FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Carysbrook Performing Arts Center
8880 James Madison Hwy, Fork Union, VA 23055
November 16, 2022
Regular Meeting 7:00pm

MEMBERS PRESENT: John M. (Mike) Sheridan, Columbia District, Chair
Tony O’Brien, Rivanna District, Vice Chair (entered the meeting at 7:10pm)
Mozell Booker, Fork Union District
Patricia Eager, Palmyra District
Chris Fairchild, Cunningham District

ABSENT: None.

ALSO PRESENT: Eric M. Dahl, County Administrator
Kelly 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 7:02pm, Chair Sheridan called to order the Regular Meeting of November 16, 2022. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

3 - ADOPTION OF AGENDA
- Mr. Dahl suggested moving the Special Presentation after the COAD Report to give Mr. O’Brien a chance to vote on the Resolution Posthumously Honoring Gequetta Murray-Ke

| MOTION: Accept the Agenda, for the November 16, 2022 Regular Meeting of the Board of Supervisors, as amended. |
| MEMBER: Mrs. Booker | Mrs. Eager | Mr. Fairchild | Mr. O’Brien | Mr. Sheridan |
| ACTION: Motion | Second |
| VOTE: Yes | Yes | Yes | Absent | Yes |
| RESULT: 4-0 |

4 - COUNTY ADMINISTRATOR’S REPORT
Mr. Dahl reported on the following topics:

1. Announcements and Updates - New Employees
   • Jyniya Booker, Services Specialist II, Social Services Admin. Department, Started October 31st

2. Pleasant Grove Park’s Community of Lights Celebration!
   • December 15th through the 18th
   • Enjoy a Holiday-Light-Drive-Through-Loop at Pleasant Grove Park from 5pm until 9pm
   • Event is FREE and open to the public!
     - We are looking for businesses, organizations, groups, clubs, scout troops, churches, families or anyone who would like to set up a family friendly holiday light display.
     - To set up a family friendly holiday light display please Register Online Free: https://fluvanna.recdesk.com
     - FCPR will supply electricity!
     - Deadline to Register: Noon, December 9, 2022

Story Time with a Veteran program on Thursday, November 10 - hosted by the Library and sponsored by DAR.
- 26 people attended and listened to Mrs. Erinn read two stories about Veterans Day and talked with Jim Childress (Navy) and Fred Lewis (Army), both local Veterans.
- There were crafts, coloring books, and more.

3. Palmyra’s DWR Boat Landing
   - Starting on November 21, 2022 the Palmyra boat landing will be undergoing renovations. This project is expected to take around 4 months to complete allowing the boat ramp to open back up in early spring. For questions regarding the Palmyra boat landing renovation, please contact the Virginia Department of Wildlife Resources: Ed Carr at 804-367-8311 or Brad Mawyer at 540-980-9904.

Materials Recovery Facility Community Meeting
- Materials Recovery Facility to process and recycle building materials after the demolition of old brick and concrete buildings. S.B. Cox has existing facility locations in Richmond and Yorktown.
  - Previously the LKQ site and zoned I-2 at the end of Memory Lane
A Special Use Permit (SUP) would be required for proposed use

- Wednesday, November 30th at 6:00 pm
- Beaver Dam Baptist Church – 1794 Richmond Road (250)

Route 250 Community meetings
- B-1 rezoning for Farm machinery sales and a feed and seed store on the north side of Route 250 and west of Zion Station Road.
- I-1 rezoning for small business office / warehouse buildings to be located in the southwest quadrant of Route 250 & Memory Lane.
- Thursday, December 1st at 6:00 pm and 6:30 pm
- Administration Building – Morris Room at 132 Main Street

Next BOS Meetings

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<tr>
<th>Day</th>
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<tr>
<td>Wed</td>
<td>Dec 7</td>
<td>5:00 PM</td>
<td>Regular Meeting</td>
<td>Performing Arts Center</td>
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<tr>
<td>Wed</td>
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<td>Regular Meeting</td>
<td>Performing Arts Center</td>
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<td>Wed</td>
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<td>5:00 PM</td>
<td>Organizational/Regular Meeting</td>
<td>Performing Arts Center</td>
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SPECIAL PRESENTATION
A Resolution Posthumously Honoring Gequetta Murray-Key – Eric Dahl, County Administrator

MOTION: I move the Board of Supervisors adopt “A Resolution Posthumously Honoring Gequetta Murray-Key.”

MEMBER: Mrs. Booker  Mrs. Eager  Mr. Fairchild  Mr. O’Brien  Mr. Sheridan

ACTION: Motion  Second

VOTE: Yes  Yes  Yes  Yes  Yes

RESULT: 5-0

5 - PUBLIC COMMENTS #1
At 7:22pm, Chair Sheridan opened the first round of Public Comments.
- Rudy Garcia, 802 Rivanna Woods Dr, made comments supporting Bree Key’s application to the Planning Commission.
- Sandra Radford, 121 Mulberry Dr, made comments regarding rezoning around Zion Crossroads, tree screening, and preservation.
- James Kelley, made comments regarding the School’s carryover request.
- Andre Key, 17 Ashton Rd, made comments supporting Bree Key’s application to the Planning Commission.

With no one else wishing to speak, Chair Sheridan closed the first round of Public Comments at 7:35pm.

6 - PUBLIC HEARING
AFD 22:01 – SAH, LLC / Shannon Haislip – Withdrawal from North 640 – Jason Overstreet, Senior Planner
- AFD 22:01 SAH, LLC – Withdrawal from North 640 AFD – Request to withdraw Tax Map 29 Section A Parcel 42 and 8.39 acres from Tax Map 29 Section A Parcel 37, totaling 19.62 acres, from the North 640 Agricultural and Forestal District. The North 640 Agricultural and Forestal District consists of approximately 2295.7 acres and the subject parcels are fronting on Sclaters Ford Road (SR 660) and are generally north of Haden Martin Road (SR 640) and they are located in the Rural Preservation Area and the Fork Union Election District.
- Request to withdraw Tax Map 29-A-37 (8.39 of 135.971 acres) & Tax Map 29-A-42 (11.23 acres)
  - North 640 AFD totals 2295.7 acres / 56 parcels
  - Board of Supervisors renewed January 22, 2020 for a ten (10) year period within North 640 AFD.
- AFD Evaluation Criteria
  - The proposed new land use will not have an adverse effect upon farming or forestry operations in the remaining portion of the district and new land use is in compliance with the most recently approved Comprehensive Plan.
  - The proposed land use is consistent with the public interest of the County and not solely to serve the proprietary interests of the landowner requesting the withdrawal.
  - The proposed land use was not anticipated by the landowner at the time the property was placed in the district, and there has been a change in conditions or circumstances since that time.
- The AFD Advisory Committee met on September 2, 2022 and recommended approval of the withdrawal with a 5-0 vote.
- The Planning Commission held a Public Hearing on October 11, 2022, no one spoke during the Public Hearing and the Planning Commission recommended approval with a 4-0 vote.

-467-
At 7:40pm, Chair Sheridan opened the Public Hearing. With no one wishing to speak, Chair Sheridan closed the Public Hearing at 7:40pm

MOTION: Approve AFD 22:01, a request to withdraw Tax Map 29 Section A Parcel 42 and 8.39 acres from Tax Map 29 Section A Parcel 37, totaling 19.62 acres, from the North 640 Agricultural and Forestal District.

MEMBER: Mrs. Booker  Mrs. Eager  Mr. Fairchild  Mr. O’Brien  Mr. Sheridan
ACTION: Second  Motion
VOTE: Yes  Yes  Yes  Yes  Yes
RESULT: 5-0

7 - ACTION MATTERS

Resolution to Change the Name of Starling Drive to Grass Court – Eric Dahl, County Administrator
Starling Drive is the current name of the private road serving two parcels and three dwellings owned by the Blount Land Trust. Renee Blount, Trustee of the Blount Land Trust, requests the Starling Drive be changed to Grass Court. The requestor has submitted a signed letter requesting the change. The requestor is also aware they are responsible for the cost of the new sign and its installation. Michael Grandstaff, E911 has indicated the cost should not exceed $200.

MOTION: Approve the “Resolution to Rename Starling Drive to Grass Court.”
MEMBER: Mrs. Booker  Mrs. Eager  Mr. Fairchild  Mr. O’Brien  Mr. Sheridan
ACTION: Second  Motion
VOTE: Yes  Yes  Yes  Yes  Yes
RESULT: 5-0

Deer Hunt for Handicapped Hunters at Pleasant Grove – Frederick W. Payne, County Attorney for Fluvanna County
The sheriff’s office continues to believe that it is necessary to reduce the numbers of deer on Pleasant Grove and that the best means of such control is through a managed hunt under the auspices of Wheelin Sportsmen, a group affiliated with the National Wild Turkey Federation. The proposal is to permit a small (7-10) group of hunters to take deer during the current hunting season. The hunt will be confined to carefully selected areas of Pleasant Grove on Thursday, December 29, 2022. Like the events held in recent years past, it is proposed that the hunt be scheduled for the afternoon only (beginning around 2 p.m.). This reflects the success rate of the afternoon period of past years and is intended to minimize the closing of the Park as well as the time devoted by volunteers and maximizing the safety at the high school. Security will be provided by the sheriff’s office, and portions of the property west of the dog park will be closed to public access during that day only. Primary access for hunters will be at the sheriff’s office and the main entrance to the Pleasant Grove house. All hunters will be wheel-chair bound or otherwise handicapped, will be duly licensed and will escorted by qualified volunteers from the community. Wheelin Sportsmen organizes similar hunts at numerous locations in Virginia, including state parks and other similar properties as well as selected private properties and has done so for many years. It is a qualified charitable organization which maintains a $2 million liability insurance policy. The County enjoys sovereign immunity.

MOTION: Authorize the Sheriff to conduct a deer hunt at Pleasant Grove for the purpose of controlling deer numbers, such hunt to be managed by Wheelin Sportsmen, a non-profit organization providing outdoor recreation opportunities for handicapped hunters.
MEMBER: Mrs. Booker  Mrs. Eager  Mr. Fairchild  Mr. O’Brien  Mr. Sheridan
ACTION: 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):

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<th>BOARD/COMMISSION/COMMITTEE</th>
<th>APPOINTEES</th>
<th>APPT/REAPPT</th>
<th>BEGINS TERM</th>
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<tr>
<td>Planning Commission – Rivanna</td>
<td>Andre-A’Bryanna Key</td>
<td>Appt</td>
<td>11/16/2022</td>
<td>6/30/2026</td>
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MEMBER: Mrs. Booker  Mrs. Eager  Mr. Fairchild  Mr. O’Brien  Mr. Sheridan
ACTION: Second  Motion
VOTE: Yes  Yes  Yes  Yes  Yes
RESULT: 5-0
VDOT Quarterly Update – Scott Thornton, Residency Administrator, VDOT

Mr. Thornton gave and update on VDOT projects including scheduled maintenance, bridge and road projects, traffic studies, and special requests such as sign installation and safety study request. Mr. Thornton mentioned a distracted driving outreach program available for new drivers, and informed the Board that Fluvanna County has had no fatal crashes for the first three quarters of 2022.

- Mr. Fairchild asked about and update on Rte. 53 to see if it can ever be expanded. The update report should be available in February 2023.
- Mr. Dahl mentioned the requested safety study on Rt. 600 and asked for accidents occurring in the last month be included in the report.
- Mr. Sheridan mentioned a new requirement for driver education students to complete a 90 minute program before they can be licensed, and asked if VDOT would be interested in partnering with the schools to include the VDOT distracted driving program.
- Mr. O’Brien mentioned the Rte. 600 study and reiterated how dangerous the intersections are.

Cigarette Tax Update – Eric Dahl, County Administrator

Authority for Counties to Assess a Cigarette Tax and the Creation of a Regional Cigarette Tax Board to Collect and Disburse Taxes Collected

- The Virginia General Assembly enacted legislation in 2020 that authorizes all counties to impose cigarette taxes at a rate of up to 40 cents per pack, beginning July 1, 2021.
- 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, if they were considering implementing a cigarette tax.
- May 5, 2021 – Fluvanna County Board of Supervisors adopted a Resolution In Participating In Regional Cigarette Tax Administration
- Spring 2021 - TJPDC Cigarette Tax Workgroup reviews strategies for establishing a regional cigarette tax administration board; provides scenarios for start-up and on-going costs for regional body
- November 17, 2021 – Fluvanna County Board of Supervisors adopted an amendment to Chapter 20, Taxation, of the Code of the County Of Fluvanna, Virginia by Adding Article 10, Cigarette Tax, allowing for the County to tax cigarettes at $0.40 per pack.
- January 1, 2022 – Blue Ridge Cigarette Tax Board became operational
- The Regional Cigarette Tax Board is composed of one representative from each member jurisdiction at the Boards creation, and one representative from those jurisdictions later added with the consent of the Tax Board. Chief Administrative Officer for the jurisdiction shall be the Board representative for the jurisdiction.
- The Administrator (TJPDC) oversees day-to-day operations of the Board
  - Additional staff and TJPDC staff may also provide administrative support
- Regional Board will disburse tax revenue to member jurisdictions on a monthly basis
- For FY22, Cigarette Tax revenue was not budgeted, since the tax was not implemented until 9 months after the FY22 budget was approved.
  - The original estimate of revenue for January through June 2022 was $103,217, which was based upon an estimated number of anticipated packs sold.
    - The actual FY22 revenue for that period came in at $81,885
  - FY23 revenue was budgeted at $200,000
    - The FY23 projected revenue is $170,538 ($29,462 shortfall)
Cost of Community Services – Eric Dahl, County Administrator

- The Board of Supervisors discussed wanting to know what the cost for additional community services are, attributed from residential growth.
- Through staff research, the most common method to calculate this comes from a Cost of Community Services (COCS) study.
- There have been many studies for this across the U.S. and in Virginia, this is meant to provide a summary overview of generally what these studies show.
- Individual results for Fluvanna would require an independent outside study or a very deep dive from County staff.

- The COCS model was created by the American Farmland Trust in the mid-1980s. The primary goal is to measure fiscal impact, which attempts to estimate the net fiscal effects (revenues generated minus service expenditures created) of different types of new development on a community.
- COCS studies require methodically assigning revenue and expenditures to land uses that the locality utilizes. The end result of the model is a ratio of total expenditures required by land use to total revenues generated by land use.
  - If the ratio is greater than 1, then the land use produces less revenue than it needs in expenditures, creating a shortfall.
    - Example: Residential 1.00 : 1.25
  - If the ratio is less than 1, then the land use needs less in services, producing a surplus.
    - Example: Business 1.00 : 0.35
- After reviewing numerous results across the U.S. for COCS studies, the overarching theme is commercial/industrial and agriculture/open spaces ratios are much less than one, and residential ratios are higher than one. Information from the American Farmland Trust from September 2016 provides the following median COCS results:
  - Business - $0.30
  - Agriculture - $0.37
  - Residential - $1.16
- COCS studies can breakdown the results to more finite land use classes, but the above are the most common. Looking more specific at results from Virginia counties that conducted these studies over the past 25 years, the average results were:
  - Business - $0.33
  - Agriculture - $0.38
  - Residential - $1.18
- Some limitations on what COCS studies cannot do:
  - Forecast future revenues or expenditures
  - Analyze specific development proposals
  - Measure non-economic costs or benefits derived from services (ex. economic impact, social costs, aesthetics, traffic, environment, etc.)
  - Distinguish between different development types in a single land use category (ex. old vs. new neighborhood or single vs. multi-family housing)
- The above should provide a general overview of the kind of results these studies provide, but something more in comprehensive would be needed for specific results for Fluvanna.
The following items were approved under the Consent Agenda for November 16, 2022:
- Minutes of November 2, 2022 – Caitlin Solis, Clerk to the Board
- Approval of Open Space Agreement for Ronald G. & Carol Bragg – Andrew M. Sheridan, Jr., Commissioner of the Revenue
- Approval of Open Space Agreement for Timothy A. & Laura R. Bruce – Andrew M. Sheridan, Jr., Commissioner of the Revenue
- Approval of Open Space Agreement for William E. & Lori J. Caldwell – Andrew M. Sheridan, Jr., Commissioner of the Revenue
- Approval of Open Space Agreement for Charles E. Carter & Linda J. Hughes – Andrew M. Sheridan, Jr., Commissioner of the Revenue
- Approval of Open Space Agreement for Robert A. Gunnell, Jr. – Andrew M. Sheridan, Jr., Commissioner of the Revenue
- Approval of Open Space Agreement for Julia May Lacy – Andrew M. Sheridan, Jr., Commissioner of the Revenue
- Approval of Open Space Agreement for Shannon B. & Mark A. Marshall – Andrew M. Sheridan, Jr., Commissioner of the Revenue
- Approval of Open Space Agreement for William E. & Lori J. Caldwell – Andrew M. Sheridan, Jr., Commissioner of the Revenue
- Approval of Open Space Agreement for Eric A. Shrieves – Andrew M. Sheridan, Jr., Commissioner of the Revenue
- Approval of Open Space Agreement for the Staiger Living Trust – Andrew M. Sheridan, Jr., Commissioner of the Revenue
- CRMF - CEN Sewer Pipe – Don Stribling, FCPS
- CRMF - FCHS Air Handler DRIVE – Don Stribling, FCPS
- FY23 FCPS Grants Supplemental Appropriation – Brenda Gilliam, Executive Director for Instruction and Finance

**MOTION:** Approve the consent agenda, for the November 16, 2022 Board of Supervisors meeting.

**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
None.

11 - NEW BUSINESS
- Mrs. Booker mentioned the 2022 Fall VACo Conference.

12 - PUBLIC COMMENTS #2
At 9:10pm, 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 9:11pm.

13 - CLOSED MEETING

**MOTION:** At 9:11pm, move the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.3, & A.6 of the Code of Virginia, 1950, as amended, for the purpose of discussing Real Estate – Disposition of County owned property, and Investment of Funds – Vehicle Purchase Agreement and Burn Building IFB.

**MEMBER:** Mrs. Booker  Mrs. Eager  Mr. Fairchild  Mr. O’Brien  Mr. Sheridan

**ACTION:** Second  Motion

**VOTE:** Yes  Yes  Yes  Yes  Yes

**RESULT:** 5-0

**MOTION:** At 10:01pm, 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.”

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<tr>
<th>MEMBER</th>
<th>Mrs. Booker</th>
<th>Mrs. Eager</th>
<th>Mr. Fairchild</th>
<th>Mr. O'Brien</th>
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Truck Purchase Agreement – Eric Dahl, County Administrator

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<tr>
<th>MOTION</th>
<th>Approve the purchase agreement between Fluvanna County and R.K. Chevrolet, Inc. for the purchase of a 2023 Chevrolet Silverado 1500 totaling $42,566.20, and further authorize the County Administrator to execute the agreement subject to approval as to form by the County Attorney.</th>
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<td>MEMBER</td>
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14 - ADJOURN

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<th>MOTION</th>
<th>Adjourn the regular meeting of Wednesday, November 16, 2022 at 10:03pm.</th>
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<td>MEMBER</td>
<td>Mrs. Booker</td>
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ATTEST: FLUVANNA COUNTY BOARD OF SUPERVISORS

__________________________  _______________________
Caitlin Solis              John M. Sheridan
Clerk to the Board         Chair
A RESOLUTION POSTHUMOUSLY HONORING GEQUETTA MURRAY-KEY

WHEREAS Mrs. Gequetta “G” Murray-Key, was a dedicated resident of Fluvanna County, lending her time and considerable talents to support and advocate for her community; and

WHEREAS Mrs. Murray-Key was a dedicated community servant in her 22 years as a Fluvanna County resident, serving on numerous committees and taking on many leadership roles; and

WHEREAS Mrs. Murray-Key was appointed to the Fluvanna County Planning Commission in 2018, and was a thoughtful and engaged champion for effective planning; and

WHEREAS Mrs. Murray-Key was a passionate supporter of Fluvanna County Public Schools serving as PTO president and remaining active as a parent and as a community leader;

WHEREAS Mrs. Murray-Key was elected as a Representative on the Fluvanna County School Board, served with a commitment to the students, educators, and families of the community, was a champion for equity and excellence in education, and demonstrated a commitment to listening, being prepared, and working together to seek solutions; and

WHEREAS Mrs. Murray-Key made an indelible mark on the County and the many lives she touched; and

WHEREAS Mrs. Murray-Key was a beloved and well-respected member of the community; a musician and dedicated member of her church, a community leader, and a devoted wife, mother, and cherished friend to all she met; and

NOW, THEREFORE, BE IT RESOLVED, on this 16th day of November 2022, that the Fluvanna County Board of Supervisors does hereby posthumously recognize Gequetta Murray-Key for her dedicated service, compassionate leadership, and many contributions to the County of Fluvanna, with respect and gratitude. She will be missed.

BE IT FURTHER RESOLVED, the Fluvanna County Board of Supervisors extends their sympathy to the family of Gequetta Murray-Key and decrees that the family be furnished a copy of this resolution.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Board of Supervisors on this 16th day of November 2022.

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Attest:

_____________________________________
John M. Sheridan, Chair

Fluvanna County Board of Supervisors
A RESOLUTION TO RENAME STARLING DRIVE TO GRASS COURT

WHEREAS, the Board of Supervisors is empowered to rename streets, roads and alleys within the County in accordance with Section 18-2 of the Fluvanna County Code; and

WHEREAS, Renee Blount, trustee of the Blount Land Trust and being a resident of Starling drive, requests that the Board of Supervisors rename the road Grass Court; and

NOW THEREFORE, BE IT RESOLVED AND ORDERED that the Board of Supervisors of Fluvanna pursuant to Section 18-2 of the Fluvanna County Code, that Starling Drive be, and is hereby, named, Grass Court; and

IT IS FURTHER RESOLVED AND ORDERED that the road name change will be considered based upon receipt of the signed letter from the Trustee, requesting said name and representing the Trust. Costs, not to exceed two hundred dollars, associated with approved changes will be the sole responsibility of the petitioner, and shall be received by the County prior to the official changing and use of the road name:

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Board of Supervisors of Fluvanna County on this 16th day of November 2022.

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<td>Patricia B. Eager, Palmyra District</td>
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Attest:

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John M. Sheridan, Chair
Fluvanna County Board of Supervisors