

FLUVANNA COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
Carysbrook Performing Arts Center  
8880 James Madison Hwy, Fork Union, VA 23055  
September 15, 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 7:02pm, Chair Sheridan called to order the Regular Meeting of September 15, 2021. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

**3 - ADOPTION OF AGENDA**

<b>MOTION:</b>	Accept the Agenda, for the September 15, 2021 Regular Meeting of the Board of Supervisors, as amended.				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
<b>ACTION:</b>	Booker				Motion
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	5-0				

**4 - COUNTY ADMINISTRATOR’S REPORT**

Mr. Dahl reported on the following topics:  
Announcements and Updates

- Happy belated birthday Mrs. Eager

New Employees

- D’amante Anderson, Family Services Specialist , Social Services Office , Started September 13<sup>th</sup>
- Jordan Allen, Deputy in Training, Sheriff’s Office, Started September 13<sup>th</sup>
- Julie Dane, Administrative Assistant, Commonwealth’s Attorney office, Started September 13<sup>th</sup>

Government Finance Officers Association (GFOA) has awarded the *Certificate of Achievement for Excellence in Financial Reporting* to County of Fluvanna for its comprehensive annual financial report for the fiscal year ended June 30, 2020.

- The report has been judged by an impartial panel to meet the high standards of the program, which includes demonstrating a constructive "spirit of full disclosure" to clearly communicate its financial story and motivate potential users and user groups to read the report.
- The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.
- Congratulations to the Finance Department for a job well done!

Congratulations to Kelly Belanger Harris for being accepted into the International City/County Management Association (ICMA) Equity Officer Institute.

- The program identifies individuals serving as chief equity officers, or have equity as an adjunct responsibility, and brings them together to share their insights with ICMA and each other to build a learning community for ICMA members on equity, inclusion, and social justice.
- Across the United States, 33 individuals were accepted into the program.
- 6 of those participating in the program are from Virginia.
- 4 of those from Virginia are in the Central Virginia region.

Fluvanna County Employee Health and Wellness Fair

- Monday, September 20, 2021
- At Pleasant Grove Park in the Pole Barn
- 11:30 am to 1:30 pm – lunch will be provided

- There will be raffles and giveaways
- Health screenings and flu shots will be available

#### BUTTERFLY GARDEN REDEDICATION

- Butterfly Garden members will be rededicating the garden as it has flourished over the past 2 years. The Butterfly Garden members have been meeting each week on Tuesday mornings to work on planting and maintaining the plants and walkways in the garden.
- Butterfly Garden members will also be recognizing the Rossnagle Family for their kind donation of all the materials for the new fence, a special remembrance for garden companion Randy Beck, and their newest interns for passing the classroom portion of the Master Gardener training.
- Butterfly Garden members have invited anyone that would like to join in the rededication and recognitions to please join them at the Butterfly Garden on Saturday, September 18 at 10am.

#### Next BOS Meetings

Day	Date	Time	Purpose	Location
Wed	Oct 6	4:00 PM	Regular Meeting	Performing Arts Center
Wed	Oct 20	7:00PM	Regular Meeting	Performing Arts Center
Wed	Nov 3	4:00 PM	Regular Meeting	Performing Arts Center

#### 5 - PUBLIC COMMENTS #1

At 7:12pm, Chair Sheridan opened the first round of Public Comments.

- Suzy Morris, 6840 Thomas Jefferson Hwy, Spoke to the Board about property rights.
- With no one else wishing to speak, Chair Sheridan closed the first round of Public Comments at 7:17pm.

#### 6 - PUBLIC HEARING

*SUP 21:04 Joseph Carl Bradley – Commercial Kennel – Douglas Miles, Community Development Director*

- SUP 21:04 Joseph Carl Bradley – A Special Use Permit request within the A-1, Agricultural, General District to permit a commercial kennel with respect to 5 +/- acres of Tax Map 23 Section A Parcel 30 located at 5464 Venable Road. The subject property is located within the Rural Preservation Planning Area and in the Columbia Election District.

#### Fluvanna Zoning Ordinance Definitions

- Commercial kennel: A place designed and used to house, board, breed, handle or otherwise keep or care for dogs, cats, or other household pets for the specific intent of sale or in return for compensation.
- Private Kennel: The keeping, breeding, raising, showing, or training of four (4) or more dogs, cats, or other household pets over six months of age for personal enjoyment of the owner or occupants of the property, and for which commercial gain is not the primary objective.

#### Commission and Community Meetings

- June 8, 2021 Planning Commission Public Hearing there were several area residents and the church members that expressed concerns with request.
- July 21, 2021 the applicant and along with Planning conducted a Community Meeting Conference Call to identify and address these neighborhood concerns.
- August 10, 2021 Planning Commission heard that most concerns were addressed in the community.

#### Planning Commission & Staff Conditions

1. This Special Use Permit (SUP) is granted for a commercial kennel use to Joseph Carl Bradley and is not transferable and it does not run with the land on Tax Map 23 Section A Parcel 30.
2. There shall be no more than one (1) commercial kennel building on the premises and it shall be located at least fifty (50) feet from property lines with six (6) foot solid board or vinyl fencing that screens the outdoor dog runs from all of the adjacent property owners.
3. Noise attenuation measures including insulation, fencing and screening shall be installed as a part of the commercial kennel building construction acceptable to both the Building Official and the Zoning Administrator prior to the issuance of a Certificate of Occupancy.
4. There shall be no personal or client dogs in the outside runs between dusk and dawn unless the applicant is actively handling such dogs for the purpose of relieving themselves and then the same runs shall be cleaned regularly to meet the Virginia Department of Health requirements. There shall be no

more than ten (10) client dogs and ten (10) outdoor dog runs at the commercial kennel. Dog runs will only be installed on the south side of the commercial kennel shown on the applicant’s building plans filed with the case.

- 5. The outdoor training of client dogs is permitted Monday through Saturday from dawn to dusk, and on Sundays from 1:00 pm to 6:00 pm. The outdoor training does not include any activity such as personal or client dogs relieving themselves and then the same runs and outdoor areas shall be cleaned regularly to meet the Virginia Department of Health requirements.
- 6. The site shall be maintained in a neat and orderly manner so that the visual appearance from the public right-of-way and the adjacent properties is acceptable to County officials.
- 7. The Board of Supervisors, or its representative, reserves the right to inspect the property for compliance with these conditions at any time.
- 8. Under Section 22-17-4 F (2) of the Fluvanna County Code, the Board of Supervisors has the authority to revoke a Special Use Permit if the property owners have substantially breached the conditions of the Special Use Permit.

➤ At 7:31pm, Chair Sheridan opened the Public Hearing. With no one wishing to speak, Chair Sheridan closed the Public Hearing at 7:31pm

MOTION:	I move that the Board of Supervisors approve SUP 21:04, a request to permit a commercial kennel, with respect to 5 +/- acres of Tax Map 23, Section A, Parcel 30, subject to the eight conditions as recommended by the Planning Commission and Fluvanna County Staff.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:		Second			Motion
VOTE:	Yes	Yes	Yes	No	Yes
RESULT:	4-1				

ZTA 21:02 Solar Generation Facilities – Douglas Miles, Community Development Director

Countywide Zoning Text Amendment (ZTA) 21:02 Solar Generation Facilities

- **ZTA 21:02** This is an Ordinance to Amend Chapter 22 Zoning of the Fluvanna County Code by the Addition of Definitions Under 22-22-1 Definitions; Uses Permitted by Right in A-1 Zoning Under 22-4-2.1, in R-1 Zoning Under 22-5-2.1, in R-2 Zoning Under 22-6-2.1, in R-3 Zoning Under 22-7-9.1, in R-4 Zoning Under 22-8-2.1, in B-1 Zoning Under 22-9-2.1, in B-C Zoning Under 22-10-3, in I-1 Zoning Under 22-11-2.1, in I-2 Zoning Under 22-12-2.1, and in MHP Zoning Under 22-13-2.1 to Permit a Small Scale Solar Generation Facility; and Uses Permitted by Special Use Permit in A-1 Zoning Under 22-4-2.2, in B-1 Zoning Under 22-9-2.2, in B-C Zoning Under 22-10-4, in I-1 Zoning Under 22-11-2.2 and in I-2 Zoning Under 22-12-2.2 to Permit a Minor Scale and Utility Scale Solar Generation Facility.

Utility-Scale Solar Generation Facilities

- Utility-Scale Solar Generation Facilities are very passive land uses requiring few local government services, and generating low noise and emissions for productive solar energy production into the electrical grid
- Solar generation facility, minor scale: An on-site solar energy conversion system producing less than 2 MW of electricity. Minor scale solar energy conversion systems generally reduce on-site consumption of utility power for civic, commercial and industrial applications. On-site may also include adjacent parcels under common use, ownership and control. Rooftop arrays do not require zoning approval. Ground mounted arrays require zoning approval as accessory structures.
- Solar generation facility, small scale: An on-site solar energy conversion system producing not more than 15 kW of electricity. Small scale solar energy systems generally reduce on-site consumption of utility power for civic, commercial and industrial applications. On-site may include adjacent parcels under common use, ownership and control. Rooftop arrays do not require zoning approval. Ground mounted arrays require zoning approval as accessory structures.
- Solar generation facility, utility scale: A solar energy conversion system producing 2 MW or more of electricity to a utility provider. Such facilities interconnect with an existing electrical grid serving other off-site facilities which are not adjacent or under common use, ownership or control.

Proposed Zoning Ordinance Definitions further explained:

- Small-scale facility = 15 kW or less to power an existing warehouse building or commercial business land use
- Minor-scale facility = 2 MW or less to power an existing substation location or the electrical power service area

- Utility-scale facility = 2 MW or more to send electricity into overall power grid through an electrical transmission line

Major Utility versus Utility-Scale Solar

- Currently we have been reviewing all solar requests as Major Utility requests which more accurately defines the electrical transmission line process:
- Utility, Major: Facilities for distribution, collection, treatment, production, transmission and generation of public, private and central utilities including, but not limited to, transmission lines, production plants, electrical substations, pumping stations, treatment facilities, information and communication facilities.
- In order to come into compliance with the recent Virginia General Assembly changes for all Solar Generation Facilities we are proposing this text:
- Solar generation facility, utility scale: A solar energy conversion system producing 2 MW or more of electricity to a utility provider. Such facilities interconnect with an existing electrical grid serving other off-site facilities which are not adjacent or under common use, ownership or control.

Utility-Scale: SUPs for Use Requests

- Minor Scale / Utility Scale Solar Generation SUPs:
  - Mainly within the A-1 Zoning District for both uses
  - Minor Scale: Sun Tribe Solar - Cunningham Solar
- Utility-Scale: Future Solar Generation Facility uses
  - SUP 16:09 Coronal Solar 15 MW – Little Creek Road

Zoning Text Amendment (ZTA) Process

- Solar Facilities and Future Solar Siting Guidelines:
    - Community Planning Areas are to be avoided
    - Water and Sewer areas are also to be avoided
    - Commercial and Industrial areas are avoided
    - Environmental and Historical Analysis done
    - Community Meetings illustrate Sketch Plans
    - Landscaping and Site Screening standards
    - Groundcovers to be pollinator friendly plants
- At 8:19pm, Chair Sheridan opened the Public Hearing.
- Patty Reynard, 662 Broken Island, Spoke in opposition to developing solar energy projects.
- With no one else wishing to speak, Chair Sheridan closed the Public Hearing at 8:24pm.

<b>MOTION:</b>	I move that the Fluvanna County Board of Supervisors adopts the resolution entitled An Ordinance to Amend Chapter 22 Zoning of the Fluvanna County Code by the Addition of Definitions Under 22-22-1 Definitions; Uses Permitted by Right in A-1 Zoning Under 22-4-2.1, in R-1 Zoning Under 22-5-2.1, in R-2 Zoning Under 22-6-2.1, in R-3 Zoning Under 22-7-9.1, in R-4 Zoning Under 22-8-2.1, in B-1 Zoning Under 22-9-2.1, in B-C Zoning Under 22-10-2.1, in I-1 Zoning Under 22-11-2.1, in I-2 Zoning Under 22-12-2.1, and in MHP Zoning Under 22-13-2.1 to Permit a Small Scale Solar Generation Facility; and Uses Permitted by Special Use Permit in A-1 Zoning Under 22-4-2.2, in B-1 Zoning Under 22-9-2.2, in B-C Zoning Under 22-10-4, in I-1 Zoning Under 22-1-2.2 and in I-2 Zoning Under 22-12-2.2 to Permit a Minor Scale and Utility Scale Solar Generation Facility.				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
<b>ACTION:</b>		Second	Motion		
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	5-0				

Adoption of an Ordinance Approving the Formation of a Joint Regional Cigarette Tax Board – Eric Dahl, County Administrator, & Kelly Belanger Harris, Assistant County Administrator

Regional Cigarette Tax Board History

- Cigarette Tax and Regional Tax Board
  - § 58.1-3830. Local cigarette taxes authorized; use of dual die or stamp to evidence payment. - Legislation was passed in the 2020 General Assembly session authorized counties to levy cigarette taxes at a maximum rate of 40 cents per pack, beginning July 1, 2021

- § 58.1-3832.1. Regional cigarette tax boards – Authorizes the creation of a regional taxation body
- Preliminary estimates show this tax could generate \$190K-\$287K annually if levied at 40 cents per pack.
- In April 2021, the Thomas Jefferson Planning District Commission reached out to its member localities to determine interest in forming/participating in a regional cigarette tax board.
  - Six localities required to create a regional body; seven localities indicated interest in forming a regional tax board.
  - May 5, 2021 – Fluvanna County Board of Supervisors adopted a Resolution In Participating In Regional Cigarette Tax Administration.
- Spring-Summer 2021 - TJPDC Cigarette Tax Workgroup reviewed strategies for establishing a regional cigarette tax administration board; provided scenarios for start-up and on-going costs for regional body
- July 2021 – TJPDC Cigarette Tax Workgroup reviews Draft Ordinance and Agreement for localities participating in Regional Cigarette Tax Board
- August 2021 - Draft Ordinance presented to localities for consideration in August/September 2021
- August 4, 2021 – Board authorized advertisement of a Public Hearing to be held on Sept 15, 2021 to consider adopting an ordinance to create the Blue Ridge Cigarette Tax Board.
- Sept 15, 2021 - Five localities have adopted, “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.” If adopted tonight, Fluvanna will be the sixth locality, and will meet the minimum requirement for creation of the regional tax board.

CREATION OF REGIONAL CIGARETTE TAX BOARD

§ 58.1-3832.1. Regional cigarette tax boards.

- A. As used in this section:
- "Member locality" means a locality that elects to become a member of a regional cigarette tax board and have its local cigarette tax administered by the board.
- "Region" means the group of localities for which the regional cigarette tax board administers local cigarette taxes.
- "Regional cigarette tax board" means a board established by a group of at least six member localities pursuant to their powers under this article, Chapter 13 (§ 15.2-1300 et seq.) of Title 15.2, and the Regional Cooperation Act (§ 15.2-4200 et seq.), with the purpose of administering local cigarette taxes on a regional basis subject to the provisions of this section.

BLUE RIDGE CIGARETTE TAX BOARD

§ 58.1-3832.1. Regional cigarette tax boards.

- B. A regional cigarette tax board shall have the following duties:
1. Providing for the use of a uniform meter impression or stamp as evidence of payment of any local cigarette tax within the region.
  2. Entering into an arrangement, on behalf of or in cooperation with its member localities, with the Department pursuant to the provisions of subsection A of § 58.1-3830, for the use of a dual die or stamp as evidence of payment of any applicable local and state tax.
  3. Providing a single point of contact for a stamping agent authorized under this article or Chapter 10 (§ 58.1-1000) to remit local cigarette taxes due to any member locality.
  4. Providing a discount to a stamping agent as compensation for accounting for the tax due under this article. The discount shall be in the amount of two percent of the tax otherwise due.
  5. Distributing any local cigarette taxes collected by the board to the appropriate member locality.
  6. Enforcing all local cigarette tax ordinances within the region.
  7. Promoting uniformity of cigarette tax ordinances among its member localities.
  8. To the extent possible, encouraging uniformity of cigarette tax rates among its member localities.
  9. Accomplishing any other purpose that helps promote the uniform administration of local cigarette taxes throughout the region.
- At 8:32pm, Chair Sheridan opened the Public Hearing. With no one wishing to speak, Chair Sheridan closed the Public Hearing at 8:32pm

MOTION:	I move the Board of Supervisors adopt the ordinance entitled "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" and further
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	authorize the County Administrator to execute the Blue Ridge Cigarette Tax 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	No	Yes	Yes	Yes
RESULT:	4-1				

*Resolution and Public Hearing for the Issuance of Virginia Public School Authority Series 2021 Bonds – Eric Dahl, County Administrator*

- The Board of Supervisors approved in the FY22 Budget issuing \$3,771,000 debt to fund School CIP projects.
- The VPSA pooled financing program likely offers the lowest cost of funds and most efficient process for financing the school improvements.
  - Pooled Bond Program - Tax Exempt Financing
  - Rated AA+, Aa1 and AA+ by Fitch Ratings, Moody's and Standard & Poor's, respectively.
- VPSA also allows some customization of principal payments, so we could request that no principal payments be due until FY2025 to take advantage of the drop off in the County's debt service that year.

Public Hearing Requirements

- Per Code of Virginia 15.2-2606, before the final authorization of the issuance of any bonds by a locality, the governing body of the locality shall hold a public hearing on the proposed bond issue.
- Notice of the hearing shall be published once a week for two successive weeks in a newspaper published or having general circulation in the locality.
  - State the estimated maximum amount of the bonds
  - State the proposed use of the bond proceeds
  - Specify the time and place of the hearing

Timeline

- Aug 11 – School Board Adopted Resolution for \$4.0M Max. Amount
- Aug 30 VPSA Fall Pool Application Submitted
- Sep 2 and 9 - Advertisements for VPSA Bond Public Hearing
- Sep 15 (TODAY) - Public Hearing is held for the VPSA financing with a Resolution for \$4.0M Max. Amount/20 Yr. Term/Max. Rate 3.50%
- Sep 15 (TODAY) VPSA Board meets to consider applications and parameters of the sale.
- Week of Sep 20 and Oct 4 – First and second estimated debt service schedules distributed to localities
- Oct 5 – Deadline for VPSA to allow for any bond amounts to be changed/lowered or withdrawn. Localities return executed Bond Sale Agreements.
- Nov 9 – Closing on local and VPSA bonds – funds available

Funding Breakdown:

Project	Description	FY22 Budget	VPSA Application
Carysbrook Elem School - HVAC	HVAC Replacement	\$1,500,000	\$2,530,000
Abrams Academy - School Renovation	Building Renovation	\$1,250,000	\$200,000
School Buses	10 Buses	\$1,021,000	\$1,025,000
		\$3,771,000	\$3,755,000

Rates and Debt Service

- Based on FY22 budgeted debt service amortized over 10 years @ 2.75% (buses) and 20 years @2.60% (Carysbrook HVAC and Abrams renovations) debt service would be roughly \$295K annually.
  - If interest rates come in at +/- 0.50%, that equates to roughly \$11K annually.
  - If interest rates come in at the not to exceed rate of 3.50% per the resolution, that equates to roughly a \$20K increase over what is budgeted.
  - Per our financial advisor, rates would come in below 2.00% today.
  - Staff is working in conjunction with our financial advisors to monitor interest rates up until final pricing.
- At 8:41pm, Chair Sheridan opened the Public Hearing. With no one wishing to speak, Chair Sheridan closed the Public Hearing at 8:41pm.

<b>MOTION:</b>	I move the Board of Supervisors approve the resolution entitled “Resolution Authorizing the Issuance of not to Exceed \$4,000,000 General Obligation School Bond of the County of Fluvanna, Virginia, to be sold to Virginia Public School Authority and Providing for the Form and Details Thereof” which shall be for a term not to exceed 20 years and bear interest at a rate not to exceed 3.50%.				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
<b>ACTION:</b>	Second		Motion		
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	5-0				

7 - ACTION MATTERS

None.

7A – BOARDS AND COMMISSIONS

None.

8 - PRESENTATIONS

Community Investment Collaborative (CIC) Loan Fund Update – Stephen Davis, President, Community Investment Collaborative (CIC)

- CIC is a Community Development Finance Institution (CDFI) founded in 2012. The CIC hosts the Central Virginia Small Business Development Center.
- CIC’s mission is to strengthen the community and contribute to economic development by by fueling the success of under-resourced entrepreneurs through education, mentoring, micro-lending and networking.

CIC Clients Served in Fluvanna



\*Note: only CIC programs, does not include SBDC. Counseling, FMP, Mentoring, Office Hours data is only available for 2020-2021.

Fluvanna Program Summary

	<u>Regular Loans</u>	<u>Recovery Loans</u>	<u>Total Loans</u>
Original Balance			\$45,000
Loans Made	\$18,000	\$46,500	\$64,500
Principal Repaid	\$10,475	\$7,931	\$18,406
Loan Losses	\$4,292	\$0	\$4,292
Fees Charged to Fund	\$600	\$0	\$600
Outstanding Loans' Balance	\$2,142	\$37,614	\$39,757
Funds Available*			\$351

\*As of August 31, 2021, update from written report. One new loan of \$12,000 was approved in September. 2020 Recap – F.R.O.M. Fluvanna Small Business Grants



- Fluvanna County utilized CARES Act to provide Grants to provide \$528,066 in grants to businesses and organizations injured as a result of COVID-19 pandemic.
- CIC managed grant program from application to disbursement

<u>Program</u>	<u>Inquiries</u>	<u>Applicants</u>	<u>Grants</u>	<u>Total Grant</u> <u>\$</u>
Business Grants	191	77	65	\$413,066
Nonprofit Grants	27	13	13	\$115,000

Fluvanna EDA Partnership

- In 2021, the Fluvanna EDA partnered with CIC to provide scholarships for participants in our 16 week workshop.
- 7 scholarships were provided for our Spring 2021 cohort
- 7 scholarships were provided for our Fall 2021 cohort

Central VA SBDC at CIC

- CIC took over as host for the Central Virginia Small Business Development Center in January 2020.
- Rebecca Haydock is Director
- SBDC provides one on one counseling to businesses and individual training events.
- Since 2019, CIC tripled the number of client and client hours provided to the region. Specific Fluvanna metrics are on the next slide.
- Fluvanna supported SBDC by providing a local match for its SBA grant.

<u>Metric</u>	<u>2020 Fluvanna</u>	<u>2021 Fluvanna</u> <u>YTD</u>
Clients	33	34
Client Hours	214	256
Training Participants	101	93
Capital Formed	\$293,386	\$107,300

9 - CONSENT AGENDA

The following items were discussed before approval:

- J - Proclaiming October as Community Planning Month
- G - Priority Dispatch System Contract

The following items were approved under the Consent Agenda for September 15, 2021:

- *Minutes of September 1, 2021* – Caitlin Solis, Clerk to the Board
- *Priority Dispatch System Contract* – Cyndi Toler, Purchasing Officer
- *Accounts Payable Report for July 2021* – Tori Melton, Management Analyst
- *Accounts Payable Report for August 2021* – Tori Melton, Management Analyst
- *Proclaiming October as Community Planning Month* – Douglas Miles, Community Development Director
- *CRMF - FCPS - FCHS HVAC Chillers Capital Reserve Maintenance Fund Request* – Don Stribling, FCPS

<b>MOTION:</b>	Approve the consent agenda, for the September 15, 2021 Board of Supervisors meeting, and to ratify Accounts Payable and Payroll for July 2021, in the amount of \$8,753,062.64 and August 2021, in the amount of \$3,781,617.29				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
<b>ACTION:</b>	Second				Motion
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	5-0				

10 - UNFINISHED BUSINESS

*Burn Building Funding* – Eric Dahl, County Administrator

Mr. Dahl updated the Board on the Burn Building project and funding options. He asked the Board if they would be interested in increasing funding for the Burn Building project if the Virginia Fire Services Board is willing to increase grant funding or would they rather table the project and return the original grant money. A more formal agenda item will be brought to the Board once the Virginia Fire Services Board makes a funding decision.

11 - NEW BUSINESS

*Blue Ridge Health District Budget Carryover Request* – Eric Dahl, County Administrator

Mr. Dahl relayed the BRHD carryover request of approximately \$100,000 from FY21 to FY22 to fund vaccine and testing efforts. The Board suggested returning the unused money into the General Fund and issue BRHD money from ARPA funds.

*JAUNT Annual Meeting Proxy* – Eric Dahl, County Administrator



JAUNT is requesting a proxy be appointed to be a voting member at the annual shareholders meeting. After some discussion, the Board selected Mr. O’Brien to be the voting member at the Jaunt meeting. An action item will be brought to the Board at the next meeting.

*Written Public Comments* – Eric Dahl, County Administrator

Mr. Dahl asked the Board if they wish to allow letters that have been sent in by citizens to be read during public comments going forward. The Board decided to not to continue reading letters sent in during public comments.

**12 - PUBLIC COMMENTS #2**

At 9:46pm, Chair Sheridan opened the second round of Public Comments.

- Patty Reynard, 662 Broken Island, spoke against roundabouts.
- Suzy Morris, 6840 Thomas Jefferson Hwy, addressed the Board concerning the Comprehensive Plan.
- Frank Signoretti, Fluvanna Co. Sheriff’s Office, Comments were read into record and attached to the minutes.
- Mr. O’Brien spoke briefly about the 20<sup>th</sup> anniversary 911 Memorial Service.

With no one else wishing to speak, Chair Sheridan closed the second round of Public Comments at 10:09pm.

**13 - CLOSED MEETING**

<b>MOTION:</b>	At 10:09pm, move the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.8 of the Code of Virginia, 1950, as amended, for the purpose of discussing Legal Matters.				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
<b>ACTION:</b>	Second		Motion		
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

<b>MOTION:</b>	At 10:27pm, move Closed Meeting be adjourned and the Fluvanna County Board of Supervisors convene again in open session and “BE IT RESOLVED, the Board of Supervisors does hereby certify to the best of each member’s knowledge (i) only public business matters lawfully exempted from open meeting requirements under Section 2.2-3711-A of the Code of Virginia, 1950, as amended, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting.”				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
<b>ACTION:</b>	Second		Motion		
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

**14 - ADJOURN**

<b>MOTION:</b>	Adjourn the regular meeting of Wednesday, September 15, 2021 at 10:31pm.				
<b>MEMBER:</b>	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
<b>ACTION:</b>	Second				Motion
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0</b>				

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. 20-2021

Be it resolved by the Fluvanna County Board of Supervisors, pursuant to the Fluvanna County Code Sec. 22-20-1 (c), that the Board intends to adopt the following amendments to the Fluvanna County Code:

#### ORDINANCE

**An Ordinance to Amend Chapter 22 Zoning of the Fluvanna County Code by the Addition of Definitions Under 22-22-1 Definitions; Uses Permitted by Right in A-1 Zoning Under 22-4-2.1, in R-1 Zoning Under 22-5-2.1, in R-2 Zoning Under 22-6-2.1, in R-3 Zoning Under 22-7-9.1, in R-4 Zoning Under 22-8-2.1, in B-1 Zoning Under 22-9-2.1, in B-C Zoning Under 22-10-2.1, in I-1 Zoning Under 22-11-2.1, in I-2 Zoning Under 22-12-2.1, and in MHP Zoning Under 22-13-2.1 to Permit a Small Scale Solar Generation Facility; and Uses Permitted by Special Use Permit in A-1 Zoning Under 22-4-2.2, in B-1 Zoning Under 22-9-2.2, in B-C Zoning Under 22-10-4, in I-1 Zoning Under 22-1-2.2 and in I-2 Zoning Under 22-12-2.2 to Permit a Minor Scale and Utility Scale Solar Generation Facility.**

BE IT ORDAINED BY THE FLUVANNA BOARD OF SUPERVISORS, pursuant to Virginia Code Section 15.2-2285, that the Fluvanna County Code be, and it is hereby, amended by the amendment of Sections 22-4-2.1; 22-5-2.1; 22-6-2.1; 22-7-9.1; 22-8-2.1; 22-9-2.1; 22-10-2.1; 22-11-2.1; 22-12-2.1; 22-13-2.1; and under 22-4-2.2; 22-9-2.2; 22-10-4; 22-1-2.2; 22-12-2.2, and 22-22-1, as follows:

**Sec. 22-4-2.1 (A-1) Uses permitted by right**

Miscellaneous Uses

Small scale solar generation facility

**Sec. 22-5-2.1 (R-1) Uses permitted by right**

Miscellaneous Uses

Small scale solar generation facility

**Sec. 22-6-2.1 (R-2) Uses permitted by right**

Miscellaneous Uses

Small scale solar generation facility

**Sec. 22-7-9.1 (R-3) Uses permitted by right**

Miscellaneous Uses

Small scale solar generation facility

**Sec. 22-8-2.1 (R-4) Uses permitted by right**

Miscellaneous Uses

Small scale solar generation facility

**Sec. 22-9-2.1 (B-1) Uses permitted by right**

Miscellaneous Uses

Small scale solar generation facility

**Sec. 22-10-3 (B-C) Uses permitted by right**

Miscellaneous Uses

Small scale solar generation facility

**Sec. 22-11-2.1 (I-1) Uses permitted by right**

Miscellaneous Uses

Small scale solar generation facility

**Sec. 22-12-2.1 (I-2) Uses permitted by right**

Miscellaneous Uses

Small scale solar generation facility

**Sec. 22-13-2.1 (MHP) Uses permitted by right**

Miscellaneous Uses

Small scale solar generation facility

**Sec. 22-4-2.2 (A-1) Uses permitted by special use permit**

Miscellaneous Uses

Minor scale solar generation facility

Utility scale solar generation facility

**Sec. 22-9-2.2 (B-1) Uses permitted by special use permit**

Miscellaneous Uses  
Small scale solar generation facility  
Utility scale solar generation facility  
**Sec. 22-10-4 (B-C) Uses permitted by special use permit**

Miscellaneous Uses  
Small scale solar generation facility  
Utility scale solar generation facility  
**Sec. 22-11-2.2 (I-1) Uses permitted by special use permit**

Miscellaneous Uses  
Small scale solar generation facility  
Utility scale solar generation facility  
**Sec. 22-12-2.2 (I-2) Uses permitted by special use permit**

Miscellaneous Uses  
Small scale solar generation facility  
Utility scale solar generation facility

**Sec. 22-22-1 Definitions:**  
Solar generation facility, minor scale: An on-site solar energy conversion system producing less than 2 MW of electricity. Minor scale solar energy conversion systems generally reduce on-site consumption of utility power for civic, commercial and industrial applications. On-site may also include adjacent parcels under common use, ownership and control. Rooftop arrays do not require zoning approval. Ground mounted arrays require zoning approval as accessory structures.  
Solar generation facility, small scale: An on-site solar energy conversion system producing not more than 15 kW of electricity. Small scale solar energy systems generally reduce on-site consumption of utility power for civic, commercial and industrial applications. On-site may include adjacent parcels under common use, ownership and control. Rooftop arrays do not require zoning approval. Ground mounted arrays require zoning approval as accessory structures.  
Solar generation facility, utility scale: A solar energy conversion system producing 2 MW or more of electricity to a utility provider. Such facilities interconnect with an existing electrical grid serving other off-site facilities which are not adjacent or under common use, ownership or control.

**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** by the Fluvanna County Board of Supervisors at a meeting of the Board held on the 15th day of September 2021, by the following vote:

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

Adopted this 15th Day of September 2021  
by the Fluvanna County Board of Supervisors

ATTEST:

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



**BOARD OF SUPERVISORS**  
County of Fluvanna  
Palmyra, Virginia  
**RESOLUTION No. 21-2021**

**RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED  
\$4,000,000 GENERAL OBLIGATION SCHOOL BOND OF THE  
COUNTY OF FLUVANNA, VIRGINIA, TO BE SOLD TO THE  
VIRGINIA PUBLIC SCHOOL AUTHORITY AND PROVIDING  
FOR THE FORM AND DETAILS THEREOF.**

**WHEREAS**, the Board of Supervisors (the "Board") of the County of Fluvanna, Virginia (the "County"), has determined that it is necessary and expedient to borrow an amount not to exceed \$4,000,000 and to issue its general obligation school bond (as more specifically defined below, the "Local School Bond") for the purpose of financing (1) certain capital improvements for its public school system, including without limitation (a) renovations to Abrams Academy, and (b) HVAC replacement and related improvements to Carysbrook Elementary School, and (2) the acquisition of up to ten (10) school buses (collectively, the "Project");

**WHEREAS**, the County held a public hearing, duly noticed, on September 15, 2021, on the issuance of the Local School Bond in accordance with the requirements of Section 15.2-2606, Code of Virginia 1950, as amended (the "Virginia Code");

**WHEREAS**, the School Board of the County has, by resolution, requested the Board to authorize the issuance of the Local School Bond and consented to the issuance of the Local School Bond;

**WHEREAS**, Virginia Public School Authority ("VPSA") has offered to purchase the Local School Bond along with the local school bonds of certain other localities with a portion of the proceeds of certain bonds to be issued by VPSA in the fall of 2021 (the "VPSA Bonds");

**WHEREAS**, the Bond Sale Agreement (as defined below) shall indicate that \$3,755,000 is the amount of proceeds requested (the "Proceeds Requested") from VPSA in connection with the sale of the Local School Bond, to provide for \$3,725,000 of proceeds for Project costs as presently requested by the School Board, and additional proceeds to allow the County to pay its costs of issuance of the Local School Bond);

**WHEREAS**, VPSA's objective is to pay the County a purchase price for the Local School Bond which, in VPSA's judgment, reflects the Local School Bond's market value (the "VPSA Purchase Price Objective"), taking into consideration of such factors as the amortization schedule the County has requested for the Local School Bond relative to the amortization schedules requested by other localities, the purchase price to be received by VPSA from the sale of the VPSA Bonds and other market conditions relating to the sale of the VPSA Bonds; and

**WHEREAS**, such factors may result in the Local School Bond having a purchase price other than par and consequently (i) the County may have to issue the Local School Bond in a principal amount that is greater than or less than the Proceeds Requested in order to receive an amount of proceeds that is substantially equal to the Proceeds Requested, or (ii) if the maximum authorized principal amount of the Local School Bond set forth in section 1 below does not exceed the Proceeds Requested by at least the amount of any discount, the purchase price to be paid to the County, given the VPSA Purchase Price Objective and market conditions, will be less than the Proceeds Requested.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF FLUVANNA, VIRGINIA:**

1. **Authorization of Local School Bond and Use of Proceeds.** The Board hereby determines that it is advisable to contract a debt and issue and sell its general obligation school bond in an aggregate principal amount not to exceed \$4,000,000 (the "Local School Bond") for the purposes of financing the Project and paying costs of issuance of the Local School Bond. The Board hereby authorizes the issuance and sale of the Local School Bond in the form and upon the terms established pursuant to this Resolution.

2. **Sale of the Local School Bond.** The sale of the Local School Bond, within the parameters set forth in paragraph 4 of this Resolution, to VPSA is authorized. Given the VPSA Purchase Price Objective and market conditions, the County acknowledges that the limitation on the maximum principal amount on the Local School Bond set forth in paragraph 1 of this Resolution restricts VPSA's ability to generate the Proceeds Requested, however, the Local School Bond may be sold for a purchase price not lower than 95% of the Proceeds Requested. The Chairman of the Board, the County Administrator, or either of them (each a "Delegate") and such other officer or officers of the County as either may designate are hereby authorized and directed to enter into an agreement with VPSA providing for the sale of the Local School Bond to VPSA (the "Bond Sale Agreement"). The Bond Sale Agreement shall be in substantially the form submitted to the Board at this meeting, which form is hereby approved.

3. **Details of the Local School Bond.** The Local School Bond shall be dated 16 days prior to the date of its issuance and delivery or such other date designated by VPSA; shall be designated "General Obligation School Bond, Series 2021"; shall bear interest from its dated date payable semi-annually on each January 15 and July 15 beginning July 15, 2022 (each an "Interest Payment Date"), at the rates established in accordance with paragraph 4 of this Resolution; and shall mature on July 15 in the years (each a "Principal Payment Date") and in the amounts acceptable to a Delegate (the "Principal Installments"), subject to the provisions of paragraph 4 of this Resolution.

4. **Interest Rates and Principal Installments.** Each Delegate is hereby authorized and directed to accept the interest rates on the Local School Bond established by VPSA, provided that each interest rate shall be five one-hundredths of one percent (0.05%) over the interest rate to be paid by VPSA for the corresponding principal payment date of the VPSA Bonds, a portion of the proceeds of which will be used to purchase the Local School Bond, and provided further that the true interest cost of the Local School Bond does not exceed three and fifty one-hundredths percent (3.50%) per annum. The Interest Payment Dates and the Principal Installments are subject to change at the request of VPSA. Each Delegate is hereby authorized and directed to accept changes in the Interest Payment Dates and the Principal Installments at the request of VPSA based on the final term to maturity of the VPSA Bonds, requirements imposed on VPSA by the nationally-recognized rating agencies and the final principal amount of the Local School Bond; provided, however, that the principal amount of the Local School Bond shall not exceed the amount authorized by this Resolution and the final maturity of the Local School Bond shall not exceed twenty (20) years from the date of the issuance and delivery of the Local School Bond. The execution and delivery of the Local School Bond as described in paragraph 8 hereof shall conclusively evidence the approval and acceptance of all of the details of the Local School Bond by the Delegate as authorized by this Resolution.

5. **Form of the Local School Bond.** The Local School Bond shall be initially in the form of a single, temporary typewritten bond substantially in the form attached hereto as Exhibit A.

6. **Payment; Paying Agent and Bond Registrar.** The following provisions shall apply to the Local School Bond:

For as long as VPSA is the registered owner of the Local School Bond, all payments of principal, premium, if any, and interest on the Local School Bond shall be made in immediately available funds to VPSA at, or before 11:00 a.m. on the applicable Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption, or if such date is not a business day for Virginia banks or for the Commonwealth of Virginia, then at or before 11:00 a.m. on the business day next succeeding such Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption.

All overdue payments of principal and, to the extent permitted by law, interest shall bear interest at the applicable interest rate or rates on the Local School Bond.

U.S. Bank National Association, Richmond, Virginia, is designated as Bond Registrar and Paying Agent for the Local School Bond. The County may replace at any time, in its sole discretion, but with written notice to VPSA, the Bond Registrar with another qualified bank or trust company as successor Bond Registrar.

7. **Prepayment or Redemption.** The Principal Installments of the Local School Bond held by VPSA coming due on or before July 15, 2031, and the definitive bond for which the Local School Bond

held by VPSA may be exchanged that mature on or before July 15, 2031 are not subject to prepayment or redemption prior to their stated maturities. The Principal Installments of the Local School Bond held by VPSA coming due on or after July 15, 2032, and the definitive bond(s) for which the Local School Bond held by VPSA may be exchanged that mature on or after July 15, 2032, are subject to prepayment or redemption at the option of the County prior to their stated maturities in whole or in part, on any date on or after July 15, 2031, upon payment of the prepayment or redemption prices (expressed as percentages of Principal Installments to be prepaid or the principal amount of the Local School Bond to be redeemed) set forth below plus accrued interest to the date set for prepayment or redemption:

<u>Dates</u>	<u>Prices</u>
July 15, 2031 through July 14, 2032	101%
July 15, 2032 through July 14, 2033	100½
July 15, 2033 and thereafter	100

Provided, however, that the Local School Bond shall not be subject to prepayment or redemption prior to their stated maturities as described above without first obtaining the written consent of VPSA or other registered owner of the Local School Bond. Notice of any such prepayment or redemption shall be given by the Bond Registrar to VPSA or other registered owner by registered mail not more than ninety (90) and not less than sixty (60) days before the date fixed for prepayment or redemption.

If VPSA refunds the VPSA Bonds in the future and such refunding causes the Local School Bond to be deemed refunded, the prepayment or redemption of the Local School Bond will be subject to VPSA approval and subject to similar prepayment or redemption provisions as set forth above that correspond to the call period of the VPSA bonds issued in part to refund the Local School Bond.

8. **Execution of the Local School Bond.** The Chairman or Vice Chairman and the Clerk or any Deputy Clerk of the Board are authorized and directed to execute and deliver the Local School Bond and to affix the seal of the County thereto.

9. **Pledge of Full Faith and Credit.** For the prompt payment of the principal of, premium, if any, and the interest on the Local School Bond as the same shall become due, the full faith and credit of the County are hereby irrevocably pledged, and in each year while any portion of the Local School Bond shall be outstanding there shall be levied and collected in accordance with law an annual ad valorem tax upon all taxable property in the County subject to local taxation sufficient in amount to provide for the payment of the principal of and premium, if any, and the interest on the Local School Bond as such principal, premium, if any, and interest shall become due, which tax shall be without limitation as to rate or amount and in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

10. **Use of Proceeds Certificate and Tax Compliance Agreement.** The Chairman of the Board, the County Administrator and such other officer or officers of the County or the School Board as either may designate are hereby authorized and directed to execute and deliver on behalf of the County a Use of Proceeds Certificate and Tax Compliance Agreement (the "Tax Compliance Agreement") setting forth the expected use and investment of the proceeds of the Local School Bond and containing such covenants as may be necessary in order to show compliance with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and applicable regulations relating to the exclusion from gross income of interest on the VPSA Bonds. The Board covenants on behalf of the County that (i) the proceeds from the issuance and sale of the Local School Bond will be invested and expended as set forth in such Tax Compliance Agreement and that the County shall comply with the other covenants and representations contained therein and (ii) the County shall comply with the provisions of the Code so that interest on the VPSA Bonds will remain excludable from gross income for federal income tax purposes.

11. **Limitation on Private Use.** The County covenants that it shall not permit the proceeds of the Local School Bond or the facilities to be financed with the proceeds of the Local School Bond to be used in any manner that would result in (a) 5% or more of such proceeds or the facilities to be financed with

such proceeds being used in a trade or business carried on by any person other than a governmental unit, as provided in Section 141(b) of the Code, (b) 5% or more of such proceeds or the facilities to be financed with such proceeds being used with respect to any output facility (other than a facility for the furnishing of water), within the meaning of Section 141(b)(4) of the Code, or (c) 5% or more of such proceeds being used directly or indirectly to make or finance loans to any persons other than a governmental unit, as provided in Section 141(c) of the Code; provided, however, that if the County receives an opinion of nationally recognized bond counsel that any such covenants need not be complied with to prevent the interest on the VPSA Bonds from being includable in the gross income for federal income tax purposes of the registered owners thereof under existing law, the County need not comply with such covenants.

12. **State Non-Arbitrage Program: Proceeds Agreement.** The Board hereby determines that it is in the best interests of the County to authorize and direct the County Director of Finance to participate in the State Non-Arbitrage Program in connection with the Local School Bond. The Chairman of the Board, the County Administrator and such officer or officers of the County as either may designate are hereby authorized and directed to execute and deliver a Proceeds Agreement with respect to the deposit and investment of proceeds of the Local School Bond by and among the County, the other participants in the sale of the VPSA Bonds, VPSA, the investment manager and the depository, substantially in the form submitted to the Board at this meeting, which form is hereby approved.

13. **Continuing Disclosure Agreement.** The Chairman of the Board, the County Administrator and such other officer or officers of the County as either may designate are hereby authorized and directed to execute a Continuing Disclosure Agreement, as set forth in Appendix D to the Bond Sale Agreement, setting forth the reports and notices to be filed by the County and containing such covenants as may be necessary in order to show compliance with the provisions of the Securities and Exchange Commission Rule 15c2-12, under the Securities Exchange Act of 1934, as amended, and directed to make all filings required by Section 3 of the Bond Sale Agreement should the County be determined by VPSA to be a MOP (as defined in the Bond Sale Agreement).

14. **Refunding.** The Board hereby acknowledges that VPSA may issue refunding bonds to refund any bonds previously issued by VPSA, including the VPSA Bonds issued to purchase the Local School Bond, and that the purpose of such refunding bonds would be to enable VPSA to pass on annual debt service savings to the local issuers, including the County. Each of the Delegates is authorized to execute and deliver to VPSA such allonge to the Local School Bond, revised debt service schedule, IRS Form 8038-G or such other documents reasonably deemed necessary by VPSA and VPSA's bond counsel to be necessary to reflect and facilitate the refunding of the Local School Bond and the allocation of the annual debt service savings to the County by VPSA. The Clerk to the Board of Supervisors is authorized to affix the County's seal on any such documents and attest or countersign the same.

15. **Filing of Resolution.** The appropriate officers or agents of the County are hereby authorized and directed to cause a certified copy of this Resolution to be filed with the Circuit Court of the County.

16. **Election to Proceed under Public Finance Act.** In accordance with Section 15.2-2601 of the Virginia Code, the Board elects to issue the Local School Bond pursuant to the provisions of the Public Finance Act of 1991, Chapter 26 of Title 15.2 of the Virginia Code.

17. **Further Actions.** The members of the Board, the County Administrator and all officers, employees and agents of the County are hereby authorized to take such action and to execute and deliver on behalf of the County such other agreements, instruments, certificates and documents as they or any one of them may consider necessary or desirable in connection with the issuance and sale of the Local School Bond and otherwise in furtherance of this Resolution and any such action previously taken is hereby ratified and confirmed.

18. **Effective Date.** This Resolution shall take effect immediately.

\* \* \*



**CERTIFICATE**

The undersigned Clerk of the Board of Supervisors (the "Board") of the County of Fluvanna, Virginia (the "County") hereby certifies that:

- 1. A meeting of the Board was duly called and held on September 15, 2021 (the "Meeting").
- 2. Attached hereto is a true, correct and complete copy of a resolution (the "Resolution") of the Board entitled **"RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$4,000,000 GENERAL OBLIGATION SCHOOL BONDS OF THE COUNTY OF FLUVANNA VIRGINIA, SERIES 2021, TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY AND PROVIDING FOR THE FORM AND DETAILS THEREOF"** as recorded in full in the minutes of the Meeting and duly adopted by a majority of the members of the Board present and voting during the Meeting.
- 3. A summary of the members of the Board present or absent at the Meeting, and the recorded vote with respect to the Resolution, is set forth below:

<u>Member Name</u>	<u>Voting</u>				
	<u>Present</u>	<u>Absent</u>	<u>Yes</u>	<u>No</u>	<u>Abstaining</u>
Mike Sheridan, Chairperson	X		X		
Tony O'Brien, Vice Chairman	X		X		
Mozell H. Booker	X		X		
Patricia B. Eager	X		X		
Donald W. Weaver	X		X		

- 4. The Resolution has not been repealed, revoked, rescinded or amended, and is in full force and effect on the date hereof.

Dated: September \_\_, 2021

**WITNESS** my signature and the seal of the Board of Supervisors of Fluvanna County, Virginia this \_\_ day of September, 2021.

[SEAL]

\_\_\_\_\_  
Clerk, Board of Supervisors of the County of Fluvanna, Virginia

**EXHIBIT A**  
**(FORM OF TEMPORARY BOND)**

**NO. TR-1**

**\$\_\_\_\_\_**

**UNITED STATES OF AMERICA**  
**COMMONWEALTH OF VIRGINIA**  
**COUNTY OF FLUVANNA**  
**General Obligation School Bond**  
**Series 2021**

**Dated Date: October \_\_ [16 days prior to issuance], 2021 Issue Date: November [9], 2021**

The **COUNTY OF FLUVANNA, VIRGINIA** (the "County"), for value received, hereby acknowledges itself indebted and promises to pay to the **VIRGINIA PUBLIC SCHOOL AUTHORITY** ("VPSA") the principal amount of \_\_\_\_\_ DOLLARS (\$\_\_\_\_\_), in annual installments in the amounts set forth on Schedule I attached hereto payable on July 15, 2022 and annually on July 15 thereafter to and including July 15, 2042 (each a "Principal Payment Date"), together with interest from the dated date of this Bond on the unpaid installments, payable semi-annually on January 15 and July 15 of each year, commencing on July 15, 2022 (each an "Interest Payment Date"; together with any Principal Payment Date, a "Payment Date"), at the rates per annum set forth on Schedule I attached hereto, subject to prepayment or redemption as hereinafter provided. Principal of and interest and premium, if any, on this Bond are payable in lawful money of the United States of America.

For as long as VPSA is the registered owner of this Bond, Regions Bank, as bond registrar (the "Bond Registrar"), shall make all payments of the principal of and interest and premium, if any, on this Bond, without the presentation or surrender hereof, to VPSA, in immediately available funds at or before 11:00 a.m. on the applicable Payment Date or date fixed for prepayment or redemption. If a Payment Date or date fixed for prepayment or redemption is not a business day for banks in the Commonwealth of Virginia or for the Commonwealth of Virginia, then the payment of the principal of and interest and premium, if any, on this Bond shall be made in immediately available funds at or before 11:00 a.m. on the business day next succeeding the scheduled Payment Date or date fixed for prepayment or redemption. Upon receipt by the registered owner of this Bond of said payments of principal, premium, if any, and interest, written acknowledgment of the receipt thereof shall be given promptly to the Bond Registrar, and the County shall be fully discharged of its obligation on this Bond

to the extent of the payment so made. Upon final payment, this Bond shall be surrendered to the Bond Registrar for cancellation.

The full faith and credit of the County are irrevocably pledged for the payment of the principal of and the premium, if any, and interest on this Bond. The resolution adopted by the Board of Supervisors authorizing the issuance of this Bond provides, and Section 15.2-2624, Code of Virginia 1950, as amended (the "Virginia Code"), requires, that there shall be levied and collected an annual tax upon all taxable property in the County subject to local taxation sufficient to provide for the payment of the principal of and interest and premium, if any, on this Bond as the same shall become due which tax shall be without limitation as to rate or amount and shall be in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

This Bond is duly authorized and issued in compliance with and pursuant to the Constitution and laws of the Commonwealth of Virginia, including the Public Finance Act of 1991, Chapter 26, Title 15.2 of the Virginia Code, and resolutions duly adopted by the Board of Supervisors of the County and the School Board of the County to provide funds for capital projects for school purposes.

This Bond may be exchanged without cost, on twenty (20) days written notice from the VPSA, at the office of the Bond Registrar on one or more occasions for one or more temporary bonds or definitive bonds in marketable form and, in any case, in fully registered form, in denominations of \$5,000 and whole multiples thereof, and having an equal aggregate principal amount, having principal installments or maturities and bearing interest at rates corresponding to the maturities of and the interest rates on the installments of principal of this Bond then unpaid. This Bond is registered in the name of the VPSA on the books of the County kept by the Bond Registrar, and the transfer of this Bond may be effected by the registered owner of this Bond only upon due execution of an assignment by such registered owner. Upon receipt of such assignment and the surrender of this Bond, the Bond Registrar shall exchange this Bond for definitive bonds as hereinabove provided, such definitive bonds to be registered on such registration books in the name of the assignee or assignees named in such assignment.

The principal installments of this Bond coming due on or before July 15, 2031 and the definitive bonds for which this Bond may be exchanged that mature on or before July 15, 2031, are not subject to prepayment or redemption prior to their stated maturities. The principal installments of this Bond coming due on or after July 15, 2032, and the definitive bonds for which this Bond may be exchanged

that mature on or after July 15, 2032, are subject to prepayment or redemption at the option of the County prior to their stated maturities in whole or in part, on any date on or after July 15, 2031, upon payment of the prepayment or redemption prices (expressed as percentages of principal installments to be prepaid or the principal amount of this Bond to be redeemed) set forth below plus accrued interest to the date set for prepayment or redemption:

<u>Dates</u>	<u>Prices</u>
July 15, 2031 through July 14, 2032	101%
July 15, 2032 through July 14, 2033	100½
July 15, 2033 and thereafter	100

Provided, however, that the principal installments on this Bond shall not be subject to prepayment or redemption prior to their stated maturities as described above without the prior written consent of VPSA or other registered owner of this Bond. Notice of any such prepayment or redemption shall be given by the Bond Registrar to VPSA or other registered owner by registered mail not more than ninety (90) and not less than sixty (60) days before the date fixed for prepayment or redemption.

If VPSA refunds its bonds issued in part to purchase this Bond in the future and such refunding causes this Bond to be deemed refunded, the prepayment or redemption of this Bond will be subject to VPSA approval and subject to similar prepayment or redemption provisions as set forth above that correspond to the call period of the VPSA bonds issued in part to refund this Bond.

All acts, conditions and things required by the Constitution and laws of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this Bond have happened, exist and have been performed in due time, form and manner as so required, and this Bond, together with all other indebtedness of the County, is within every debt and other limit prescribed by the Constitution and laws of the Commonwealth of Virginia.

**IN WITNESS WHEREOF**, the Board of Supervisors of the County of Fluvanna has caused this Bond to be issued in the name of the County of Fluvanna, Virginia, to be signed by its Chairman or Vice-Chairman, its seal to be affixed hereto and attested by the signature of its Clerk or any of its Deputy Clerks, and this Bond to be dated October \_\_ [16 days prior to the closing date], 2021.

**COUNTY OF FLUVANNA, VIRGINIA**

(SEAL)

ATTEST:

\_\_\_\_\_  
Clerk, Board of Supervisors of the  
County of Fluvanna, Virginia

\_\_\_\_\_  
Chairman, Board of Supervisors of the  
County of Fluvanna, Virginia

**ASSIGNMENT**

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

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(PLEASE PRINT OR TYPEWRITE NAME AND ADDRESS, INCLUDING ZIP CODE, OF ASSIGNEE)

PLEASE INSERT SOCIAL SECURITY OR OTHER  
IDENTIFYING NUMBER OF ASSIGNEE: \_\_\_\_\_

the within Bond and irrevocably constitutes and appoints

\_\_\_\_\_ attorney to exchange said Bond for definitive bonds in lieu  
of which this Bond is issued and to register the transfer of such definitive bonds on the books kept for  
registration thereof, with full power of substitution in the premises.

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

Registered Owner

Signature Guaranteed:

\_\_\_\_\_  
(NOTICE: Signature(s) must be guaranteed by  
an "eligible guarantor institution" meeting the  
requirements of the Bond Registrar which  
requirements will include Membership or  
participation in STAMP or such other  
"signature guarantee program" as may be  
determined by the Bond Registrar in addition  
to, or in substitution for, STAMP, all in  
accordance with the Securities Exchange Act of  
1934, as amended.

(NOTICE: The signature above must  
correspond with the name of the Registered  
Owner as it appears on the front of this Bond in  
every particular, without alteration or change.)



**BOARD OF SUPERVISORS**

County of Fluvanna

Palmyra, Virginia

**PROCLAMATION 05-2021**

**Proclaiming October As Community Planning Month In Fluvanna County, Virginia:  
Planning Is Essential to Community Recovery**

**WHEREAS**, change is constant and affects all cities, towns, suburbs, counties, boroughs, townships, rural areas and other places; and in 2021 we have experienced some major changes due to the COVID-19 pandemic; and

**WHEREAS**, community planning and plans can help manage this change in a way that provides better choices for how people work and live and through the current amendment of the County's 2015 Comprehensive Plan; and

**WHEREAS**, community planning provides an opportunity for all County residents to be meaningfully involved in making choices that determine the future of their community through the local planning process; and

**WHEREAS**, the full benefits of planning requires public officials and our residents to understand, support, and expect excellence in planning and plan implementation and to also participate to have a better future; and

**WHEREAS**, The American Planning Association (APA) and its professional institute, the American Institute of Certified Planners (AICP), endorse National Community Planning Month, as an opportunity to highlight the contributions sound planning and plan implementation make to the quality of our overall environment; and

**WHEREAS**, the celebration of National Community Planning Month gives us the opportunity to publicly recognize the participation and dedication of the members of planning commission and others who have contributed their time and expertise to the overall improvement of the County of Fluvanna, Virginia; and

**WHEREAS**, we recognize the many valuable contributions that are made by the Planning staff members in the County of Fluvanna, Virginia and we extend our heartfelt thanks for the continued commitment to local public service by these well trained professionals that include staff members with AICP, CZA, and CZO certifications;

**NOW, THEREFORE, BE IT RESOLVED THAT**, the month of October 2021 is hereby designated as Community Planning Month in the County of Fluvanna, Virginia in conjunction with the celebration of National Community Planning Month in the USA, by the Fluvanna County Board of Supervisors this 15th day of September, 2021.

Passed and adopted this 15th day of September, 2021.

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John M. Sheridan, Chair  
Fluvanna County Board of Supervisors



**Public Comments:**

To members of The Board, and all in attendance tonight.

I have been a resident of Fluvanna County for 25 years. I possess many years of serving others: 31 as a Registered Nurse, 13 in EMS, and almost 11 as an active Chaplain with The FSO.

I am proud and pleased to see that the unhealthy view toward law enforcement found in some localities, has not found its way in the relationship between the people of Fluvanna and our Sheriff's Office. This should be commended! Hidden behind the present major headlines, are several stories of cities struggling with getting their law enforcement personnel back to par. This is a result of their previous decisions to defund or 'restructure' their public safety agencies.

Many are desperately trying to find trained personnel, as crimes towards their own citizens increases!

Again, I am pleased and proud that Fluvanna had not given into those radical decisions. But we still have a struggle. Just like the hiring dilemma in our local healthcare institutions, the FSO is challenged with offering competitive compensation. The surrounding counties are also short of personnel. In response, their local leaders are finding ways to generate more funds and perks to get their forces up to maintain the safety of their citizens. No one wants to live in a town labeled "unsafe" on social media.

My hope is that the BOS would once again, be proactive and work alongside the Sheriff's Office, to help with this issue. These officers have families to support, like we all do. The bonus for us is that they live here and are personally invested here. So it is logical to make all efforts to keep them. The salary/compensation proposal will surely help to retain the excellent team we presently have.

In my almost 11 years as Chaplain, and 6 as Reserve Deputy, i can truthfully say we have the best group of that time period. The Commanders of the Operations Division work very hard and well together. They take care for their people. They have high expectations thus have vastly increased training requirements to help the team meet those expectations. Morale has been higher even years before the issues facing law enforcement arose. Sheriff Hess' mantra has ALWAYS been "Treat others the same way you want to be treated". This pertains not only to the citizens we serve, but toward each other. I have personally watched the Sheriff spend very many hours over the years being available to the people, and talking with them. He listens with his head and his heart. He cares for others over himself. This is a valuable trait that God commands us to have, especially as a leader. This is because God knows it is the answer for a healthy community.

Our School Resource Offers have developed quality relationships and trust with students. The court staff has adapted to the daily variables they faced over the past year and a half still executing their purposes.

Dispatchers have worked diligently behind the scenes shorthanded for some time, yet they keep up with the volume of calls from people in need. They also managed the many vital tasks to keep the communication process smooth and safe. This is no ordinary job.

We also have a strong, energetic, well trained, and dedicated volunteer Reserve Corp. Three of their biggest compliments about the agency are; the leadership, the inclusive training, and the comradery. They have developed a love of serving the community, alongside the welcoming time staff.

The people of this agency are my family. I deeply love them and am honored to have this God-given assignment to serve them.

We need to know and remember that dedicated Law Enforcement consists of special people. They are specifically called by God to stand in the gap between harm and the innocent. This group ARE willing to take on anything to protect others. Just as our county's brave military (which some have served in and are still serving). They are there during holidays, day and night, fair weather and dangerous weather, natural and man-made disasters.

WE NEED TO BE SURE THEY ARE ALWAYS HERE.

Over the past 3-4 years the FSO has developed quite a reputation among other law enforcement agencies. The words I hear from them are; "strong leadership", "consistency", "teamwork", "support" and "service".

It's my plea for you to consider these truths I have stated and help this proposal move forward. At this very moment you have the opportunity to put Fluvanna on the map as one of the safest communities in Central Virginia.

We have more subdivisions coming. Help our current and future residents to be confident in their decision to live here. Not just the confidence of a good financial decision, but of an the one....their choice to raise their families in a safe and united community.

Lastly, please know, God is pleased with those who are united. Unity what He is about.

Thank you for your time and attention.

With sincerity and truth, God Bless you all,

Frank Signoretti

Board Certified Crisis Response Chaplain.

Fluvanna Sheriff's Office

& Lake Monticello Fire/Rescue