

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Carysbrook Performing Arts Center
8880 James Madison Hwy, Fork Union, VA 23055
April 5, 2023
Regular Meeting 5:00pm
Budget Work Session 7:00pm**

MEMBERS PRESENT:

Mozell Booker, Fork Union District, Chair
Patricia Eager, Palmyra District, Vice Chair
John M. (Mike) Sheridan, Columbia District (*entered the meeting at 6:37pm*)
Tony O’Brien, Rivanna District (*entered the meeting at 5:06pm*)
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 5:01pm, Chair Booker called to order the Regular Meeting of April 5, 2023. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

3 - ADOPTION OF AGENDA

- Mr. Dahl asked to add roadside trash issues to New Business.

MOTION:	Accept the Agenda, for the April 5, 2023 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	Absent
RESULT:	3-0				

4 - COUNTY ADMINISTRATOR’S REPORT

Mr. Dahl reported on the following topics:

Announcements and Updates - New Employees

- Melanie Marsh, Communications Officer, E911 Department, Started March 20th
- Patrick Robbins, Communications Officer, E911 Department, Started April 3rd
- Katherine McCloud, Treasurer II, Treasurer’s office, Started April 3rd

Celebrating Children’s Fair hosted by Fluvanna Social Services

- Open to children, parents, and caregivers
- Carysbrook Elementary School
- Saturday, April 29th from 10:00am to 12:00pm
- Free and fun activities, and giveaways

Fluvanna County Parks and Recreation Presents the Annual Pleasant Grove Park Easter Egg Hunt

- At Pleasant Grove Park
- Saturday, April 8, 2023 at 10:00am
- FREE! Ages 12 and Younger
- Please Arrive Early, *Hunt Promptly Begins at 10 am!*
- Hunt ends when the last egg is found. Please Bring Your Own Basket.*

2023 Hazardous Waste and Tire Collection

- Event was held on March 25 at Pleasant Grove Park:
Hazardous waste from 10am - 2pm, tire collection 10am - 12pm.
- Estimated 118 vehicles dropped off hazardous waste and 67 vehicles dropping off tires. Rain could have played a part in the low numbers.
- Parks and Recreation had budgeted \$33,000 for hazardous waste and \$2,000 for tire collection.
- Total money spent on Hazardous Waste Collection was \$13,895.
- Total money spent on Tire Collection was \$1,800.
- Thanks to Anthony Tanner, James Winsett, Mike Sharpe & Scott Breeden from Public Works for helping with the event. Also, thanks to the Parks and Recreation department for your work as well!

- Control burn happened on April 4, 2023.
 - Complete burn of the Meadow Area D highlighted below. This is the Discovery Trail in front of the Sheriff's Office and Library.
- Control burn performed by Chuck Wright of the Virginia Department of Forestry.
 - Accompanying him with the control burn were eight other local foresters.
- The control burn started at 11:30am and took approximately 1.5 hours to complete.



FCHS Student Government Association Hands on Fluvanna Day

- FCHS SGA students volunteered at the Dog Park on March 31, 2023 to spread mulch in the big dog pen where grass is gone to prevent mud when it rains. About 3 cubic yards of mulch was spread from 9:30am - 12:30pm.
- Many "Thank You's" go out to the following for this project:
 - FCHS SGA students: Juan Torres Sanchez, Rebekah Kraft, Artela Aljiji, Sarah Beth Robinson, and Ally Barnett.
 - Parks and Recreation: Matt Stancil driving the tractor to make piles of mulch to spread saving wheelbarrow work.
- FCHS SGA assisted with Parks and Recreation and VDOT to do a roadside cleanup in Fluvanna County on March 31, 2023. The approximately 1.5 mile stretch of road from Little Creek Road (closest we could start to Rt. 250 / Rt. 15 intersection) to Lake Road was removed of litter on both sides of the road totaling 3 miles of road frontage, working 9:30am - 12:30pm.
- Many "Thank You's" go out to the following whom made this a safe success:
 - FCHS SGA students helping cleanup: Christina Wright, Aden Melton, Vaile Altherr & Karsyn Boykin.
 - VDOT Crews from Palmyra and Zion Crossroads
 - Flaggers & Pilot truck for one lane closure, dump truck, crash preventer truck, and cleanup workers.
 - Fluvanna Sheriff's Office: Deputy Seay-Allen for slowing and watching traffic for the cleanup crew's safety. Also, the State Police were out early slowing traffic for VDOT to set up our work zone.
 - Parks and Recreation: Eric Armentrout and Aaron Spitzer for helping to provide a safe work environment for the cleanup.



VDOT Road Issue Reporting:

- To report road issues such as trash along the roads, temporary signs in the VDOT right of way, or damaged roads in need of repair please go to <https://www.virginiadot.org/> and select "REPORT A ROAD PROBLEM" at the top of the page

Next BOS Meetings:

Day	Date	Time	Purpose	Location
Wed	Apr 12	7:00 PM	BOS Special Meeting – Public Hearings for FY24 Budget & CY23 Tax Rate	Performing Arts Center
Wed	Apr 19	7:00 PM	Regular Meeting – Adopt FY24 Budget & CY23 Tax Rate	Performing Arts Center
Wed	Apr 26	7:00 PM	BOS Special Meeting – TBD – Adopt FY24 Budget & CY23 Tax Rate	Performing Arts Center

5 - PUBLIC COMMENTS #1

At 5:20pm, Chair Booker opened the first round of Public Comments. With no one wishing to speak, Chair Booker closed the first round of Public Comments at 5:20pm.

6 - PUBLIC HEARING

None.

7 - ACTION MATTERS

Child Abuse Prevention Month Proclamation – Rocky Reed, DSS CPS Supervisor

Ms. Reed gave the Board of Supervisors a Fluvanna County Department of Social Services update on the 2022 case data.

MOTION:	Proclaim the month of April 2023 as Celebrating Children Month in Fluvanna County in observation of Child Abuse Prevention Month.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
ACTION:		Motion	Second		
VOTE:	Yes	Yes	Yes	Yes	Absent
RESULT:	4-0				

Authorization to Advertise a Public Hearing for the VDOT Secondary Six Year Plan – Scott Thornton, VDOT Residency Administrator

- Mr. Thornton presented the projects planned for the FY24 to FY29 Secondary Six Year Plan. Mr. Thornton then presented the Board with the 2022 Year End Review covering data on collision trends, fatalities, and speeding in the Culpepper District.

MOTION:	Authorize staff to advertise for a public hearing regarding the Virginia Department of Transportation Secondary Six Year Plan.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
ACTION:			Motion	Second	
VOTE:	Yes	Yes	Yes	Yes	Absent
RESULT:	4-0				

Small Purchasing Procedures Amendment – Donna Allen, Purchasing Officer

Major Changes Proposed:

- Sec. 4.4.1 - For vehicles only (including cars, trucks, vans) the small purchasing limit would be increased to \$200,000.00. Currently vehicles are included in the general policy applicable to "goods" – which has a limit of \$100,000.00.
 - There would be no change in the number of quotes required. For a vehicle:
 - \$0-\$5,000 – 1 quote
 - Greater than \$5,000-\$30,000 – 2 quotes
 - Greater than \$30,000-\$60,000 – 3 quotes
 - Greater than \$60,000-\$200,000 (vehicles only) – 4 quotes
 - Reason – Due to high demand the County is having great difficulty purchasing cars. The County has attempted numerous times to use State Contracts/Cooperative Agreements to buy vehicles – only to be told its pre order only for the next year, or nothing is available. The County also issued an IFB for vehicles in late 2022, and there were no responses. Likely since vehicles are often sold so quickly the dealers must not think it is worth the effort to respond to a County solicitation. This would provide another avenue for purchases of the vehicles.
 - The County has CIP funding for the vehicle purchases in FY22/23 and desires to use bond financing that expires just after July 31, 2023.
- Sec. 4.4.3(Q) Va. Code 2.2-4303(G) now requires specifically that the Uniform State Building Code can never be waived.
- Sec. 4.4.5(D)(1) added language is for clarification only, and is not a substantive change.
- Section 4.4.7 –
 - Formal written contracts required for any contract \$10,000 or more (since the Virginia Public Procurement Act specifically requires a written contract with specific provisions at any contract \$10,000 or more). Currently, a formal written contract is required for any contract in an amount of \$3,000 or more.
 - Attachment A – One page Small Purchase Order Form recommended (not required) for all small purchases of \$500 to under \$10,000.

MOTION:	Approve the amendment to the Small Purchasing Policy as set out in the attached proposed amended "4.4 Small Purchasing Procedures."				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
ACTION:		Second	Motion		
VOTE:	Yes	Yes	Yes	Yes	Absent
RESULT:	4-0				

JPMorgan Chase Bank Debt Proceeds Projects – Eric Dahl, County Administrator

- As part of the JPMorgan Chase Bank debt financing that closed over a year ago, \$93,000 was included for the Public Works Major Equipment Storage Building. With price escalations on the project, that amount was not enough to start and complete the project, therefore, Public Works requested an additional \$100,000 in the FY24 CIP.
- Although the JPMorgan financing has an excellent interest rate at 1.37%, the 18 month spend down period requirement for the funds is becoming challenging in the world today with supply chain issues, cost escalations and other factors. With these factors, it is not possible to complete the Public Works Equipment Storage Building in the allotted time. Any unspent proceeds by August 3, 2023 would be returned and be considered a prepayment on the financing. With this, I am requesting to make a few CIP funding changes.

- Transfer the \$93,000 debt proceeds approved in the FY22 CIP for the Public Works Equipment Storage Building to the Sheriff’s Office Vehicle CIP to purchase 2 vehicles. After conversations with the Sheriff’s Office, these purchases can be completed by August 3, 2023. To purchase 2 vehicles and outfit them with equipment, the Sheriff’s Office needs \$101,000. The additional \$8,000 increase would come from the interest earned on the unspent proceeds.
- In the current FY24 CIP Budget, decrease the Sheriff’s Office vehicle funding amount by \$101,000 and increase the Public Works Equipment Storage Building by \$93,000. No formal action is required for this item now. If the Board approves #1 above, I would bring this item up for change during the FY24 budget work sessions.

MOTION #1:	Approve a budget transfer of FY22 CIP debt proceeds in the amount \$93,000 from the Public Works Equipment Storage Building CIP to the Sheriff’s Office Vehicle budget CIP.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
ACTION:		Second	Motion		
VOTE:	Yes	Yes	Yes	Yes	Absent
RESULT:	4-0				

MOTION #2:	Approve a supplemental appropriation of \$8,000 for the Sheriff’s Vehicle CIP budget, with such funds to come from earned interest on the JPMorgan Chase Bank.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
ACTION:		Second	Motion		
VOTE:	Yes	Yes	Yes	Yes	Absent
RESULT:	4-0				

Pleasant Grove Athletic Field Lighting – Aaron Spitzer, Director of Parks and Recreation

- Soccer fields lighting area.
 - 10 light poles needed to light all fields.
- VASCUPP Contract quoted cost.
 - MUSCO is the company utilizing the contract.
 - Total Materials and Installation cost \$618,412.
- Softball field lighting area.
 - 5 light poles needed to light all fields.
- VASCUPP Contract quoted cost.
 - MUSCO is the company utilizing the contract.
 - Total Materials and Installation cost \$175,578.
- Soccer field parking lot lighting area.
 - 2 light poles needed to light both areas.
 - BOS approved \$50,000 for this project on June 6, 2022.
- VASCUPP Contract quoted cost.
 - MUSCO is the company utilizing the contract.
 - Total Materials and Installation cost \$50,000.
- Approved in the FY’22 CIP budget was \$685,000 to put in lights at the athletic fields at Pleasant Grove Park.
- After the approval, I started working with MUSCO Lighting to get a quote for the light installation.
- MUSCO used a VASCUPP contract from JMU to price the materials and installation for the lights. The quote came in above the CIP approved amount by \$108,990.
- Does the BOS want to only use the money approved and do the soccer fields or use an addition \$108,990 from the Fund Balance to complete the proposed project, lighting all soccer fields and the softball field at Pleasant Grove Park.

MOTION:	Approve as of April 5, 2023, the Purchase Order under Contract No. UCPJMU6542 and Participation Agreement between Musco Sports Lighting, LLC and Fluvanna County for the following [select all applicable]: A. Soccer Field Lighting Project for \$618,412.00 as a cooperative purchase B. Softball Field Lighting Project – for \$175,578.00 as a cooperative purchase C. Parking Lot Lighting Project for \$50,000.00 as a sole source purchase as only one source was practically available for lighting at Pleasant Grove Park for a total amount of \$843,990 and further authorize the County Administrator to execute the purchase order and agreement for all of the projects selected subject to approval as to form by the County Attorney.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
ACTION:		Second		Motion	
VOTE:	Yes	Yes	Yes	Yes	Absent
RESULT:	4-0				

MOTION:	Approve a supplemental appropriation of \$108,990 from Unassigned Fund Balance for the FY22 CIP for the Pleasant Grove Athletic Field Lighting project.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
ACTION:			Motion	Second	
VOTE:	Yes	Yes	Yes	Yes	Absent
RESULT:	4-0				

7A – BOARDS AND COMMISSIONS

None.

8 – PRESENTATIONS*Library Pavilion* – Calvin Hickman, Director of Public Works

- The Public Works Department will partner with the Fluvanna County High School Carpentry Shop to construct a new timber frame pavilion adjacent to the county library. The high school carpentry shop will provide all the wood and labor to design, fabricate and erect the wooden structure. The Public Works Department will provide the concrete footings, roofing material, and fasteners for the project at the estimated cost of \$6,000.00. The County's cost for the project would be \$6,000, could be covered within the existing Public Works/Facilities budget.

Utility Scale Solar Revenue Options – Eric Dahl, County Administrator

- Under County Code Amended Chapter 22 Zoning, under Sec. 22-22-1 Rules of construction; definitions:
 - 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.
- Virginia now offers localities two options to generate revenues from utility-scale solar development. The first threshold is the Solar Facilities are greater than 5 MW. The County options are:
 - The default option is for localities to levy a Machinery and Tools (M&T)/Real Estate tax on capital investments in solar generation facilities.
 - Alternatively, a locality may adopt an ordinance to replace the M&T/Real Estate tax with a Revenue Share arrangement. Under the Revenue Share model, localities receive income from solar facilities at a flat rate of \$1,400 per megawatt of nameplate generation capacity per year.
- The revenues that a locality could realize under each of these two taxation arrangements involve calculations that are complex. The County should determine what model proves to be the most advantageous from a revenue generation standpoint long term. County Administration, Commissioner of Revenue and Community Development are working to finalize some comparisons for the Board.
- When an option is selected, this will be the ongoing model for solar projects, if they are approved.
- In addition to the above two options, localities can enter into Siting Agreements. Under Virginia Code 15.2-2316.7. Negotiations; siting agreement:
 - Any applicant for a solar project or an energy storage project shall give to the host locality written notice of the applicant's intent to locate in such locality and request a meeting. Such applicant shall meet, discuss, and negotiate a siting agreement with such locality.
 - The siting agreement may include terms and conditions, including (i) mitigation of any impacts of such solar project or energy storage project; (ii) financial compensation to the host locality to address capital needs set out in the (a) capital improvement plan adopted by the host locality, (b) current fiscal budget of the host locality, or (c) fiscal fund balance policy adopted by the host locality; or (iii) assistance by the applicant in the deployment of broadband, as defined in § 56-585.1:9, in such locality.

9 - CONSENT AGENDA

The following items were discussed before approval:

J - *EMS Supervisor New Hire Salary* – Eric Dahl, County Administrator

The following items were approved under the Consent Agenda for April 5, 2023:

- Minutes of March 15, 2023* – Caitlin Solis, Clerk to the Board
- Minutes of March 22, 2023* – Caitlin Solis, Clerk to the Board
- EMS Supervisor New Hire Salary* – Eric Dahl, County Administrator
- Dewberry Project Agreement #18* – Jennifer Schmack, Director of Economic Development
- CRMF - PW23 - Boiler for Public Works Maintenance Shop* – Dale Critzer, Assistant Director of Public Works
- CRMF - PW23 - Truck Dump Body Purchase and Installation* – Dale Critzer, Assistant Director of Public Works
- Job Description update Communication Officer to Communication Officer I* – Donna Snow, Director of Human Resources
- Job Description update Communications Team Lead* – Donna Snow, Director of Human Resources
- New Job Description Communication Officer II* – Donna Snow, Director of Human Resources
- Job Description update Communications Supervisor* – Donna Snow, Director of Human Resources
- Temporary Staff Stipend for Additional Duties (Payne)* – Donna Snow, Director of Human Resources
- R. K. Chevrolet Vehicles Contract* – Donna Allen, Purchasing Officer

MOTION:	Approve the consent agenda, for the April 5, 2023 Board of Supervisors meeting.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
ACTION:				Motion	Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

10 - UNFINISHED BUSINESS

None.

11 - NEW BUSINESS*Roadside Trash Issues*

The Board of Supervisors asked staff to look into options for trash reduction along the Fluvanna County roadsides, see what other counties are doing, and look into the promotion of the Adopt a Road program.

12 - PUBLIC COMMENTS #2

At 6:48pm, Chair Booker opened the second round of Public Comments. With no one wishing to speak, Chair Booker closed the second round of Public Comments at 6:48pm.

13 - CLOSED MEETING

MOTION:	At 6:48pm, move the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.1, & A.5 of the Code of Virginia, 1950, as amended, for the purpose of discussing Personnel – County Attorney position, and Prospective Industry – Prospective business update.				
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 7:36pm, 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. Fairchild	Mr. O'Brien	Mr. Sheridan
ACTION:				Motion	Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

BUDGET WORK SESSION

FY24 Budget/CIP Discussion – Eric Dahl, County Administrator, and Tori Melton, Finance Director

Dr. Peter Gretz, FCPS Superintendent, answered questions and queries from the Board, regarding the FY24 Fluvanna County Public School Budget request.

14 - ADJOURN

MOTION:	Adjourn the regular meeting of Wednesday, April 5, 2023 at 8:41pm.				
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

Mozell H. Booker
Chair



BOARD OF SUPERVISORS

County of Fluvanna
Palmyra, Virginia

PROCLAMATION 01-2023

Child Abuse Prevention Month

WHEREAS, in Federal fiscal year 2021, 4 million reports were made to child protective services; and

WHEREAS child abuse and neglect is a serious problem affecting every segment of our community, and finding solutions requires input and action from everyone in our community; and

WHEREAS, our children are our most valuable resources and will shape the future of Fluvanna County; and

WHEREAS, child abuse can have long-term psychological, emotional, and physical effects that have lasting consequences for victims of abuse; and

WHEREAS, protective factors are conditions that reduce or eliminate risk and promote the social, emotional, and developmental well-being of children;

WHEREAS, effective child abuse prevention activities succeed because of the partnerships created between child welfare, education, health, community- and faith-based organizations, and businesses and law enforcement agencies; and

WHEREAS, communities must make every effort to promote programs and activities that create strong and thriving children and families;

WHEREAS, we acknowledge that we must work together as a community to increase awareness about child abuse and contribute to promote the social and emotional well-being of children and families in a safe, stable, nurturing environment.

WHEREAS, Prevention remains the best defense for our children and families;

NOW, THEREFORE, the Fluvanna County Board of Supervisors does hereby proclaim April 2022 as **NATIONAL CHILD ABUSE AND NEGLECT PREVENTION MONTH** in Fluvanna County and urge all citizens to recognize this month by dedicating ourselves to the task of improving the quality of life for all children and families.

Passed and adopted this 5th day of April, 2023.

Mozell H. Booker
Chair, Board of Supervisors