

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Carysbrook Performing Arts Center
8880 James Madison Hwy, Fork Union, VA 23055
March 16, 2022
Budget Work Session 5:00pm
Regular Meeting at 7:00 pm**

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
Chris Fairchild, 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

WORK SESSION – CALL TO ORDER

At 5:00pm, Chair Sheridan called to order the Work Session of March 16, 2022. After the recitation of the Pledge of Allegiance, a moment of silence was observed

- Mel Sheridan, Commissioner of the Revenue, updated the Board of Supervisors on assessment values increasing from the previous year resulting in revenue increases in FY23.
- Eric Dahl, County Administrator, presented updated variations in the employee health care requested by the Board at the previous meeting, resulting in Option-Six, Option-Seven, and Option-Eight.
 - After some discussion, the Board of Supervisors decided to offer Option-Eight and absorb increases in health insurance while eliminating the KA250 and adding a KA1000 option to the insurance plan.
- While discussing the school budget, the Board of Supervisors asked for clarification in the pay adjustments to the step increases. Perrie Johnson, Vice Chair, Fork Union School Board Representative clarified the school was asking for 7% increase for the lowest paid positions to make them competitive with the surrounding counties.
 - The Board agreed to fully fund the school’s budget request
- Mr. O’Brien asked to fund the public works position
- Mr. Sheridan asked to fund the one full time and one part time Sheriff Deputy positions.
- The BOS agreed to advertise the proposed budget amount for FY23 at \$98,202,891.

At 6:45pm, Mr. O’Brien made a motion to recess for dinner, Mrs. Eager seconded, and motion passed 5-0.

RECESS FOR DINNER

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

At 7:15pm, Chair Sheridan called to order the Regular Meeting of March 16, 2022. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

3 - ADOPTION OF AGENDA

- Mr. Dahl asked to add a few items to New Business

MOTION:	Accept the Agenda, for the March 16, 2022 Regular Meeting of the Board of Supervisors, as amended.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
ACTION:	Second	Motion			
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

4 - COUNTY ADMINISTRATOR'S REPORT

Mr. Dahl reported on the following topics:

All Pleasant Grove Trails Are Now Open

- The trails at Pleasant Grove are open this week for hiking, biking, and horseback riding
- Please be aware there are still some downed trees and low hanging branches on the trails. The Trail Crew is in the process of clearing them

Spotlight on Business

- The Fluvanna Economic Development Office and Virginia Career Works hosted an Employer Focus Group to discuss business and workforce development needs in Fluvanna County
- 5 businesses across several industries and 3 high school Transition Coordinators participated in the discussion
- Key takeaway: Fluvanna County Public Schools is doing a good job preparing and coaching the students to enter the workforce
- Grand opening for Fluvanna Meals on Wheels Packing Kitchen
 - o Ribbon cutting March 26, 2022 2-4pm at 101 Crofton Plaza
- No Budget Work Session on March 23, and March 30

5 - PUBLIC COMMENTS #1

At 7:24pm, Chair Sheridan opened the first round of Public Comments.

- John Lye, President of FRA, asked the Board to maintain the FRA budget at 90% or fully fund their request in FY23.

With no one else wishing to speak, Chair Sheridan closed the first round of Public Comments at 7:26pm.

6 - PUBLIC HEARING

SUP 21:07 Dominion Energy – Douglas Miles, Community Development Director

Ben Jackson, P.E., Kimley-Horn and Associates, Civil Engineering Consultant, gave Dominion Energy's presentation to the Board of Supervisors with the requested updates for screening the substation from view

- The Central Virginia Electric Cooperative (CVEC) receives power from 12.6 miles of 115 kV line that is at its end of life.
- A new switching station/substation is needed in order to retire the 115kV line and supply power to CVEC.
- The proposed substation location is along the existing Dominion Energy transmission line easement – a previously cleared area.
- The construction of the substation will not require outages or power disruption to CVEC customers.
- 230kV/115kV Switching Station will be installed on an approximately 225' x 300' gravel pad.
- The substation will include security fence (12'), overhead transmission lines, and various electrical equipment (max of 75' height).
- Construction is anticipated to begin in summer 2022 with a duration of ~12 months.
- Total disturbance will be approximately 5 Acres.
- All permits and approvals will be obtained before construction begins. These include, but are not limited to, Fluvanna County Special Use Permit, Fluvanna County site plan approval, DEQ stormwater permit, and US Army Corps of Engineers permit. Dominion Energy, applicant has worked with the adjacent property owners to the south, along with the Cunningham District Board member, to revise the proposed screening requirements for the electrical substation.
- At this time, Douglas Miles, Community Development Director, gave his presentation with updated conditions.
- Dominion Energy, applicant has worked with the adjacent property owners to the south, along with the Cunningham District Board member, to revise the proposed screening requirements for the electrical substation.
- Kimley-Horn Engineering has submitted their new Landscape Plan, dated February 22, 2022 for Board consideration for screening to be approved along with this SUP case request.

SUP 21:07 Recommended Condition:

1. The Dominion Energy Concept Site Plan, dated November 30, 2021, as prepared by Kimley-Horn shall be the subject property area for the Special Use permit request, along with the Landscape Plan dated February 22, 2022, as prepared by Kimley-Horn for site screening purposes.
2. Prior to development of the site, a site development plan that meets the requirements of the Fluvanna County Zoning Ordinance shall be submitted for administrative approval.

3. The Site shall be screened from view in substantial accordance with the Landscape Plan, dated February 22, 2022 as prepared by Kimley-Horn along with the requirements of Section 22-24-7 of the Fluvanna County Zoning Ordinance.
4. Any lighting shall not be directed toward the adjacent properties and it shall comply with Article 25 Outdoor Lighting Control of the Fluvanna County Zoning Ordinance.
5. Any noise shall comply with Chapter 15.1 of the Fluvanna County, Virginia Code.
6. The site shall be maintained in a neat and orderly manner so that the visual appearance from the public right-of-way and adjacent properties as 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 Fluvanna County Code, the Board of Supervisors has authority to revoke a Special Use permit if the property owner has substantially breached the conditions of the Special Use permit.

MOTION:	Approve SUP 21:07, a request to construct a major utility (electrical substation) on Tax Map 17, Section A Parcel 71 and Tax Map 17 Section A Parcel 51, subject to the eight (8) conditions as listed in the revised Staff Report, with Condition 1 and Condition 3 being revised to include the new Landscape Plan, dated February 22, 2022.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
ACTION:		Second	Motion		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

American Rescue Plan Act Funding – Eric Dahl, County Administrator

The American Response Plan Act of 2021

- Fluvanna Allocation: \$5,296,878
- Payments to local governments will be made in two tranches - first half 60 days after enactment, second half one year later.
 - The County received the first tranche of funds on June 10, 2021 in the amount of \$2,648,439.00
 - The second amount of \$2,649,439 should be received around June 2022.
- Restrictions on eligible uses:
 - Funds cannot be used to directly or indirectly offset tax reductions or delay a tax/tax increase; funds cannot be deposited into any pension fund.
 - The covered period begins March 3, 2021 and ends on December 31, 2024, with a few important distinctions and exceptions to the covered period:
 - Funds must be INCURRED (i.e. obligated) by December 31, 2024
 - Funds must be EXPENDED with all WORK PERFORMED and COMPLETED by December 31, 2026
- Eligible uses include:
 - to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;
 - to respond to workers performing essential work during the COVID–19 public health emergency by providing premium pay to eligible workers of the State, territory, or Tribal government that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;
 - or the provision of government services to the extent of the reduction in revenue of such State, territory, or Tribal government due to the COVID–19 public health emergency relative to revenues collected in the most recent full fiscal year of the State, territory, or Tribal government prior to the emergency; or
 - to make necessary investments in water, sewer, or broadband infrastructure.

Budget Supplement Requirement

- Per the Code of Virginia 15.2.2507, any additional appropriation(s) which increases the total budget by more than 1% of the total expenditure budget for that fiscal year is required to be advertised for a public hearing at least seven days prior to the Board of Supervisors' approval of such appropriation; with such advertisements authorized by the County Administrator, unless the County Administrator deems such request for advertisement should require Board of Supervisors approval.

At 7:49pm, Chair Sheridan opened the public hearing. With no one wishing to speak, Chair Sheridan closed the public hearing at 7:49pm.

MOTION:	Approve a supplemental appropriation of \$2,648,439 from the American Rescue Plan Act Funding for FY22.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
ACTION:		Motion		Second	
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

7 - ACTION MATTERS

BFI Waste Services Disposal Agreement – Cyndi Toler, Purchasing Officer

- In October 2021, an RFP was issued with four responses received.
- After interviewing our current vendor BFI was chosen as the highest scoring proposal
- Included in this contract is the hauling and disposal of waste collected at the Convenience Center as well as the trash collected in dumpsters at various county buildings. As well as Industrial waste collection on an as needed basis.
- There are items included to help further reduce costs such as the addition of a second compactor aimed at reducing the number of hauls. The county is responsible for installation of a concrete pad and running electricity to the new compactor.

BFI Waste Services Disposal Agreement:

Waste Container Site	Current Cost	Contract Cost		Convenience Center	Current Cost	Contract Cost	
Fluvanna Rescue	\$194.25	\$104.00	Per Month	Rental of 8 Open 30yd	\$0.00	\$0.00	
Sheriff's Office	\$194.25	\$104.00	Per Month	Rental of 3 Closed 30yd	\$0.00	\$0.00	
Courthouse	\$194.25	\$104.00	Per Month	Rental of 1 Compactor	\$0.00	\$0.00	
Pleasant Gove	\$194.25	\$104.00	Per Month	Rent Additional Compactor	NA	\$325.00	Per Month
Carysbrook CC	\$194.25	\$104.00	Per Month	Rent additional container	NA	\$60.00	
Carysbrook CC	\$194.25	\$104.00	Per Month	Haul Charge	\$195.00	\$160.00	Per Haul
Carysbrook CC	\$194.25	\$104.00	Per Month	Disposal	\$53.83	\$53.83	Per Ton
Fork Union CC	\$191.35	\$65.00	Per Month	Recycling	\$150.00	\$150.00	Per Ton
				Cardboard only removal	NA	\$180.00	Per Month

- After Year 1 pricing is subject to CPI adjustment using Water Sewer Trash Index of the Bureau of Labor Statistics (Not to exceed 3% annually)
- This contract is for one year with four one-year renewals. Both BFI and the County retain the right to not renew each year with appropriate notice.

MOTION:	Approve the agreement between Fluvanna County and BFI Waste Services, LLC, a Republic Services Company for Municipal Solid Waste, Recyclables, Industrial Waste removal, and further authorize the County Administrator to execute the agreement subject to approval as to form by the County Attorney.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
ACTION:					
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Advertisement of Proposed Fiscal Year 2023 Operations Budget, Tax Rates, & Capital Improvement Plan – Tori Melton, Management Analyst

During the Budget Work Session, the Board of Supervisors agreed to advertise the amounts and tax rates listed below. Approving the authorization to advertise will allow adequate time to hear public comments on April 13, 2022 and adopt the budget on April 20, 2022, in accordance with Virginia Code Section 15.2-2504; then proceed with preparing for the June 5th tax billing cycle.

MOTION:	Authorize staff to advertise the FY23 Budget, Tax Rates, and Capital Improvement Plan (CIP) for a public hearing on April 13, 2022; the proposed budget amount for FY23 is \$98,202,191 The advertised tax rate are as follows:
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	Real Property				\$.87 per \$100
	Mobile Homes				\$.87 per \$100
	Personal Property (Residential)				\$3.75 per \$100
	Personal Property (Business & Public Utilities)				\$2.90 per \$100
	Machinery and Tools				\$1.90 per \$100
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
ACTION:	Second			Motion	
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

7A – BOARDS AND COMMISSIONS

MOTION:	Move the Board of Supervisors approve the following Board, Commission, or Committee appointment(s)/reappointments(s):				
BOARD/COMMISSION/COMMITTEE	APPOINTEES		APPT/ REAPPT	BEGINS TERM	ENDS TERM
Economic Development and Tourism Advisory Council (EDTAC) – At-Large	Peggy Shanklin		Appt	3/16/2022	6/30/22
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:		Second	Motion		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

8 - PRESENTATIONS

Strategic Initiatives Update – Kelly Harris, Assistant County Administrator, gave an overview of the Strategic Initiatives adopted in 2021 in preparation of the 2022 Board of Supervisor retreat later in the year.

9 - CONSENT AGENDA

The following items were discussed before approval:

I - *Accounts Payable Report for February 2022* – Eric Dahl, County Administrator

The following items were approved under the Consent Agenda for March 16, 2022:

- Minutes of March 2, 2022 – Caitlin Solis, Clerk to the Board
- Minutes of March 9, 2022 – Caitlin Solis, Clerk to the Board
- Accounts Payable Report for February 2022 – Eric Dahl, County Administrator
- FY22 FCPS Grants Supplemental Appropriation – Brenda Gilliam, Executive Director for Instruction and Finance
- CRMF - Emergency Generator Repair at Fire Stations – Dale Critzer, Assistant Public Works Director

MOTION:	Approve the consent agenda, for the March 16, 2022 Board of Supervisors meeting, and to ratify Accounts Payable and Payroll for February 2022, in the amount of \$2,589,050.33				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
ACTION:	Second			Motion	
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

10 - UNFINISHED BUSINESS

JRWA Update – Eric Dahl, County Administrator gave the Board of Supervisors an update with the JRWA Water project. The Monacan Nation offered a letter of support for the pump station being moved to a new location, away from land sacred to the Monacan people.

Mr. O'Brien mentioned a letter from a resident regarding water and sewage information from AQUA that was previously presented and asked staff to revisit the information provided by the EPA to see where the information breakdown happened.

11 - NEW BUSINESS

VACo Regional Meeting – Eric Dahl, County Administrator briefed the Board on the Virginia Association of Counties request to hold a meeting for 20 localities, State Legislators, and local elected officials to gather at a tourist facility

Board of Supervisors Retreat – Mr. Dahl asked the Board when they would like to hold their retreat to discuss their strategic initiatives. The Board selected April 30, 2020 from 9:00am to 2:00pm to hold a retreat.

Weaver Building Usage – Mr. Dahl asked if the County could offer the Weaver Building as a meeting space for non-profit organizations to meet with residents.

Short-Term Rentals – Mr. O’Brien brought up a resident’s issue with the County’s ordinance on short-term rentals. A review of the ordinance as well as the lodging tax was suggested to properly regulate enforcement.

Mr. Fairchild mentioned the FRA’s request to have a Board Member liaison on the FRA, and asked staff to explore getting a permanent Board of Supervisor position on the FRA Board.

12 - PUBLIC COMMENTS #2

At 9:58pm, Chair Sheridan opened the second round of Public Comments. With no one wishing to speak, Chair Sheridan closed the second round of Public Comments at 9:58pm.

14 - ADJOURN

MOTION:	Adjourn the regular meeting of Wednesday, March 16, 2022 at 9:58pm.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
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

