

**FLUVANNA COUNTY BOARD OF SUPERVISORS  
ACTIONS TAKEN ON OCTOBER 19, 2016**

Mr. O'Brien arrived at 4:10pm

Mr. Sheridan arrived at 4:17pm

No.	Item- 4:00 pm Work Session	Action
1	Work Session: <ul style="list-style-type: none"> <li>• Energy Savings Contract Review</li> <li>• Business License Fee Impacts</li> <li>• Ordinances, Policies, Procedures for Public Utilities and Economic Development</li> <li>• Organizational Structure Options for Public Utilities</li> </ul>	<b><u>NO ACTION</u></b>
No.	Item- 7:00 pm Regular Meeting	Action
2	Adoption of Agenda: with changes, Tab Mc-- Advertisement of the Proposed Fluvanna County Code Update Relating to a License Fee For Businesses, Professions and Occupations pulled from Agenda;	<b><u>BOARD APPROVED</u></b> 5-0
3	Community Service Award Resolution Recognizing Deborah Johnson: adopted the resolution entitled, "Community Service Award Resolution Honoring Deborah Thomas Johnson."	<b><u>BOARD ADOPTED</u></b> 5-0
4	Presentation of Community Service Award Resolution;	<b><u>BOARD PRESENTATION</u></b>
5	SUP 16:10 NCT Tower at VFW Site: approved Special Use Permit 16:10, a request to amend Special Use Permit 11:03, with respect to 3.5 acres of Tax Map 47, Section A, Parcel 10 subject to the thirteen (13) conditions listed in the staff report. Conditions: <ol style="list-style-type: none"> <li>1. The tower structure shall not exceed 250 feet. This does not include antennae, lighting, lightning rods, and other ancillary equipment, subject to FAA regulations;</li> <li>2. The applicant secures all necessary permits required, and submits structural design and certification by a Virginia Registered Professional Engineer that the proposed facility, as built, will comply with EIA/TIA 222-G for the wind zone for Fluvanna County; Virginia;</li> <li>3. Prior to issuance of building permits the applicant shall submit satisfactory SHPO and NEPA documentation;</li> <li>4. The applicant shall secure the necessary permits required by Fluvanna County and VDOT;</li> <li>5. The applicant shall provide space on the TASF for the County's Public Safety antennas and feed lines at the designed elevations. Space for ground level electronic equipment shall also be provided;</li> <li>6. The facility when completed shall be accessible only to authorized personnel;</li> <li>7. The tower shall be a self-support lattice Class III tower;</li> <li>8. The facility shall install the necessary landscaping buffer;</li> <li>9. If the structures should no longer be needed, the applicant shall remove</li> </ol>	<b><u>BOARD APPROVED</u></b> 5-0

	<p>them, and restore the grounds to the prior condition;</p> <p>10. The support structure is to be sufficient to support antennas of a like design for at least six (6) wireless service providers;</p> <p>11. The tower shall be in the same location as shown in the application;</p> <p>12. Violation of any condition of this permit shall be grounds for revocation of this permit, and;</p> <p>13. The Board of Supervisors, or their representative, has the right to inspect the property for compliance with these conditions at any time;</p>	
6	<p>SUP 16:09 Coronal Development Services:</p> <p>approved SUP 16:09, a request for a special use permit to allow for a major utility, with respect to 57 acres of Tax Map 5, Section A, Parcels 23 &amp; 23E, subject to the nine (9) conditions listed in the staff report.</p> <p>Conditions:</p> <p>1. Prior to development of the site, a site development plan that meets the requirements of the Fluvanna County Zoning Ordinance must be submitted for review and approval.</p> <p>2. The site must meet all Virginia Department of Transportation requirements.</p> <p>3. The size of the use shall not exceed 57 acres.</p> <p>4. The property shall be maintained in a neat and orderly manner so that the visual appearance from the road and adjacent properties is acceptable to County officials.</p> <p>5. A buffer meeting the requirements of Sec. 22-24-7(B) of the Fluvanna County Code shall be maintained along Little Creek Road (State Route 617) to screen the use from public view.</p> <p>6. The Board of Supervisors, or its representative, reserves the right to inspect the property for compliance with these conditions at any time.</p> <p>7. Any noise generated by the activity on this site shall be limited to the maximum decibel level allowed by Sec. 15.1-9 A. d. of the County Code.</p> <p>8. All equipment and/or structures associated with the major utility use shall be removed from the property within 120 days upon termination of the lease agreement.</p> <p>9. Under Sec. 22-17-4 F (2) of the Fluvanna County Code, the Board of Supervisors has the authority to revoke a Special Use Permit if the property owner has substantially breached the conditions of the Special Use Permit;</p>	<p><b><u>BOARD APPROVED</u></b></p> <p><b>4-1</b> <b>(O'Brien)</b></p>
7	<p>ZMP 16:05 Fluvanna Self Storage:</p> <p>denied ZMP 16:05, a request to amend the Fluvanna County Zoning Map with respect to approximately 3.67 acres of Tax Map 8, Section A, Parcels 31 and 32, to rezone the same from A-1, Agricultural, General, to B-1, Business, General;</p>	<p><b><u>BOARD DENIED</u></b></p> <p><b>2-3</b> <b>(Sheridan, Booker, Weaver)</b></p>
8	<p>Appointment/Reappointment to the Board of Building Code Appeals:</p> <p>reappointed David Rafaly and appointed Matthew Fichter, who replaces Robert Lawhorne, and appointed Robert Schwagerl, Jr., who replaces Mike Himes, to the Board of Building Code Appeals, with terms to begin November 1, 2016 and to terminate October 31, 2020;</p>	<p><b><u>BOARD APPROVED</u></b></p> <p><b>5-0</b></p>

9	<p>Resolution Supporting Cigarette Taxation Equality:</p> <p>approved the Resolution entitled, "A RESOLUTION SUPPORTING CIGARETTE TAXATION EQUALITY," and authorize the County Administrator to forward the resolution to Virginia elected officials representing Fluvanna County TAXATION EQUALITY," and authorize the County Administrator to forward the resolution to Virginia elected officials representing Fluvanna County;</p>	<p><b><u>BOARD APPROVED</u></b></p> <p><b>4-1</b></p> <p><b>(Eager)</b></p>
10	<p>Assessment and Collection of Reasonable Charges, Related to Virginia Freedom of Information Act Requests:</p> <p>approved the assessment and collection of reasonable charges, not to exceed the actual cost of responding to Virginia Freedom of Information Act requests, as provided in Subsection F of Section 2.2-3704 of the Code of Virginia, 1950, as amended, and as detailed in the Fluvanna County Freedom of Information Act (FOIA) Rights and Responsibilities Operational Procedures;</p>	<p><b><u>BOARD APPROVED</u></b></p> <p><b>5-0</b></p>
11	<p>E911 Radio Project: Dominion Brema Lease:</p> <p>approved the "Telecommunications Agreement" between Virginia Electric and Power Company and Fluvanna County, and authorize the County Administrator to execute the Agreement, subject to approval as to form by the County Attorney;</p>	<p><b><u>BOARD APPROVED</u></b></p> <p><b>5-0</b></p>
12	<p>\$8,250,000 Equipment Lease Purchase Financing Resolution:</p> <p>approved the resolution entitled, "Resolution Approving A Plan Of Lease/Purchase Financing For Emergency Communication Equipment In An Amount Not To Exceed \$8,250,000 By Fluvanna County, Virginia," and hereby incorporate the following terms into the resolution: (i) the term of the 2016 Lease shall be seven (7) years; (ii) principal payments under the 2016 Lease shall be due annually in arrears and interest payments under the 2016 Lease shall be due semi-annually on each March 1 and September 1, compounded semi-annually in arrears, beginning September 1, 2017; (iii) the tax-exempt interest rate for the 2016 Lease shall be a fixed rate of 1.34 %; (iv) the 2016 Lease shall be subject to prepayment after the first anniversary date of execution of the 2016 Lease, at the election of the County upon payment of a prepayment premium in the amount of, the greater of 1% of the outstanding principle amount of the 2016 Lease, or a Yield Maintenance Fee; and (v) the County shall purchase the Equipment from the Lessor at the expiration of the term of the 2016 Lease for a purchase price of \$1.00.</p>	<p><b><u>BOARD APPROVED</u></b></p> <p><b>5-0</b></p>
13	<p>FY16-17 Carryover and Capital Project Requests:</p> <p>approved the following carryover requests of FY16 Budget Authority from the listed departments to FY17 Department Budgets in the amounts specified:</p> <ul style="list-style-type: none"> <li>A. Cooperative Extension - For Commercial Kitchen \$3,732</li> <li>B. Treasurer's Office - For Security System Upgrades \$15,000</li> <li>C. Sheriff's Office - For Surveillance and Access Controls \$83,546</li> <li>D. Registrar's Office - For Election Needs \$16,500</li> <li>E. Clerk of Circuit Court - For Security and Disaster Recovery \$28,978</li> <li>F. Circuit Court Judge - For Security and Storage \$7,862</li> <li>G. Information Technology - For County Website Upgrades \$18,000</li> </ul> <p>with the total amount of \$ (\$173,618) to be re-appropriated to the specified</p>	<p><b><u>BOARD APPROVED</u></b></p> <p><b>3-2</b></p> <p><b>(Eager, Weaver)</b></p>

	<p>FY17 department budgets. AND approved the following FY17 New Capital Project requests:</p> <ol style="list-style-type: none"> <li>1. Facilities Security Upgrades: \$30,000</li> <li>2. Munis Modules/Training: \$125,000</li> <li>3. Public Works/FUSD Mini-Excavator: \$50,000</li> <li>5. Pleasant Grove Road Paving: \$98,000</li> </ol> <p>with a supplemental appropriation of \$ (\$303,000) from unassigned fund balance, with partial funding support to come from FY16 unexpended budgets;</p>	<p><b><u>BOARD APPROVED</u></b> <b>3-2</b> <b>(Eager, Weaver)</b></p>
14	<p>Minutes of Special Meeting, September 21, 2016 – Elected Officials Breakfast: as presented;</p>	<p><b><u>BOARD APPROVED</u></b> <b>4-0-1</b> <b>(Booker abstained)</b></p>
15	<p>Accounts Payable Report, September 2017 / Finance Director: approved Accounts Payable and Payroll be ratified for September 2016 in the amount of \$3,360,429.84;</p>	<p><b><u>BOARD APPROVED</u></b> <b>5-0 BOARD APPROVED</b> <b>4-0-1</b> <b>(Booker abstained)</b></p>
16	<p>FY17 1st Quarter Voluntary Contributions: approved the following supplemental appropriations for FY17 1st Quarter Voluntary Contributions:</p> <ul style="list-style-type: none"> <li>• \$10 – General Fund Donation: BOS Contingency</li> <li>• \$1,500 – Transfer to Sheriff’s Office: Volunteer Programs</li> <li>• \$2,728.47 – Transfer to Parks &amp; Rec Dept.: Professional Services</li> <li>• \$200 –Transfer to Parks &amp; Rec Dept.: Contract Services;</li> </ul>	<p><b><u>BOARD APPROVED</u></b> <b>4-0-1</b> <b>(Booker abstained)</b></p>
17	<p>Assistant Commonwealth Attorney’s Hiring Salary: approved a hiring salary offer of \$95,651 for the new Assistant Commonwealth Attorney, Ms. Nancy Oglesby, with the additional pay and benefits cost of \$11,524 to come from the FY17 Personnel Contingency fund;</p>	<p><b><u>BOARD APPROVED</u></b> <b>4-0-1</b> <b>(Booker abstained)</b></p>
18	<p>Approval of Open Space Contract for the Mozell H. Booker Living Trust: approved the open space contract for the Mozell H. Booker Living Trust for tax map parcel 40-A-24; agreement shall remain in effect for a term of ten (10) consecutive years;</p>	<p><b><u>BOARD APPROVED</u></b> <b>4-0-1</b> <b>(Booker abstained)</b></p>
19	<p>Fluvanna Fire Flat-Bed Brush Truck Build Agreement: approved the agreement between Atlantic Emergency Solutions, Inc. and the County of Fluvanna to build a Flat-Bed Brush Truck for the Palmyra Fire Department for \$121,484.00, and further authorize the County Administrator to execute the agreement subject to approval as to form by the County Attorney;</p>	<p><b><u>BOARD APPROVED</u></b> <b>4-0-1</b> <b>(Booker abstained)</b></p>
20	<p>Proclaim October Domestic Violence Awareness Month: approved the “Proclamation of October as Domestic Violence Awareness Month.”</p>	<p><b><u>BOARD APPROVED</u></b> <b>4-0-1</b> <b>(Booker abstained)</b></p>
21	<p>Closed Session:</p>	<p><b><u>BOARD APPROVED</u></b></p>

	Personnel, Real Estate, Legal Matters: approved a hiring salary offer of \$50,750 for the new CSA Coordinator, Mrs. Mary Anna Twisdale, effective October 31, 2016, with the pay and benefits to come from the existing FY17 CSA Budget.	<u>5-0</u>
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**Board Tasks and Directives:**

Board directed Staff **directed** to move forward with the Energy Savings Contract process with Trane.

Board **directed** Staff to discontinue work on a Business License Fee.