

FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Courtroom
Fluvanna Courts Building
May 20th 2009
7:00 p.m.

MEMBERS PRESENT: Marvin F. Moss, Chairman
Charles W. Allbaugh, Vice Chairman
Mozell H. Booker
Gene F. Ott
Donald W. Weaver

MEMBER ABSENT: John Y. Gooch

ALSO PRESENT: G. Cabell Lawton, IV, County Administrator
Shelly Wright, Assistant County Administrator
Frederick W. Payne, County Attorney
Darren Coffey, Director of Planning & Community Development
Kate Cooper, Senior Planner
Crystal Besecker, Budget Analyst
Jamie Glass, VDOT Resident Administrator
Alice F. Jones, Clerk, Board of Supervisors

CALL TO ORDER

Chairman Moss called the meeting of May 20th 2009 to order at 7:00 p.m. in the Circuit Courtroom of the Fluvanna Courts Building in Palmyra, Virginia.

REPORTS

The County Administrator, G. Cabell Lawton, IV, reported to the Board on the following matters:

- ***Retirement Party*** – apprised the Board that a retirement party is scheduled for Vicki Smith, Sheriff's Office on May 27th 2009 at 4:30 p.m. in the Palmyra Firehouse; Vicki has been with the County for over 30 years
- ***James River Water Authority*** – apprised the Board that the JRWA regular meeting schedule will be the first and third Thursday of each month at 2:00 p.m.; the Board will be meeting in Fluvanna on odd number months and in Louisa during even number months
- ***Financial Advisory*** – apprised the Board that three (3) responses have been received to the financial advisory RFP released earlier this year; a review and interview committee has been formed which consists of Supervisors Ott and Weaver, Finance Director, County Administrator, and Assistant County Administrator; a recommendation will likely be forwarded to the Board no later than the Board's first meeting in July
- ***SPCA*** – apprised the Board that staff has received a notice of violation for the operation of the SPCA from the State Veterinarian's Office; many of the items

have been addressed and staff will have to respond by the end of the month on how the violations have been addressed or will be addressing; one major issue is the cracks in the floor of the shelter which can lead to unsanitary conditions; staff has also been working with the SPCA board in addressing other management and organizational issues to assist them in meeting their obligations

- ***Economic Development Coordinator*** – apprised the Board that a new Economic Development Coordinator has been hired; her name is Vicki Karabinus and she will replace Kim Booth who is moving to Alaska; Ms. Karabinus lives at Lake Monticello and has worked for Medina, OH Chamber of Commerce
- ***Power Pole on Route 53*** – apprised the Board that Dominion Virginia Power will be scheduling a meeting to discuss the power poles on Route 53 near the monish gate; citizens in that area are requesting to regrade the property on the west side of the monish gate to improve site distance; however, VDOT won't consider it until the power poles are removed

PUBLIC COMMENTS #1

Chairman Moss opened the floor for the first public comment section.

With no one wishing to speak, Chairman Moss closed the first public comment section.

CONSENT AGENDA

The following items were approved under the consent agenda:

MOTION:

Mr. Ott moved to approve the consent agenda which consisted of:

- Minutes, May 6th 2009
- Grant Authorization for Rescue Squad Computers [submission of an Emergency patient and Resource Registry grant in the amount of \$18,250 for the purpose of equipping all Fluvanna County Rescue Squad Ambulances with laptop computers for electronic capturing of Pre-Hospital patient Care Reporting]
- County of Fluvanna Budget Supplemental to Non-Departmental [supplemental appropriation to accommodate funds recovered from a fire department insurance claim for a totaled vehicle as well as additional funds received by the fire department; general ledger lines will increase by \$21,987 -#3-100-041010-0001 (Insurance Recovery) and #4-100-091070-5300 (Infrequent and Unusual Losses)]

Mr. Weaver seconded. The motion carried with a vote of 5-0. AYES: Allbaugh, Booker, Ott, Weaver and Moss. NAYS: None. ABSENT: Gooch.

ACCOUNTS PAYABLE

None

PUBLIC HEARINGS

VDOT Six-Year Secondary Road Plan

Mr. Jamie Glass, VDOT Resident Administrator, addressed the Board regarding this item.

Chairman Moss opened the public hearing.

With no one wishing to speak, Chairman Moss closed the public hearing.

MOTION:

Mr. Allbaugh moved the resolution [attached hereto] entitled “VDOT Secondary Six-Year Plan (2009-10 through 2014-15)” be adopted. Mr. Ott seconded. The motion carried with a vote of 5-0. AYES: Allbaugh, Booker, Ott, Weaver and Moss NAYS: None ABSENT: Gooch

SUP 09:02/VB Real Estate, LLC

This property was rezoned from A-1 to I-1 in 1984. The current use of this property is for the van der Linde Recycling Facility.

Mr. Darren Coffey, Director of Planning and Community Development, addressed the Board regarding this item.

Mr. Keith Lancaster and Mr. Frank Ballif addressed the Board on behalf of the applicant.

Chairman Moss opened the public hearing.

With no one wishing to speak, Chairman Moss closed the public hearing.

MOTION:

Mr. Ott moved the Board of Supervisors recommend approval of SUP 09:02 to amend Condition #3 of SUP 06:08, which states that, “The facility shall only receive materials during the hours between 6:00 a.m. to 7:00 p.m. Monday through Saturday, and with the additional condition to restrict all van der Linde owned truck traffic to use Interstate 64 unless direct service off of Route 250 is required. Mr. Allbaugh seconded. The motion carried with a vote of 5-0. AYES: Allbaugh, Booker, Ott, Weaver and Moss NAYS: None ABSENT: Gooch

ZMP 09:02/Rivanna Woods Golf, LP and Rivanna River Resort, LP

This is a request to amend the Fluvanna County Zoning Map. The general usage of the proposed amendment is for mixed residential and commercial uses at a residential density not to exceed 2.9 dwelling units per acre as allowed in the R-3 zoning district; maximum density for this application has been reduced by proffered conditions to the 1.16 dwelling units per acre and is located in the Palmyra Community Planning Area.

Mr. Darren Coffey, Director of Planning and Community Development, addressed the Board regarding this item.

Mr. Keith Smith, representative for the applicant provided the Board with petitions in support of the project.

Mr. Steven Plescow, Planning Consultant for the Rivanna Woods Golf project, addressed the Board on behalf of the project.

Chairman Moss opened the public hearing.

The following citizens addressed the Board in support of the project:

- Mr. Bobby Cobb, Fork Union District; Mr. Chris Fairchild [representing the EDC]; Mr. Bob Mehrhoff, Fork Union District; Ms. Erin Wise-Ackenbom,

Palmyra District; Mr. Daryl Daughtrey, Palmyra District; Mr. Richard Singleton, Cunningham District; Mr. Pete Melton, Fork Union District; and Mr. John Lindermuth, Rivanna District

With no one else wishing to speak, Chairman Moss closed the public hearing.

MOTION:

Mr. Allbaugh moved to approve the attached ordinance for ZMP 09:02, a request to amend the Fluvanna County Zoning Map with respect to approximately 220.56 acres of Tax Map 30, Section A, parcel 110 and 10 acres of Tax map 19, Section A, parcel 39C, for an aggregate of 230.56 acres, to conditionally rezone the same from A-1, Agricultural, General to R-1 Residential, Planning Community, with the submitted proffers:

1. The units in **“The Point at The Rivanna Resort”** will be sold subject to the attached “Residential density yield plan dated 02/27/09”.
2. Rivanna Woods Golf Club L.P. proffers the attached Preliminary Master Plan for land use purposes. All vegetative buffers, building and parking locations adjoining existing Public Road Rights-of Ways shall be as per the attached Preliminary Master Plan. Necessary site developments shall be determined during the site plan approval process.
3. The golf course at **“The Point at The Rivanna Resort”** shall not become a private club but shall remain open to the public. The golf course property (composed of the 18 holes, club house and support facilities) shall not be used for any land use other than uses associated with the operation and support of the golf course.
4. Rivanna Woods Golf Club L.P. makes a cash proffer of \$5,000.00 per residential unit constructed at the proposed **“The Point at The Rivanna Resort”** project which funds shall be used for the construction of the new Fluvanna County High School to offset any possible additional expenses that this rezoning might cost the Fluvanna County Public Schools. In the event the proffered funds cannot be used for this purpose, they should be used for the development costs for the Pleasant Grove Community Center. The cash proffer shall be due and payable at closing of the sale of each unit(s) or prior to the issuance of a certificate of occupancy for such unit(s), whichever occurs first.
5. Rivanna Woods Golf Club L.P. shall pay \$1,000.00 to the Fluvanna / Louisa Housing Foundation per residential unit constructed at the proposed **“The Point at The Rivanna Resort”**. This money shall be earmarked for emergency repairs for Fluvanna County residents earning less than 80% of the area medium income. This proffer shall be due and payable at closing of the sale of each unit(s) or prior to the issuance of a certificate of occupancy for such unit(s), whichever occurs first.
6. Rivanna Woods Golf Club L.P. will improve Rt. 644 / Rt. 15 as provided in the traffic impact study and VDOT’s requirements associated with the site plan approval.
7. The applicant shall proffer up to \$50,000 to the construction of a future traffic light, if required by VDOT as result of future additional development in the area, at the intersection of route 15 and route 644. If the construction of the improvements is not started within 5 years of the successful final site plan approval of ZMP 09:02, this proffer shall expire.
8. Rivanna Woods Golf Club L.P. will provide a water and sewer tap connection location for the Palmyra Fire Station, located on route 15, adjacent to the property. This is to facilitate the expansion of sewer services in the greater Palmyra area as the service area has been designed. Palmyra Fire Department and or /others will be responsible for application for service, application fee, required permitting by any prevailing authority, connection and construction expenses and or other fees and any required engineering.
9. Rivanna Woods Golf Club L.P. will provide one water and sewer tap connection location on Rt. 15 to facilitate the expansion of sewer services in the greater Palmyra

area as the service area has been designed. The expanding entity and or /others will be responsible for application for service, application fee, required permitting by any prevailing authority, connection and construction expenses and or other fees and any required engineering.

10. Rivanna Woods Golf Club L.P. shall proffer the exterior commercial architectural guidelines in “Bloc #1 Commercial Center” at “The Point at The Rivanna Resort” to be consistent with the architectural design and materials use for the new Palmyra Fire Station located on Rt. 15, as determined by the convening County authority for site plan approval.
11. Rivanna Woods Golf Club L.P. shall proffer the following residential exterior architectural guidelines at “the Point at The Rivanna Resort”.
 1. Siding;
No vinyl, aluminum and or metal siding shall be allowed. Only architectural grade natural siding products shall be allowed; such as cement fiber board siding, wood or equal.
 2. Roofing;
Only architectural grade roofing and metal roofing or any combination there of shall be allowed. No three tab shingles shall be allowed.
 3. Foundation covering;
All concrete and or masonry foundations above grade shall be embossed with either a brick and or stone pattern.

Mrs. Booker seconded. The motion carried with a vote of 5-0. AYES: Allbaugh, Booker, Ott, Weaver and Moss. NAYS: None ABSENT: Gooch

RECESS

The Board recessed at 8:33 p.m.

RECONVENE

The Board reconvened at 8:43 p.m.

PRESENTATION

VCE update and Community Garden Expansion Request

Mr. John Thompson, ANR Agent/Unit Coordinator provided the Board with a PowerPoint presentation highlighting the Community Garden at present and indicated they would like to expand the garden into a phase 2 and phase 3 at some point. Mr. Thompson also updated the Board on the VCE Program, the 4-H Youth Development, and the Family and Nutrition Educational program that is provided.

ACTION MATTERS

Use of the County Seal by the Animal Response Team

The County Attorney has consistently stated that the County Seal is “County Property” and can only be used with approval of the Board of Supervisors. The Fluvanna County Animal Response Team (FCART) is a recognized pet rescue and sheltering organization serving Fluvanna County and is directly responsible for running the emergency pet shelter if activated through the County’s EOP.

Mrs. Shelly H. Wright, Assistant County Administrator, addressed the Board regarding this issue.

MOTION:

Mr. Weaver moved to authorize the Fluvanna County Animal Response Team to use the Fluvanna County Seal on two (2) pet shelter and rescue trailers. Mr. Allbaugh seconded. The motion carried with a vote of 5-0. AYES: Allbaugh, Booker, Ott, Weaver and Moss. NAYS: None ABSENT: Gooch

County of Fluvanna Budget Policy

The policy and procedures will provide guidance to departments and agencies with respect to the County's budget preparation and maintenance.

Ms. Crystal Besecker, Budget Analyst, addressed the Board regarding this issue.

MOTION:

Mr. Ott moved the Board of Supervisors approve the attached document titled County of Fluvanna Budget Policy and Procedures. Mr. Weaver seconded. The motion carried with a vote of 5-0. AYES: Allbaugh, Booker, Ott, Weaver and Moss. NAYS: None ABSENT: Gooch

BZA Request for Review of Setbacks

This action will direct the Planning Commission to initiate the requested review and report back to the Board of Supervisors its recommended course of action. The Planning Commission will consult with the Lake Monticello Owners Association (LMOA) during the process of reviewing the R-4 setbacks.

Mr. Darren Coffey, Director of Planning and Community Development, addressed the Board regarding this issue.

MOTION:

Mr. Ott moved the Board of Zoning Appeals' request for a review of the R-4 zoning district setback requirements for accessory structures be referred to the Planning Commission for their review and recommendation. Mrs. Booker seconded. The motion carried with a vote of 5-0. AYES: Allbaugh, Booker, Ott, Weaver and Moss. NAYS: None ABSENT: Gooch

OLD BUSINESS

Review of Newsletter

Mrs. Shelly H. Wright, Assistant County Administrator, addressed the Board regarding this issue.

Discussion ensued regarding the content of the water project article and with the deletion of one line and an extra word; it was the concurrence of the Board to proceed with the publishing of the newsletter.

NEW BUSINESS

Rt. 53 Speed Limit

The Board **directed** staff to write a letter to VDOT requesting the speed limit on Rt. 53 [within Fluvanna County] be changed to 45 mph for the entire stretch.

PUBLIC COMMENT #2

Chairman Moss opened the floor for the second public comment section.

The following citizens addressed the Board:

- Mr. Keith Smith, Rivanna District, supports reducing the speed limit on Rt. 53 to 45 mph
- Mr. Kareem Burgess, VEC, introduced himself and indicated he would like to return at the next meeting to provide the Board with a presentation

With no one else wishing to speak, Chairman Moss closed the second public comment section.

CLOSED MEETING

MOTION TO ENTER INTO A CLOSED MEETING:

At 9:40 p.m. Mr. Weaver moved the Fluvanna County Board of Supervisors enter into a closed meeting pursuant to the provisions of Section 2.2-3711 of the Code of Virginia, 1950, as amended, for the purpose of discussing pending litigation. Mr. Ott seconded. The motion carried by a vote of 5-0. AYES: Allbaugh, Booker, Ott, Weaver and Moss NAYS: None ABSENT: Gooch

MOTION TO EXIT A CLOSED MEETING & RECONVENE IN OPEN SESSION:

At 10:24 p.m., Mr. Weaver moved the closed meeting be adjourned and the Fluvanna County Board of Supervisors convene again in open session. Mr. Ott seconded. The motion carried by a vote of 5-0. AYES: Allbaugh, Booker, Ott, Weaver and Moss NAYS: None ABSENT: Gooch

MOTION:

At 10:25 p.m. the following resolution was adopted by the Fluvanna County Board of Supervisors following a closed meeting held Wednesday, May 20th 2009 on motion of Mr. Weaver, seconded by Mr. Ott and carried by the following vote: AYES: Allbaugh, Booker, Ott, Weaver and Moss NAYS: None ABSENT: Gooch

“BE IT RESOLVED to the best of my 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.”

ADJOURN

MOTION:

At 10:25 p.m. Mr. Allbaugh moved to adjourn the regular Board of Supervisors meeting of Wednesday, May 20th 2009. Mr. Ott seconded. The motion carried by a vote of 5-0. AYES: Allbaugh, Booker, Ott, Weaver and Moss NAYS: None ABSENT: Gooch



BOARD OF SUPERVISORS
County of Fluvanna
Palmyra, Virginia

RESOLUTION

At a regular monthly meeting of the Fluvanna County Board of Supervisors held at 7:00 p.m. on Wednesday, May 20th 2009 in Palmyra, Virginia, the following action was taken:

<u>Present</u>	<u>Vote</u>
Marvin F. Moss, Chairman	Yea
Charles W. Allbaugh, Vice Chairman	Yea
Mozell H. Booker	Yea
Gene F. Ott	Yea
Donald W. Weaver	Yea
<u>Absent</u>	
John Y. Gooch	

On a motion by Mr. Allbaugh seconded by Mr. Ott and carried by a vote of 5-0 the following resolution was adopted.

RESOLUTION
VDOT Secondary Six-Year Plan (2009-10 through 2014/15)
and
VDOT Construction Priority List (2009/10)

WHEREAS, Sections 33.1-23 and 33.1-23.4 of the 1950 Code of Virginia as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan; and

WHEREAS, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2009/10 through 2014/15) as well as the Construction Priority List (2009/10) on May 20th 2008 after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List; and

WHEREAS, James R. Glass, Residency Administrator, Virginia Department of Transportation, appeared before the Board and recommended approval of the Six-Year Plan for Secondary Roads (2009/10 through 2014/15) AND Construction Priority List (2009/10) for Fluvanna County.

NOW, THEREFORE, BE IT RESOLVED that since said Plan appears to be in the best interest of the Secondary Road System in Fluvanna County and of the citizens residing on the Secondary System, said Secondary Six-Year Plan (2009/10 through 2014/15) and Construction Priority List (2009/10) are hereby approved as presented at the public hearing.

Adopted this 20th day of May 2009
by the Fluvanna County Board of Supervisors

ATTEST:

G. Cabell Lawton, IV, County Administrator

District: Culpeper
County: Fluvanna County
Board Approval Date:

2010-11 through 2014-15

Route PPMS ID Accomplishment Type of Funds Type of Project Priority #	Road Name Project # Description FROM TO Length	Estimated Cost Ad Date	Traffic Count Scope of Work FHWA # Comments
4002 -2565 0000.01	1204002 COUNTYWIDE PIPE & ENTRANCE VARIOUS LOCATIONS IN COUNTY	PE \$0 RW \$0 CN \$0 Total \$0	0 INSTALLATION CHARGE FOR PIPES AT PRIVATE ENTRANCES AND OTHER MINOR DRAINAGE IMPROVEMENTS.
4005 -2568 0000.03	1204005 COUNTYWIDE ENGINEERING & SURVEY VARIOUS LOCATIONS IN COUNTY	PE \$0 RW \$0 CN \$0 Total \$0	0 MINOR SURVEY & PRELIMINARY ENGINEERING FOR BUDGET ITEMS AND INCIDENTAL TYPE WORK.
4007 -2570 0000.04	1204007 COUNTYWIDE TRAFFIC SERVICES VARIOUS LOCATIONS IN COUNTY	PE \$0 RW \$0 CN \$0 Total \$0	0 TRAFFIC SERVICES INCLUDE SECONDARY SPEED ZONES, SPEED STUDIES, OTHER NEW SECONDARY SIGNS
4008 -2571 0000.05	1204008 COUNTYWIDE RIGHT OF WAY ENGR. VARIOUS LOCATIONS IN COUNTY	PE \$0 RW \$0 CN \$0 Total \$0	0 USE WHEN IMPARTIAL TO OPEN A PROJECT: ATTORNEY FEES and ACQUISITION COST.
0632 18097 CONTRACT BROS SECONDARY - ONE HEARING DESIGN 0001.00	RIDGE ROAD 0632032173 RTE 632 - APPROACHES & DR STRUCTURE AT BALLINGER CREEK 0.10 MILE NORTH BALLINGER CREEK 0.10 MILE SOUTH BALLINGER CREEK 0.2	PE \$117,000 RW \$0 CN \$683,126 Total \$800,126 9/14/2010	400 BRIDGE REPLACEMENT 16009 S.R. = 45.7 & 40 Feet, Bridge only Have 40 Ft. R/W
0709 76191 STATE FORCES/HIRED EQUIPMENT S NO PLAN, SECONDARY 0002.00	Martin Lane 0709032P86 RTE 709 - WIDEN, GRADE & SURFACE TREAT NON-HARDSURFACE ROAD ROUTE 600 END OF MAINTENANCE 0.3	PE \$51,000 RW \$52,100 CN \$183,612 Total \$296,912 11/23/2010	124 MINOR WIDENING 16005 Have 40 ft of R/W
0600 76192 CONTRACT STP SECONDARY - ONE HEARING DESIGN 0003.00	0600032188 RTE 600 - INTERSECTION IMPROVEMENT 0.12 MI. S. RTE. INT. RTE. 600/53 0.15 MI. N. RTE. INT. RTE. 600/53 0.3	PE \$292,685 RW \$180,250 CN \$1,572,500 Total \$2,045,435 4/10/2012	SAFETY/TRAFFIC OPERS/TSM 14012 Rough Estimate, Proejct scope is to realignRte 53 and Rte 600 to improve sight distance and improve safety. State Funds - AC for future federal conversion.

District: Culpeper

County: Fluvanna County

Board Approval Date:

2010-11 through 2014-15

Route	Road Name	Estimated Cost	Traffic Count
PPMS ID	Project #		Scope of Work
Accomplishment	Description		FHWA #
Type of Funds	FROM		Comments
Type of Project	TO		
Priority #	Length	Ad Date	
0656		<i>PE</i> \$250,282	188
51926	0656032101	<i>RW</i> \$614,500	BRIDGE REPLACEMENT
CONTRACT	RTE 656 - BRIDGE REPLACEMENT	<i>CN</i> \$1,900,763	16009
BROS	APPROACHES & DRAINAGE STRUCTURE AT HOLMAN CREEK	<i>Total</i> \$2,765,545	Revised schedule required.
Single Hearing			
0004.00	0.1	3/11/2014	
0635	Cannery Lane	<i>PE</i> \$95,000	61
50308	0635032P01	<i>RW</i> \$30,500	MINOR WIDENING
SAAP CONTRACT	RTE 635 - WIDEN & SURFACE TREAT NON-HARDSURFACED ROAD	<i>CN</i> \$704,972	16005
S	ROUTE 15	<i>Total</i> \$830,472	Have 30 Ft R/W
NO PLAN,SECONDARY	END OF MAINTENANCE		
0005.00	0.6	8/31/2014	

**An Ordinance To Amend The Fluvanna County Zoning Map, With Respect To 220.56 acres of Tax Map 30, Section A, Parcel 110 and 10 acres of Tax Map 19, Section A, Parcel 39C, for an aggregate of 230.56 acres, to conditionally rezone the same from A-1, Agricultural, General to R-3, Residential, Planned Community.
(ZMP 09:02)**

BE IT ORDAINED BY THE FLUVANNA BOARD OF SUPERVISORS, pursuant to Virginia Code Section 15.2-2285, that the Fluvanna County Zoning Map be, and it is hereby, amended, as follows:

That 220.56 acres of Tax Map 30, Section A, Parcel 110 and 10 acres of Tax Map 19, Section A, Parcel 39C, be and is hereby, rezoned from A-1, Agricultural, General to R-3, Residential, Planned Community, subject to the submitted proffers as set out in the letter dated May 11, 2009, which is attached hereto.

12. The units in **“The Point at The Rivanna Resort”** will be sold subject to the attached **“Residential density yield plan dated 02/27/09”**.
13. Rivanna Woods Golf Club L.P. proffers the attached Preliminary Master Plan for land use purposes. All vegetative buffers, building and parking locations adjoining existing Public Road Rights-of Ways shall be as per the attached Preliminary Master Plan. Necessary site developments shall be determined during the site plan approval process.
14. The golf course at **“The Point at The Rivanna Resort”** shall not become a private club but shall remain open to the public. The golf course property (composed of the 18 holes, club house and support facilities) shall not be used for any land use other than uses associated with the operation and support of the golf course.
15. Rivanna Woods Golf Club L.P. makes a cash proffer of \$5,000.00 per residential unit constructed at the proposed **“The Point at The Rivanna Resort”** project which funds shall be used for the construction of the new Fluvanna County High School to offset any possible additional expenses that this rezoning might cost the Fluvanna County Public Schools. In the event the proffered funds cannot be used for this purpose, they should be used for the development costs for the Pleasant Grove Community Center. The cash proffer shall be due and payable at closing of the sale of each unit(s) or prior to the issuance of a certificate of occupancy for such unit(s), whichever occurs first.
16. Rivanna Woods Golf Club L.P. shall pay \$1,000.00 to the Fluvanna / Louisa Housing Foundation per residential unit constructed at the proposed **“The Point at The Rivanna Resort”**. This money shall be earmarked for emergency repairs for Fluvanna County residents earning less than 80% of the area medium income. This proffer shall be due and payable at closing of the sale of each unit(s) or prior to the issuance of a certificate of occupancy for such unit(s), whichever occurs first.
17. Rivanna Woods Golf Club L.P. will improve Rt. 644 / Rt. 15 as provided in the traffic impact study and VDOT’s requirements associated with the site plan approval.
18. The applicant shall proffer up to \$50,000 to the construction of a future traffic light, if required by VDOT as result of future additional development in the area, at the intersection of route 15 and route 644. If the construction of the

improvements is not started within 5 years of the successful final site plan approval of ZMP 09:02, this proffer shall expire.

19. Rivanna Woods Golf Club L.P. will provide a water and sewer tap connection location for the Palmyra Fire Station, located on route 15, adjacent to the property. This is to facilitate the expansion of sewer services in the greater Palmyra area as the service area has been designed. Palmyra Fire Department and or /others will be responsible for application for service, application fee, required permitting by any prevailing authority, connection and construction expenses and or other fees and any required engineering.
20. Rivanna Woods Golf Club L.P. will provide one water and sewer tap connection location on Rt. 15 to facilitate the expansion of sewer services in the greater Palmyra area as the service area has been designed. The expanding entity and or /others will be responsible for application for service, application fee, required permitting by any prevailing authority, connection and construction expenses and or other fees and any required engineering.
21. Rivanna Woods Golf Club L.P. shall proffer the exterior commercial architectural guidelines in “Bloc #1 Commercial Center” at “The Point at The Rivanna Resort” to be consistent with the architectural design and materials use for the new Palmyra Fire Station located on Rt. 15, as determined by the convening County authority for site plan approval.
22. Rivanna Woods Golf Club L.P. shall proffer the following residential exterior architectural guidelines at “the Point at The Rivanna Resort”.
 4. Siding;
No vinyl, aluminum and or metal siding shall be allowed. Only architectural grade natural siding products shall be allowed; such as cement fiber board siding, wood or equal.
 5. Roofing;
Only architectural grade roofing and metal roofing or any combination there of shall be allowed. No three tab shingles shall be allowed.
 6. Foundation covering;
All concrete and or masonry foundations above grade shall be embossed with either a brick and or stone pattern.

Adopted this 20th day of May 2009
by the Fluvanna County Board of Supervisors

Adopted this 20th day of May 2009
by the Fluvanna County Board of Supervisors

1-4 Budget Policy and Procedures

1-4.1. Scope

- 1-4.1.a. This Budget Policy addresses the process by which the County's operational budget is formulated, beginning with the departmental requests through adoption by the Board of Supervisors. Additionally, this Policy covers process of Capital Improvements Program adoption.
- 1-4.1.b. This Policy also addresses all other aspects of the budget, including the authorization levels for the approval of budget adjustments and amendments as well as review of the budget during the fiscal year.
- 1-4.1.c. The Commonwealth of Virginia requires all localities to follow certain budget guidelines, as outlined in Sections 15.2-2500 to 15.2-2513 of the Code of Virginia.
- i. All localities within Virginia must have a fiscal year beginning on July 1 and ending on June 30.
 - ii. Approved fiscal year budgets must meet the definition of a balanced budget. A balanced budget is one in which the available revenues (including any fund balance appropriations) equal estimated expenditures for the fiscal year.
 - iii. The School Board must approve the School Budget by May 1 or within 15 days of receiving estimates of state funding, whichever occurs later.
 - iv. The Board of Supervisors must approve the operating budget and set the tax rate by July 1 of each year. The adoption of the operating budget and the tax rate requires the Board to hold a public hearing and to advertise this hearing no less than 7 days in advance. Although these are the minimum state requirements, the County traditionally has adopted its budget by April 30 in order to establish teacher contracts and to set the property tax rates prior to the 1st half tax bill mailing date. The official appropriation of funds takes place prior to July 1 of each year.

1-4.2. Budget Guidelines

- 1-4.2.a. The overall objective of the budget is to provide a balanced financial plan in total and by fund that adheres to the County's mission statement, long range strategic plans and/or current initiatives from which the budgets shall be initially formulated.
- 1-4.2.b. A balanced budget is a budget that has total expenditures equal to total revenues, including use of fund balance.
- 1-4.2.c. Initiatives that are presented to the Board of Supervisors should also comply with the mission statement.
- 1-4.2.d. Annual budget guidelines shall be focused in certain areas, with additional guidelines and/or objectives formulated, if applicable, by the County Administrator in the formulation of the proposed budget

1-4.3. Budget Form

The County's operating budget will be developed on an annual basis, consistent with Generally Accepted Accounting Principles and guidelines set forth by the Governmental Accounting Standards Board.

1-4.4. Basis of Budgeting

The basis of budgeting is the method used to determine when revenues and expenditures are recognized for budgetary purposes. In governmental funds, GAAP requires recognition of transactions or events on a modified accrual basis of accounting. This basis of accounting recognizes increases and decreases in financial resources only to the extent that they reflect near-term inflows or outflows of cash. The County's basis of accounting differs from GAAP used for preparing the County's comprehensive annual financial reports. The three differences are as follows:

- 1-4.4.a. Encumbrances are considered the equivalent of expenditures rather than the GAAP required reservation of fund balance.
- 1-4.4.b. Grant revenues are not budgeted and are accounted for on a modified cash basis rather than an accrual basis.

1-4.4.c. The Sheriff's Auxiliary fund, which must be reported under GAAP and in the County's Comprehensive Annual Financial Report (CAFR) is not included in the budget.

1-4.5. Budget Calendar

The County maintains a perpetual calendar which outlines all dates pertaining to the operational budget and capital improvements plan. No later than July 1 a date specific budget calendar is established for the subsequent fiscal year and submitted to the Board of Supervisors, using the perpetual calendar as a guideline.

1-4.6. Budget Preparation

All departments and agencies, excluding the School Board, will submit their requested budget to the budget analyst and County Administration by a date and format established by the County Administrator, with the requested budget providing detail as to personnel, operating and capital requests, including five year capital improvement program requests.

1-4.6.a. County Boards and Other Organizations

- i) The Social Services Board shall approve the departmental budget request of their organization prior to submission to the County Administrator.
- ii) The School Board Superintendent submits a recommended budget to the School Board. Upon approval the School Board is encouraged to submit the request to County Administration and the Board of Supervisors by the 3rd week in March. However under Virginia Code 22.1-93 Schools have until May 1st to submit their budget request to the Board of Supervisors.

1-4.6.c. County Administration will present to the Board of Supervisors at their first meeting in February, a proposed budget, which includes proposed expenditures and capital outlay, and a means of financing the expenditures, for the fiscal year commencing July 1, contingent upon adequate knowledge of anticipate state and federal funding levels.

1-4.6.d. A series of budget works sessions will be scheduled with the Board of Supervisors to provide detailed information on budgetary issues.

- 1-4.6.e. In December, the Planning Commission shall review the Proposed Five Year Capital Improvements Program (CIP) and provide a recommendation on the subsequent year's CIP to the Board of Supervisors.

The CIP is a five year plan for capital expenditures and a means of funding facilities, equipment and vehicles that have a unit cost greater than \$20,000

- 1-4.6.f. A consolidated public hearing on the budget and CIP shall be held no later than seven days prior to budget adoption, unless the Board of Supervisors chooses to select an alternate date or timeline.

- i) In compliance with Virginia State Code 15.2-2506 public hearing notices shall be advertised at least seven days prior to the public hearing date.
- ii) If significant issues arise in which greater time is needed for the formulation of proposed budgets by the School Superintendent, County Administrator or Board of Supervisors, the budget preparation calendar can be extended upon approval of the Board subject to Virginia State Code 15.2-2503. "The governing body shall approve the budget and fix a tax rate for the budget year no later than the date on which the fiscal year begins."

1-4.7. Budget Adoption

- 1-4.7.a. Not less than one week following the public hearing, the Board of Supervisors shall adopt a balanced budget and five-year capital improvements program.

- 1-4.7.b. The budget is legally enacted through adoption of an appropriations resolution for all governmental and proprietary fund types with the resolutions appropriating budget balances by fund.

- 1-4.7.c. Although legal restrictions on expenditures are established at the fund level, effective administrative control over expenditures is maintained through the establishment of more detailed line-item budgets.

- 1-4.7.d. At all times the County will maintain compliance with the Code of Virginia in appropriating, advertising public notices, ordinance

changes, requests for bond referenda and any other legal restrictions imposed upon localities.

1-4.8. Budget Adjustments

Departments and agencies are required to operate their budgets within the total dollars appropriated. Departments shall not overspend the bottom line total. It is understood that occasionally in the management of their departmental budget, department directors will need to transfer funds within the respective department; stipulations for the transfers are noted below:

1-4.8.a. Budget authorization levels are classified in three tiers for all non-education funds, and are described as follows:

i) Department Heads are authorized to:

- a. Transfer within their departmental operating budget categories; transfers from personnel categories or capital categories exceeding \$1,000 require County Administrator approval.
- b. Transfers between two departments require approval of both department heads as well as County Administrator approval.
- c. Transfers into personnel categories require County Administrator approval.

ii) The County Administrator or designee is authorized to:

- a. Transfer within departmental budget categories of personnel, operating and capital.
- b. Transfer up to \$10,000 per month between departmental budget categories and/or departments and related capital projects.
- c. Transfer contingencies to departmental and/or capital budgets up to \$10,000 per topic or issue involving need for such reserve funding; with the exception of Board of Supervisors and Grant Contingencies, both of which require BOS action and approval.

iii) The Board of Supervisors approval is needed for:

- a) All transfers not otherwise addressed in this Policy.
- b) Any supplements that increase the total adopted budget require Board of Supervisors action and approval.
- b) Any supplements that increase the total revenues for any of the education funds shall require the approval of the Board of Supervisors upon prior approval of the School Board.
- c) All supplements requiring Board of Supervisors approval that have been initiated by the Social Services department must have the Social Services Board approval prior to submission to the County.
- d) 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.

1-4.9. Reappropriation of Balances (also known as carryovers)

- 1-4.9.a. Appropriations lapse on June 30, for all unencumbered budget items other than capital projects and grants.
- 1-4.9.b. All outstanding encumbrances, both operating and capital, as of fiscal year-end shall be automatically re-appropriated to the subsequent fiscal year to the same department and account for which they were encumbered in the previous fiscal year.
- 1-4.9.c. All unencumbered balances for capital projects shall remain appropriations until the completion of the capital project or until the Board of Supervisors, by appropriate resolution, changes or eliminates the appropriation.
- 1-4.9.d. Those amounts necessary for the continuation of unencumbered operating projects or services may be requested by departments, amended by the County Administrator and adopted, with any

changes, by the Board of Supervisors to be re-appropriated to the budget of the next fiscal year. Such requests for re-appropriation shall be for specifically defined projects that could not reasonably be started prior to June 30.