

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Carysbrook Performing Arts Center
8880 James Madison Hwy, Fork Union, VA 23055
November 17, 2021
Regular Meeting 7:00pm**

MEMBERS PRESENT:

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

ABSENT:

None.

ALSO PRESENT:

Eric M. Dahl, County Administrator
Kelly Belanger Harris, Assistant County Administrator
Fred Payne, County Attorney
Caitlin Solis, Clerk for the Board of Supervisors

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

At 7:00pm, Chair Sheridan called to order the Regular Meeting of November 17, 2021. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

3 - ADOPTION OF AGENDA

MOTION:	Accept the Agenda, for the November 17, 2021 Regular Meeting of the Board of Supervisors as amended.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second				Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

4 - COUNTY ADMINISTRATOR'S REPORT

Mr. Dahl reported on the following topics:

Announcements and Updates:

2021 Elected Officials Gathering

- DATE: November 19, 2021
- TIME: 2:30pm – 4:00pm
- PLACE: Fluvanna County Library
- FORMAT: Virtual and In-person

No cost rapid COVID-19 antigen at-home test kits are now available at the Fluvanna County Library (a library cart is not required)

- The easy to use test kits are for use when you return home.
- Library staff cannot assist with administering tests.
- You will need a valid photo ID, a computer, mobile phone or tablet with a camera, microphone and internet connection for the online testing session. A trained guide will walk you through the process.
- Getting results for your at-home COVID-19 test is fast! It only takes 15 minutes to know your status and receive a digital result.
- Questions about when you should test? Questions about how to interpret your results? Questions about what to do after the test? Contact your healthcare provider or VDH at www.vdh.virginia.gov/covid19testing or 1-877-829-4682

Dominion Energy Public Meeting

- Wednesday, Dec. 8, 2021 6-7:30pm at the Fluvanna Community Center Auditorium 5725 James Madison Hwy, Fork Union, VA 23055
- Discussing the results of the groundwater evaluations performed at the Bremo Power Station Coal Combustion Residual (CCR) Units.
- The purpose of the meeting is to:
 - acquaint the public with the technical aspects of the evaluations
 - inform the public of how federal and state regulations will be met
 - establish dialogue between Dominion Energy and the surrounding community

Next BOS Meetings:

Day	Date	Time	Purpose	Location
Wed	Dec 1	5:00 PM	Regular Meeting/ Special Public Hearing at 7:00pm	Performing Arts Center
Wed	Dec 15	5:00PM	Budget Work Session – Non-Profit Presentations	Performing Arts Center
Wed	Dec 15	7:00PM	Regular Meeting	Performing Arts Center
Wed	Jan 5	5:00 PM	Regular Meeting	Performing Arts Center

5 - PUBLIC COMMENTS #1

At 7:03pm, Chair Sheridan opened the first round of Public Comments.

- Mike Feazel, 25 Vine Ridge, Spoke in opposition to a six-district map and in favor of five-district option.
- Linda Staiger, 2949 Ridge Road, spoke in favor of a five-district map and suggested delaying the decision.
- Jessica Jackson, 41 Allen Lane, spoke in opposition to a six-district map and in favor of a five-district option.
- Kathy Swenson Miller, 94 Fairview Lane, spoke in favor of five-district option two.
- Perrie Johnson, 229 Pine Lane, spoke in opposition to a six-district map and in favor of a five-district option.
- Rudy Garcia, 802 Rivanna Woods Drive, spoke in opposition to six and seven-district maps and in favor of a five-district option two option. Mr. Garcia spoke in support of not rushing the decision.

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

6 - PUBLIC HEARING

SUP 21:06 Carysbrook Solar, LLC –Douglas Miles, Community Development Director

- SUP 21:06 Carysbrook Solar, LLC – A Special Use Permit request in the A-1, Agricultural, General District to construct a major utility use (solar generation facility) on 36 +/- acres of a 361.3 +/- acre parcel, Tax Map 42, Section 1, Parcel 1.
- The property is located on the east side of Carysbrook Road (SR 615) and it is generally north of James Madison Highway (Route 15) at 1084 Carysbrook Road. The subject parcel is in the Rural Preservation Area and the Fork Union Election District.



GIS Zoning Map



SUP 21:06 Transportation Planning

- Carysbrook Elementary - 32 school busses; 27 use the front bus loop and the remaining 5 busses use the side bus lot and all bus traffic it enters from Route 15.
- Drivers do not take them home but are parked at various facilities around the County coming in from several directions mainly from Route 15.
- Overall, there is nothing in this general area to prohibit the site-generated traffic from using Route 15 and Carysbrook Road for this solar facility.

Recommended Conditions

1. This Special Use Permit is granted for a three (3) megawatt photovoltaic solar generation facility / major utility use to Carysbrook Solar, LLC or any successors as the owner or operator of such use located on a 36-acre portion of Tax Map 42 Section 1 Parcel 1.
2. All site activity required for construction, expansion and operation of the solar energy facility / major utility use shall be limited to the following days and times: All pile driving and site deliveries shall be limited to the hours from sunrise to sunset Monday through Saturday. All other site construction and

expansion activity may occur Monday through Sunday from sunrise to sunset and be in compliance with the noise ordinance.

3. A Construction Traffic Management Plan, including certain mitigation measures shall be developed by the applicant, owner or operator and shall be submitted to the Virginia Department of Transportation (VDOT) and the County Administrator or his designee for review and approval. The Plan shall address traffic control measures along Carysbrook Road (SR 615) pre-and post-construction road evaluation and any necessary repairs to the public roads that are required as a result of any damage from the solar generation facility construction and/or expansion. All VDOT permits must be received and be approved by VDOT and an approved copy provided to the County Administrator or his designee prior to site construction or expansion occurring on the premises.
4. A Site Parking and Staging Plan shall be submitted as a part of the Site Development Plan approval process that demonstrates a site access plan directing both employee and delivery traffic to minimize conflicts with local traffic on Carysbrook Road (SR 615) and state roads leading to the site such as James Madison Highway (Route 15) to avoid traffic delays during peak construction times.
5. A Construction Mitigation Plan shall be submitted as a part of the Site Development Plan approval process that addresses dust mitigation where all construction roads and areas shall remain dust-free by the use of a water truck or other approved method to keep soil and sediment on the premises. Burning operations must follow all local and state burning restrictions and distances from property lines and combustibles. The plan must address both dust and smoke migration so as not to be of a general nuisance to adjoining property owners during site construction, expansion and/or burning operations on the premises.
6. A minimum fifty (50) foot setback shall be maintained from all public right-of-ways and all agriculturally and residentially zoned properties, either occupied or unoccupied, until such time that the property is converted to commercial or industrial uses, at such time the setback can become the underlying zoning district setback amount for such district.
7. A twenty-five (25) foot vegetative buffer utilizing double staggered rows of evergreen trees planted every ten (10) feet on center with a minimum planting height of four (4) feet and achieving eight (8) feet in height within three (3) years shall be installed when there is not mature vegetation on the perimeter of the premises along the public right-of-way or adjacent to agricultural or residential land uses. Site groundcover for the use should consist of a variety of native groundcovers that benefit bees, birds and beneficial insects and the use of any synthetic herbicides to control and maintain groundcover areas post construction or post-expansion shall not be permitted on the premises.
8. The applicant, owner or operator shall coordinate directly with the Fluvanna County Fire Chief to provide solar energy educational information and/or training to the respective County personnel responding to the solar energy facility use in regards to how to respond to any emergencies that may occur on the premises. The Fire Chief shall be provided with the construction manager's direct contact information during construction or expansion and the remote manager's direct contact information during site operations.
9. A decommissioning plan shall be approved by the County Administrator or his designee prior to approval of a site development plan or any building permits being issued for the solar energy facility use. If the solar energy facility use is inactive completely or substantially discontinuing the delivery of electricity to an electrical grid for a continuous twenty-four (24) month period it shall be considered abandoned. The applicant, owner or operator shall provide notice to the County Administrator or his designee in writing once the property becomes inactive as a solar energy facility use. The decommissioning of the site shall commence within six (6) months of receipt of such notice from the applicant, owner or operator with Fluvanna County and a name and physical address of such entity that would perform such decommissioning of the site shall be provided for the premises.

John Townsend, Lead Developer at Sun Tribe Solar gave a presentation outlining the project including Parcel Details

- Location: Route 615
- Parcel: 42-1-1
- Owner: Richard and Julia Rose
- Parcel Size: 361.2 acres
- Zoning: A-1
- Planning: Rural Preservation
- Land use: Vacant

- Project: Three (3)-Megawatt AC - Solar Energy Facility
- Clearing: Less than 3 acres
- Site Area: Approximately 36 Acres
- Access: Gravel Drive from Route 615
- The facility will produce enough energy to power more than 500 homes.
- The facility will connect to existing Dominion Energy distribution lines on adjacent parcel 42-A-14.

Site Characteristics

- The Project is sited on previously cleared and disturbed land. It avoids environmental and historic impacts.
- The facility is set back more than 1,960 feet from Route 615 and existing mature vegetation surrounds the site.
- The nearest residence is more than 2,590 feet from the facility.
- Existing mature vegetation will provide necessary screening to protect the view shed of the surrounding area.



Compliance with A-1 Land Use and 2015 Comprehensive Plan

- The proposed solar facility is designed to be integrated into the existing land and will be screened from all directions.
- The facility works with the existing electrical distribution system and substation to provide clean, renewable energy to the residents and businesses of Fluvanna County.
- The Carysbrook Solar Project is following the main intent of the A-1 district by requesting a land use that will require minimal traffic, will be habitat friendly to local wildlife, and will produce very little noise after construction.
- The Carysbrook Solar Project aligns with the 2015 Comprehensive Plan section regarding Green Infrastructure and Energy Efficiency.

Environmental Due Diligence

- Stream and Wetland - Designed to minimize or avoid impact to streams and wetlands. Any land disturbance will comply with local and federal guidelines.
- Cultural/Historical - No identified resources within 2,000 feet of the project boundaries. Existing topography and vegetation prevent the view of the project from Carysbrook Performing Arts Center.
- Wildlife -The project is unlikely to have any impact on any threatened or endangered species. The Rivanna River is more than 500 feet away and will not be disturbed as part of this project.

Community Value

- Furthers Fluvanna County's goal to 'Diversify the tax base through economic development'.
- Provides a tax base that does not come with an accompanying burden on County services.
- Project will have positive effects on the Fluvanna County environment by creating no emissions and offsetting the generation of 4,280 tons of CO2 annually, the equivalent of removing more than 900 cars from Virginia roads.
- Project has received letter of support from adjacent industrial warehouse due to the attraction of solar for new and future tenants.

Construction, Operation, and Decommissioning

- Construction
 - 4-5 months
 - Approximately 20 construction and management personnel on site per day
 - Construction will occur during daylight hours
- Operation
 - Operation of the facility will take place remotely
 - No staff on site daily
 - Maintenance visits to the site about once a month resulting in no extra traffic impact
- Decommissioning

- Removal of PV equipment (Panels, inverters, racking, concrete pads, cabling)
- Site Restoration
- Removal and recycling (where possible) of all debris and components from site

End of Life Disposal and Recycling

- Sun Tribe Solar recycled 1,750 pounds of solar panels in December 2020 through FabTech Enterprises.
- Interest in recycling valuable raw materials has increased in Europe and the United States.
- Robust infrastructure and process exist for recycling aluminum, concrete, glass and steel.
- Many of the world’s largest solar panel manufacturers offer take back and recycling programs for end of life dismantling and re-use. Ex: First Solar, Jinko Solar, Trina Solar, JA Solar
- Solar specific recycling exists in at least 12 states with expansion in eight additional states in progress.

At 7:48pm, Chair Sheridan opened the Public Hearing.

- Kathleen Kilpatrick, 1034 Red Bank Road, addressed maintaining the rural ambiance of the County and asked that similar projects go before the Agricultural-Forestal District Advisory Council in the future.
- Mike Holland, 2 Oliver Ct, Palmyra, spoke in favor of the applicants proceeding with the project.

With no one else wishing to speak, Chair Sheridan closed the Public Hearing at 7:58pm.

MOTION:	Approve SUP 21:06 Carysbrook Solar, LLC – A Special Use Permit request in the A-1, Agricultural, General District to construct a major utility use (solar generation facility) on 36 +/- acres of a 361.3 acre parcel, Tax Map 42, Section 1, Parcel 1. The property is located on the east side of Carysbrook Road (SR 615) and generally north of James Madison Highway (Route 15) at 1084 Carysbrook Road along with the nine conditions as found within the Staff Report for this land use.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second		Motion		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Ordinance Amendment - Chapter 20, Taxation, Cigarette Tax – Eric Dahl, County Administrator & Kelly Harris, Assistant County Administrator

Ordinance Amendment – Cigarette Tax Levy

- During the 2020 General Assembly session, Virginia counties received the authority to levy taxes on the sale of cigarettes, effective July 1, 2021. State legislation encourages local cigarette stamping and tax collection through regional cigarette tax boards and establishes a state-level taskforce to develop methods to modernize stamping and tax collection.
- On September 15, 2021, the Board held a public hearing and adopted an Ordinance Approving the Formation Of A Joint Entity to be Known as the Blue Ridge Cigarette Tax Board (BRCTB) and Bestowing on Such Entity All Powers Necessary and Proper for the Performance of its Duties as Provided by Law, as well as an agreement establishing the BRCTB and defining its powers, duties, and other procedures.
- An ordinance amendment is necessary to allow the County to levy and collect a tax on cigarettes.
- This ordinance will allow the County as a member of the Blue Ridge Cigarette Tax Board to levy, charge, and enforce a cigarette tax of \$0.02 cents per cigarette and other matters related thereto as specifically set forth in the proposed new Article 10.
- A public hearing is required to consider adoption of an “Ordinance to Amend Chapter 20, Taxation, of The Code of the County of Fluvanna, Virginia by Adding Article 10, Cigarette Tax.”

At 8:07pm, Chair Sheridan opened the Public Hearing. With no one wishing to speak, Chair Sheridan closed the Public Hearing at 8:07pm.

MOTION:	Adopt “An Ordinance to Amend Chapter 20, Taxation, of The Code Of The County Of Fluvanna, Virginia By Adding Article 10, Cigarette Tax.”				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Motion		Second		
VOTE:	Yes	No	Yes	Yes	Yes
RESULT:	4-1				

7 - ACTION MATTERS

Compensation Study Budget transfer – Eric Dahl, County Administrator

- A Compensation and Classification Study will provide the necessary funding for moving forward with a salary study, not to exceed \$37K.
- A comprehensive compensation and classification study provides recommendations to ensure that the County remains competitive in the marketplace and can continue to attract and retain a talented workforce at market rates.
- The study would include an overall evaluation of the County's current grade structure, and actual salaries compared with other relevant competitors.
- A recommended restructuring (if necessary) of the County's compensation structure for administrative classifications and recommendations for implementing proposed changes.
- As we are moving into the FY23 budget process, this will assist staff and the Board to address compensation for the County Staff.
- The last compensation study that was approved by the Board of Supervisors was September 3, 2008.

MOTION:	Approve a budget transfer of \$37,000 from the FY22 BOS Contingency budget to the FY22 Human Resources budget for the Compensation and Classification Study.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Motion	Second			
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Blue Ridge Cigarette Tax Board Startup Cost Budget Transfer – Eric Dahl, County Administrator

- On September 15, 2021, the Board approved formation of the Blue Ridge Cigarette Tax Board (BRCTB).
- The BRCTB has been established to include the eight (8) member jurisdictions (Charlottesville, Albemarle, Nelson, Fluvanna, Augusta, Greene, Orange, Madison).
- It is the plan to have the BRCTB operational by January 1, 2022.
- As previously discussed, one-time/start-up costs are required for the creation of the BRCTB, to include Technology and Equipment, Vehicle for compliance, TJPDC staff time and office costs and funds to create a reserve. The Fluvanna portion of one-time/start-up costs is \$17,218.
- This will decrease the BOS Contingency Budget by \$17,218 and allocate the same amount of funds to pay one-time/start-up costs of the Blue Ridge Cigarette Tax Board.

One-time/Start-up Expenses (estimated)	
Technology and equipment— computer, uniform, identification for part-time compliance officer	\$2,500
Vehicle for compliance/enforcement	\$25,000
Start-up costs--TJPDC Staff time, stamp development and initial stamp order, purchase of tracking software, etc.	\$50,000
Reserve—4.7% of estimated revenues	\$140,000
Subtotal one-time	\$217,500

BRCTB Revenue and Expense

Regional Cigarette Tax Projections:										First Year (FY22)			
Participating Localities	Population (per US Census July 1, 2019 Data)	Estimated Annual Revenue for full year	Tax Rate Per Pack	Estimated Packs Sold	Estimated Average # of Packs Sold Per Person (per Charlottesville Actual Data FY20)	Estimated Revenue Ratio	Estimated Packs Sold Ratio	Projected Start-up/One-time Expenses - Based on Itemized Estimates - 1st Year (FY22)	Projected On-Going Expenses - Based on Itemized Estimates - 1st Year (FY22 - Jan-June)	Estimated Total Expenses - Start-Up AND On-going - 1st Year (FY22 - Jan-June)	2% Dealer Discount - 1st Year (FY22 - Jan-June)	Estimated Net Revenue - 1st Year (FY22 - Jan-June)*	
Charlottesville City	47266	\$614,553	0.55	1,117,368	23.64	20.63%	13.72%	\$29,843	\$10,290	\$40,103	\$	6,345.53	\$261,028
Albemarle County	109330	\$1,033,824	0.40	2,584,561	23.64	34.71%	31.74%	\$69,028	\$23,733	\$92,762	\$	10,330.24	\$413,812
Nelson County	14930	\$141,178	0.40	352,945	23.64	4.74%	4.33%	\$9,426	\$3,241	\$12,667	\$	1,411.78	\$66,500
Fluvanna County	27270	\$257,885	0.40	644,663	23.64	8.66%	7.92%	\$17,218	\$5,928	\$23,137	\$	2,578.65	\$103,217
Augusta County	75558	\$267,929	0.15	1,786,191	23.64	9.00%	21.93%	\$47,706	\$16,402	\$64,108	\$	2,679.29	\$67,177
Greene County	19819	\$187,408	0.40	468,521	23.64	6.29%	5.75%	\$12,515	\$4,302	\$16,816	\$	1,874.08	\$75,805
Orange County	37051	\$350,354	0.40	875,886	23.64	11.76%	10.76%	\$23,393	\$8,043	\$31,436	\$	3,583.54	\$140,237
Madison County	13261	\$125,396	0.40	313,490	23.64	4.21%	3.85%	\$8,373	\$2,879	\$11,251	\$	1,253.96	\$50,193
Total Revenue		\$2,978,508		8,143,625		100.00%	100.00%	\$217,500	\$74,780	\$290,280	\$	29,785.08	\$1,167,189

*6 months Estimated Revenue (Column C) less Estimated Total Expenses (Column L) less Dealer Discount (Column I).
 **Estimated Revenue (Column C) less Projected Ongoing Admin Expenses (Column N) less Dealer Discount (Column O).

Regional Cigarette Tax Projections										FY23+		
Participating Localities	Population (per US Census July 1, 2019 Data)	Estimated Annual Revenue for full year	Tax Rate Per Pack	Estimated Packs Sold	Estimated Average # of Packs Sold Per Person (per Charlottesville Actual Data FY20)	Estimated Revenue Ratio	Estimated Packs Sold Ratio	Projected on-going Admin Expenses - Based on Itemized Estimates (FY23+)	2% Dealer Discount - (FY 23+)	Estimated Net Revenue - (FY23+)**		
Charlottesville City	47266	\$614,553	0.55	1,117,368	23.64	20.63%	13.72%	\$20,521	\$12,291	\$581,741		
Albemarle County	109330	\$1,033,824	0.40	2,584,561	23.64	34.71%	31.74%	\$47,466	\$20,676	\$965,682		
Nelson County	14930	\$141,178	0.40	352,945	23.64	4.74%	4.33%	\$6,482	\$2,824	\$131,873		
Fluvanna County	27270	\$257,885	0.40	644,663	23.64	8.66%	7.92%	\$11,839	\$5,157	\$240,889		
Augusta County	75558	\$267,929	0.15	1,786,191	23.64	9.00%	21.93%	\$32,804	\$5,359	\$229,766		
Greene County	19819	\$187,408	0.40	468,521	23.64	6.29%	5.75%	\$8,605	\$3,748	\$175,056		
Orange County	37051	\$350,354	0.40	875,886	23.64	11.76%	10.76%	\$16,006	\$7,007	\$327,261		
Madison County	13261	\$125,396	0.40	313,490	23.64	4.21%	3.85%	\$5,757	\$2,508	\$117,131		
Total Revenue		\$2,978,508		8,143,625		100.00%	100.00%	\$149,560	\$59,570	\$2,769,377		

*6 months Estimated Revenue (Column C) less Estimated Total Expenses (Column L) less Dealer Discount (Column I).
 **Estimated Revenue (Column C) less Projected Ongoing Admin Expenses (Column N) less Dealer Discount (Column O).

On-going Expenses

First Year Central VA Regional Board Itemized Operating Costs	First year Estimates Jan-June 2022 1 staff	On-going Estimates 1 staff
Salary for one staff members	\$30,000	\$60,000
Benefits	\$9,000	\$18,000
Indirect Costs (66%)****	\$25,740	\$51,480
Vehicle Ongoing (Parking Garage Pass)*****	\$800	\$1,600
Milage expense*****	\$9,240	\$18,480
Subtotal on-going	\$74,780	\$149,560

****Indirect Costs include Rent, Internet/Phone/Data, IT/Communications, Copier, Finance/Administrative Support and are updated annually July 1
 *****\$1600 based on \$130/month for 12 months = \$1560
 *****Mileage .56 * 33000 miles/yr

MOTION:	Approve a budget transfer of \$17,218 from the FY22 BOS Contingency budget to the FY22 Board of Supervisors budget to pay for the Fluvanna County portion of one-time/start-up costs of the Blue Ridge Cigarette Tax Board.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:			Motion		Second
VOTE:	Yes	No	Yes	Yes	Yes
RESULT:	4-1				

County participation in Virginia Opioid Settlement – Frederick W. Payne, County Attorney

- Several entities have filed claims nationally against three distributors and one manufacturer of opioid pharmaceuticals, which claims have been participated in by the Commonwealth and approximately 80 of its localities (to date).
- These claims have been tentatively settled by the agreement of all participating parties to accept a monetary settlement and, in return, releasing all claims to which they may be entitled against the settling distributors and manufacturer.
- The amount of the settlement is approximately \$26 billion nationally, of which approximately \$530 million will be paid over time to the Commonwealth, including the Opioid Abatement Fund, and the participating Virginia localities.
- It is contemplated that approximately 30% of the total will accrue to the Commonwealth's participating localities.
- The precise amounts to accrue to each locality cannot be calculated until all participating localities have filed the necessary documents to participate.
- The MOU to approve the negotiated settlement was signed by the Attorney General on behalf of the Commonwealth in August of this year.

MOTION:	Approve the two attached resolutions: approving Resolution 26-2021, the County's participation in the Virginia Opioid Abatement Fund and Settlement Allocation Memorandum of Understanding and directing the County Attorney to execute the documents necessary to effectuate the County's participation in the MOU; and				
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:	approving Resolution 27-2021, the County's participation in the proposed settlement of opioid-related claims against certain entities named in the resolution and directing the County Attorney to execute the documents necessary to effectuate the County's participation in the settlements.				
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

MOTION:	Move the Board of Supervisors defer the decision to appoint to the following Board, Commission, or Committee appointment(s)/reappointments(s) until the December 1, 2021 meeting:			
BOARD/COMMISSION/COMMITTEE	APPOINTEES	APPT/REAPPT	BEGINS TERM	ENDS TERM

James River Water Authority (JRWA) - Fluvanna Citizen Representative		John M. Sheridan	Appoint	11/17/2021	04/18/2025
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Motion	Second			
VOTE:	Yes	Yes	Yes	Abstain	Yes
RESULT:	4-0-1				

8 - PRESENTATIONS

Jefferson Area Board of Aging Service Overview – Dan Corrow, JABA Options Counselor, gave an overview of services offered by the Jefferson Area Board of Aging Service.

2021 Strategic Initiatives Update – Kelly Belanger Harris, Assistant County Administrator

- No day-long Leadership Retreat in 2021 to set priorities for the next two years
- Feb 10, 2021 – Work Session/Planning Retreat
 - Strategic Initiatives were proposed for the remainder of 2021
- Staff priorities were not included in the proposed 2021 Strategic Initiatives
- The Board adopted 2021 Strategic Initiatives on April 7, 2021
- Propose updating Strategic Initiatives at a 2022 Leadership Retreat

9 - CONSENT AGENDA

The following items were discussed before approval:

L - *Accounts Payable Report for September 2021*

M - *Accounts Payable Report for October 2021*

The following items were approved under the Consent Agenda for November 17, 2021:

- *Minutes of November 3, 2021* – Caitlin Solis, Clerk to the Board
- *Approval of Open Space Contract for Charles Alexander IV* – Andrew M. Sheridan, Jr., Commissioner of the Revenue
- *Approval of Open Space Contract for Joseph W. and Katina W. Trent* – Andrew M. Sheridan, Jr., Commissioner of the Revenue
- *Accounts Payable Report for September 2021* – Eric Dahl, County Administrator
- *Accounts Payable Report for October 2021* – Eric Dahl, County Administrator

MOTION:	Ratify Accounts Payable and Payroll for September 2021, in the amount of \$3,099,366.99.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second				Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

MOTION:	Ratify Accounts Payable and Payroll for October 2021, in the amount of \$2,690,868.55.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second				Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

MOTION:	Approve the consent agenda items I, J, and K for the November 17, 2021 Board of Supervisors meeting.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:			Second		Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

10 - UNFINISHED BUSINESS

2021 Redistricting – Eric Dahl, County Administrator

- The Board of Supervisors discussed the five redistricting map options, at length.

11 - NEW BUSINESS

Authorization of Advertisement of Proposed Ordinance Change Concerning the Central Absentee Precinct Location – Eric Dahl, County Administrator

- The previous Registrar's Office, located at 211 Main Street, Palmyra, VA, was directly across the street from the Central Absentee Precinct (CAP.)

- The proximity to the CAP allowed Registrar's Office staff to respond quickly if called if needed.
- The new location of the Registrar's Office, at 265 Turkeysag Trail, Suite 115, Palmyra, VA, approximately 7 miles from the prior location, does not lend itself to the same quick response time.
- Moving the CAP reduces the time to respond, moves all equipment and supplies to one location, and overall improves efficiency.
- Through clerical housekeeping, it was discovered the Ordinance Amendment Public Hearing was previously authorized for advertisement, but had not been advertised and scheduled. The following motion will allow for completion of the public hearing and the amendment to the County Code.

MOTION:	I move the Board of Supervisors authorize staff to advertise a Public Hearing on December 15, 2021, entitled, "AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE 2, SEC. 2-2-3(B) OF THE FLUVANNA COUNTY CODE TO DESIGNATE AS THE CENTRAL ABSENTEE PRECINCT THE OFFICE OF THE REGISTRAR, PALMYRA, VA, IN PLACE OF THE HISTORIC COURTHOUSE."				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second	Motion			
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

12 - PUBLIC COMMENTS #2

At 10:50pm, Chair Sheridan opened the second round of Public Comments.

- Jessica Jackson, 41 Allen Lane, referenced code sections that outline how elected officials will be redistricted out of seats and districts they were elected to serve.

With no one else wishing to speak, Chair Sheridan closed the second round of Public Comments at 10:56pm.

MOTION TO EXTEND

- *At 10:57 pm, a motion was made to extend the Board of Supervisors meeting.*

MOTION:	Approve a motion to extend the November 17, 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				

13 - CLOSED MEETING

MOTION:	At 10:57pm, 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.				
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 11:49pm, move Closed Meeting be adjourned and the Fluvanna County Board of Supervisors convene again in open session and "BE IT RESOLVED, the Board of Supervisors does hereby certify to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under Section 2.2-3711-A of the Code of Virginia, 1950, as amended, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting."				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second		Motion		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

- Mr. Sheridan proposed using CARES money to fund thanksgiving dinners for MACCA after some discussion, staff will look into using CARES funds for Christmas programs through MACCA.

MOTION:	Adjourn the regular meeting of Wednesday, November 17, 2021 at 11:52pm.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second				Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

Caitlin Solis
Clerk to the Board

John M. Sheridan
Chair

APPROVED



BOARD OF SUPERVISORS
County of Fluvanna
Palmyra, Virginia
RESOLUTION No. 26-2021

A RESOLUTION OF THE FLUVANNA COUNTY, VIRGINIA, BOARD OF SUPERVISORS APPROVING OF THE COUNTY'S PARTICIPATION IN THE PROPOSED SETTLEMENT OF OPIOID-RELATED CLAIMS AGAINST MCKESSON, CARDINAL HEALTH, AMERISOURCEBERGEN, JANSSEN, AND THEIR RELATED CORPORATE ENTITIES, AND DIRECTING THE COUNTY ATTORNEY TO EXECUTE THE DOCUMENTS NECESSARY TO EFFECTUATE THE COUNTY'S PARTICIPATION IN THE SETTLEMENTS

WHEREAS, the opioid epidemic that has cost thousands of human lives across the country also impacts the Commonwealth of Virginia and its cities and counties by adversely impacting, amongst other things, the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse services, and other services; and

WHEREAS, the Commonwealth of Virginia and its cities and counties have been required and will continue to be required to allocate substantial taxpayer dollars, resources, staff energy and time to address the damage the opioid epidemic has caused and continues to cause the citizens of Virginia; and

WHEREAS, settlement proposals have been negotiated that will cause McKesson, Cardinal Health, AmerisourceBergen, and Janssen to pay up to \$26 billion nationwide to resolve opioid-related claims against them;

NOW THEREFORE BE IT RESOLVED that the Fluvanna County, Virginia, Board of Supervisors, this 17th day of November 2021, approves of the County's participation in the proposed settlement of opioid-related claims against McKesson, Cardinal Health, AmerisourceBergen, Janssen, and their related corporate entities, and directs the County Attorney to execute the documents necessary to effectuate the County's participation in the settlements, including the required release of claims against settling entities.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Board of Supervisors of Fluvanna County on this 17th day of November 2021.

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

Attest:

John M. Sheridan, Chair
Fluvanna County Board of Supervisors



BOARD OF SUPERVISORS
 County of Fluvanna
 Palmyra, Virginia
RESOLUTION No. 27-2021

A RESOLUTION OF THE FLUVANNA COUNTY, VIRGINIA, BOARD OF SUPERVISORS APPROVING OF THE COUNTY’S PARTICIPATION IN THE VIRGINIA OPIOID ABATEMENT FUND AND SETTLEMENT ALLOCATION MEMORANDUM OF UNDERSTANDING (“MOU”) AND DIRECTING THE COUNTY ATTORNEY TO EXECUTE THE DOCUMENTS NECESSARY TO EFFECTUATE THE COUNTY’S PARTICIPATION IN THE MOU

WHEREAS, the opioid epidemic that has cost thousands of human lives across the country also impacts the Commonwealth of Virginia and its cities and counties by adversely impacting, amongst other things, the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse services, and other services; and

WHEREAS, the Commonwealth of Virginia and its cities and counties have been required and will continue to be required to allocate substantial taxpayer dollars, resources, staff energy and time to address the damage the opioid epidemic has caused and continues to cause the citizens of Virginia; and

WHEREAS, in order to advance their common interests, Virginia local governments and the Commonwealth of Virginia, through counsel, have extensively negotiated the terms of a memorandum of understanding relating to the allocation and use of litigation recoveries relating to the opioid epidemic;

NOW THEREFORE BE IT RESOLVED that the Fluvanna County, Virginia, Board of Supervisors, this 17th day of November 2021, hereby authorizes and approves of the Virginia Abatement Fund and Settlement Allocation Memorandum of Understanding (“MOU”) attached hereto and incorporated by reference as Exhibit “A,” and directs the County Attorney to execute the MOU.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Board of Supervisors of Fluvanna County on this 17th day of November 2021.

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

Attest:

 John M. Sheridan, Chair
 Fluvanna County Board of Supervisors