

FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Fluvanna County Library, 214 Commons Blvd.
Palmyra, VA 22963
August 18, 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
William Tanner, Deputy County Attorney
Caitlin Solis, Clerk for the Board of Supervisors

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

At 7:00pm, Chair Sheridan called to order the Regular Meeting of August 18, 2021.
After the recitation of the Pledge of Allegiance, a moment of silence was observed.

3 - ADOPTION OF AGENDA

MOTION:	Accept the Agenda, as amended for the August 18, 2021 Regular Meeting of the Board of Supervisors.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:					
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

4 - COUNTY ADMINISTRATOR’S REPORT

Mr. Dahl reported on the following topics:

Announcements and Updates - New Employees

- Erica Harrison, Financial Services Technician, Finance Department, Started August 16th
- Nayantara (Naya) Kabir, Children’s Services Act Program Assistant, Children’s Services Act, Department, Started August 16th
- Frank Harris, Full-time Deputy Sheriff, Sheriff’s Office, Started August 16th
- Dana Staton, Human Services Assistant III, Social Services Office, Started August 16th

Employee Promotion

- Erinn Henning, Children’s Program Specialist, Library Staff

Staff and Community Recognitions

- Social Services distributed 42 backpacks stuffed with school supplies
- School supplies were distributed to another 11 children for this school year.
- Recognition to Jane Wilson with Social Services for coordinating the project and a big thank you to Lake Christian Church, Fluvanna Baptist Church and Kaci Hensley for donating the backpacks and school supplies.

FLUVANNA COUNTY FAIR

- Fair dates are August 19 - 21
 - August 19 / Fair opens at 4pm, closes at 9pm
 - Events: 4-H rabbit and poultry show, HS pep rally, & Charlottesville Municipal Band
 - August 20 / Fair opens at 4pm, closes at 9pm
 - Events: Power Wheels Derby and music by Crimson Current
 - August 21 / Fair opens at 10am, closes at 9pm
 - Events: Magician and various music acts throughout the day, mini excavator challenge, corn hole tournament, & rodeo
- Carnival runs August 18 - 21
 - Wednesday & Thursday 6pm - 10pm
 - Friday 5pm - 10pm
 - Saturday 10am - 10pm with a break 3pm - 5pm

- Testing
 - No longer contacting those who have a negative test; if no call within four days of the test, test was negative
 - BRHD is adding many additional COVID testing clinics over the next 7 weeks; check www.blueridgecovid.org regularly for updated schedule
 - COVID Testing Clinic just finished at Fluvanna Health Dept – 5pm-7pm today
- Vaccines
 - Immunocompromised people can receive a 3rd dose of vaccine available now.
 - At Health Department - By appointment only – 972-6261
 - Primary Care Providers, Pharmacies, etc: please call directly

Next BOS Meetings:

Day	Date	Time	Purpose	Location
Wed	Sep 1	4:00 PM	Regular Meeting	Library
Wed	Sep 15	7:00 PM	Regular Meeting	Library
Wed	Oct 6	4:00 PM	Regular Meeting	Library

5 - PUBLIC COMMENTS #1

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

- Suzy Morris, 6840 Thomas Jefferson Pkwy, spoke against county development on Rte. 53.
- Gary Clore, 725 Transco Rd, Spoke in support of the Fluvanna County Sheriff's Office.
- Donna Daguanno, 148 Crape Myrtle Dr., Spoke against development high-density housing.

With no one else wishing to speak, Chair Sheridan closed the first round of Public Comments at 7:25 pm.

6 - PUBLIC HEARING

ZTA 21:03 R-4 Zoning District – Multi-family Dwellings from 2.9 to 5.5 Dwelling Units – Douglas Miles, Community Development Director

- ZTA 21:03 An Ordinance to amend Chapter 22 Zoning of the Fluvanna County Code, By the addition of a Uses Permitted by Right Use under 22-8-2.1 in the R-4 Zoning District: Multi-family dwellings, with a density up to 5.5 dwelling units per acre; provided that the property is within an area subjected to a Common Plan of Development and such property is served by a Central Water and Sewer system.

Countywide Zoning Text Amendment

- Fluvanna County is 286 square miles, only 5 square miles is Zoned for multi-family housing and of that only about 1/2 square mile is improved with multi-family (duplex) homes that have been occupied for decades in Fluvanna County.
- Limited housing types / options reduces the quality of the County's job applicants for Fluvanna County businesses as those applicants choose to live and work in Charlottesville (Pantops) or in Richmond (Short Pump) - Not in Palmyra.

2015 Comprehensive Plan Summary

- Rivanna (Lake Monticello) Community Plan
- Neighborhood Residential areas should provide a range of residential housing types and lot sizes.
- Generally, this includes a balance of single-family residences and multi-family housing. (Note: 95% Single-family homes and that is not a Balance)

Marina Point Zoning Summary

- Jan 1974 the Zoning Ordinance it was established and Lake Monticello all became R-1 and with B-1 zoning for shopping
- Dec 1983 Lake Monticello Development Corp. rezoned from R-1 to R-2 to permit the Marina Point Condominiums by right
- 1992 Zoning Ordinance Update the Lake changed from R-1 to R-4 with approval of the LMOA members and is R-4 to this day
- March 1997 County Attorney wrote Legal Opinion that developer has no Vested Right and should apply for a Special Use Permit to construct more condominiums
- In 2001 Landowner requested a Zoning Determination they appealed to the BZA, it was denied, appealed to Circuit Court, Denial was affirmed – settled case law

- 15 Condo Units + 10 Townhouse Villa Units = 25 units
- 25 Multi-Family Units / 5.14 acres = 4.86 total density
- Proposed Zoning Text Amendment = 5.5 dwelling units



R-4 Zoning Text Amendment

- Dwelling, multi-family (existing zoning definition) A building or portion thereof which contains two or more dwelling units for permanent occupancy, regardless of the method of ownership.
- New Townhouse Villa style units would be similar to Villages at Nahor and would not create additional traffic as under the 1983 zoning case it was accounted for – so just a change in their housing unit type from Condominiums over to Townhouse Villas

At 7:35 pm, Chair Sheridan opened the Public Hearing.

- Suzy Morris, 6840 Thomas Jefferson Pkwy, Spoke against the ZTA 21:03 R-4 Zoning District – Multi-family Dwellings from 2.9 to 5.5 Dwelling Units.
- Chris Fairchild, 5470 Thomas Jefferson Pkwy, Spoke against ZTA 21:03
- Susie Farris 189 Bluebird Ln, spoke in opposition to ZTA 21:30
- Sandra Radford, 121 Mulberry Dr., spoke against ZTA 21:03
- Billie Kay Snodgrass, C4 Marina Point, spoke in support of ZTA 21:03
- Gerry Stoopman, C2 Marina Point, spoke in favor of ZTA 21:03
- Donna Daguanno, 148 Crape Myrtle Dr., spoke against ZTA 21:03
- Steve Smith, 6 Sunset Ct., Spoke in opposition to ZTA 21:03
- Thomas Diggs, 947 Jefferson Dr., spoke in opposition to ZTA 21:03
- John Joyce, 951 Jefferson Dr., spoke against ZTA 21:03
- Elena Calhoun, 389 Jefferson Dr., spoke against ZTA 21:03
- Garret Smith, Representative for Marina Point, spoke on behalf and in favor of Marina Point
- Jerry Custer, 28 Covered Bridge Rd., spoke in opposition of ZTA 21:03
- Barbara J. Rohr, 961 Jefferson Dr., spoke against ZTA 21:03
- Gary Hannifan, 953 Jefferson Dr., spoke against the placement of the proposed Marina Point units.
- Debra Kurre, 19 Laguna Rd., spoke in favor of tabling the decision until the new Comprehensive Plan was finalized and reviewed.

With no one else wishing to speak, Chair Sheridan closed the Public Hearing at 8:40 pm.

MOTION:	Defer for no more than 12 months from July 12 an ordinance to amend Chapter 22 Zoning of the Fluvanna County code by the addition of a uses permitted by right under 22-8-2.1 in the R-4 zoning district: multi-family dwellings, with a density up to 5.5 dwelling units per acre, provided the property is within an area subjected to a common plan of development and such property is served by a central water and sewer system.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second		Motion		
VOTE:	Yes	No	Yes	Yes	Yes
RESULT:	4-1				

7 - ACTION MATTERS

Authorization to Advertise for a Cigarette Tax Ordinance – Kelly Belanger Harris, Assistant County Administrator
Authority for Counties to Assess a Cigarette Tax and the Creation of a Regional Cigarette Tax Board to Collect and Disburse Taxes Collected

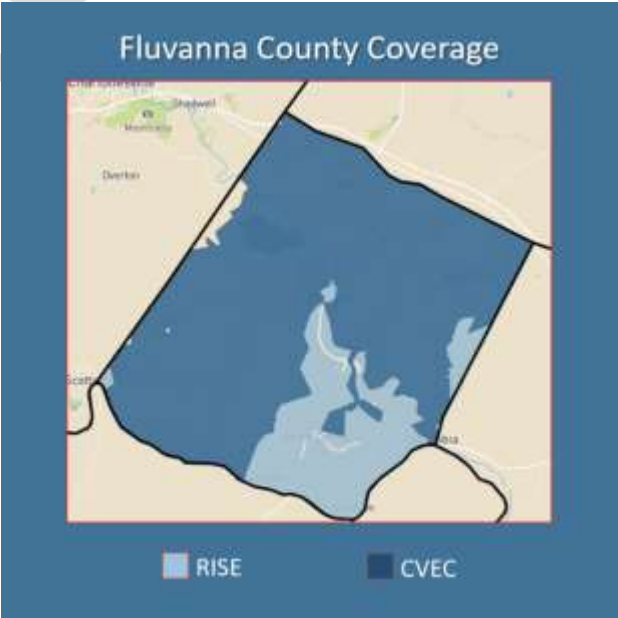
- 2020 - Virginia General passed legislation authorizing counties to impose cigarette taxes at a rate of up to 40 cents per pack, beginning July 1, 2021.
- April 2021 - Thomas Jefferson Planning District Commission canvassed for interest among member localities
- May 2021 – Fluvanna BOS adopted a Resolution In Participating In Regional Cigarette Tax Administration
- Spring-Summer 2021 - TJPDC Cigarette Tax Workgroup planning group met
- July 2021 – TJPDC Cigarette Tax Workgroup prepares/reviews Draft Ordinance and Agreement for localities participating in Regional Cigarette Tax Board

- Aug-Sep 2021 – TJPDC Cigarette Tax Workgroup offers to localities a draft ordinance: *An Ordinance Approving the Formation of A Joint Entity To Be Known As the Blue Ridge Cigarette Tax Board and Bestowing On Such Entity All Powers Necessary and Proper for the Performance of Its Duties As Provided By Law*
- **Composed of one representative from each member jurisdiction at the Boards creation, and one representative from those jurisdictions later added with the consent of the Tax Board.**
 - “The Board shall be composed of one representative from each jurisdiction currently named herein and one representative from those jurisdictions later added with the consent of the Board in conformity with Section 10. Said representative may designate an alternate to attend meetings and vote in his or her place.”
- **An Administrator will oversee day-to-day operations of the Board**
 - Additional staff and TJPDC staff may also provide administrative support
- **Regional Board will disburse tax revenue to member jurisdictions on a monthly basis**
- **Ordinance Adoption - Public Hearing required:**
 - **Request Authorization to Advertise – August 18, 2021**
 - Public Hearing – September 15, 2021
- **County Code Amendment (before Jan 1, 2022)**
 - Authorization to Advertise a Public Hearing – Date?
 - Public Hearing – Date?

MOTION:	Authorize staff to advertise a Notice of Public Hearing to be held on September 15, 2021, for “AN ORDINANCE APPROVING THE FORMATION OF A JOINT ENTITY TO BE KNOWN AS THE BLUE RIDGE CIGARETTE TAX BOARD AND BESTOWING ON SUCH ENTITY ALL POWERS NECESSARY AND PROPER FOR THE PERFORMANCE OF ITS DUTIES AS PROVIDED BY LAW”				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Motion		Second		
VOTE:	Yes	No	Yes	Yes	Yes
RESULT:	4-1				

Firefly Fiber Broadband VATI Grant Application – Eric Dahl, County Administrator
Gary Wood, CEO and President of Central Virginia Electric Cooperative/Firefly, updated the Board on the progress of the Firefly Fiber Broadband project and presented the VATI Grant application process to complete fiber coverage for the entire county by 2025.

- Firefly Fiber Broadband is constructing fiber to the home for residents in the Central Virginia Electric Cooperative footprint.
- Dominion Energy is interested in building fiber to its infrastructure and allowing Firefly Fiber to build laterals off Dominion Energy’s planned fiber.
- Firefly Fiber studied Fluvanna County’s Dominion Energy footprint for areas underserved by broadband (less than 25/3 mpbs service) for inclusion in its network.
- Firefly Fiber’s study has shown there are 802 homes and businesses that are unserved. It would require 63 miles of fiber.
- The budget for the project is \$5,137,000 with VATI covering \$1.79 million. The County match would be \$601,500.
- The County can use American Rescue Plan Act funds for the match.



Project Schedule

- **August 2021** – Board makes decision on participation
- **September 14** – VATI application due
- **December 2021** – VATI awards announced
- **January/February 2022** – Dominion files for SCC approval for middle mile project area
- **Later in 2022** - Construction begins
- **2025** – Finish Build by end of year

Total Electric Accounts in Fluvanna	
CVEC	9,323
Appalachian Power	88
Dominion Energy	3,536
*Assume 10% of electric accounts will never take broadband service (barns, electric fences, water troughs, etc)	
Project Details	
Total Unserved Passings	802
Total Fiber Miles	63
Project Costs	
Total Project Cost	\$5,137,000
Share of Construction Costs	
Firefly/Dominion	\$2,755,000
VATI Request	\$1,780,000
County Request- matching funds	\$601,500

MOTION:	Adopt a Resolution for the Firefly Fiber Virginia Telecommunication Initiative Grant Application.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:			Motion		Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

FY23 Budget Calendar – Tori Melton, Management Analyst presented the proposed dates for the fiscal year 2023 budget season.

MOTION:	Approve the FY23 Budget Calendar, as presented.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:		Motion			Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Economic Development and Finance Department Positions Reclassification – Eric Dahl, County Administrator and Donna Snow, HR Manager

- Background
- This reorganization in Economic Development and the Finance Department is proposed to reflect the current needs for filling the Economic Development position when competing with our surrounding job market and reflects the reduced workload requirements needed for the Financial Services Technician position in Finance.
 - Position Descriptions have been updated to reflect duty requirements, incorporate new skills, and ensure better service for the residents, developers, and the business community.
 - The changes as proposed will likely not require any additional funding and they could potentially create a net decrease overall.

ECONOMIC DEVELOPMENT and FINANCE DEPARTMENT POSITIONS RECLASSIFICATION						
Current Title	Pay Band	FY22 Budgeted Pay/Salary	New Title/Position	Pay Band	FY22 Minimum Pay/Salary	FY22 COAD Max Pay/Salary
Economic Development Coordinator	20	\$ 57,942	Director of Economic Development	24	\$ 67,537	\$ 77,668
Financial Services Technician (Full-Time)	11	\$ 39,312	Financial Services Technician (Part-Time)	11	\$ 17,232	\$ 19,817
CURRENT TOTAL:		\$ 97,254	PROPOSED TOTAL:		\$ 84,769	\$ 97,484
			ANNUAL PROPOSED CHANGE (decrease):		\$ (12,485)	\$ 230

MOTION:	Approve the following position description revisions and pay band changes: <ul style="list-style-type: none">- FROM: Economic Development Coordinator, Pay Band 20, minimum salary \$53,496- TO: Director of Economic Development, Pay Band 24, minimum salary \$67,537- FROM: Financial Services Technician (Full-time), Pay Band 11, minimum expected pay \$34,467- TO: Financial Services Technician (Part-time, permanent), Pay Band 11, minimum expected pay \$17,233				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second		Motion		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

- Priority Dispatch System Contract – Cyndi Toler, Purchasing Officer
- In accordance with Virginia code section 56-484.16:1 all PSAP’s (Public Safety Answering Point) must on or before January 1, 2022, provide training in T CPR (telecommunicator CPR) to each dispatcher in its employment and shall provide its dispatchers with equipment necessary for the provision of T CPR.

- Also in accordance with Virginia code section 56-484.16:1 By January 1, 2024, each operator of a PSAP shall implement a requirement that each of its dispatchers shall by July 1, 2024, have completed an Emergency Medical Dispatch education program that complies with minimum standards established by the Office of Emergency Medical Services.
- We have spoken to Fluvanna’s OMD who gave several recommendations one of which was Priority Dispatch.
- Priority Dispatch will put Fluvanna in compliance with both TCPR and EMD mandates.
- This service provides essential information to callers/patient and determines patients that require rapid care and provides appropriate and timely prehospital instructions.
- This project is budgeted in the FY22 budget for \$92,755.00, using a cooperative agreement we are able to come in under budget at \$88,905.00

MOTION:	Approve the Contract between Fluvanna County and Medical Priority Consultants, Inc. to Priority Dispatch System totaling \$88,905, plus 5 years of licenses and maintenance at \$7,500.00 per year, and further authorize the County Administrator to execute the agreement subject to approval as to form by the County Attorney.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second	Motion			
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

7A – BOARDS AND COMMISSIONS

None.

8 - PRESENTATIONS

Law Enforcement Pay Rates and Classifications – Donna Snow, HR Manager, Sheriff Hess and Major Wells

- Major David Wells gave an overview of Sheriff’s Office recruitment, retention, and salary compression.

Changing labor markets and views on law enforcement

- 2019 International Association of Chiefs of Police article “THE STATE OF RECRUITMENT: A CRISIS FOR LAW ENFORCEMENT”



National shortage of law enforcement applicants and high numbers of current officers leaving

- 2020 was a very impactful year
- Current labor shortage across all industries
- Difficulties filling shift work and non-virtual positions
- This is leading to increased wages in all sectors (our current base wage is \$17.40 per hour)

Anti- Law Enforcement sentiment

- 2020 national trend of anti-police rhetoric by politicians and media based on the terrible actions of a small number of officers
- Increased scrutiny and lack of respect for law enforcement has reduced interest in the career field – Even more challenging to recruit diversity
- Why would job seekers enter this field given push back and the risk?
 - If law enforcement errs, they can be sued and/or criminally charged.
 - You can sell ice cream and make the same the same money... why risk it?

Personal risk of work-related injury, sickness, or death

Two Types of Applicants

- Certified Applicants
 - Have previously successfully completed an 840-hour DCJS training academy, passed the state exam, and are in good standing
 - Can work after completing 100 hours of in-house field training
- Non-Certified Applicants
 - Must complete the 840-hour DCJS training academy at our expense and pass the state exam

- The DCJS training academy only occurs twice a year (January and June)
- Must complete 240 hours of in-hours field training

Cost to turn-over

- 14 deputies & 17 Dispatchers in 2 years - A LOSS of over ½ Million Dollars in training investment

Why are they leaving?

- Dispatch
 - 6 left for **BETTER** paying jobs
 - 2 retired
 - 4 quit or were terminated as they could not learn the job skills
 - 3 moved out of the area
 - 2 other reasons
- Deputies
 - 9 left for BETTER paying jobs
 - 4 quit or were terminated for performance/could not learn the job skills
 - 1 retired

Why Now? Local Agencies increased their salaries in 2021

We must raise wages to compete!

- Highly competitive job market
- Limited applicant pool
- Must retain the quality people we have
- We are tied for **LOWEST** deputy starting wage
- Must recruit dispatchers and deputies who understand how to police in Fluvanna and respect our citizens
- We are part of the community

What happens if we do nothing?

- Lack of qualified applicants
- Hire "2nd string" candidates and hope
- Continued waste of payroll on training
- Quality, experience staff leave for better opportunities
- Reduction in services and community engagement
- Delayed call response time
- Increased complaints and liability
- Reduce patrol visibility
- Minor cases will go uninvestigated

Solutions?

- Incentives currently offered for deputies
 - Certified sign-on bonus (\$5,000)
 - Patrol shift differential (\$1,100)
 - Should we increase these?
- Raise base pay for deputies to at least get us in the ball game
 - \$43,000 for un-certified
 - \$46,000 for certified
- Address compression to keep the quality people we have invested in
 - If base pay raises, we must scale up.
 - 17 out of 22 non-ranking experienced deputies make LESS than Louisa's starting pay for no-experience uncertified applicants
 - Estimated cost to the county is \$250,000 to address deputy pay compression properly.

Emergency Communications Center

- Severe staffing shortages
- Increased employee stress and burn-out due to overtime
- Difficulties finding qualified applicants to work shift work
- More state mandated workload coming in 2022 with Emergency Medical Dispatch
 - Increased training required
 - Increased time on calls
 - Increased liability
- Must address pay compression to retain the qualified staff we have

HB 7001 has passed

- \$33,179,883 to the Compensation Board (157) for a **one-time hazard pay bonus of \$3,000 for state-supported sworn officers of Sheriff's Departments** and Regional Jails. Furthermore, the Governor shall

Board of Supervisors Minutes

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convene a work group to address the compensation structure for ..., deputy sheriffs within Sheriff's Departments, ... The workgroup shall ...deliver recommendations to the Governor and General Assembly by October 15, 2021.

- \$20,000,000 to the Department of State Police (156) to provide one-time bonuses to sworn, law enforcement personnel. The department is authorized to **pay bonuses** to its sworn, law enforcement officers of **\$5,000** to all sworn, law enforcement officers, **compression bonuses within a range equivalent to two and eight percent of salary** as appropriate to qualifying officers, **sign-on/recruitment bonuses to newly hired troopers of \$5,000**, and **retention bonuses as needed**. In addition, these funds may be used to reimburse up to **\$2,000 of relocation expenses** for each newly hired trooper and any law enforcement personnel who is being relocated by the department.
- *After a lengthy discussion, the Board of Supervisors directed staff to return with proposed estimates for salary increases for deputies and emergency dispatch.*

9 - CONSENT AGENDA

- *Mr. O’Brien stepped out of the room and returned a few minutes later.*

The following items were approved under the Consent Agenda for August 18, 2021:

- *Minutes of August 4, 2021* – Caitlin Solis, Clerk to the Board
- *FY22 FCPS Grants Supplemental Appropriation* – Tori Melton, Management Analyst & Brenda Gilliam, Executive Director for Instruction and Finance
- *FY22 Sheriff Department Insurance Claim - Property Damage* – Tori Melton, Management Analyst
- *Silk City Printing Commonwealth’s Development Opportunity Fund (COF) Performance Agreement* – Bryan Rothamel, Economic Development Coordinator
- *Accounts Payable Report for June 2021* – Tori Melton, Management Analyst

MOTION:	Approve the consent agenda, for the August 18, 2021 Board of Supervisors meeting, and to ratify Accounts Payable and Payroll for June 2021, in the amount of \$1,529,921.93.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second				Motion
VOTE:	Yes	Yes	Absent	Yes	Yes
RESULT:	4-0				

10 - UNFINISHED BUSINESS

New Admin Building, New DSS Building and Existing Building Renovation Design Costs – Eric Dahl, County Administrator

New Admin Building, New DSS Building and Existing Building Renovation Design Costs

- VRA Financing for County Admin/DSS projects (\$16,500,000).
 - Key issue on these projects is timing – it is recommended to having a pretty good handle on project costs (at least for the new construction) and timeline before doing permanent financing.
 - What may be necessary would be for the County to use its own cash to pay for design and preliminary costs, to be reimbursed from bond proceeds when the financing is done.
 - It is recommended the Board adopt a Reimbursement Resolution to ensure project costs initially paid from County funds could be reimbursed with tax-exempt bond proceeds.
- Preliminary design estimates for construction of the New Administration Building, New DSS Building, renovation of the current Administration building, and renovation of the Carysbrook Complex are estimated around \$708K.
- To know the actual cost, we need to issue a formal RFP for the design work.

Design Costs

Fluvanna County, Virginia
Upcoming project probable costs

Name of Building	Location	New/Renovation	Area	Cost/SF	Probable Construction Cost	Design Fees (2021)	Bidding & Construction Admin Fees (2022)	Probable Soft Costs (inc. design fees)	Subtotal
Administration Building	Pleasant Grove Campus	New	24,023	\$ 200.00	\$ 4,804,600.00	\$ 240,230.00	\$ 72,069.00	\$ 960,920.00	\$ 5,765,520.00
Dept of Social Services Bldg	Pleasant Grove Campus	New	32,307	\$ 200.00	\$ 6,461,400.00	\$ 323,070.00	\$ 96,921.00	\$ 1,292,280.00	\$ 7,753,680.00
Convert Admin to Courts	Palmyra Campus	Renovation	13,812	\$ 120.00	\$ 1,657,440.00	\$ 82,872.00	\$ 24,861.60	\$ 331,488.00	\$ 1,988,928.00
Renovate DSS to Multipurpose	Carysbrook Campus	Renovation	6,913	\$ 180.00	\$ 1,244,340.00	\$ 62,217.00	\$ 18,665.10	\$ 248,868.00	\$ 1,493,208.00
Total					\$ 14,167,780.00	\$ 708,389.00	\$ 212,516.70	\$ 2,833,556.00	\$ 17,001,336.00

VP&A – Schools CIP Project Update

Updates:

- The Carysbrook Elementary HVAC CIP is projected to have a funding shortage of ~\$600K - \$1.3M, depending on the scope of the project
- FCPS will be receiving federal ESSR funding, which may be eligible to be applied to components of the Abrams Academy - School Renovation CIP and could lower the amount needed via debt proceeds.

Project	Description	FY22 Budget	Current Estimates - Low	Current Estimates - High
Carysbrook Elem School - HVAC	HVAC Replacement	\$1,500,000	\$2,100,000	\$2,800,000
Abrams Academy - School Renovation	Building Renovation	\$1,250,000	TBD	TBD
School Buses	10 Buses	\$1,021,000	TBD	TBD
		\$3,771,000		

- After discussion, the Board of Supervisors directed staff to proceed with request of proposals and a reimbursement resolution for the design costs associated with the New Admin Building, New DSS Building and Existing Building Renovations.

MOTION TO EXTEND

- At 10:48 pm, a motion was made to extend the Board of Supervisors meeting.

MOTION:	Approve a motion to extend the August 18, 2021 Regular Board of Supervisors meeting to 12:00pm.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:			Second		Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Apparatus Funding – Chief John Lye

Chief Lye addressed the Board of Supervisors regarding a price increase on previously approved FY22 CIP apparatus, and asked the Board for committed funding so contracts can be signed, the price can be locked in and begin construction on the approved apparatus.

Chief Lye also asked the Board to authorize funds earmarked for the Response #5 (support vehicle) to be used to complete funding for a replacement ambulance. The Board supported the request for the new ambulance.

- Staff informed the Board that a more formal request could be brought forward for the Administration Building design, the school CIP projects, and the Fire and Rescue apparatus requests in a future meeting.

11 - NEW BUSINESS

ARPA Funds Usage – Eric Dahl, County Administrator

Mr. Dahl brought a request to use ARPA Funds to make improvements to the Omahundro Well in the Fork Union Sanitary District.

➤ The Board of Supervisors directed staff to explore taking necessary funds from the FUSD Fund Balance and ARPA Funding.

➤ Staff will determine how much funding is left in the FUSD Fund Balance; bring back a more formal motion to explore options with full ARPA Funding as well as a combination of ARPA and FUSD Fund Balance funding.

➤ Mr. Sheridan mentioned a small piece of property with a small jungle gym set up and suggested using ARPA Funds to set up a few throughout the county so families would not have to travel so far.

12 - PUBLIC COMMENTS #2

At 11:09pm, 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 11:09pm.

13 - CLOSED MEETING

MOTION:	At 11:09 pm, 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.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:			Motion		Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

MOTION:	At 11:56pm, 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
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	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				

14 - ADJOURN

MOTION:	Adjourn the regular meeting of Wednesday, August 18, 2021 at 11:56pm.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:			Motion		Second
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



BOARD OF SUPERVISORS
County of Fluvanna
Palmyra, Virginia

RESOLUTION No. 18-2021

**A RESOLUTION FOR THE FIREFLY FIBER VIRGINIA
TELECOMMUNICATION INITIATIVE GRANT APPLICATION**

WHEREAS the County of Fluvanna is committed to bringing universal broadband internet access to its citizens across the county within the next three years, and

WHEREAS Firefly Fiber Broadband, Dominion Energy and Rappahannock Electric Cooperative have developed a regional internet service expansion project with the Thomas Jefferson Planning District Commission as the lead applicant with the county being one of multiple counties included in the project to make fiber to the home broadband internet service available to the unserved locations in the county, and

WHEREAS the preliminary planning for the regional project has identified 802 locations in the county as being unserved without access to speeds faster than 25 mbps download or 3 mbps upload, and the preliminary design includes 63 miles of fiber optic cable to be installed in the county to make service available to those locations, with a cost estimate of \$5,137,000 for the construction, creating a need for additional grant funding to make the project financially feasible, and

WHEREAS this project will seek grant funds from the Virginia Department of Housing and Community Development through its Virginia Telecommunications Initiative (VATI) with an application on or before 14 September 2021, and that application process provides additional scoring points for local contributions to the project, then

NOW THEREFORE BE IT RESOLVED that the County of Fluvanna will participate in the regional project and fully support the application including providing local matching funding not to exceed \$601,500.

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Mozell H. Booker, Fork Union District	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					X

Attest:

John M. Sheridan, Chair

Fluvanna County Board of Supervisors

Public Comments:

Comments Opposing Approval of ZTA21:03

Thomas Diggs

I am opposed to the zoning text amendment requested by Marina Point which will permit up to 5.5 residential units per acre by right in R-4 zoning. This amendment represents a 90% increase in density without any requirement for open space and, though it is county-wide, it currently only applies to just one property owner: Marina Point.

Marina Point's Attempts for Increased Density

In 1984, Marina Point purchased a single lot of 5.14 acres and included in its deed an upper limit of 45 residential units. This upper limit in its deed does not bind Fluvanna County in any way. It is on the basis of this statement that Marina Point keeps trying to increase the number of its condominiums and townhouses. The maximum zoning density of 2.9 residential units per acre limits Marina Point to its current 15 units. Marina Point has previously tried to build more units than are permitted, but was unable to get permission from the County to do so. According to the county attorney's comments at the July 13, 2021, meeting of the Planning Commission, the developers unsuccessfully sought a variance from the Board of Zoning Appeals. The developers appealed that decision to the Circuit Court and ended their appeal before a decision, resulting in the denial being final. In addition, the developers did not appeal a decision of the Zoning Administrator which went against them. The county attorney did not say when all of this happened, but the context suggested it was quite some time ago. As a consequence of these actions, MARINA POINT DOES NOT HAVE A VESTED RIGHT TO ADD MORE RESIDENTIAL UNITS. Its proposal for ten new residential units is a new project and can only happen if ZTA21:03 is approved. Marina Point is acting as if the prior decisions never happened and appear to believe they are entitled to "complete" their project. Following negotiations with the existing Marina Point owners, on March 11, 2021, the developers presented a concept plan to the Lake Monticello Owners' Association (LMOA) Board of Directors, neglecting to mention the information about the decisions of the Board of Zoning Appeals and the Zoning Administrator that made this request a new project and not the completion of an existing project. Sometime after the March 11 meeting, representatives of Marina Point filed for a zoning text amendment to increase housing density in the R-4 zoning district, where there is "a common plan of development and such property is served by a central water and sewer system." On May 13, the

Technical Review Committee addressed that request as ZTA21:03. The June 8, 2021 Community Development Director's Report stated that "there are existing condominiums on the Marina Point property and [Marina Point] would like to complete this existing residential multi-family development." (emphasis added). The Planning Commission held a public hearing and voted 3-0-2 in favor of recommending ZTA21:03 which proposes to increase the maximum density in R-4 from 2.9 to up to 5.5 residential units per acre, a 90% increase in density. The thrust of the comments from the Community Planning Director was that ZTA21:03 will provide opportunities for more affordable housing in the county. The Planning Commission did not consider any alternatives for affordable housing or even review options for affordable housing, such as PUD, that are currently in the zoning ordinances.

ZTA21:03 and Affordable Housing

The conclusion of the Planning Commission Staff Report for the July 13 meeting states, in full: The proposed Zoning Text Amendment will allow for additional, affordable housing type options to be developed within R-4 zoning and to allow for the completion of an existing project located in the Lake Monticello Plan of Development and utilizing both Aqua Virginia water and sewer. Fluvanna County does not have the available housing stock to allow for current homeowners to transition to first floor living and lower, overall square footage which equates to more affordable energy bills for heating and cooling and also less outside

landscaping and yard maintenance costs. (emphasis added) The Planning Commission Staff Report did not include a section discussing how the staff reached the conclusion presented. The proposed Marina Point townhouses will have 3,830 square feet of space over three levels, including an unfinished basement of 1,400 square feet, and a two car garage. They are not affordable housing type options, first floor living to which current homeowners can transition, or lower square footage units yielding more affordable energy bills. As noted above, Marina Point does not have an "existing project" to complete. Rather, it has a new one that can only be started with the approval of ZTA21:03.

The Comprehensive Plan Emphasizes Fluvanna's Rural Character

The Fluvanna County Comprehensive Plan is intended to guide decisions of its boards. The first point of focus in the current plan is to "[m]aintain Fluvanna's rural character", page 9. The fourth principle supporting the county's Vision 2035 is "[t]hat our rural character and natural resources are part of Fluvanna's unique heritage, and should be preserved where practical . . ." page 11. Within the overview of the Rivanna (Lake Monticello) Community Plan

(a part of the Comprehensive Plan): “[w]hile there are [sic] a range of opinions on the extent and type of growth desired, most residents agree that it is important to take steps to maintain the rural character of the surrounding area,

enhance the “country suburban” character of the community, promote a vibrant quality of life for residents, and plan for the future.” page 50. The third point of the summary of the Community Plan is “[t]o preserve the rural character of the surrounding area and protect natural resources.” page 52. Comments Opposing ZTA21:03, Thomas Diggs 2 Among the recommendations of the Community Plan: “Preserve natural resources and rural character. The health of the Lake and surrounding land and waterways is important to the health and vitality of the environment and economy of Lake Monticello.” page 53 (emphasis in original). The existing Marina Point properties, both condominiums and townhouses, fit within rural character because of the open space surrounding them. Taking away open space to add more townhouses is not in harmony with the rural character of the remainder of Lake Monticello, a subdivision of 4,625 lots (Comprehensive Plan, page 50) that is, apart from the existing 15 Marina Point units, exclusively single family homes.

Zoning Density Limits

ZTA21:03 seeks to expand the permitted density within R-4 to 5.5 residential units per acre (a 90% increase in density). This increase would be the highest density permitted by right in any of the four residential zones. ZTA21:03 does not seek to have any requirement for open space associated with the proposed increased density.

R-1 permits one residential unit per acre (§ 22-5-3), including cluster development (§ 22-5-8(A)). Cluster development also requires that 50% or more of the land be dedicated to open space (§ 22-5-8(H)). R-2 permits two residential units per acre (§ 22-6-3), including cluster development (§ 22-6-8(A)). Cluster development also requires that 50% or more of the land be dedicated to open space (§ 22-6-8(H)). R-3 permits 2.9 residential units per acre (§ 22-7-8). Development requires that 25% or more of the land be dedicated to open space (§ 22-7-4). In addition, “[t]he open areas of the tract shall be delineated due to their noteworthy features and value to the continued rural character of the county, including, but not limited to, lands with high scenic, open space and water quality protection values including riparian corridors and wildlife habitat . . .” (§ 22-7-4) (emphasis added). Further, a development with 15-60 residential units must provide two or more specifically designated active recreation facilities, but with a minimum of three acres of recreation area. (Marina Point currently has 15 units and wants to add ten more.) R-4 permits 2.9 residential unit per acre for properties with central water and sewer (§ 22-8-3(B)),

including cluster development (§ 22-8-8(A)). Cluster development also requires that 50% or more of the land be dedicated to open space (§ 22-8-8(H)). PUD density ranges from a minimum of 4 to to a maximum of 16 units per acre. In addition, this maximum density can be increased by up to 50% based on the proportion of units allocated to affordable housing and the amount of open space (§ 22-14-8). Development requires at least 30% of the land to be dedicated to open space (§ 22-14-7(1)).

Why Increase Density In Any Zone

At the July 13 meeting of the Planning Commission, the Community Development Director presented excerpts from a study by the Thomas Jefferson Community Planning District Commission (TJCPDC). Comments Opposing ZTA21:03, Thomas Diggs 3 Since the Planning Commission has not yet discussed, approved, or adopted this study, it seems premature to cite this study as support for ZTA21:03. The Community Development Director seemed certain that ZTA21:03’s increased density would be applicable to issues in this presentation. Perhaps increased density is appropriate for the county; however, it seems to be more appropriate to make findings and adopt any appropriate changes to the Comprehensive Plan before adopting solutions which, as stated by the Community Development Director, may not be applicable to any property other than Marina Point for up to 20 years.

Why Increase Density In R-4 Without Considering Its Effect On Comprehensive Plan

If an increase in density was brought to the Planning Commission and Board of Supervisors by the Community Development Director following research into how best to meet specific needs in the Comprehensive Plan, it would appear to be intended for more than just one property owner. However, ZTA21:03 was introduced by representatives of Marina Point and the application of increased density is limited to R-4. To explain that ZTA21:03 is not limited to just the Marina Point property, the Community Development Director said that developers may, in 10 to 20 years, seek R-4 zoning for a project to take advantage of this increased density. It seems more likely that R-3 and PUD would be better suited to an increase in density, if an increase is appropriate. The TJCPDC study cited by the Community Planning Director appears to favor R-3 and PUD, not R-4, for increased density, a point not mentioned at the July 13 meeting of the Planning Commission. The Colonial Circle project was approved for a higher density after the developers chose R-3. This project is one that the Community Development Director mentioned as support for developers possibly wanting increased density in R-4. Choosing R-3 with an increased density would likely be preferred by, and provide greater flexibility to, developers over R-4 with an increased density. A new residential development for seniors with one level living would likely be accompanied by some commercial space which is

more restricted in R-4. The primary reason for a developer to prefer building in R-4 with increased density is that there is no requirement for open space. This is counter to the many times that the Comprehensive Plan addresses maintaining the rural nature of the county.

Correcting Statements From Marina Point's Representative

At the July 13 meeting of the Planning Commission, Dan Girouard, a representative of Marina Point, made comments which were not correct. First, he noted that Marina Point has been working on adding units to the property for years. He stated that Marina Point only wants to add just 10 units and not the 30 permitted by its deed. Although these statements alone are accurate, they became misleading by failing to note that Marina Point does not have a vested right to add any more units. He also did not explain why Marina Point continued to work on adding units after the decisions by the Board of Zoning Appeals and the Zoning Administrator denied Marina Point that right.

Comments Opposing ZTA21:03, Thomas Diggs 4 Second, he stated that the LMOA is in support of the concept of the Marina Point plan and a way to get the project started in the 1980's finished. The March 11 meeting of the LMOA Board of Directors was called specifically to hear the Marina Point presentation on adding ten new townhouses. The LMOA has not expressed an opinion on the Marina Point plan since the directors have not voted to determine whether or not to support it. Any comments by any members of the board or staff cannot be construed to be an opinion of the LMOA without a vote of its Board of Directors or its members.

Suggestion for Determining If Any Zone Should Have Increased Density

The county should determine if any increase in density by right is appropriate by making specific findings based on all available information. If the county determines that an increase in density is appropriate, it should then determine the zone or zones best suited to fulfill on its findings. The county should then revise its Comprehensive Plan. And, finally, the county should make applicable changes to its zoning regulations based on the Comprehensive Plan.

Conclusion

According to the Community Planning Director, Lake Monticello is the only area in the county which is zoned R-4. Marina Point is the only area in Lake Monticello which would satisfy the conditions of ZTA21:03. The Community Planning Director stated at the July 13 Planning Commission meeting that it could be between two and 20 years before a developer would take advantage of an increase in density in R-4. In view of those comments, the main reason to approve ZTA21:03 without following the suggestion above, is to act to benefit a single landowner. With the current applicability of ZTA21:03 to just one property owner, this change looks like a form of spot zoning which is not permitted in Virginia. I urge the Board of Supervisors to reject ZTA21:03.

COMMENTS TO FLUVANNA BOARD OF SUPERVISORS

August 18, 2021

Good evening. My name is Sandra Radford, and I reside at 121 Mulberry Drive, Palmyra in the Village at Nahor, located just outside Lake Monticello. It is a 55+ community of approximately 108 homes, both single- and multi-family homes.

The reason I'm speaking concerning this proposed zoning change to Marina Point in Lake Monticello is its potential impact on my community.

At this time, our community is a quite area, ideally suited to retired persons as we grow into our older years. Many of our residents are impacted by both physical and mental impairments. Our community provides us a safe, non-threatening environment steeped in the beauty of nature that surrounds us. We were attracted and bought our homes because of these attributes of the community. One of the first things I bought for our new home was a kitchen organizer that says, "Our Forever Home". Now, I'm not so sure of that statement anymore.

The move to-rezone the Marina-Point properties-from R4 that which provides the developer the ability to put up to 5.5 homes per acre versus 2.9 homes per acre. In the Fluvanna Review published August 16, 2021, Mr. Douglas Miles, Director of Community Development, was asked if the zoning change would apply ONLY to Marina Park. His answer, as recorded in the Review, was that the change might only impact one property today, "However, in the next 10 or 20 years, that may not be the case:".

Conversely, that could be 2-5 years down the road, which brings me to my community's most pressing concern - the development of Garden Village properties just outside Lake Monticello and adjacent to our community. Southern Development is spearheading this initiative.

In a series of resident meetings on August 12, 2021 discussing The Garden Village project with the Southern Development representative, Mr. Charif Soubra, the question was posed as to what exactly, did he mean about the plans " ... as currently zoned ... " in the proposal. He spoke to the restrictions of a R3 zoning. However, he couldn't say how the Marina Point rezoning may impact changing the Garden Village from 2.9 to 5.5 homes per acre. Apparently, there are already many things about the current Garden Village proposal without even considering a precedent that may be set with rezoning of the Marina Point.

For example, recent changes to the Garden Village proposal show a direct third access point into Village Boulevard in The Village at Nahor. That is done by closing off Garden Lane into a cul-de-sac just before Garden Lane would proceed directly pass the Village Boulevard to give other Garden Lane residents and businesses direct egress to Route 53. By the way, those vehicles would be

_redirected into the Garden Village and take them directly through the proposed Townhouse section to Route 53. Image the safety of the children darting between those vehicles to get across to their own homes or those of friends on the other side. A copy of the Village Garden - Master Plan and the change thereto, the Road Improvement Plan, are attached to this statement.

The impact to our community is a potential explosion of traffic into our now safe community. At this point, we feel safe to take walks at any time day or night. We can walk our dogs freely without worry of them, or us, being hit by a car.

Circle back to the density change proposed by the Marina Point rezoning. Having once set that precedent on changing R3 from 2.9 to 5.5 homes per acre, there is nothing to prevent Southern Development applying for the same rezoning and exacerbating the vehicular traffic in our neighborhood not to mention the strain on the current infrastructure to handling that increase in traffic.

We, the residents of the Village at Nahor, are already fearful of the potential explosion of traffic into our quiet neighborhood. We are very vulnerable in that we are not a physically robust community. Our safety and peace of mind is tantamount to a peaceful existence as we live out our elder years.

We understand that nothing is static. The only thing constant about change is change itself. It will happen. However, we do know that we can control how much and the nature of change. We can better plan for growth by taking time to create the infrastructure to meet the needs first. We can better protect our woodlands and ecosystems. We are the stewards of this world.

We look to you leaders of the community to ensure that change happens to the benefit of all the Fluvanna County residents, especially our most vulnerable, children and seniors.

Everything this Board decides relative to such changes impacts us, usually detrimentally. We have served our country, our various industries in which we worked, our families and neighbors. All we seek is a quiet, secure lifestyle as we continue our walk through the short time left us.

Thank you for your time.

Sandra L. Radford