;

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Mozell H. Booker, Fork Union District	X					X
Patricia B. Eager, Palmyra District	X					
Anthony P. O’Brien, Rivanna District	X				X	
John M. Sheridan, Columbia District	X					
Donald W. Weaver, Cunningham District	X					

Attest:

\_\_\_\_\_

John M. Sheridan, Chair

Fluvanna County Board of Supervisors



**BOARD OF SUPERVISORS**  
 County of Fluvanna  
 Palmyra, Virginia

**RESOLUTION No. 12-2021**

**A RESOLUTION TO TRANSFER THE KENTS STORE SPARTAN FIRE TRUCK TO CARTERSVILLE VOLUNTEER FIRE DEPARTMENT**

**WHEREAS**, Fluvanna County (“Fluvanna”) has right, title, and interest, in and to the following personal property: 1992 Spartan Truck Vehicle Identification Number 4S7PT9S07NC005949 (the “Fire Truck”) currently stored at the Kents Store Fire Department, 51 Kents Store Way, Kents Store, VA 23084; and

**WHEREAS**, Fluvanna has identified the Fire Truck as surplus property and wishes to sale, gift or dispose of the Fire Truck; and

**WHEREAS**, the Cartersville Volunteer Fire Department (“Cartersville”), a Virginia association or other organization furnishing voluntary firefighting services, whose address is 2298 Cartersville Road, Cartersville, VA 23027, wishes to purchase the fire truck for the agreed price of \$20,000.00 (the “Purchase Price”); and

**WHEREAS**, the Fluvanna County Board of Supervisors wishes to transfer the Fire Truck to Cartersville for the Purchase Price pursuant to the terms set forth in the Bill of Sale and Purchase Agreement attached hereto as Exhibit 1 and incorporated herein by reference; and

**WHEREAS**, pursuant to Virginia Code 15.2-953, Fluvanna may make gifts and donations of personal property to any association or other organization furnishing voluntary firefighting services such as Cartersville, and to the extent the fair market value of the Fire Truck exceeds the Purchase Price such excess is a gift and donation of the Fire Truck as personal property pursuant to Virginia Code 15.2-953;

**NOW, THEREFORE, BE IT RESOLVED** by the Fluvanna County Board of Supervisors, the Fire Truck shall be transferred to Cartersville for the Purchase Price and pursuant to the terms set forth in the Bill of Sale and Purchase Agreement attached hereto as Exhibit 1 and to the extent the fair market value of the Fire Truck exceeds the Purchase Price, the excess value is approved as a gift and donation of personal property to Cartersville pursuant to Virginia Code 15.2-953; and

**IT IS FURTHER RESOLVED AND ORDERED** that the County Administrator shall coordinate with Cartersville on a mutually agreeable Closing date and at Closing after receiving the Purchase Price shall deliver the Bill of Sale and Purchase Agreement and take any further actions required thereunder or which the County Administrator deems necessary or appropriate to effectuate such agreement after approval as to form by the County Attorney.

**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** by the Fluvanna County Board of Supervisors of Fluvanna County on this 21st day of April 2021.

SUPERVISORS	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Mozell H. Booker, Fork Union District	X					X
Patricia B. Eager, Palmyra District	X				X	
Anthony P. O’Brien, Rivanna District	X					
John M. Sheridan, Columbia District			X			
Donald W. Weaver, Cunningham District		X				

\_\_\_\_\_  
 John M. Sheridan, Chair  
 Fluvanna County Board of Supervisors

**BILL OF SALE AND PURCHASE AGREEMENT**

**This Bill of Sale and Purchase Agreement (the “Bill of Sale”) is made as of the day of \_\_\_\_\_, 2021 (“Closing”). FOR GOOD AND VALUABLE CONSIDERATION OF TWENTY THOUSAND AND NO/100 DOLLARS (\$20,000.00) (the “Purchase Price”), cash in hand paid, the receipt and sufficiency of which is hereby acknowledged, the undersigned County of Fluvanna, a political subdivision of the Commonwealth of Virginia, (“Seller”), whose address is 132 main Street, Palmyra, VA 22963, by these presents does bargain, sell, assign, transfer and deliver unto Cartersville Volunteer Fire Department, a Virginia association or other organization furnishing voluntary firefighting services (“Purchaser”), whose address is 2298 Cartersville Road, Cartersville, VA 23027, its right, title, and interest, in and to the following personal property: 1992 Spartan Truck Vehicle Identification Number 4S7PT9S07NC005949 (the “Fire Truck”) currently stored at the Kents Store Fire Department, 51 Kents Store Way, Kents Store, VA 23084. (“Pick-up Location”), **TO HAVE AND TO HOLD** the Fire Truck unto the Purchaser, its successors and assigns forever.**

Purchaser acknowledges that the Fire Truck is used and is sold **AS IS WITH NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.**

Closing is to take place the date set forth above, at the Pick-Up Location. Purchaser shall deliver the Purchase Price to the Seller by cashier’s check or wired funds payable to Seller prior to or at the time of Closing. Thereafter at Closing, Seller shall deliver the Fire Truck, original Bill of Sale and original title signed over to Purchaser. The Seller shall be provided a fully executed copy of this Bill of Sale for its records at Closing. As required by Virginia Code Section 15.2-953, by signing below Purchaser certifies that it is a tax-exempt Virginia association or other organization furnishing voluntary firefighting services able to receive tax-deductible donations and that its Tax Identification Number is 54-1821263. This Bill of Sale constitutes the entire agreement between the parties hereto.

**WITNESS** the following duly authorized signatures and seals as of the date set forth above:

SELLER: County of Fluvanna

PURCHASER: Cartersville Volunteer Fire Department

By: \_\_\_\_\_ (SEAL)  
Eric M. Dahl

By: \_\_\_\_\_ (SEAL)  
Danny Lightfoot

Title: Fluvanna County Administrator

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

Approved as to Form: \_\_\_\_\_  
Fluvanna County Attorney