

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Courtroom, Fluvanna Courts Building
72 Main Street, Palmyra, VA 22963
February 18, 2026
Budget Work Session 5:00pm
Regular Meeting 6:00pm**

MEMBERS PRESENT: Tony O’Brien, Rivanna District, Chair
Timothy M. Hodge, Palmyra District, Vice Chair
Chris Fairchild, Cunningham District
Mike Goad, Fork Union District
John M. (Mike) Sheridan, Columbia District

ABSENT: None.

ALSO PRESENT: Eric M. Dahl, County Administrator
Kelly Harris, Assistant County Administrator
Dan Whitten, County Attorney
Caitlin Solis, Clerk for the Board of Supervisors

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

At 5:02pm, Chair O’Brien called to order the Budget Work Session of February 18, 2026. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

DEPARTMENT HEAD PRESENTATIONS

Parks and Recreation – Aaron Spitzer, Director of Parks and Recreation

- Mr. Spitzer requested a part time position to assist with park maintenance such as keeping up with mowing the fields at Pleasant Grove Park, and bleacher replacements.

Emergency Services – M.J. Fick, EMS Supervisor

- Mr. Dahl and Mr. Fick presented a cost breakdown for the Kidds Store Fire and EMS Station CIP Request projected for the future. The expenses associated with the project would include Building Capital Cost, Apparatus Capital Cost, Volunteer Fire Operational Cost, and Department of Emergency Services Operational Cost.

MOTION:	Adjourn the Budget Work Session of Wednesday, February 18, 2026 at 6:00pm.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:			Second		Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

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

At 6:07pm, Chair O’Brien called to order the Regular Meeting of February 18, 2026. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

3 - ADOPTION OF AGENDA

- *Mr. Dahl requested the addition of Consideration of Amendments to the Noise Ordinance to New Business.*

MOTION:	Accept the Agenda, for the February 18, 2026 Regular Meeting of the Board of Supervisors, as amended.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:					
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

4 - COUNTY ADMINISTRATOR’S REPORT

Mr. Dahl reported on the following topics:

Spotlight on Business – Hometown Grill

- Ribbon Cutting held Tuesday, February 17th
- 18 new employees

Announcements and Updates

Economic Development Office Launches New Website: YesFluvanna.org

- The new website supports local businesses and business recruitment
- Showcases opportunities and business resources

- User-friendly hub for business tools, programs, incentives, and initiatives

NEXT BOS MEETINGS

Day	Date	Time	Purpose	Location
Wed	Feb 25	5:30 PM	BOS Budget Work Session - FCPS FY27 Adopted Budget Presentation/County Agencies	Morris Room
Wed	Mar 4	5:00 PM	Regular Meeting	Circuit Court
Wed	Mar 4	7:00 PM	CIP Review Set Proposed FY27 Budget & CY26 Tax Rates for Advertising	Morris Room
Wed	Mar 11	7:00 PM	BOS Budget Work Session	Morris Room

5 - PUBLIC COMMENTS #1

At 6:11pm, Chair O'Brien opened the first round of Public Comments.

- Tyler Williams, 1672 Carys Creek Rd, commented on the Second Amendment Sanctuary Resolution.
- James Wilmoth, 24 Fairwood Pl, commented on the Second Amendment Sanctuary Resolution
- Ray Bassi, 50 Smokewood Dr, commented on Tenaska.
- Stewart Wiley, 467 Bremo Rd, requested assistance with a private judicial sale to pay the delinquent taxes of the Colbert Wiley Funeral Home.
- Ron Barche, 204 Panorama Ct, expressed his appreciation for the public forum held by Mr. Sheridan on February 17, 2026.

With no one else wishing to speak, Chair O'Brien closed the first round of Public Comments at 6:28pm.

6 – BOARDS AND COMMISSIONS

None.

7 – PRESENTATIONS

Expressive Activity Policy – Dan Whitten, County Attorney

Basics of Forum Analysis

- The First Amendment protects places that are or have been devoted to public assembly and debate.
- In evaluating how expressive activity may be regulated, courts look at the forum in which the expressive activity takes place.
- There are three general types of forums:
 - Public Forums: traditional or designated areas in which content-based limitations on expressive activity are nearly always unconstitutional (ex: streets, sidewalks, parks, designated free speech zones)
 - Limited Public Forums: areas not traditionally open for expressive conduct, but are reserved intentionally by the government for a specific activity (ex: locality-operated theaters, school facilities opened for community use)
 - Non-public Forums: Government property without any tradition or designation for public expression (ex: polling stations, government offices)

Expressive Activity in Public Forums v. Limited Public Forums

- Public Forums
 - Courts strictly scrutinize content-based limitations – they are presumed unconstitutional; restrictions must serve a compelling government interest AND be narrowly tailored to that interest AND have no less restrictive alternatives.
 - Content-based = limitation cannot be justified without reference to the content of the speech or it was adopted because of a disagreement with the message conveyed.
 - Content-neutral restrictions get “intermediate scrutiny” – time, place, and manner restrictions are allowed; restrictions must be narrowly tailored to a substantial government interest and must leave open ample channels of communication.
- Limited Public Forums
 - Government regulations must be viewpoint neutral and reasonable considering the purposes of the forum.

The County Fair

- Caselaw on forum analysis is fact-specific.
- County fairs have often been considered by courts to be Limited Public Forums operated by the government for the benefit of the public.
- Any expressive activity restrictions imposed within the enclosed perimeter of the County Fair would need to be reasonable and viewpoint-neutral.
- Any expressive activity restrictions imposed outside the enclosed perimeter of the County Fair would need to be valid, content-neutral time, place, and manner restrictions that are narrowly tailored to a substantial government interest and leave open ample channels of communication.
- Examples of legally permitted restrictions within the County Fair:

- Requirement that leafleting or petitioning occur in designated areas to help control crowds and aid safety and emergency access
- Prohibition against the blocking of walkways, entrances, or vendor booths
- Ban of the use of amplified sound devices within the Fair
- Prohibition against the erection of tables, tents, or structures outside of permitted vendor booths
- Prohibition of unlicensed sales or commercial solicitation outside of permitted vendors booths
- Prohibition of entering restricted areas (ex: ride control areas, restricted event areas)

Other Events – Time, Place, and Manner Restrictions

- In any forum, content-neutral time, place, and manner restrictions that are narrowly-tailored to a substantial government interest and leave open ample channels of communication are legal.
- Such restrictions could be applied to County events such as Art in the Park and the Carnival.
- Valid time, place, and manner restrictions must be applied uniformly and cannot target the content or viewpoint of expressive activity, but can provide restrictions on how, where, and when expressive activity takes place.
- Examples of legal Time, Place, and Manner Restrictions:
 - Designate buffer zones – requirement that all expressive activities take place 10’ from booths, rides, vendors, etc. (not including normal conversation)
 - No blocking of entrances/exits/ADA-accessible paths
 - Limit noise level of speech – decibel-based limit
 - Prohibit non-permitted physical barriers – no setting up of tables, tents, etc. within the event space
 - Restrict time of expressive activities to the hours that the space is open for the public (ex: park operating hours)
- These restrictions leave ample speech alternatives and involve several substantial County interests – safety, fire access, vendor access, flow of pedestrian traffic, prevention of event disruption

8 - ACTION MATTERS

A Resolution Reaffirming Fluvanna County’s Status as a Second Amendment Sanctuary – Dan Whitten, County Attorney

On December 11, 2019 the Board of Supervisors passed a resolution declaring Fluvanna County a Second Amendment Sanctuary. Neighboring counties that passed similar resolutions in 2019/2020 include Goochland, Louisa, Cumberland, Greene, and Orange Counties

The new resolution reaffirms Fluvanna County’s status as a Second Amendment Sanctuary. The resolution expresses the County’s intent to stand as a Sanctuary County for Second Amendment rights and to oppose, within the limits of the Constitutions of the United States and the Commonwealth of Virginia, any efforts to unconstitutionally restrict such rights of the citizens to keep and bear arms including through legal action, the power of appropriation of public funds, and the right to petition for redress of grievances. Localities so far that have passed a resolution reaffirming the earlier resolution include Prince George County, Lynchburg, and Bedford County.

MOTION:	Adopt a resolution reaffirming Fluvanna County’s status as a Second Amendment Sanctuary.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:	Second				Motion
VOTE:	Yes	Yes	Yes	No	Yes
RESULT:	4-1				

Amendment to BOS Bylaws – Dan Whitten, County Attorney

Town Hall and Community Meetings

- Individual Board members may hold and/or participate in community meetings, town halls, and other community engagement gatherings at their discretion.
- However, no more than two (2) Board members shall attend any such gathering.

Submission of Presentations

- Presentations by applicants on zoning matters are due by close of business on the Wednesday the week before the Board meeting.
- Such applicant presentations will be included in the Board packet.
- Staff presentations are due by close of business on the Tuesday the week of the meeting.

Zoning matters that are the subject of a public hearing

- For zoning matters where a public hearing has been advertised, the order of business shall be as follows:
 - o Planning staff shall be called upon by the Chair to introduce the topic.
 - o The applicant shall be permitted to speak on behalf of the application and may make a presentation.
 - o The public hearing shall be opened.

- At the conclusion of the public hearing, the applicant shall be provided with the opportunity to answer questions or provide additional information for the Board in response to comments made during the public hearing.

Zoning matters that are the subject of a deferral

- For zoning matters where an item has been deferred, the order of business shall be as follows:
 - The planning staff shall be called upon by the Chair to introduce the topic.
 - The Chair will ask the Board whether it wants to hear updates from the applicant regarding the deferred item.
 - If approved by a majority of the Board, the applicant shall be permitted to speak on behalf of his application and may make a presentation.
 - The applicant shall then be provided with the opportunity to answer questions or provide additional information for the Board.

Content of Applicant’s Presentation

- All comments and presentations by applicants speaking on a zoning matters must be germane to the purpose of the specific item that is pending before the Board.

These amendments to the 2026 Bylaws and Rules of Procedure reflect the following changes:

- 1) Clarification that no more than two Board members may attend Town Hall meetings or other community engagement events.
- 2) Deadlines for zoning matter presentation submissions, with a requirement that such presentations be included in Board packets.
- 3) Procedure for zoning applicant presentations and interactions during public hearings.
- 4) Procedure for zoning applicant presentations and interactions at a subsequent meeting after deferral.
- 5) All comments and presentations by applicants speaking on a zoning matters must be germane to the purpose of the specific item that is pending before the Board.

MOTION:	approve the attached amendments to the Fluvanna County Board of Supervisors 2026 Bylaws and Rules of Practice and Procedure				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:			Second		Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

10 - CONSENT AGENDA

The following items were approved under the Consent Agenda for February 18, 2026:

- *Minutes of February 4, 2026* – Caitlin Solis, Clerk to the Board
- *Budget Calendar Revised* – Eric Dahl, County Administrator
- *CRMF - DIV -School Snow Removal* – Don Stribling, FCPS Executive Director
- *FY26 Sheriff - VACorp Vehicle Insurance Claim - 2022 Ford F-150 (3066)* – Linda Mills, Purchasing Officer
- *FY26 Sheriff - VACorp Vehicle Insurance Claim - 2023 Dodge Charger (4929)* – Linda Mills, Purchasing Officer

MOTION:	Approve the consent agenda, for the February 18, 2026 Board of Supervisors meeting.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:			Second		Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

12 - NEW BUSINESS

Amendments to the Noise Ordinance

Mr. Whitten informed the Board that the Planning Commission has requested the amendment of the Noise Ordinance; and asked for the Board’s input on how to proceed, whether the planning commission comes before the Board with their recommendations or a committee is formed to work on the ordinance update.

MOTION:	Authorize the Planning Commission to review Chapter 15.2 of the County Code and bring their recommendations back to the Board of Supervisors by June 30, 2026.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:	Second	Motion			
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

9 - PUBLIC HEARING

ZMP 25:05 Kevin and Ashley Wright – Jason Overstreet, Senior Planner

- A request to rezone from A-1, Agricultural, General, to R-1, Residential, Limited 7 +/- acres of Tax Map 50-A-129D.
- Located on the west side of Gold Mine Road ~ 0.1 miles north of Rt. 6.
- In the Rural Residential Planning Area and Fork Union Election district.
- The parcel does not have the 300 feet of required frontage to allow a division on Gold Mine Road under A-1 zoning. R-1 only requires 100 feet of road frontage.
- The applicant plans to create two two-acre lots if the request is approved.
- There are multiple R-1 lots adjacent and nearby.
- The lot size limits many by-right A-1 uses.
- The parcel could potentially be divided through the family subdivision process to yield two two-acre lots.

At 7:16pm, Chair O’Brien opened the Public Hearing. With no one wishing to speak, Chair O’Brien closed the Public Hearing at 7:16pm.

MOTION:	Approve ZMP 25:05, a request to rezone from A-1, Agricultural, General, to R-1, Residential, Limited 7 +/- acres of Tax Map 50-A-129D.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:		Motion	Second		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

11 - UNFINISHED BUSINESS

Tenaska

Mr. Fairchild brought up the traffic study for the estimated impact by Project Expedition. The Board agreed to discuss the traffic study and conditions at the March 4th meeting, which will also include presentations on the government facility study and Pleasant Grove Water and Sewer Preliminary Engineering Report.

Corbert Wiley Funeral Home Tax Sale

The Board briefly discussed the public comments made by Mr. Wiley.

13 - PUBLIC COMMENTS #2

At 7:57pm, Chair O’Brien opened the second round of Public Comments.

- Ray Bassi, 50 Smokewood Dr, commented on Tenaska.
- Brian Faulknier, 4021 Ruritan Lake Rd, commented on Tenaska.

With no one else wishing to speak, Chair O’Brien closed the second round of Public Comments at 8:09pm.

RECESS FOR CLOSED SESSION

2 - CLOSED MEETING

MOTION:	At 8:09pm, move the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.8 of the Code of Virginia, 1950, as amended, for the purpose of discussing Legal Matters – legal advice involving Valley Link Transmission Line Project; legal advice involving health, safety, and general welfare impacts from Project Expedition				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:			Motion		Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

MOTION:	At 10:48 pm, 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:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:			Motion		Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

MOTION TO EXTEND

- At 10:48pm, a motion was made to extend the Board of Supervisors meeting.

MOTION:	Approve a motion to extend the February 18, 2026 Regular Board of Supervisors meeting to 11:00pm.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
ACTION:			Second		Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

15 - ADJOURN

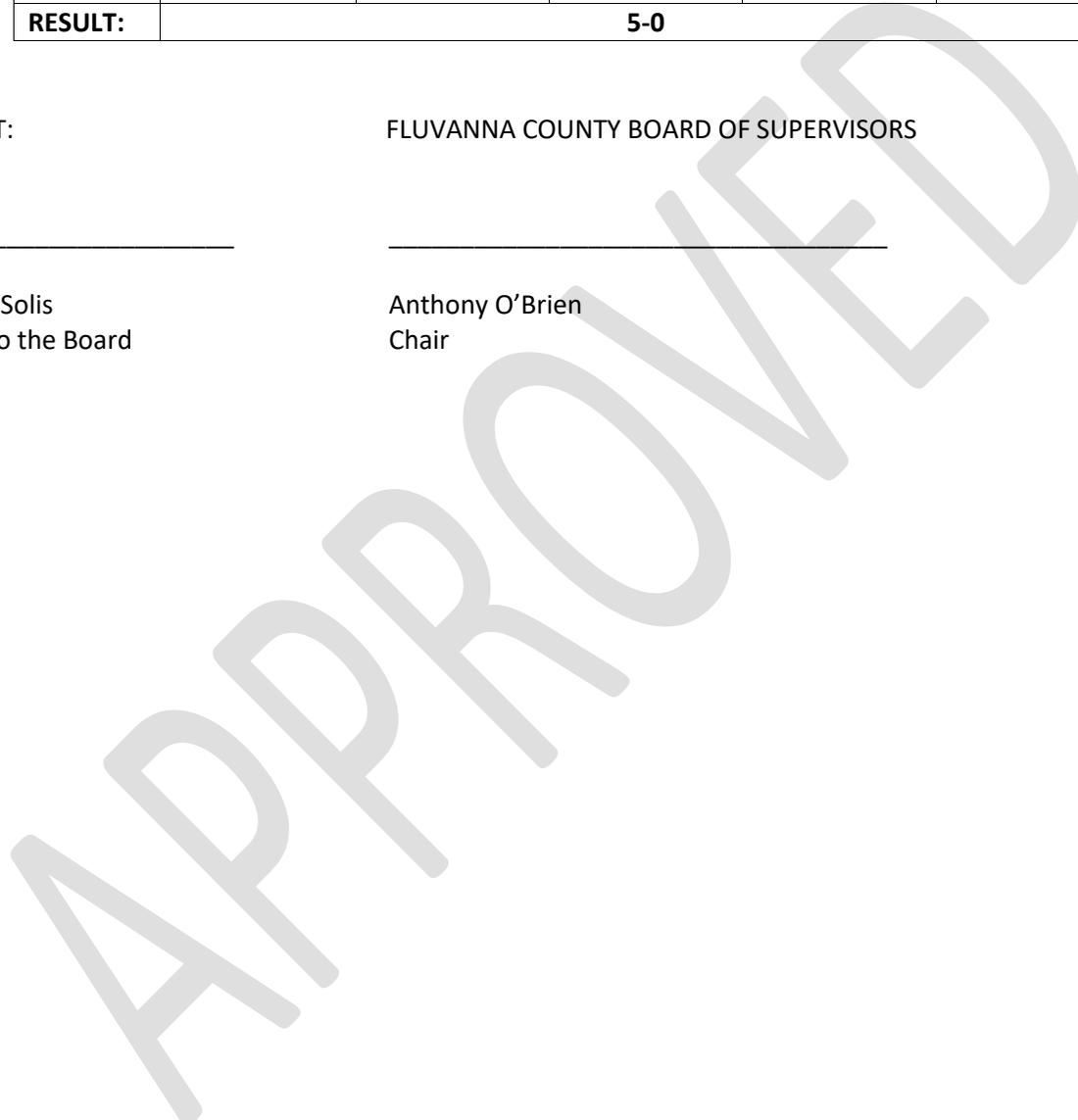
MOTION:	Adjourn the regular meeting of Wednesday, February 18, 2026 at 10:49pm.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
ACTION:			Second		Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

Caitlin Solis
Clerk to the Board

Anthony O'Brien
Chair





BOARD OF SUPERVISORS

County of Fluvanna
Palmyra, Virginia

RESOLUTION No. 10-2026

A RESOLUTION REAFFIRMING FLUVANNA COUNTY’S STATUS AS A SECOND AMENDMENT SANCTUARY

WHEREAS, on December 11, 2019, the Fluvanna County Board of Supervisors passed a resolution declaring Fluvanna County a Second Amendment Sanctuary; and

WHEREAS, the Second Amendment of the United States Constitution provides that "A well-regulated Militia, being necessary to the security of a free state, the right of the people to keep and bear Arms, shall not be infringed;" and

WHEREAS, Article I, section 13, of the Constitution of Virginia provides “that a well-regulated militia, composed of the body of the people, trained to arms, is the proper, natural, and safe defense of a free state, therefore, the right of the people to keep and bear arms shall not be infringed; that standing armies, in time of peace, should be avoided as dangers to liberty; and that in all cases the military should be under strict subordination to and governed by, the civil power;” and

WHEREAS, Article I, section 2 of the Constitution of Virginia reads, "That all power is vested in, and consequently derived from, the people, that magistrates are their trustees and servants, and at all times amenable to them;" and

WHEREAS, the Fluvanna County Board of Supervisors is concerned about the passage of any legislation containing language which unconstitutionally infringes upon the Second Amendment rights of all citizens of Fluvanna County; and

WHEREAS, the Fluvanna County Board of Supervisors wishes to express its intent to oppose, within the limits of the Constitutions of the United States and the Commonwealth of Virginia, any efforts to restrict or infringe the rights of its law abiding citizens of sound mind as guaranteed by the above-referenced provisions of those Constitutions and to use lawful means at its disposal to protect the right of those citizens to keep and bear arms, including, among others, through legal action, the power of appropriation of public funds, and the right to petition for redress of grievances;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Fluvanna County, Virginia, as follows:

That the Fluvanna County Board of Supervisors hereby expresses its intent to uphold, protect and defend the constitutional rights of the law-abiding citizens of Fluvanna County, Virginia, to keep and bear arms and its intent that the public funds of the County not be used to infringe such rights of the citizens of Fluvanna County; and

That the Fluvanna County Board of Supervisors hereby declares its intent to oppose any infringement on the right to keep and bear arms as guaranteed by the Constitutions of the United States and of the Commonwealth; and

That the Fluvanna County Board of Supervisors hereby reminds the Governor and the General Assembly of the Commonwealth to be at all times mindful of the rights of the citizens of the County and of the Commonwealth to keep and bear arms, as guaranteed by the Constitutions of the United States and of the Commonwealth, and to oppose and to refrain from any infringement on such rights; and

That the Fluvanna County Board of Supervisors hereby reaffirms that Fluvanna County, Virginia, is and remains a Second Amendment Sanctuary as set forth herein.

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Christopher Fairchild, Cunningham District	X					X
D. Mike Goad, Fork Union District	X					
Timothy M. Hodge, Palmyra District	X					
Anthony P. O’Brien, Rivanna District		X				
John M. Sheridan, Columbia District	X				X	

Attest:

Anthony P. O’Brien, Chair

Fluvanna County Board of Supervisors