

**FLUVANNA COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
Circuit Court Room  
August 5, 2015  
Regular Meeting 4:00pm & 7:00pm**

**MEMBERS PRESENT:** Bob Ullenbruch, Palmyra District, Vice-Chairperson  
Tony O'Brien, Rivanna District (arrived at 4:01pm.)  
Donald W. Weaver, Cunningham District  
Mike Sheridan, Columbia District

**MEMBERS ABSENT:** Mozell Booker, Fork Union District, Chairperson

**ALSO PRESENT:** Steven M. Nichols, County Administrator  
Fred W. Payne, County Attorney  
Kelly Belanger Harris, Clerk to the Board of Supervisors

**CALL TO ORDER**

At 4:00pm, Vice Chair Ullenbruch called the Regular Meeting of August 5, 2015 to order. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

**ADOPTION OF AGENDA**

**MOTION**

Mr. O'Brien moved to accept the Agenda for the August 5, 2015, Regular Meeting of the Board of Supervisors.  
Mr. Weaver seconded and the Agenda was adopted by a vote of 4-0. AYES: Ullenbruch, O'Brien, Sheridan, and Weaver. NAYS: None. ABSENT: Booker.

**COUNTY ADMINISTRATOR'S REPORT**

Mr. Nichols reported on the following topics:

- Eagle Scout Project
  - Just completed at the Community Garden
  - HUGE thanks to Aaron Spitzer for working with this group to make this project happen.
  - We will be working with several future Eagle Scouts to build more picnic table structures like this around the park as opportunities become available
- Fluvanna County has been recognized with a VACo Achievement Award for our Pleasant Grove Meadow Management Project
  - Jason Smith put the nomination together, Fluvanna County was one of the 34 projects recognized out of 92 submissions
- Fluvanna County Fair, August 19-22
- CIC's New Microloan Program - To better serve entrepreneurs seeking financing, CIC has made changes to the loan program:
  - They've removed the tiers on the loan program. Entrepreneurs may now seek loans of up to \$35,000 to meet their business needs. Previously, first time borrowers were limited to \$5,000.
  - Existing businesses are now eligible to apply for a CIC microloan without completing our WIBO workshop if they can produce six months of financial statements and a business plan outlining their financing needs.
  - The interest rates have changed. The starting interest rate on microloans is 9.75% and discounted rates are available for those who have completed the WIBO workshop and for borrowers with qualified co-signers.
- 5th Annual Fluvanna County Wine Festival, Saturday, Sep 26th at 11:00 AM - 6:00 PM, Pleasant Grove Park
- Fluvanna Chamber of Commerce's 2015/16 Fluvanna Guide now available
  - Available at the Chamber Office and various locations; E-version also available on the Chamber website
- New, Combined Virginia Sales Tax Holiday, August 7-9
  - Includes school, emergency and energy-efficient items, plus clothing and footwear
- Fluvanna Leadership Development Program
  - Class #13 begins in September
  - Registration closes August 31<sup>st</sup>, Tuition is \$35 and scholarships are available
  - Visit Fluvannaleadership.com for info and application
- Next Meetings
  - Wednesday, September 2, 4:00 pm – Regular Meeting
  - Wednesday, September 16, 4:00 pm – Work Session and 7:00 pm – Regular Meeting

**BOARD OF SUPERVISORS' UPDATES**

*Sheridan*—None.

*Weaver*—None.

*Ullenbruch*—TRIAD signing on Tuesday August 4, 2015.

*O'Brien*— None.

*Booker*— Absent.

**4:10:40 PM PUBLIC COMMENTS #1**

Vice Chair Ullenbruch opened the first round of Public Comments.

With no one else wishing to speak, Vice Chair Ullenbruch closed the first round of Public Comments.

**PUBLIC HEARINGS**

Scheduled for 7:00pm.

### **ACTION MATTERS**

*FY15 Budget Amendment*—Eric Dahl, Finance Director, returned to the Board with a request to approve a budget amendment of \$3,690,100 to reflect refinancing of bonds, and increasing the FY15 Amended Budget to \$85,120,579.

#### **MOTION**

Mr. Weaver moved the Board of Supervisors approve a FY15 capital budget amendment of \$3,690,100 to reflect refinancing of bonds, and increasing the FY15 Amended Budget to \$85,120,579. Mr. O'Brien seconded and the motion passed 4-0. AYE: Ullenbruch, O'Brien, Sheridan, & Weaver. NAY: None. ABSENT: Booker.

*FY16 Social Service New Eligibility Worker Allocation Supplemental Appropriation*—Kim Mabe, Director of Social Services, addressed the Board with a request to approve an appropriation from State and Federal permanently-allocated funds to supplement the FY16 Budget to fund a new Benefits Specialist position.

#### **MOTION**

Mr. Sheridan moved approve a FY16 supplemental appropriation of \$12,675 from State and Federal funds to the FY16 Social Services Budget to fund a new Part-Time Benefit Specialist position to aid with Medicaid backlog, and with \$2,325 in matching funds to come from the existing FY16 Social Services Budget. Mr. O'Brien seconded and the motion passed 4-0. AYE: Ullenbruch, O'Brien, Sheridan, & Weaver. NAY: None. ABSENT: Booker.

*FY16 Social Service Overtime Pay Supplemental Appropriation*—Kim Mabe, Director of Social Services, addressed the Board with a request to approve an FY16 budget appropriation from one-time State and Federal funds to address overtime related to current Medicaid backlog.

#### **MOTION**

Mr. O'Brien moved the Board of Supervisors approve a FY16 supplemental appropriation of \$13,545 from one time State and Federal funds to the FY16 Social Services Budget for additional overtime through October 9, 2015 to assist with the current Medicaid Backlog. Mr. Weaver seconded and the motion passed 4-0. AYE: Ullenbruch, O'Brien, Sheridan, & Weaver. NAY: None. ABSENT: Booker.

*Reclassification of Maintenance Position*—Gail Parrish, Human Resources Manager, brought before the Board a request to reclassify a Public Works position vacated when an employee retired. Upon review, it was determined that there was a need for a higher skill level than provided in previous job classification. In addition, upon review of comparable positions in the area, an increase to the base salary was requested.

#### **MOTION**

Mr. Sheridan moved to reclassify the Maintenance/Energy Technician position, Classification 3190, Pay Band 9, to a Facilities Maintenance Specialist position, Classification 3181, Pay Band 12, and to transfer \$2,800 from FY16 Personnel Contingency to the FY16 Facilities Personnel budget. Mr. O'Brien seconded and the motion passed 4-0. AYE: Ullenbruch, O'Brien, Sheridan, & Weaver. NAY: None. ABSENT: Booker.

*Appointment to the Economic Development Authority (EDA)* – Steven M. Nichols, County Administrator, presented the

#### **MOTION**

Mr. O'Brien moved to reappoint Daniel Nunziato to the Economic Development Authority (EDA), with a term to begin September 1, 2015 and to terminate August 31, 2019. Mr. Sheridan seconded and the motion passed 4-0. AYE: Ullenbruch, O'Brien, Sheridan, & Weaver. NAY: None. ABSENT: Booker.

*Appointment to the Fluvanna Partnership for Aging Committee* – Steven M. Nichols, County Administrator, brought to the Board a request to further realign the current membership of the Fluvanna Partnership for Aging to better serve the Partnership's membership needs.

#### **MOTION**

Mr. Sheridan moved to appoint Deborrah Foreman to the Palmyra District position on the Fluvanna Partnership for Aging (FPA) Committee replacing Bobbie Gallo, with a term to begin immediately, and to terminate December 31, 2017. Mr. Weaver seconded and the motion passed 4-0. AYE: Ullenbruch, O'Brien, Sheridan, & Weaver. NAY: None. ABSENT: Booker.

### **PRESENTATIONS**

*2015 Ratio for Public Utilities* – Mel Sheridan, Commissioner of the Revenue--*Deferred*

### **CONSENT AGENDA**

The following were approved under the Consent Agenda:

*Minutes July 15, 2015 Meeting*—Kelly Belanger Harris, Clerk to the Board of Supervisors

*FY15 Aid to Localities Funding- Fire Department*—Mary Anna Twisdale, Management Analyst

#### **MOTION**

Mr. O'Brien moved to approve the items on the Consent Agenda for August 5, 2015. Mr. Weaver seconded and the motion passed 4-0. AYES: Ullenbruch, O'Brien, Sheridan, and Weaver. NAYS: None. ABSENT: Booker.

### **UNFINISHED BUSINESS**

Mr. Ullenbruch clarified that contrary to a comment in local media, our County Attorney, Mr. Payne, has not stated that the it would be illegal to approve an insurance-only option for Cost Recovery billing. The option does, however, require an opinion from the HHS Office of the Inspector General.

Additionally, Mr. Ullenbruch noted that in discussions with the Sheriff, Animal Control officers, and citizens, it was determined that there was no need to move forward with a Barking Dogs ordinance.

**NEW BUSINESS**

None.

**PUBLIC COMMENTS #2**

Vice Chair Ullenbruch opened the second section of Public Comments.

With no one wishing to speak, Vice Chair Ullenbruch closed the second round of public comments.

**CLOSED SESSION****MOTION TO ENTER INTO A CLOSED MEETING**

At 4:48pm, Mr. Weaver moved the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.3, A.6, & A.7 of the Code of Virginia, 1950, as amended, for the purpose of discussing Real Estate, Investment of Funds, and Legal Matters. Mr. O'Brien seconded and the motion carried, with a vote of 4-0. AYES: Ullenbruch, O'Brien, Sheridan, and Weaver. NAYS: None. ABSENT: Booker.

***Recess for Dinner and Closed Meeting*****MOTION TO EXIT A CLOSED MEETING & RECONVENE IN OPEN SESSION**

At 6:02pm, Mr. Weaver moved that the 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." Mr. Sheridan seconded. The motion carried, with a roll call vote of 4-0. AYES: Ullenbruch, O'Brien, Sheridan, and Weaver. NAYS: None. ABSENT: Booker.

**MOTION TO ADJOURN UNTIL 7:00 PM.**

Mr. Sheridan moved to adjourn until 7:00pm. Mr. O'Brien seconded and the motion passed 4-0. AYES: Ullenbruch, O'Brien, Sheridan, and Weaver. NAYS: None. ABSENT: Booker.

***Reconvene***

*(Mr. O'Brien was not present for Public Hearings.)*

**PUBLIC HEARINGS**

ZMP 15-04: *George W. Dansey & SUP 15-04: George W. Dansey*—Steve Tugwell, Senior Planner, presented a request to amend the Fluvanna County Zoning Map with respect to 1.95 acres of Tax Map 36, Section 1, Parcel 1 to rezone the same from R-1, Residential, Limited to A-1, Agricultural, General; and a request for a special use permit to allow for a small restaurant with respect to approximately 1.95 acres of Tax Map 36, Section 1, Parcel 1 subject to the seven (7) conditions listed in the staff report.

Vice Chair Ullenbruch opened the Public Hearing.

With no one wishing to speak, Vice Chair Ullenbruch closed the Public Hearing.

There being no discussion,

**MOTION**

Mr. Weaver moved that the Board of Supervisors approve ZMP 15:04 of the attached ordinance for ZMP 15:04, a request to amend the Fluvanna County Zoning Map with respect to approximately 1.95 acres of Tax Map 36, Section 1, Parcel 1, to amend the same from R-1, Residential, Limited to A-1, Agricultural, General). Mr. Sheridan seconded and the motion passed 3-0. AYE: Ullenbruch, Sheridan, & Weaver, NAY: None. ABSENT: Booker and O'Brien;

And,

Mr. Weaver moved that the Board of Supervisors approve SUP 15:04, a request for a special use permit to allow for a small restaurant with respect to approximately 1.95 acres of Tax Map 36, Section 1, Parcel 1 subject to the seven (7) conditions listed in the staff report. Mr. Sheridan seconded and the motion passed 3-0. AYE: Ullenbruch, Sheridan, & Weaver. NAY: None. ABSENT: Booker and O'Brien.

**Conditions:**

1. This site must meet all Virginia Department of Transportation requirements.
2. A site plan may be required if the building expands or parking needs change in the future.
3. The site must meet the requirements set forth by the Virginia Department of Health.
4. The property shall be maintained in a neat and orderly manner so that the visual appearance from Route 6 is acceptable to County officials.
5. The Board of Supervisors, or its representative, reserves the right to inspect the business for compliance with these conditions at any time.
6. 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.
7. Hours of operation for the small restaurant shall be Monday through Sunday 7 a.m. to 7p.m.

**ADJOURN****MOTION:**

At 7:08pm Mr. Sheridan moved to adjourn the meeting of Wednesday, May 6, 2015. Mr. Weaver seconded and the motion carried with a vote of 3-0. AYES: Ullenbruch, Sheridan, & Weaver. NAYS: None. ABSENT: Booker and O'Brien.

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

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Kelly Belanger Harris  
Clerk to the Board

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Mozell H. Booker  
Chairperson

APPROVED