

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Fluvanna County Library, 214 Commons Blvd.
Palmyra, VA 22963
June 16, 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
Kelly Belanger Harris, Assistant 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 7:03pm Chair Sheridan called to order the Regular Meeting of June 16, 2021.
After the recitation of the Pledge of Allegiance, a moment of silence was observed.

3 - ADOPTION OF AGENDA

MOTION:	Accept the Agenda, for the June 16, 2021 Regular Meeting of the Board of Supervisors.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second				Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

CLOSED MEETING

MOTION:	At 7:04pm move the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.7 of the Code of Virginia, 1950, as amended, for the purpose of discussing Litigation.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second		Motion		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

MOTION:	At 7:55pm, move Closed Meeting be adjourned and the Fluvanna County Board of Supervisors convene again in open session and "BE IT RESOLVED, the Board of Supervisors does hereby certify to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under Section 2.2-3711-A of the Code of Virginia, 1950, as amended, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting."				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:			Motion		Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

4 - COUNTY ADMINISTRATOR'S REPORT

Mr. Dahl reported on the following topics:

Announcements and Updates - New Employee

- Ashley Davis, Human Services Assistant III, DSS Office, Started June 7th.

Staff and Community Recognitions

- Virginia Department of Social Services proudly presented the Award Honor to the Child Care Subsidy Team at Fluvanna DSS - Congratulations goes to Carol Johnston who handles the Child Care Subsidy program and Karen Hebert who supervises the program!

Announcements and Updates – Moody’s Investors Service Credit Rating Report

- Our rating remains unchanged at Aa2.
- Our Credit Overview from the report:
 - Fluvanna County's credit position is very good, and its Aa2 rating matches the median rating of Aa2 for US counties.
 - Key credit factors include a robust financial position, a strong wealth and income profile, and a healthy tax base.
 - It also reflects an above average moderate debt burden and average pension liability.
- This report is based upon a comparison of data from 2016-2020, including the County’s FY16-FY20 CAFR Data.

Announcements and Updates

- Thank You Joseph O’Connor for making an American Flag Retirement Drop Box for the Library for his Eagle Scout project.
- The drop box can be found under the covered walkway at the Fluvanna County Library.



Announcements and Updates

- Resilience, Recovery, and Rebirth: Sustaining Hope in Trying Times is a documentary about Fluvanna County’s African American history.
- Regular Juneteenth performers Odyssey of Soul teamed up with the Fluvanna County Arts Council and NAACP to create a film that combines musical performances and interviews with community members and historians.
- Join Creator Horace Scruggs for a panelist discussion as he discusses the making of "Resilience, Recovery, and Rebirth."
- June 24, 2021 at 7:00pm
- Register at the Montpelier website – www.montpelier.org
- Juneteenth is the oldest known commemoration of the end of slavery in the United States.
- It marks the day in 1865 that enslaved people in Galveston, Texas, the last of the former Confederate states to abolish slavery, finally heard that the Civil War had ended, and learned that the Emancipation Proclamation had made them free nearly two years earlier.
- Governor Northam established Juneteenth as a permanent paid state holiday.
- Fluvanna follows the state holiday schedule.
- County offices will be closed in observance on Friday, June 18th, 2021

Next BOS Meetings

Day	Date	Time	Purpose	Location
Wed	Jul 7	4:00 PM	Regular Meeting	Library
Wed	Jul 7	7:00 PM	Regular Meeting	Library
Wed	Aug 4	4:00 PM	Regular Meeting	Library

5 - PUBLIC COMMENTS #1

At 8:01pm, Chair Sheridan opened the first round of Public Comments.

- Tim Miller, 1846 Natali Ln - 22911, Spoke in opposition for renewal of the County Attorney Contract. With no one else wishing to speak, Chair Sheridan closed the first round of Public Comments at 8:03pm.

6 - PUBLIC HEARING

VDOT Secondary Six Year Plan—Bethel Kefyalew, VDOT, Louisa Residency
Bethel Kefyalew gave a brief overview of the Secondary Six Year Plan.

At 8:08pm, Chair Sheridan opened the first round of Public Comments.

With no one wishing to speak, Chair Sheridan closed the first round of Public Comments at 8:08pm.

MOTION:	I move the Board of Supervisors adopt the Resolution for the VDOT Secondary Six-Year Plan (2021/22 through 2026/27) and VDOT Construction Priority List (2021/22) as required by sections 33.1-23 and 33.1-23.4 of the 1950 Code of Virginia.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second	Motion			
VOTE:	Yes	Yes	Yes	Yes	Yes

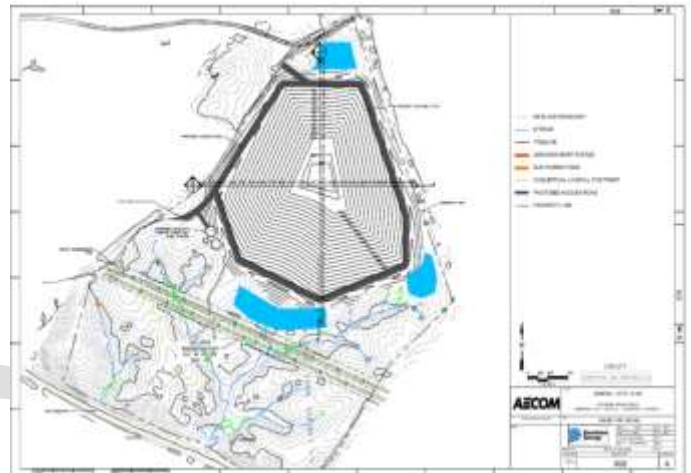
RESULT:	5-0
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ZMP 21:02 Virginia Electric and Power Company – Douglas Miles, Community Development Director

ZMP 21:02 Virginia Electric and Power Company – A Conditional Rezoning from the A-1, Agricultural, General District to the I-1, Industrial, Limited District on 224.5 +/- acres of Tax Map 59 Section A Parcel 27 and Tax Map 62 Section A Parcel 7. The properties are located on the south line of Brema Road and 0.2 miles west of Spring Road. The subject properties are within the Rural Residential and Rural Preservation Planning Areas and the Fork Union Election District.



Dominion Energy Rezoning and SUP Requests:



ZMP 21:02 Conditional Rezoning Proffers

- The Applicant has limited the I-1 land uses to Offices; Contractor’s storage yards; light manufacturing, lumberyards; machine shops; solid waste collection facilities; minor utilities; and accessory uses that support these uses.
- The Applicant has requested that I-1 land uses by a Special Use Permit (SUP) would include: Sanitary landfills; Solid waste material recovery facilities; Telecommunication facilities, Major Utilities and accessory uses as shown above.

Summary of Statement of Proffers

Fluvanna County – Fork Union Sanitary District	
	Amount
James River Intake, Pump Station & Raw Water Line	\$7.6 million
Water Treatment Plant, Raw Water Storage Tank & Pump Station	\$15.4 million
New Waterlines and Elevated Storage Tank	\$11.9 million
Engineering	\$0.4 million
Unanticipated Water Project Costs	\$11.8 million
Total	\$47.1 million

Fluvanna County – Parks & Recreation	
	Amount
Public Amenity/Recreation and Green Infrastructure	\$0.5 million

Virginia Department of Transportation	
	Amount
Road Improvements Around Brema Rd. (Route 656)	\$2 million

SUP 21:03 Virginia Electric and Power Company – Douglas Miles, Community Development Director

SUP 21:03 Virginia Electric and Power Company – A Special Use Permit request in the I-1 Industrial, Limited District to permit a sanitary landfill with respect to 224.5 +/- acres of Tax Map 59 Section A Parcel 27 and Tax Map 62 Section A Parcel 7. The properties are located on the south line of Brema Road and 0.2 miles west of Spring Road. The subject properties are within the Rural Residential and Rural Preservation Planning Areas and the Fork Union Election District.

SUP 21:03 Recommended Conditions Discussion

2. A. All site activity for construction of the sanitary landfill shall be limited to the following days and times: All construction and site deliveries shall be limited to the hours from sunrise to sunset Monday through Saturday with no Sunday construction and site deliveries permitted on the Property.

2. B. All construction activities for the Sanitary Landfill shall be limited to sunrise (or 6:00 am) to sunset (or 8:00 pm) (whichever is earlier or later, respectively) Monday through Sunday. Once constructed, the hours of the landfill operation shall not be limited but the Landfill must comply with Chapter 15.1 of the Fluvanna Code (Noise) Article 25 of the Fluvanna Zoning Ordinance, and all other applicable ordinances.

After a brief discussion, the Board of Supervisors selected option 2B and amended the language to say **“construction activities for the Sanitary Landfill shall be limited to 6:00 am to 8:00 pm Monday through Sunday”.**

- Sarah Marshall, External Affairs Manager for Dominion Energy, gave an overview of the Bremono Power Station Coal Ash Removal Project, Dominion Energy’s Community Commitments, projected timeline and answered questions from the Board of Supervisors.

At 9:06pm Chair Sheridan opened the first round of Public Comments.

- Nadine Armstrong, 2979 Bremono Rd, spoke in opposition to ZMP 21:02 and SUP 21:03 for Virginia Electric and Power Company.
- Ashby Shipp, 457 Bremono Bluff Rd, commented on the conditions of SUP 21:03.

With no one else wishing to speak, Chair Sheridan closed the first round of Public Comments at 9:18pm.

MOTION:	Approve ZMP 21:02, this request to conditionally rezone from the A-1, Agricultural, General District to the I-1, Industrial, Limited District on 224.5 +/- acres of Tax Map 59 Section A Parcel 27 and Tax Map 62 Section A Parcel 7 along with the seven (7) proffered conditions dated March 31, 2021 submitted by the applicant. 6.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second		Motion		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Proffered Conditions:

1. **USE RESTRICTIONS:** The Property shall only be used for the following uses (which are otherwise permitted in the 1-1 District):
 - A. Uses Permitted By-Right
 - i. Offices
 - ii. Contractor's storage yards
 - iii. Lumberyards
 - iv. Machine shops
 - v. Manufacturing, light
 - vi. Solid waste collection facilities
 - vii. Utilities, minor
 - viii. Uses accessory to the above uses
 - B. Uses permitted by Special Use Permit only
 - i. Sanitary landfills
 - ii. Solid waste material recovery facilities
 - iii. Telecommunication facilities
 - iv. Utilities, major
 - v. Uses accessory to the above uses
2. **WATER SUPPLY IMPROVEMENTS:** To ensure the continued provision of a safe and reliable potable water source for residents and users in the Fork Union Sanitary District ("FUSD"), the Applicant shall pay the County an amount (the "Water Supply Payment") to be used towards the construction of and connection to a new water intake from the James River to serve the FUSD, and related water treatment, storage and connection costs related to provision of potable water to the FUSD (collectively, the "Water Supply Improvements").
 - A. The Water Supply Payment shall be calculated as either 1.) that portion of a new joint water system (the "Joint Water System") to be developed pursuant to certain agreements with Louisa County, Virginia ("Louisa") that is attributable to providing water to the FUSD (the "Joint Water System Payment Option") or 2.) the County's cost to develop and operate a new water system constructed solely to serve the FUSD (the "FUSD System Option"), if the County and Louisa mutually agree to terminate the Joint Water System project. Regardless of whether the County chooses the Joint Water

- System Payment Option or the FUSD System Option, the Applicant's obligation to make the Water Supply Payment shall not exceed \$47,148,330.00 (the "Dominion Cap"). The Dominion Cap includes \$35,361,247.00 for anticipated project costs in accordance with Schedule A and \$11,787,083.00 set aside for unanticipated project costs. Unanticipated project costs shall be utilized only in the event that the amounts listed in Schedule A are insufficient to cover anticipated project costs. (The anticipated project costs identified on Schedule A for each component of the Water Supply Improvements are estimates. The amounts are not based on final engineering calculations and are not intended to reflect the budgeted or actual cost of each category of improvements. Budgeted and actual costs shall be identified and paid in accordance with Section 5 of these proffers.)
- B. Applicant shall not be required to pay the FUSD System Option if the Joint Water System project is terminated as a result of any unilateral action by the County or an action otherwise within the County's reasonable control (excluding any action(s) arising under Section 3.1.c of that certain "Agreement Between Louisa County, Virginia, Fluvanna County, Virginia, the Louisa County Water Authority, and the James River Water Authority Regarding the James River Water Pipeline" dated October 1, 2013, should Louisa fail to cure an asserted breach of such agreement by the County).
 - C. If the Dominion Cap is met before the completion of the Water Supply Improvements, the remaining cost(s) that exceed the Dominion Cap shall be borne by the County (the "County Contribution"); however, the County is under no obligation to complete any of the Water Supply Improvements if the Dominion Cap is exceeded. FUSD System Option payments may not be used to fund a Joint Water System Payment Option and vice versa, except that should the County's chosen Water Supply Improvements option terminate (in accordance with the termination limitations set forth in Section 2.B. above), the County may use paid portions of the Water Supply Payment towards the remaining Water Supply Improvements option and the Applicant shall pay the remainder of the remaining option, up to the Dominion Cap for that option.
3. PUBLIC AMENITY/RECREATION AND GREEN INFRASTRUCTURE MITIGATION PAYMENT: The Applicant shall pay the County \$500,000 (the "Public Amenity Payment") to construct park, recreation and/or green space area(s) (i.e., playground, baseball field, basketball court) (the "Public Amenities") in a location or locations to be determined by the Board at its sole discretion.
 4. TRANSPORTATION IMPROVEMENTS AND ROAD MAINTENANCE:
 - A. The Applicant shall submit a traffic management plan as part of the overall site development plan. The traffic management plan shall, at minimum, i.) address the location and use of construction entrances and access roads, ii) ensure that oversized deliveries are scheduled during off-peak times, and iii) ensure that access routes to and from the site are planned to minimize conflicts.
 - B. The Applicant shall reimburse the Virginia Department of Transportation ("VDOT") for such improvements and road maintenance to Bremono Road and West Bottom Road that are agreed to between the Applicant and VDOT related to the development and use of the Property, up to but not to exceed \$2 million dollars (the "Transportation Payment").
 5. PAYMENT AND PERMITTING CONTINGENCIES:
 - A. Within a reasonable time prior to committing to the Water System Improvements option it will undertake, the County shall submit to Applicant an initial scope of work, schedule, and total budget for each phase of the Water Supply Improvements (each a "Project Budget" and collectively, the "Project Budgets"). Nothing herein shall prohibit the County from submitting Project Budgets that, in total, exceed the Dominion Cap, provided that the collective costs for the Water Supply Improvements that exceed the Dominion Cap shall be paid, if at all, pursuant to a County Contribution.
 - B. Dominion will only reimburse the County for actual costs incurred and paid by the County for Water System Improvements under the following conditions:
 - i. Within sixty (60) calendar days of receipt of an approved Project Budget and proof of a contract or contracts for Water Supply Improvements, Applicant shall pay the County a construction advance in the amount of \$2,128,300.00 (the "Advance").
 - ii. Following payment of the Advance, the County will provide Dominion with a monthly accounting ("Monthly Accounting") of all invoices the County has paid, along with evidence of such payment by the County, for invoices the County has paid in satisfaction of work performed on the Water Supply Improvements that are in accordance with an approved Project Budget and contractual obligations related to the Water Supply Improvements. If the County has paid no invoices in any month, the County will submit documentation to Dominion of "no activity." Dominion shall have the right to request evidence of the completion of work undertaken or payment of invoices for reimbursement before providing reimbursement to the County.
 - iii. Within sixty (60) days of Dominion's receipt of invoices paid by the County, or if additional information is requested by Dominion, within thirty (30) days after receipt of that information (whichever is longer), Dominion shall reimburse the County for actual costs incurred and paid by the County for Water System Improvements.
 - iv. In the event the actual cost of the completed Water System Improvements to Fluvanna County is less than the Dominion Cap, the Dominion Cap shall be reduced to reflect actual costs, and Dominion's reimbursement shall be adjusted to reflect actual costs to the County.

- v. If the cost of Water System Improvements is offset by the James River Water Authority, Louisa County, or any other source, then that portion of any invoice shall be specifically identified in the Monthly Accounting and that portion of any invoice or payment is not subject to reimbursement under this agreement. Where state and/or federal funding sources become available to pay for all or a portion of the Water System Improvements, the Water Supply Payment shall be reduced up to any such amount unless
- vi. i)the County reasonably applies for and is denied such funding or ii) the County obtains funding but reasonably uses such funds to pay for alternative improvements outside of the FUSD.
- C. Other than reimbursing the County for the Water Supply Improvement in the manner described in this Section, the Applicant shall have no right or obligation to control, direct and/or participate in any aspect of the design, cost, or construction of the Water Supply Improvements, which authority shall remain within the Board's sole discretion, at all times.
- D. Except for the Advance, Applicant's obligation(s) to pay i) the Water Supply Payment, ii) the Public Amenity Payment and iii) the Transportation Payment shall be contingent on Applicant's obtaining all local and state permits and any other applicable approvals required to construct a CCR Landfill on the Property as required by Code of Virginia §10.1-1402.03, and other applicable authorities. Notwithstanding any provision(s) herein to the contrary, the Applicant's obligation to make all or any unpaid portion of the Water Supply Payment shall terminate if construction of the Water Supply Improvements has not commenced by the time the Landfill begins accepting CCRs or is not completed within three (3) years after the Landfill is fully closed and covered.
- 6. USE OF LOCAL WORKFORCE: The Applicant shall work with its contractors to identify opportunities for utilizing, developing, and hiring local workers in accordance with Code of Virginia § 10.1-1402.03(F).
- 7. PERMITS: The Applicant shall acquire all necessary permits from all applicable regulatory bodies of the state and federal government and copies of such permits shall be provided to the County upon request. The Applicant shall prepare and maintain periodic reports as required by the permits, and copies of such reports shall be provided to the County upon request.

MOTION:	Approve SUP 21:03, to permit a Special Use Permit request in the I-1, Industrial, Limited District to permit a sanitary landfill with respect to 224.5 +/- acres of Tax Map 59 Section A Parcel 27 and Tax Map 62 Section A Parcel 7 subject to the eight (8) amended conditions with Condition 2 Option B, as amended, as provided in the Dominion Energy summary sheet received on June 15, 2021.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second	Motion			
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Amended Conditions:

1. This Special Use Permit is granted for a sanitary landfill use to Virginia Electric and Power Company d/b/a Dominion Energy Virginia or any successors as the owner of such use located on Tax Map 62 Section A Parcel 7 for the final disposition of coal combustion residuals (CCRs) and related materials created by the Bremo Power Station (the “Power Station”).
2. All construction activities for the Sanitary Landfill shall be limited to 6:00 am to 8:00 pm Monday through Sunday. Once constructed, the hours of the landfill operation shall not be limited but the Landfill must comply with Chapter 15.1 of the Fluvanna Code (Noise) Article 25 of the Fluvanna Zoning Ordinance, and all other applicable ordinances.
3. A Construction Traffic Management Plan, including certain mitigation measures shall be developed by the applicant and it shall be submitted to the Virginia Department of Transportation (VDOT) and the County Administrator or his designee for review and approval. The Plan shall address traffic control measures along all state maintained roads leading to the Property for both pre- and post-construction road evaluation and any necessary repairs needed to the public roads that are required as a result of any damage from the sanitary landfill construction. All VDOT permits must be received and be approved by VDOT and the approved copies shall be provided to the County Administrator or his designee prior to site construction occurring on the premises.
4. A Site Parking and Construction Staging Plan shall be submitted as a part of the Site Development Plan approval process on the Property that demonstrates a site access plan directing both employees and delivery traffic to minimize conflicts with local traffic on state maintained roads leading to the site to avoid traffic delays during peak construction times. The Virginia Department of Transportation shall approve access to the Property and the applicant will be responsible for all necessary commercial entrance and road improvements to the Property.
5. A Site Construction Mitigation Plan shall be submitted as a part of the Site Development Plan approval process that addresses dust mitigation where all primary construction roads and areas shall remain dust-free by the use of a water truck or other approved method to keep soil and sediment on the premises. Burning operations must follow all local and state burning restrictions and distances from

property lines and combustibles. The plan must address both dust and smoke migration so as not to be of a general nuisance to adjoining property owners during site construction and/or burning operations on the Property.

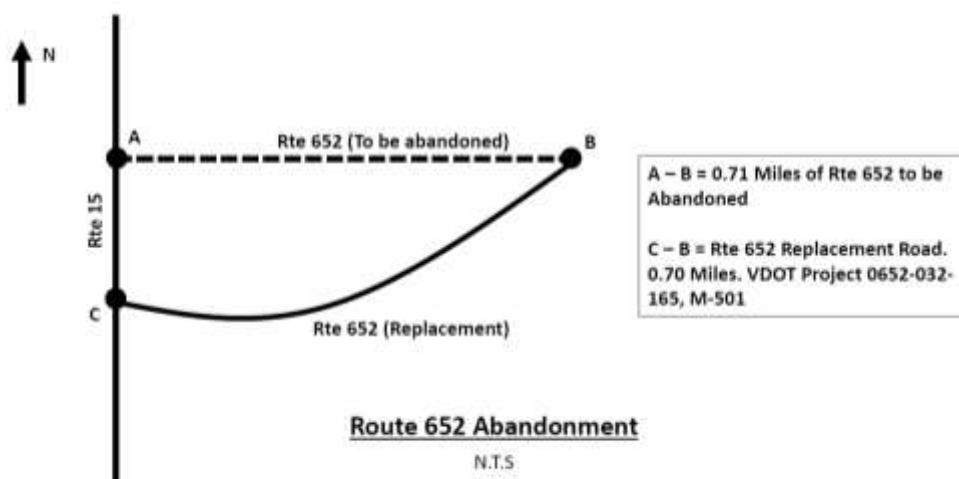
6. The applicant shall coordinate directly with the Fluvanna County Fire Chief and Fluvanna County Sheriff to provide sanitary landfill educational information and/or training to the respective County personnel responding to the sanitary landfill use in regards to how to respond to any calls for service that may occur on the Property. The Fire Chief and Sheriff shall be provided with the construction manager’s direct contact information during construction and the remote sanitary landfill manager’s direct contact information during operations on the Property. It shall be the responsibility of the applicant to update Fluvanna County should this sanitary landfill manager’s name, phone number and/or e-mail address change on the Property.
7. The Board of Supervisors, or its representative, reserves the right to inspect the property for compliance with these conditions at any time on the Property with advance notice given to the project team and escorted by Dominion Energy and they have the authority to revoke this Special Use Permit if the applicant or property owner has substantially breached the conditions of the Special Use Permit.
8. A vegetative buffer to provide screening of the Landfill use from adjacent residences and public rights-of-ways shall be installed where there is not already existing, mature vegetation on the perimeter of the Property. Final buffer requirements shall be approved by the Zoning Administrator at the time of final site plan approval.

Installation of the landscaping plant materials must begin at the time of construction and must be fully installed within six (6) months of the Virginia Department of Environmental Quality’s written notification of satisfactory closure of the Landfill pursuant to 9VAC 20-81-160, as amended.

7 - ACTION MATTERS

Rt. 652, Academy Road Segment Abandonment and Replacement – Bethel Kefyalew, VDOT, Louisa Residency

- Rt. 652, Academy Rd, which was realigned many years ago, but was never updated in the State road records system.
- VDOT requests the County review and pass the attached resolution so that the old segment can be formally abandoned and the new segment can be formally accepted into the system.



MOTION:	Approve the resolution entitled “ADDITION TO SECONDARY ROUTE AND ABANDONMENT WITH REPLACEMENT ROAD FOR ROUTE 652, ACADEMY ROAD.”				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Motion				Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Kents Store Volunteer Fire Company Engine 30 Additional Funding – Eric Dahl, County Administrator

- In the FY18 Budget, the Fluvanna Fire and Rescue Association submitted and had the replacement of Kents Store Engine 30 in the CIP for out years in FY21 for planning purposes for \$583,000.
- In the FY19 Budget, the Fluvanna Fire and Rescue Association submitted and moved up the replacement of Kents Store Engine 30 to be funded in the FY19 Budget for \$566,000. The Board of Supervisors approved \$566,000 in cash funding in the FY19 Budget for the replacement of Kents Store Engine 30 (Apparatus and Equipment).
- Kents Store Volunteer Fire Company has always understood that the approved budget for Engine 30 was \$584,000, so they have therefore been working to outfit Engine 30 within that budget amount.
- Currently, the Board of Supervisors Contingency Budget has a balance of \$54,028. The requested action would decrease that balance to \$36,028.

MOTION:	Approve a budget transfer of \$18,000 from the Board of Supervisors Contingency Budget to the FY21 CIP Fire and Rescue Apparatus Budget, to reflect
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	additional funds for Kents Store Engine 30 for outfitting the engine with equipment.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second				Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Financial Auditing Services Contract – Cyndi Toler, Purchasing Officer

- RFP issued March 31, 2021 and closed May 4, 2021
- Two submissions were received, Both were interviewed by the committee
- The committee included Eric Dahl, County Administrator; Linda Lenherr, Treasurer; and Brenda Gilliam Executive Director for Instruction and Finance for Schools.
- Robinson, Farmer, Cox Associates was chosen as the highest scoring proposal.
- Cost Proposal:

	2021	2022	2023	2024	2025
County Audit	\$44,970	\$44,970	\$46,320	\$46,320	\$47,710
Implementation of GASB 87	\$0	\$3,000	\$1,500	\$1,500	\$1,500
School Activity Funds	\$9,000	\$9,000	\$9,270	\$9,270	\$9,550
Cost Allocation Plan	\$3,850	\$3,850	\$3,970	\$3,970	\$4,090

- The Cost Proposal is similar to the last contract with RFC with an approximate 3% increase every other year.
- There is an addition in FY22 for the implementation of GASB 87 with an annual fee for following years
- The County will have to start recognizing assets and liabilities related to the operating leases it has, as well there will be new and enhanced disclosures that will need to be included in the County's Audited Financial Report.
- FY21 County Audit \$44,970, Cost allocation Plan \$3,850, School Activity fund (paid for by the school activity fund) \$9,000; with a 3% increase every other year.
- With the required implementation of GASB 87 in 2022 There will be a \$3,000 fee for startup and \$1,500 each year for years 3-5

MOTION:	<p>Approve the contract between Robinson, Farmer Cox Associates and the County for Financial Auditing Services, With the fee's as follows</p> <ul style="list-style-type: none"> • FY21 Audit \$44,970, • Cost allocation Plan \$3,850, • School Activity fund (paid for by the school activity fund) \$9,000; • with a 3% increase every other year. • The required implementation of GASB 87 in 2022 will incur a \$3,000 fee for startup and \$1,500 each year for years 3-5 <p>and further authorize the County Administrator to execute the agreements subject to approval as to form by the County Attorney.</p>				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:			Motion		Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Mutual Aid Agreement Between Fluvanna County and Louisa County – Eric Dahl, County Administrator

- The proposed Amended Mutual Aid Agreement between Fluvanna County and Louisa County restates the terms and conditions of provision of services as set out in the 1995 Mutual Aid Agreement to include:
 - Fire services, rescue service, hazardous material response services, disaster or emergency response, and other governmental services to adequately serve their respective political subdivisions.
- Amends the Agreement to include:
 - Assistance with sheltering needs should Louisa County experience a nuclear incident.

MOTION:	Adopt the resolution entitled "A Resolution to Adopt the Amended and Restated Mutual Aid Agreement Between Fluvanna County and Louisa County" to provide services in case of an emergency.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second	Motion			

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

Additional Earth Day Funding - Hazardous Waste Collection Event – Eric Dahl, County Administrator & Aaron Spitzer, Parks and Recreation Director

Background

- The FY21 Fluvanna County Tire Drop Off and Hazardous Waste Collection Earth Day Event took place on Saturday, April 24, 2021 between 10am-2pm.
- This event was originally scheduled for the year prior in April 2020, but was cancelled due to COVID-19.
- The Board authorized a carryover of \$22,200 of unexpended FY20 funds from the prior event to the current fiscal year.
- The last time the Hazardous Waste event was held was in April of 2018. The Board has committed to holding the Hazardous Waste Collection Event every other year.
- About an hour into this year's Fluvanna County Tire Drop Off and Hazardous Waste Collection event, we had estimated that the amount of cars already in line was going to reach the \$22,200 budget capacity for Hazardous Waste Collection.
- A contingency plan was discussed with board members to expend beyond the \$22,200 should it appear early on that the event was going to reach early capacity, which allowed the County to not turn away residents that wanted to drop off hazardous waste.
- This helped to make for a great event for any Fluvanna County resident whom wanted to participate. Parks & Rec staff estimates between 300-350 cars passed through the event between 10am - 2pm.

Fiscal Impact

- Final numbers show that allowing the event to continue requires additional funding of \$11,531 needed for the hazardous waste collection, which is within the discussed contingency plan limits.
- Currently, the Board of Supervisors Contingency Budget has a balance of \$54,028. The requested action would decrease that balance to \$42,497.

MOTION:	Approve a budget transfer of \$11,531 from the Board of Supervisors Contingency Budget to the Litter Budget, to reflect additional funds required for the Fluvanna County Tire Drop Off and Hazardous Waste Collection Earth Day event.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Motion	Second			
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Renewal of County Attorney Contract – Eric Dahl, County Administrator & Frederick Payne, County Attorney
The county attorney serves at the pleasure of the board in accordance with an annual contract. This latest renewal leaves the "flat" monthly payment for routine services at \$10,000; the hourly rates for non-routine services are increased as follows:

- Payne, county attorney--\$310 (unchanged)
- DeLoria, deputy county attorney--\$275 (formerly \$265)
- Tanner, deputy county attorney--\$255 (formerly \$240)
- Hofmann, deputy county attorney--\$230 (formerly assistant county attorney \$215)
- Boggs, assistant county attorney--\$165 (formerly contract associate \$150)

This is the first increase in hourly rates in six years.

MOTION:	Approve the renewal of the annual contract for the county attorney, including the appointment of Kristina M. Hofmann as deputy county attorney and the appointment of Jeremy L. Boggs as assistant county attorney.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:		Motion			Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Board of Supervisors Salary – Eric Dahl, County Administrator

- BOS member salaries were last increased in 2019. On May 1, 2019, the Board voted 3-2 (Eager, Weaver) to increase the pay of Supervisors, effective January 1, 2020, to:

Position Month Annual

Chair	\$850	\$10,200
Vice-Chair	\$800	\$ 9,600
Members	\$750	\$ 9,000

- A review of FY21 salaries for Board of Supervisors of surrounding and similar sized counties in the Commonwealth shows the following:

Group	July 1, 2020 Est. Pop.*	Chair	BoS	Chair Per Capita	BoS Per Capita
7 Local Counties Avg. (less Albemarle)	21,278	\$9,705	\$8,521	\$0.513	\$0.455
22 Counties 20K-35K Pop. Avg.	28,016	\$9,911	\$8,597	\$0.361	\$0.313
All 29 Counties Average	26,389	\$9,861	\$8,579	\$0.398	\$0.348
Fluvanna	27,202	\$10,200	\$9,000	\$0.375	\$0.331

- Staff recommends increasing the BOS pay by 6% to align per capita amounts with the “All 29 Counties Average” above. The average difference between “Fluvanna” current per capita amounts (\$0.375 Chair and \$0.331 BOS) and the “All 29 Counties Average” per capita amounts (\$0.398 Chair and \$0.348 BOS) is 5.56%.

Position	Current Annual	New Annual
Chair	\$10,200	\$10,812
Vice-Chair	\$ 9,600	\$10,176
Members	\$ 9,000	\$ 9,540

- The proposed pay increases and timing thereof complies with Virginia Code § 15.2-1414.2 - Salaries to be fixed by board; limits; reimbursement in addition to salary.

MOTION:	Approve a 6% pay increase for each Fluvanna County Board of Supervisors’ member to the new pay rates of:				
	Position	New Monthly	New Annual		
	Chair	\$901	\$10,812		
	Vice-Chair	\$848	\$10,176		
	Members	\$795	\$ 9,540		
	with such increase to be effective January 1, 2022.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Motion		Second		
VOTE:	Yes	No	Yes	Yes	No
RESULT:	3-2				

7A – BOARDS AND COMMISSIONS

CARE Task Force Charter Amendment

MOTION:	Approve amendment of the Columbia Area Renewal Effort (CARE) Task Force Charter to change the number of Columbia-area resident, business, and/or property owner members from 8 members to 10.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second				Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

MOTION:	Move the Board of Supervisors approve the following Board, Commission, or Committee appointment(s)/reappointments(s):			
BOARD/COMMISSION/COMMITTEE	APPOINTEES	APPT/REAPPT	BEGINS TERM	ENDS TERM
JABA Advisory Council – Fluvanna Citizen Representative	Leslie Woodfolk	Appoint	07/01/2021	06/30/2023
Library Board of Trustees – At-Large position, Unexpired Term	Gene Ott	Appoint	06/17/2021	06/30/2022

CARE Task Force – Columbia-area resident, business, and/or property owner members	Darrick A. R. Mitchell	Reappoint	07/01/2021	12/31/2021	
CARE Task Force – Columbia-area resident, business, and/or property owner members	Melanie Mitchell	Appoint	07/01/2021	12/31/2021	
CARE Task Force – Columbia-area resident, business, and/or property owner members	Maxine Baskfield-Spears	Appoint	07/01/2021	12/31/2021	
CARE Task Force – Columbia-area resident, business, and/or property owner members	Nash Kidd	Appoint	07/01/2021	12/31/2021	
CARE Task Force – Columbia-area resident, business, and/or property owner members	Pamela Brunk	Appoint	07/01/2021	12/31/2021	
CARE Task Force – Columbia-area resident, business, and/or property owner members	Jeffery Brunk	Appoint	07/01/2021	12/31/2021	
CARE Task Force – Columbia-area resident, business, and/or property owner members	Maureen Harris	Appoint	07/01/2021	12/31/2021	
CARE Task Force – Columbia-area resident, business, and/or property owner members	Paul D. Wylie, Jr.	Appoint	07/01/2021	12/31/2021	
CARE Task Force – Columbia-area resident, business, and/or property owner members	Edward H. Zimmer	Reappoint	07/01/2021	12/31/2021	
CARE Task Force – Columbia-area resident, business, and/or property owner members	Melissa Kenney	Reappoint	07/01/2021	12/31/2021	
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second	Motion			
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

8 - PRESENTATIONS

None.

MOTION TO EXTEND

- At 10:38 pm, a motion was made to extend the Board of Supervisors meeting.

MOTION:	Approve a motion to extend the June 16, 2021 Regular Board of Supervisors meeting to 1:00am.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second		Motion		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

9 - CONSENT AGENDA

The following items were discussed before approval:

R - Recertification of Membership on SERCAP Board

The following items were approved under the Consent Agenda for June 16, 2021:

- *Minutes of June 2, 2021* – Caitlin Solis, Clerk to the Board
- *AG Dillard Change Order #7* – Cyndi Toler, Purchasing Officer
- *Law Enforcement Support Technician Job Description* – Donna Snow, HR Manager
- *Children's Program Specialist Job Description (Library)* – Donna Snow, HR Manager
- *Children's Services Act Program Assistant Job Description (CSA)* – Donna Snow, HR Manager
- *ZXR Construction Services Purchase Agreement #9* – Cyndi Toler, Purchasing Officer
- *Recertification of Membership on SERCAP Board* – Kelly Belanger Harris, Assistant County Administrator
- *Circuit Court Clerk's Office Additional Technology Trust Funds* – Eric Dahl, County Administrator

MOTION:	Approve the consent agenda, for the June 16, 2021 Board of Supervisors meeting				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Motion				Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

10 - UNFINISHED BUSINESS

SUP 20:02 Quigley Properties LLC – Douglas Miles, Community Development Director

- Jack McClelland, Director of Environmental Health, spoke to and fielded questions from the Board
- Tim Miller, Applicant, spoke to and answered questions posed by the Board regarding the central wastewater treatment system.

MOTION:	Approve SUP 20:02, as a request for a special use permit to allow for a central sewer system / major utilities with respect to 48.4 +/- acres of Tax Map 31 Section A Parcel 41 and Tax Map 31 Section 1 Parcel A subject to the six (6) conditions listed in the staff report.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:		Motion	Second		
VOTE:	No	Yes	Yes	No	No
RESULT:	2-3 (Motion failed)				

11 - NEW BUSINESS

None.

12 - PUBLIC COMMENTS #2

At 11:20pm, Chair Sheridan opened the second round of Public Comments.

- Lois Fulks, 331 Oak Creek Rd, thanked the Board for not approving SUP 20:02.
- Dale Layton, 265 Oak Creek Rd, spoke in opposition to the central wastewater system.
- Susan Scofield 111 Fairview Ln, thanked the Board for not approving SUP 20:02.

With no one else wishing to speak, Chair Sheridan closed the second round of Public Comments at 11:33pm.

13 - CLOSED MEETING

MOTION:	At 11:34pm, move the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.1, & A.8 of the Code of Virginia, 1950, as amended, for the purpose of discussing Personnel and Legal Matters.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second		Motion		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

MOTION:	At 11:55pm, move Closed Meeting be adjourned and the Fluvanna County Board of Supervisors convene again in open session and "BE IT RESOLVED, the Board of Supervisors does hereby certify to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under Section 2.2-3711-A of the Code of Virginia, 1950, as amended, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting."				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second		Motion		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Assistant Commonwealth's Attorney - New Hire Salary – Jeff Haislip, Commonwealth's Attorney

MOTION:	Approve the newly hired Assistant Commonwealth's Attorney salary be set at \$89,689.98.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second		Motion		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

14 - ADJOURN

MOTION:	Adjourn the regular meeting of Wednesday, June 16, 2021 at 11:57pm.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second				Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

Caitlin Solis
Clerk to the Board

John M. Sheridan
Chair

APPROVED



BOARD OF SUPERVISORS

County of Fluvanna
Palmyra, Virginia

RESOLUTION No. 15-2021

**A RESOLUTION TO APPROVE VDOT SECONDARY SIX-YEAR PLAN
(2021/22 through 2026/27) and
VDOT CONSTRUCTION PRIORITY LIST (2021/22)**

At a regular monthly meeting of the Fluvanna County Board of Supervisors held at 7:00 p.m. on Wednesday, June 16, 2021 in Palmyra, Virginia, the following action was taken:

WHEREAS, Sections 33.2-331 of the 1950 Code of Virginia as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan; and

WHEREAS, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2021/22 through 2026/27) as well as the Construction Priority List (2021/22) on June 16, 2021 after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List; and

WHEREAS, Bethel Kefyalew, Operations Engineer, Virginia Department of Transportation - Louisa Residency, appeared before the Board and recommended approval of the Six-Year Plan for Secondary Roads (2021/22 through 2026/27) AND Construction Priority List (2021/22) for Fluvanna County.

NOW, THEREFORE, BE IT RESOLVED that since said Plan appears to be in the best interest of the Secondary Road System in Fluvanna County and of the citizens residing on the Secondary System, said Secondary Six-Year Plan (2021/22 through 2026/27) and Construction Priority List (2021/22) are hereby approved as presented at the public hearing.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Board of Supervisors at a meeting of the Board held on the 16th day of June, 2021.

	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					

Adopted this 16th day of June, 2021

by the Fluvanna County Board of Supervisors

ATTEST:

John M. Sheridan, Chair
Fluvanna County
Board of Supervisors



BOARD OF SUPERVISORS
 County of Fluvanna
 Palmyra, Virginia
RESOLUTION No. 16-2020

A Resolution to Adopt the Amended and Restated Mutual Aid Agreement Between Fluvanna County and Louisa County

WHEREAS, Fluvanna County (“Fluvanna”) and Louisa County (“Louisa”) previously entered into a Mutual Aid Agreement dated February 3, 1995 (the “1995 Agreement”) related to mutual aid in the event of an emergency as set forth therein; and

WHEREAS, the Fluvanna County Board of Supervisors recognizes the need to prepare for, respond to, and recover from emergencies, and natural and manmade disasters and to provide for the safety and well-being of its citizens and visitors; and

WHEREAS, it is deemed to be mutually beneficial to Louisa and Fluvanna and to have an agreement concerning mutual aid with regard to the services of Louisa and the services of Fluvanna; and

WHEREAS, Fluvanna and Louisa desire that the terms and conditions of provision of services as set out in the 1995 Agreement be amended and restated and replaced in their entirety with the terms and conditions of the Amended and Restated Mutual Aid Agreement Between Fluvanna County and Louisa County attached hereto as **Exhibit 1**; and

WHEREAS, pursuant to the Code of Virginia Section 44-146.20 the approval by the Fluvanna County Board of Supervisors and the governing body of Louisa County is required to adopt the Amended and Restated Mutual Aid Agreement Between Fluvanna County and Louisa County;

NOW, THEREFORE, BE IT RESOLVED by the Fluvanna County Board of Supervisors, this Amended and Restated Mutual Aid Agreement Between Fluvanna County and Louisa County, is officially adopted, and replaces in its entirety the 1995 Agreement; and

IT IS FURTHER RESOLVED AND ORDERED that the County Administrator shall execute the Amended and Restated Mutual Aid Agreement Between Fluvanna County and Louisa County and take any further actions as the County Administrator deems necessary or appropriate to effectuate such agreement after approval as to form by the County Attorney; and

IT IS FURTHER RESOLVED AND ORDERED that the County Administrator may take any other actions authorized under such agreement while the agreement is in force and effect as the County Administrator who is the Director of Emergency Management deems necessary or appropriate thereunder after consultation with the Emergency Management Coordinator.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Board of Supervisors of Fluvanna County on this 16th day of June 2021.

	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					

Attest:

 John M. Sheridan, Chair

Fluvanna County Board of Supervisors



BOARD OF SUPERVISORS
 County of Fluvanna
 Palmyra, Virginia

RESOLUTION No. 17-2021

**ADDITION TO SECONDARY ROUTE AND
 ABANDONMENT WITH REPLACEMENT ROAD
 ROUTE 652, ACADEMY ROAD**

WHEREAS, a portion of Route 652 has been realigned and a new segment constructed to standards equal to the Virginia Department of Transportation's Subdivision Street Requirements as a requisite for acceptance for maintenance as part of the Secondary System of State Highways, as a part of VDOT Project 0652-032-165, M-501; and

WHEREAS, the Virginia Department of Transportation has inspected this street and found it to be acceptable for maintenance; and

NOW, THEREFORE, BE IT RESOLVED by the Fluvanna County Board of Supervisors, this the 16th day of June, 2021, that the old segment of Route 652, identified on the attached Form AM 4.3, is no longer needed as part of the Secondary System of State Highways as the new road serves the same citizens as the old road and is hereby requested to be abandoned by the Virginia Department of Transportation pursuant to §33.2-912, *Code of Virginia*, 1950 amended.

BE IT FURTHER RESOLVED, that the Virginia Department of Transportation be, and it hereby is, requested to add and maintain the new segment identified on the attached Form AM 4.3 as part of the Secondary System of State Highways, pursuant to §33.2-705, *Code of Virginia*, 1950 amended, and the regulatory requirements of VDOT.

BE IT FURTHER RESOLVED, the County Board of Supervisors does hereby guarantee unencumbered rights-of-way plus the necessary easements for cuts, fills, and drainage for this added segment;

BE IT FURTHER RESOLVED, a copy of this resolution be forwarded to the Virginia Department of Transportation.

	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					
John M. Sheridan, Columbia District	X					
Donald W. Weaver, Cunningham District	X					X

Attest:

 John M. Sheridan, Chair

Fluvanna County Board of Supervisors