



**FLUVANNA COUNTY BOARD OF SUPERVISORS
MEETING AGENDA**

Circuit Courtroom, Fluvanna Courts Building
April 17, 2013, 7:00 pm

TAB AGENDA ITEMS

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

2 - COUNTY ADMINISTRATOR'S REPORT

3 - PUBLIC COMMENTS #1 (5 minutes each)

4 - PUBLIC HEARING

- N SUP 13:01/Amy Williams & Greg Palmer Landscaping Materials Supply Business – Steve Tugwell, Senior Planner
-

5 - ACTION MATTERS

- O Resolution/ Fair Housing Month April 2013 – Marguerite David, Deputy Director of Piedmont Housing Alliance
- P FY 2014-2018 Capital Improvements Plan – Barbara Horlacher, Finance Director
- Q FY 2014 Operations Budget and Tax Rates – Barbara Horlacher, Finance Director
-

6 - PRESENTATIONS (normally not to exceed 10 minutes each)

None

7 - CONSENT AGENDA

- R Minutes of April 3, 2013 – Mary Weaver, Clerk to the Board
- S Minutes of April 10, 2013 – Mary Weaver, Clerk to the Board
- T FY13 Four-For-Life Supplemental Appropriation – Eric Dahl, Budget Analyst
- U Affirmation of James River Water Authority (JRWA) Appointments – Steven M. Nichols, County Administrator
- V Raymond James Financial Advisory Service Contract Extension – Joseph Rodish, Procurement Officer
-

8 - ACCOUNTS PAYABLE / BUDGET REPORT

None

9 - UNFINISHED BUSINESS

None

10 - NEW BUSINESS

11 - PUBLIC COMMENTS #2 (5 minutes each)

12 - CLOSED MEETING

TBD

County Administrator Review

PLEDGE OF ALLEGIANCE

I pledge allegiance to the flag
of the United States of America
and to the Republic for which it stands,
one nation, under God, indivisible,
with liberty and justice for all.

ORDER

1. It shall be the duty of the Chairman to maintain order and decorum at meetings. The Chairman shall speak to points of order in preference to all other members.
2. In maintaining decorum and propriety of conduct, the Chairman shall not be challenged and no debate shall be allowed until after the Chairman declares that order has been restored. In the event the Board wishes to debate the matter of the disorder or the bringing of order; the regular business may be suspended by vote of the Board to discuss the matter.
3. No member or citizen shall be allowed to use abusive language, excessive noise, or in any way incite persons to use such tactics. The Chairman and/or the County Administrator shall be the judge of such breaches, however, the Board may vote to overrule both.
4. When a person engages in such breaches, the Chairman shall order the person's removal from the building, or may order the person to stand silent, or may, if necessary, order the person removed from the County property.

PUBLIC HEARING RULES OF PROCEDURE

1. PURPOSE
 - The purpose of a public hearing is to receive testimony from the public on certain resolutions, ordinances or amendments prior to taking action.
 - A hearing is not a dialogue or debate. Its express purpose is to receive additional facts, comments and opinion on subject items.
2. SPEAKERS
 - Speakers should approach the lectern so they may be visible and audible to the Board.
 - Each speaker should clearly state his/her name and address.
 - All comments should be directed to the Board.
 - All questions should be directed to the Chairman. Members of the Board are not expected to respond to questions, and response to questions shall be made at the Chairman's discretion.
 - Speakers are encouraged to contact staff regarding unresolved concerns or to receive additional information.
 - Speakers with questions are encouraged to call County staff prior to the public hearing.
 - Speakers should be brief and avoid repetition of previously presented comments.
3. ACTION
 - At the conclusion of the public hearing on each item, the Chairman will close the public hearing.
 - The Board will proceed with its deliberation and will act on or formally postpone action on such item prior to proceeding to other agenda items.
 - Further public comment after the public hearing has been closed generally will not be permitted.

BOARD OF SUPERVISORS AGENDA ITEM

Meeting Date: April 17, 2013

SUBJECT:	SUP 13:01 – Amy Williams & Greg Palmer Landscaping Materials Supply Business
MOTION(s):	I move that the Board of Supervisors approve/deny SUP 13:01, [if approved], with respect to 4.48 acres of Tax Map 5, Section A, Parcel 61, with the conditions as described in the staff report.
STAFF CONTACT:	Steve Tugwell, Senior Planner
RECOMMENDATION:	At its meeting on March 27, 2013, the Planning Commission recommended approval (4-0); Mr. Gaines moved to approve; Mr. Zimmer seconded; Ayes: Babbitt, Bibb, Gaines, and Zimmer. Ms. Eager; absent
TIMING:	Immediate decision requested at current meeting.
DISCUSSION:	Request for a special use permit to allow for a landscaping materials supply business with respect to 4.48 acres of Tax Map 5, Section A, Parcel 61.
FISCAL IMPLICATIONS:	-
POLICY IMPLICATIONS:	The Board of Supervisors may: <ul style="list-style-type: none"> • Approve this request, allowing the landscaping materials supply business; OR • Deny this request, preventing the landscaping materials supply business; OR • Defer this request and make a final decision at a later date.
LEGISLATIVE HISTORY:	Review of a proposed landscaping materials supply business in accordance with Chapter 22, Article 4 of the Fluvanna County Code (Zoning Ordinance: Uses permitted by special use permit only). Application was received on January 31, 2013 Planning Commission reviewed the request on March 27, 2013
ENCLOSURES:	Staff Report (with accompanying attachments)



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

P.O. Box 540 Palmyra, VA 22963 (434) 591-1910 FAX (434) 591-1911 www.co.fluvanna.va.us

STAFF REPORT

To: Fluvanna County Board of Supervisors
Case Number: SUP 13:01
Tax Map: Tax Map 5, Section A, Parcel 61

From: Steve Tugwell
District: Columbia
Date: April 17, 2013

General Information: This request is to be heard by the Board of Supervisors on Wednesday, April 17, 2013 at 7:00 pm in the Circuit Courtroom in the Courts Building.

Owner/Applicant: Robert & Ivy Glass

Representative: Amy Williams & Greg Palmer

Requested Action: Request for a special use permit to operate a landscaping business with respect to 4.48 acres of Tax Map 5, Section A, Parcel 61. The applicant is proposing to operate a landscaping materials supply business. (Attachment A)

Location: The affected property is located on the eastern side of State Route 15 (James Madison Highway) approximately 500 feet south of its intersection with State Route 250 (Richmond Road) (Attachment B)

Existing Zoning: A-1, Agricultural, General

Existing Land Use: Vacant building

Planning Area: Zion Crossroads Community Planning Area

Adjacent Land Use: Adjacent properties are zoned A-1, Agricultural, with the exception of an adjacent parcel to the east that is zoned B-1, Business, General.

Zoning History: No Previous Zoning Activities.

Comprehensive Plan:

Land Use Chapter:

The Comprehensive Plan designates this property as within the Zion Crossroads Community Planning Area. According to this chapter, *“this area is the county’s primary regional economic development area and is targeted as a regional employment center and for primarily mixed-use, mixed-income development that will also help develop the infrastructure needed for such development, as well as diversifying the county’s tax base”*. Additionally, *“large, medium and small commercial businesses, along with office, civic, and multifamily residential uses, combine to form a series of neo-traditional development or series of interconnected developments*. This area of the county is currently a mix of residential, commercial, and industrial uses. It appears the proposed landscaping supply business is one of a few in the area, and may provide a needed service to the residential portion of this part of the county. This parcel is located within a designated growth-area, therefore rezoning to a commercial zoning classification may be appropriate in the future.

Economic Development:

The 2009 Comprehensive Plan states that Goal 3 under the Course of Action Section is *“to protect rural areas through economic development”*, and to *“support the development of locally owned businesses, and entrepreneurial opportunities, particularly those that are of rural character and will require little provision of infrastructure”*. The Zion Crossroads Community Planning Area has been developing with a mix of mostly commercial, industrial, and existing residential. The proposed landscaping supply business is located on the fringes of the Zion Crossroads CPA, and will not require major utilities or infrastructure in order to become established.

Analysis:

This is a Special Use Permit application to operate a landscaping materials supply business. The Zoning Ordinance defines landscaping materials supply as, *“a business used primarily for the bulk storage and sale of landscaping supplies, such as soil, gravel, potting mix, mulch, sand, stone, and the like, either wholesale or at retail, necessitating the frequent use of heavy equipment. Plants and supplemental items used in planting and landscaping, such as plant containers, yard ornaments, hand tools, and the like, may be sold on-site as secondary or incidental items”*.

The applicants have stated in their application that they plan on using the existing cinder-block building as an office and sales room for their *“landscape and garden-related wares”*. The cinder-block building is in poor condition, and the applicants have been working to improve its aesthetics, and to also make the site more functional with regard to ingress and egress. The parcel is 4.48 acres in area, and appears large enough to accommodate landscaping materials storage, and associated equipment. It is also stated in the application that *“the retail operation will include the sale of bulk materials such as top soil, mulch, and building stone as well as containerized plant material and lawn and garden tools and supplies”*. It appears that their

stated proposed uses for the property are consistent with the definition of landscaping materials supply. (Attachment C)

When evaluating proposed uses for a special use permit, in addition to analyzing the potential adverse impacts of the use, staff utilizes two (2) general guidelines for evaluation as set forth in the zoning ordinance.

First, the proposed use should not tend to change the character and established pattern of the area or community.

The subject property is located within the Zion Crossroads Community Planning Area, within close proximity of existing commercial and industrial zoning and uses. The nearest residence is approximately 300 feet away, and the site has a good amount of existing vegetation that may be retained as a buffer to screen on-site materials from adjacent parcels. The landscaping supply business would operate on several acres, and make use of an existing building that was formerly used as a dwelling. It does not appear that the landscaping supply business as proposed would change the character and established pattern of the area, and may visually improve the area due to the improvements that will be made to the existing building.

Second, the proposed use should be compatible with the uses permitted by-right in that zoning district and shall not adversely affect the use/or value of neighboring property.

Landscaping materials supply businesses are allowed by SUP in the A-1 district. By-right uses that are similar, in operation or size of structures, to this application may include home occupations, equestrian facilities, farm sales, non-commercial greenhouses, and accessory dwellings. The zoning ordinance allows for one accessory dwelling unit per subject property, similar to locating the garage behind the primary dwelling. In general, small home industries differ from home occupations in that non-family employees can be hired and the business may take up more than 25% of the gross floor area of the dwelling.

Sec. 22-1-2 of the zoning ordinance states that the purpose of the zoning ordinance is “to protect against over-crowding of land”. Furthermore, the zoning ordinance states its purpose is to “facilitate the creation of a convenient, attractive and harmonious community” requiring the upkeep of the property, free from debris. The site will be improved by updating the existing house, and making improvements to the access from Route 15. Additionally, the zoning ordinance states its purpose as “encouraging economic development activities”. The applicants may provide a service to the community by employing several people, and by providing their clients with landscaping materials they would have to drive a further distance to acquire.

Neighborhood Meeting:

There was one (1) attendee with the exception of the applicant at the February 13, 2013 Neighborhood meeting.

Technical Review Committee:

At the February 14, 2013 Technical Review Committee meeting, The Fire Department recommended smoke detectors, and a defensible space around the bulk storage areas so that emergency vehicles can adequately access the site if necessary;

The Health Department recommends that an AOSE evaluate the existing system based on the number of employees and hours of operation, and that a 100% reserve area must be identified. This report must be submitted to the Fluvanna County Health Department for review and approval; also an evaluation of the water supply must also be conducted;

Mr. Goodale with the Virginia Department of Transportation stated that the entrance to this site must abide by VDOT access management standards;

Mr. Barry Bibb, Planning Commission representative, questioned whether or not the plant inventory would be three (3) gallon and above, and whether or not mulch will be in bulk or in bags. Mr. Bibb also asked about rock and landscaping stone, and if the applicants has already begun to make site improvements. (Attachment D)

Planning Commission:

The Planning Commission discussed this SUP request at their March 27, 2013 meeting. Mr. Greg Palmer addressed the Planning Commission with regard to his request for a landscaping materials supply business to be located at this property. The subject property owner, Mr. Robert S. Glass, Jr., also addressed the Commission in favor of the proposed landscaping supply business.

The Planning Commission discussed the proposed landscaping business and the condition of the existing on-site building and how it is being improved. The Commission also discussed the building's interior well, and the applicant responded that it would be capped off. The Commission discussed the businesses plant inventory, and that the business does not have to limit their inventory to three (3) gallon plants.

Conclusion:

The Board of Supervisors may want to consider any potential adverse impacts, such as traffic entering and exiting the property, noise, dust, vibration, or visual clutter.

Recommended Conditions:

If approved, Staff recommends the following conditions:

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.
2. The site must meet all Virginia Department of Transportation requirements.
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 the road and adjacent properties is acceptable to County officials.
5. Hours of operation shall be between 7:00 am and 7:00 pm seven (7) days a week.
6. Deliveries times shall be limited to the hours of 7:00 am to 3:00 pm.
7. The Board of Supervisors, or its representative, reserves the right to inspect the business for compliance with these conditions at any time.
8. 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.
9. All outdoor landscaping supply materials storage areas shall be screened from the view of public roads, rights-of-way, and adjacent properties as required by Sec. 22-24-7 3. iii of the Zoning Ordinance.
10. 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.

Suggested Motion:

I move that the Board of Supervisors [**approve/deny**] SUP 13:01, with respect to 4.48 acres of Tax Map 5, Section A, Parcel 61, [if approved] subject to the conditions listed in the staff report.

Attachments:

A – Application, letter from the owner, sketch plan, and APO letter

B – Aerial Vicinity Map

C – Applicant’s narrative

D - TRC comment letter, memo from the Health Dept., Letter from Mr. Popowicz, and emails from VDOT

Copy: File

JAN 31 2013

Fluvanna County



COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA

Application for Special Use Permit (SUP)

Owner of Record: Robert and Ivy Glass

Applicant of Record: Amy Williams and Greg Palmer

E911 Address: 10144 Three Notched Road, Troy

E911 Address: 1206 South Keswick Drive

Phone: 434.760.3375 Fax: _____

Phone: 434.260.1585 Fax: 434.293.5118

Email: _____

Email: viriniagarden@gmail.com

Representative: Same as applicant

Note: If applicant is anyone other than the owner of record, written authorization by the owner designating the applicant as the authorized agent for all matters concerning the request shall be filed with this application.

E911 Address: For property 21682 James Madison Hwy

Phone: _____ Fax: _____

Is property in Agricultural Forestal District? No Yes

Email: _____

If Yes, what district: _____

Tax Map and Parcel(s): 5 A 61

Deed Book Reference: DB 89-307

Acreage: 4.48 Zoning: A-1

Deed Restrictions? No Yes (Attach copy)

Request for a SUP in order to: Operate landscape business

Proposed use of Property: Landscape Materials Supply

*Two copies of a plan must be submitted, showing size and location of the lot, dimensions and location of the proposed building, structure or proposed use, and the dimensions and location of the existing structures on the lot.

By signing this application, the undersigned owner/applicant authorizes entry onto the property by County Employees, the Planning Commission, and the board of Supervisors during the normal discharge of their duties in regard to this request and acknowledges that county employees will make regular inspections of the site.

Date: 1/31/2013 Signature of Owner/Applicant: Amy Williams

Subscribed and sworn to before me this 31st day of January, 2013 Register # 7509714

My commission expires: March 31, 2015 Notary Public: Lawrence M. Ryall

Certification: Date: _____ Zoning Administrator: _____

All plats must be folded prior to submission to the Planning Department for review. Rolled plats will not be accepted.

OFFICE USE ONLY	
Date Received: <u>1/31/13</u>	Pre-Application Meeting: _____ PH Sign Deposit Received: <u>CK# 3033</u> Application #: SUP <u>13:001</u>
(\$800.00) fee plus mailing costs paid: <u>CK# 3033</u>	Mailing Costs: \$20.00 Adjacent Property Owner(APO) after 1st 15, Certified Mail
Amendment of Condition: \$400.00 fee plus mailing costs paid: _____	
Telecommunications Tower \$1,500.00 fee plus mailing costs paid: _____	\$5,500 w/Consultant Review paid: _____
Election District: _____	Planning Area: _____
Public Hearings	
Planning Commission	Board of Supervisors
Advertisement Dates: <u>March 14th + 21st</u>	Advertisement Dates: <u>April 4th + 11th</u>
APO Notification: <u>March 13, 2013</u>	APO Notification: <u>April 3, 2013</u>
Date of Hearing: <u>March 27, 2013</u>	Date of Hearing: <u>April 17, 2013</u>
Decision: _____	Decision: _____



Received

JAN 31 2013

Fluvanna County

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COUNTY OF FLUVANNA

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APO Notification: <u>March 13, 2013</u>	APO Notification: <u>April 3, 2013</u>
Date of Hearing: <u>March 27, 2013</u>	Date of Hearing: <u>April 17, 2013</u>
Decision: _____	Decision: _____

Fluvanna County Department of Planning & Community Development * Box 540 * Palmyra, VA 22963 * (434)591-1910 * Fax (434)591-1911

This form is available on the Fluvanna County website: www.fluvannacounty.org

Describe briefly the **improvements** proposed. State whether new buildings are to be constructed, existing buildings are to be used, or additions made to existing buildings.

Existing cinder block house to be used as an office and sales room for landscape and garden related wares.

NECESSITY OF USE: Describe the reason for the requested change.

We request a change to allow operation of a landscape design, build and maintenance firm, with associated retail operation. The retail operation will include the sale of bulk materials such as top soil, mulch and building stone as well as containerized plant material and lawn and garden tools and supplies.

PROTECTION OF ADJOINING PROPERTY: Describe the effects of the proposed use on adjacent property and the surrounding neighborhood. What protection will be offered adjoining property owners?

A privacy fence currently stands between the site and the neighboring properties to the north. To the east and south, a buffer of native woodland separates the site from the nearest neighbors. The property immediately to the south is undeveloped. We will utilize appropriate signage and a wide entrance to draw customers directly on site and minimize any traffic interference to neighboring properties.

ENHANCEMENT OF COUNTY: Why does the applicant believe that this requested change would be advantageous to the County of Fluvanna? (Please substantiate with facts.)

The issuance of this permit would shift a property from a low tax revenue source to a higher revenue source by converting an essentially abandoned, dilapidated property into a well-maintained business with an already established customer base. It will also help to beautify the entrance corridor of 15 South through the aesthetic improvements we are making to the property.

PLAN: Furnish plot plan showing boundaries and dimensions of property, width of abutting right-of-ways, location and size of buildings on the site, roadways, walks, off-street parking and loading space, landscaping, etc. Architect's sketches showing elevations of proposed buildings and complete plans are desirable and may be required with the application. Remarks:

Please see attached schematics. You will note that all use of the site is reserved to the open land that fronts directly onto Route 15. The native woodland remains untouched. There will be essentially no change to the site, save for improvements to the existing house and the addition of a parking area.



Received
JAN 31 2013
Fluvanna County

COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA
Public Hearing Sign Deposit

Name: Amy Williams

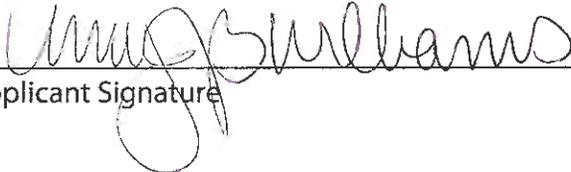
Address: 1206 South Keswick Drive

City: Troy

State: VA

Zip Code: 22974

I hereby certify that the sign issued to me is my responsibility while in my possession. Incidents which cause damage, theft, or destruction of these signs will cause a partial or full forfeiture of this deposit.


Applicant Signature

1/30/2013

Date

*Number of signs depends on number of roadways property adjoins.

OFFICE USE ONLY

Application #: BZA _____ : _____ CPA _____ : _____ SUP 13 : 00 | ZMP _____ : _____ ZTA _____ : _____

\$90 deposit paid per sign*: CK # 3033

Approximate date to be returned: May 2013

Received

JAN 31 2013

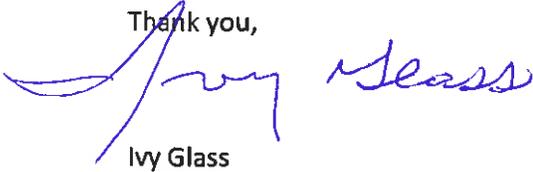
Fluvanna County

January 28, 2013

Dear Sirs and Madam of the Fluvanna County Planning Commission,

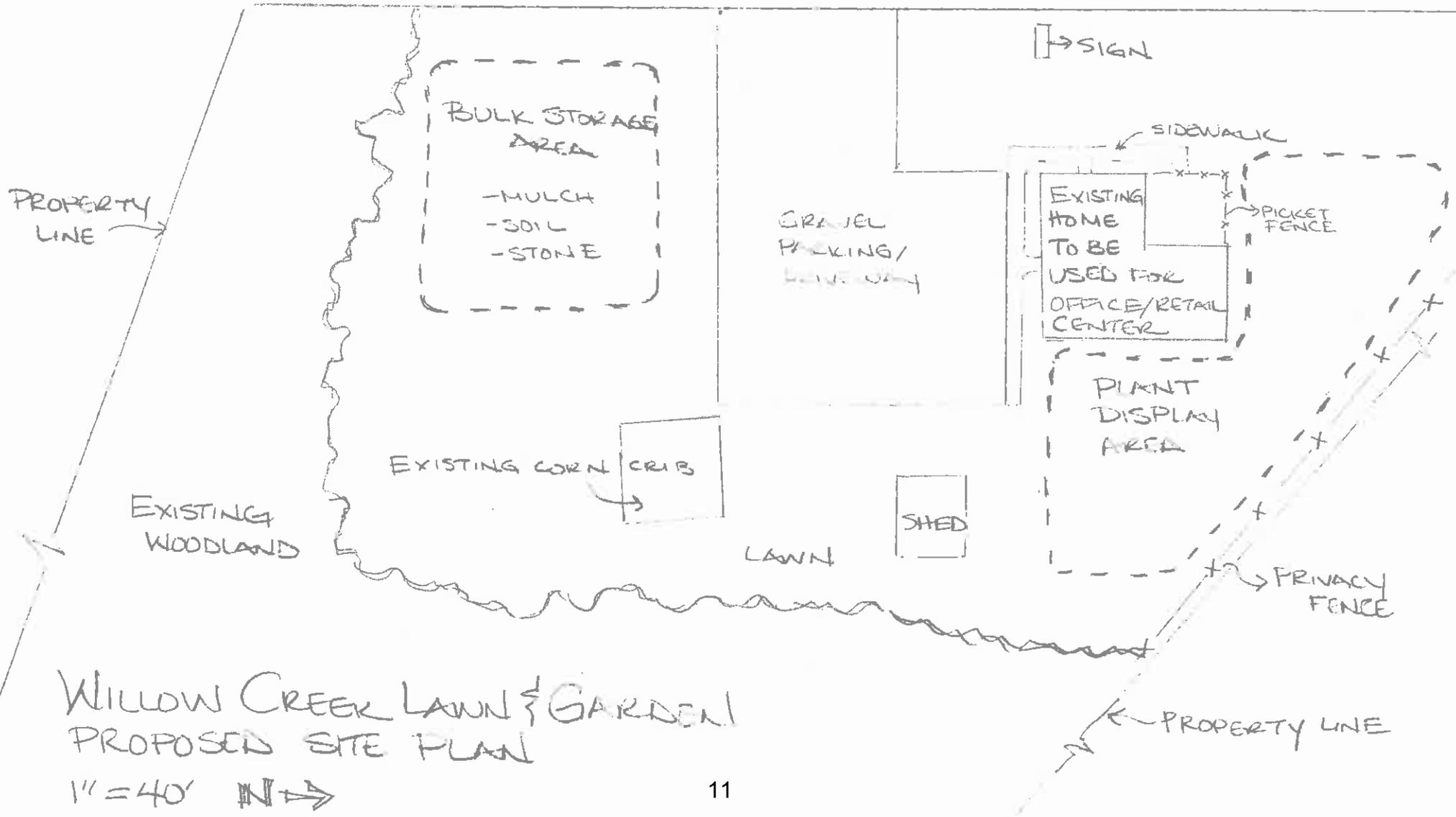
I hereby grant Amy Williams and Greg Palmer permission to act on my behalf for all matters related to the request for a Special Use Permit for the property located at 21682 James Madison Highway.

Thank you,

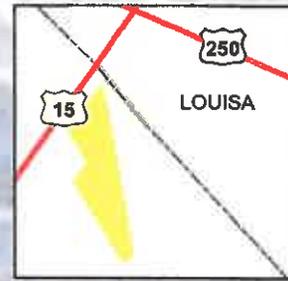
A handwritten signature in blue ink, appearing to read "Ivy Glass". The signature is fluid and cursive, with a large initial "I" and "G".

Ivy Glass

JAMES MADISON HIGHWAY
(RT 15)



JAMES MADISON HIGHWAY
(Rt.15)



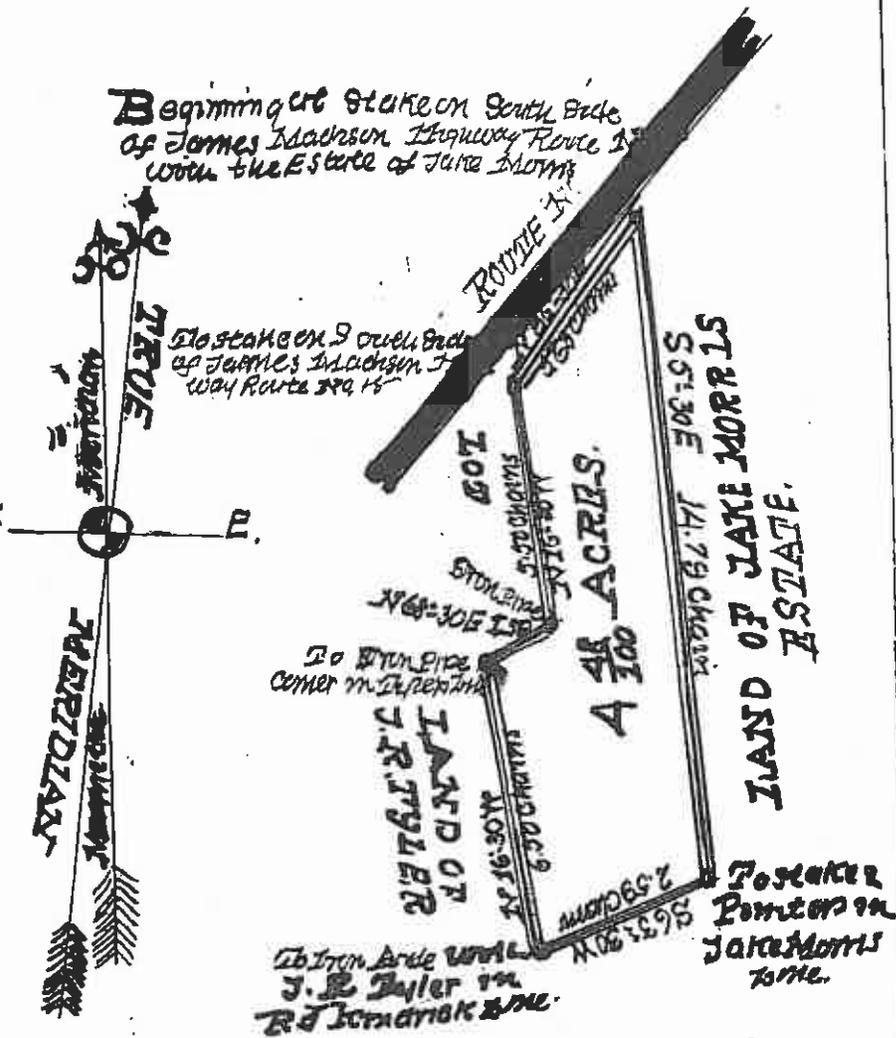
GLASS, ROBERT S.
TM: 5 A 61

I&J HOMEBUILDERS
TM: 5 11 5B



**PLAT OF LAND OF R. M. MORRIS ESQ.
FLUVANNA COUNTY VIRGINIA.
CONTAINING $4\frac{48}{100}$ ACRES**

Declination of the Compass Needle = $5^{\circ}45'$ West of True North



The above Plat represents the form of Four and forty eight-one hundredths ($4\frac{48}{100}$) Acres of Land situated in the County of Fluvanna and State of Virginia lying on the S.E. Side of The James Madison State Highway Route No. 25 near Iron Cross Roads belonging to R. M. Morris Esquire according to a Survey thereof made on the 25th day of February 1903. Scale: 1" = 3.00 chains. Declination of the Compass Needle = $5^{\circ}45'$ West
By JOHN B. TRICE. S. L. C.



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

P.O. Box 540 Palmyra, VA 22963 (434) 591-1910 FAX (434) 591-1911 www.fluvannacounty.org

NOTICE OF PUBLIC HEARING

April 3, 2013

«Title» «First_Name» «Last_Name»
«Company_Name»
«Address_Line_1»
«City», «State» «ZIP_Code»
TMP# «TMP_»

Re: Public Hearing on SUP 13:01

Dear «Title» «Last_Name»«Company_Name»:

This letter is to notify you that the Fluvanna County Board of Supervisors will hold a public hearing on the above referenced items on **Wednesday, April 17, 2013** at **7:00 PM** in the Circuit Court Room at the Fluvanna County Courts Building in Palmyra, VA. The requests are described as follows:

SUP 13:01 – Amy Williams and Greg Palmer - *A request for a special use permit to operate a landscaping materials supply business with respect to 4.48 acres of Tax Map 5, Section A, Parcel 61. The property is currently zoned A-1 (Agricultural, General) and is located on the eastern side of State Route 15 (James Madison Highway) approximately 500 feet south of its intersection with State Route 250 (Richmond Road). The property is located within the Columbia Election District. According to the 2009 Comprehensive Plan, the property is within the Zion Crossroads Community Planning Area.*

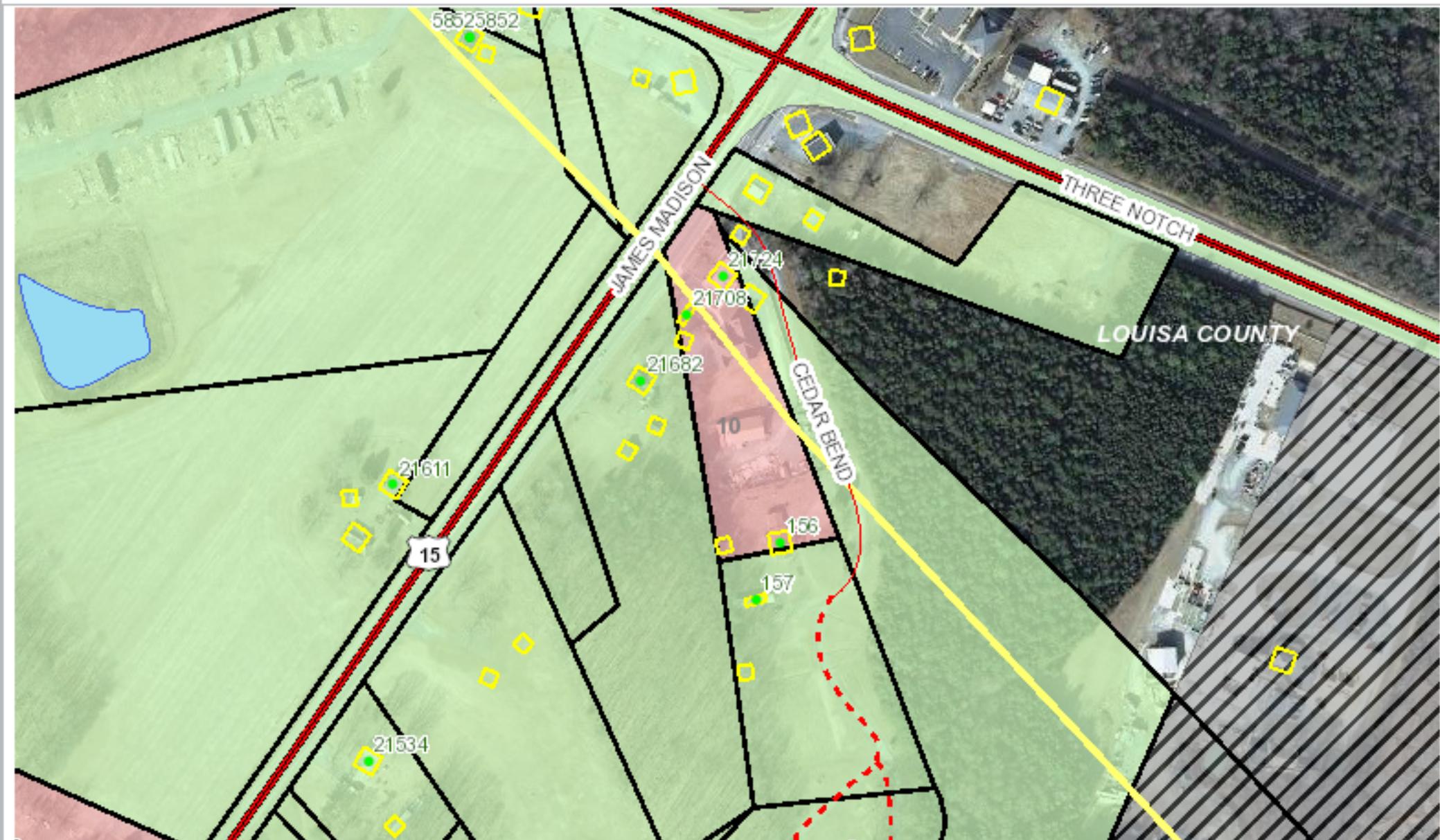
The applicant or applicant's representative must be present at the Board of Supervisors meeting. The tentative agenda and staff report will also be available for review by the public in the Fluvanna County Planning and Community Development Department during working hours (8:00 a.m. – 5:00 p.m., Monday through Friday). If you have any questions, please feel free to contact me by phone at (434) 591-1910 or by email at stugwell@fluvannacounty.org.

Sincerely,

Steve Tugwell
Senior Planner

SUP 13-01 Adjacent Property Owners

TMP#	Owner	Address	City, State	Zip Code
5 A 57B	BLACKBURN, KENNETH E., JR. & NANCY	153 CEDAR BEND DR	TROY, VA	22974
5 A 53	GLASS, MARGIE I. TRUST	21611 JAMES MADISON HWY	TROY, VA	22974
5 2 L1	GLASS, ROBERT S.	10144 THREE NOTCHED RD	TROY, VA	22974
5 A 51	GLASS, ROBERT S.	10144 THREE NOTCHED RD	TROY, VA	22974
5 A 52	GLASS, ROBERT S.	5852 RICHMOND RD STE 2	TROY, VA	22974
5 A 61	GLASS, ROBERT S.	21682 JAMES MADISON HWY	TROY, VA	22974
5 11 5B	I & J HOME BUILDERS, LLC	156 CEDAR BEND DR	TROY, VA	22974
5 11 5C	JOHNSON, J.C. & ORA JANE	157 CEDAR BEND DR	TROY, VA	22974
5 A 57A	KENDRICK, ROBERT JOE, SR. & SHIRLEY	21452 JAMES MADISON HWY	TROY, VA	22974
5 A 60	KRAMER, LOUIS A. & NORMA C.	P.O. BOX 6653	CHARLOTTESVILLE, VA	22906
APPLICANT	PALMER, GREG & WILLIAMS, AMY	1206 SOUTH KESWICK DR	TROY, VA	22974
5 A 59	THOMAS, KENNETH	1018 FOX HOLLOW LN	PALMYRA, VA	22963



Scale: 1:4513.988705

Date: 03/18/2013

Printed By:

Under Virginia State Law, these real estate assessment records are public information. Display of this property information on the internet is specifically authorized by the Code of Virginia §58.1-3122.2(as amended).



SPECIAL USE PERMIT APPLICATION

**21682 James Madison Highway
At Zion Crossroads**

**Submitted by:
Greg Palmer
Amy Williams**



Business description:

Willow Creek Lawn and Garden will provide a full range of landscape services from design to installation. A retail operation is essential to our offerings. It will provide opportunity for us to share horticultural knowledge, quality plant material and landscape sundries to our customers.

Our retail facility will serve as a showcase for our landscape offerings. We will pride ourselves on a knowledgeable, friendly staff, unique plant offerings and affordable and quality landscape services.

We will operate only during daylight hours.



*Willow Creek
Lawn & Garden*

Lawn maintenance & restoration
Landscape design, installation & maintenance

Examples of offerings:





*Willow Creek
Lawn & Garden*

Lawn maintenance & restoration
Landscape design, installation &
maintenance

Examples of offerings:





Facility Description:

The exterior of the property will house bulk offerings of mulch, top soil and building stone as well as landscape material.

Inside, customers will find landscape related wares such as fertilizer, pest control, containers and tools.

The building will be white with a red metal roof, maintaining a traditional, cottage appearance.



Why Willow Creek Lawn & Garden is a value:

Willow Creek Lawn & Garden will be a value to the Fluvanna County community. The property will be an attractive “welcome” to visitors entering the county on 15 South. We intend to offer plants adapted to our area, so that they will perform well with minimal supplemental watering and chemical inputs. Our facility will be operated following best management practices as they relate to water quality and the environment and will educate our customers in these practices so they may implement them at home. Finally, a thriving business in place of the currently unoccupied and dilapidated home will provide tax revenue to the county.



*Willow Creek
Lawn & Garden*

Lawn maintenance & restoration
Landscape design, installation &
maintenance

Exiting Conditions:





SPECIAL USE PERMIT APPLICATION

**21682 James Madison Highway
At Zion Crossroads**

**Submitted by:
Greg Palmer
Amy Williams**



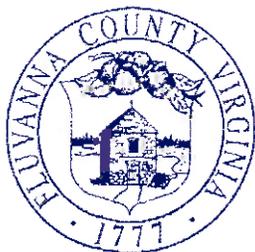
Owners:

Greg Palmer, 434. 531.0730

Greg has successfully operated Willow Creek Lawn Service since 1998. He has a solid customer base and a reputation for doing quality work at a fair price.

Amy Williams, 434.260.1585, viriniagarden@gmail.com

Amy has a bachelor's degree in landscape design and horticulture and a master's degree in horticulture and natural resources and has worked in the horticulture and landscape industry in some capacity, also since 1998. For the last 12 years she has co-hosted a PBS television produced gardening show, and this season takes over as the host.



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

P.O. Box 540 Palmyra, VA 22963 (434) 591-1910 FAX (434) 591-1911 www.co.fluvanna.va.us

February 14, 2013

Amy Williams and Greg Palmer
1206 South Keswick Drive
Keswick, VA 22974

Delivered via mail

RE: Technical Review Committee (TRC) Comments - SUP 13:01 (Landscape material supply)

Dear Applicants:

The following comments are the result of the Technical Review Committee meeting. Comments are outlined below:

1. The Health Department recommends that an AOSE evaluate the existing system based on the number of employees and hours of operation, and that a 100% reserve area must be identified. This report must be submitted to the Fluvanna County Health Department for review and approval; also an evaluation of the water supply must also be conducted.
2. Mr. Goodale with the Virginia Department of Transportation stated that the entrance to this site must abide by VDOT access management standards; that spacing requirements of 1,050 feet from the proposed access to the centerline of Route 250 must be met. Mr. Goodale stated that since this site was "landlocked", a letter of exemption may be applied for at the Zion Crossroads office. Mr. Goodale said that if the exemption was approved, then the site will have to be upgraded to a commercial entrance, with one (1) way in, and one (1) way out, and likely consist of a drainage culvert. Additionally, Mr. Goodale stated that a 200 foot taper would be required, but that a waiver may be requested to reduce the 200 foot requirement down to the available road frontage that exist on-site. Mr. Goodale recommended that a licensed PE (professional engineer) design the entrance and taper, and that a bond will most likely be required for the work. Mr. Goodale also stated to be aware not to obstruct sight-distance requirements on the site if, and when materials started to be stockpiled, and that VDOT may have to request a traffic analysis study for that area.
3. Mr. Barry Bibb, Planning Commission representative, questioned whether or not the plant inventory would be three (3) gallon and above, and whether or not mulch will be in bulk or in bags. Mr. Bibb also asked about rock and landscaping stone, and if the applicants has already begun to make site improvements.

4. The Fire Dept. recommended smoke detectors, and a defensible space around the bulk storage areas so that emergency vehicles can adequately access the site if necessary.

Please provide a minimum of 3 copies of any revised plans or sketches based on these comments, or any other materials or documentation that is to be included in the Planning Commission packet by **Friday, February 22, 2013**. Submitting revisions by this deadline will place your request on the **March 27, 2013** Planning Commission agenda.

If you have any questions or need additional information, please contact me at 434-591-1910.

Sincerely,



Steve Tugwell
Senior Planner
Dept. of Planning & Community Development

CC: Robert and Ivy Glass, 10144 Three Notched Road, Troy, VA 22974
File

MEMO

To: Fluvanna County Planning Dept.

**From: G. Stephen Rice, EH Supervisor
Fluvanna County Health Dept.**

Date: February 14, 2013

**RE: SUP 13:01 Amy Williams and Greg Palmer
Request for a special use permit to operate a landscaping materials supply
Business / TM 5 Parcel 61**

There are two permits attached that may possibly be for this property. Either one could be the permit for this site.

The Health Department recommends that an AOSE evaluate the existing system based on the number of employees and hours of operation. A 100% reserve area must be identified. This report must be submitted to the Fluvanna County Health Department for review and approval.

An evaluation of the water supply must also be conducted.

RECORD OF INSPECTION—INDIVIDUAL SEWAGE DISPOSAL SYSTEM

Case No. _____

NEW INSTALLATION

REPAIRS TO OLD INSTALLATION Sancti Fluvanna
County or Municipality

Date 9-17-58

OWNER R. S. Glass ADDRESS _____ PHONE _____

OCCUPANT OR OTHER Same ADDRESS _____ PHONE _____

CONTRACTOR L. J. Richardson ADDRESS Plento Store PHONE _____

EXACT LOCATION Zinn X Road
Subdivision-section-lot no. _____ St. or Road name or number _____ Other description _____

Single Dwelling Unit Multiple Dwelling Unit, Number of Bedrooms (actual or potential) _____

LOT SIZE: Width _____ ft. Depth _____ ft.

WATER SUPPLY. Public System Community System Individual system on site

SEWAGE DISPOSAL: Septic Tank System Other _____ describe _____

DESIGNED FOR: Only ordinary household wastes—Yes No ; Automatic Laundry Machine—Yes No ; Garbage disposal device—Yes No

DESIGN OF SYSTEM: House Sewer Pipe—Size 4 Type _____
Tank capacity 200 Gallons; Tank dimensions: Length 7 ft. Width 3 1/2 ft. Depth 5 ft.
Subsurface drainage; Number of ditches 3; Total drainage 400 Sq. ft.

INSPECTION FINDINGS:

- (1) LOCATION: Lot size adequate Yes No. Entire system accepted distance from water supply Yes No. Properly located relative to property lines, buildings, etc. Yes No.
- (2) SOIL CONDITION: Naturally drained and suitable by sight Yes No. Sufficient surface drainage ditches provided Yes No. Percolation tests made Yes No. Acceptable results Yes No.
- (3) SEPTIC TANK: Installed according to permit design Yes No. Approved construction for water tightness Yes No. Inside fixtures comply with requirements Yes No. Storm drains from house and basements flowing into or on tank Yes No. Trees, etc. within 10 feet of tank Yes No.
- (4) DISTRIBUTION BOX: Watertight and equal surcharge by Water Test Yes No. Inlets and outlets caulked tightly Yes No. Adequate number of extra outlets Yes No. Separate tight lines connected to outlets and leading into subsurface ditches. Yes No. Surcharge lines graded to 1" or more to 10 feet length. Yes No.

- (5a) DRAINAGE FIELD: Total length of ditches 270 feet. All ditches of equal length Yes No. Width 2 ft. Depth _____ ft. Properly located Yes No. Bottom of ditches of proper grade Yes No. Ditches laid—6 foot centers Yes No.
- (5b) DRAINAGE FIELD (Materials, etc.): Open joints protected on top with approved strips Yes No. Approved filter material Yes No. Depth of filter material under tile _____ in. Filter material packed around and encasing the entire tile Yes No.
- (5c) DRAINAGE FIELD (Grading): Storm drains from house and basement flowing away from drainage field Yes No. Ditches properly back filled and area graded Yes No.
- (6) DO THE ABOVE DEFECTS IN CONSTRUCTION WARRANT REJECTION? Yes No.
- (7) IS A FOLLOW-UP REINSPECTION NECESSARY? Yes No.

REMARKS: _____

Based on the above information, this is to certify that this system (has) (has not) been located and installed according to Local County State Requirements. This system requires proper use and adequate maintenance.

Date 9-17-58 Signed R. J. [Signature] (Inspector)

Signed [Signature] (Title)
Signed [Signature] (Reviewing Official)
Acting Medical Director (Title)

With proper maintenance and avoidance of overloading, this system can be expected to function satisfactorily if no physical damage occurs to any part of the system and favorable soil conditions continue.

Follow-ups: Date _____

New Installation
 Repairs

Date 9-15-58

PERMIT TO INSTALL OR REPAIR WATER SUPPLY AND/OR SEWAGE DISPOSAL SYSTEM

Owner R S L L L S Address ~~SOUTHWEST~~ Phone _____
(Must be filled in) (Mailing Address)

Occupant same Address _____ Phone _____
(Mailing Address)

Contractor L. I. RICHARDSON Address 15 TORRE Phone _____
(Mailing Address)

Location of Premises ZION X ROAD RT 15
(Subdivision, Street or Road Name or Number, Section, Lot No.)

Directions _____

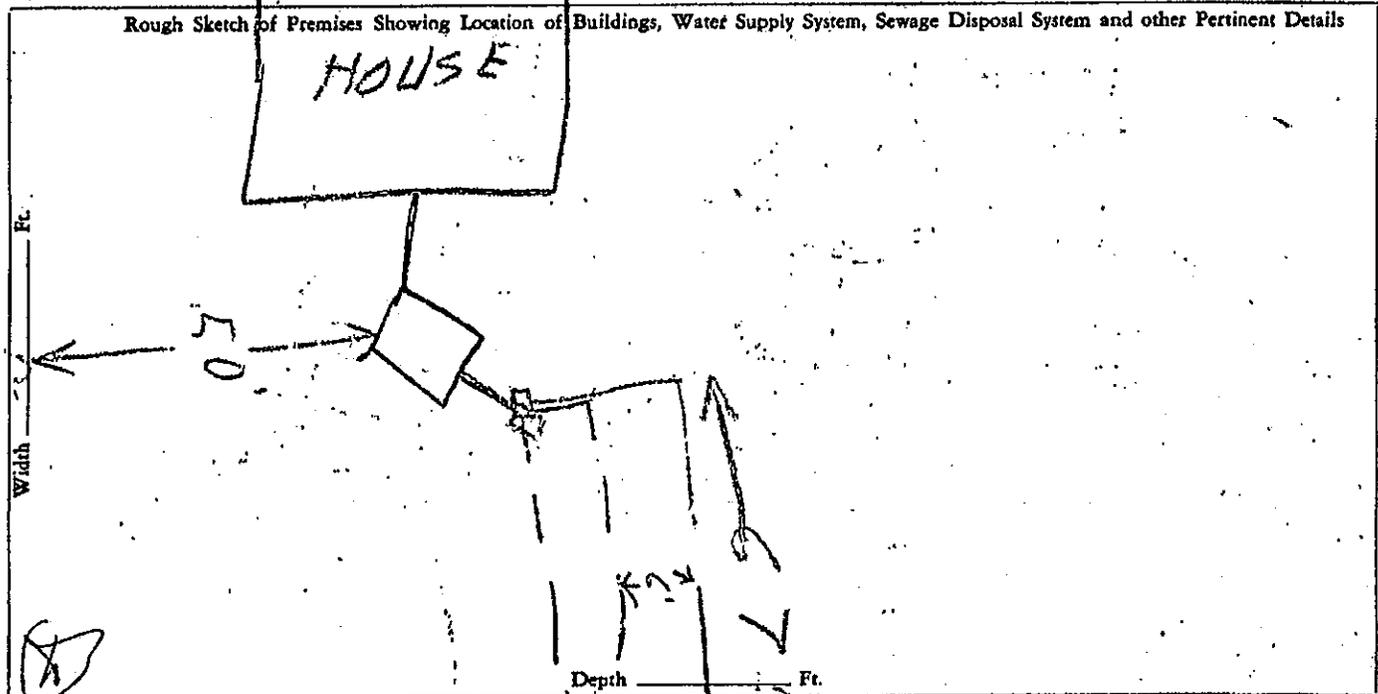
OWNER DESIRES TO: Install Repair Water Supply System Septic Tank
 Sewage Disposal System Other _____ (Explain)

LOT SIZE: Width _____ Ft. Depth _____ Ft.
FOR: Single Unit Dwelling Multiple Unit Dwelling
SEPTIC TANK SYSTEM: Ordinary Household Sewage & Wastes In Addition Wastes from Automatic Washing Machine
FOR DISPOSAL OF: Additional Living Quarters _____ (Explain)
Estimated or Actual Water Consumption 200 Gal.
 Garbage Disposal Device Other _____ (Explain)

HEALTH DEPARTMENT: Recommends Rejects Water Supply System Sewage Disposal System
Reasons for Rejection and Recommended Alternatives: _____

DETAILS OF RECOMMENDED SEPTIC TANK SYSTEM

Kind of Material for Tank: Concrete Other _____ (Explain)
Size of Tank: Length 7 Ft. Width 3 1/2 Ft. Depth 5 Ft. Capacity 700 Gallons
Subsurface No. of 3 Exact Length 67 Ft. Width of 2 Ft. Depth of 27 Inches
Drainage Field: Ditches _____ of Each Ditch _____ Ft. Ditches _____ Ft. Ditches _____ Inches
Depth of Filter Material from Base to Cover Tile 12 Inches Depth of Water Table _____ Ft. Surface Drainage _____ Linear Feet Required _____ Ft.
 Percolation Tests Required Holes _____ Results _____
Signed A. J. [Signature] (Sanitarian)



Note: This is a Permit to Construct or Repair Subject to Inspection. (Owner or his Agent) must Notify Health Department when Installation is ready for Inspection. If any Septic Tank or Part thereof is covered before being inspected by the Health Department, it shall be uncovered by the owner at the direction of the Health Officer or his Agent.

RECORD OF INSPECTION-SEWAGE DISPOSAL SYSTEM

T.M.# 5

Date 10/24/72 Case No. _____

Owner Stuart Glass Address Tracy, Va Phone _____
(Mailing Address)

Occupant Rent Address _____ Phone _____
(Mailing Address)

Exact Location of Premises E. side of Rt 15 about 500 yds south of Zion X roads
(Subdivision, Street or Road Name, Section or Lot No.)

WATER SUPPLY INSPECTION

Installed according to Permit Design Yes No. Distance to nearest House Sewer _____ feet. Distance to nearest Sewage Disposal System _____ feet. (Use Form LHS-143 for Detailed inspection of Water Supply Reference Materials.)

SEWAGE DISPOSAL SYSTEM INSPECTION

- (1) LOCATION
 Allotted Area adequate Yes No. Distance from nearest lot lines _____ feet. Trees _____ feet. Water Supplies _____ feet. Buildings _____ feet.
- (2) INSTALLATION AND DESIGN
 Installed according to Permit Design Yes No
 Have additional Household Appliances been added NOT on Permit: Automatic Washer Garbage Disposal Other _____
(Describe)
- (3) SOIL CONDITION
 Are there soil conditions now evident which indicate system may be unsatisfactory as designed: Yes No. If Yes, show adjustments required under "Remarks" below.
- (4) HOUSE SEWER LINE
 Installed Yes No. Type of material CI
 Size 4 Inches.
- (5) SEPTIC TANK
 Constructed of Concrete
(Kind of Material)
 Inside Dimensions Length 7 feet. Width 3 1/2 feet. Liquid Depth 4 feet. Depth of Air Space 2 inches. Inside Fittings comply with requirements Yes No.
- (6) DISTRIBUTION BOX
 Watertight and equal surcharge to each line by Water Test Yes No. Distribution Box provided with _____
(Number)
 extra outlets for future use.
- (7) SUBSURFACE ABSORPTION FIELD
 Total Area in bottom of ditches 600 square feet. Number of ditches 3 Length of ditches 67 feet. Grade of ditches Minimum 2 Inches per 100 feet. Maximum 4 inches per 100 feet. Has system been checked by instruments (Level) Yes No. Type aggregate used Broken stone
 Depth of aggregate under Tile 6 inches. Total depth of aggregate 13 inches. Depth of backfill over aggregate 12 inches.
- (8) SURFACE DRAINAGE
 Storm Drains from House and Basement flowing away from Subsurface Drainage Field: Yes No. Was Surface Drainage required Yes No. If Yes, has this been provided Yes No. Has area been drained by lowering Ground Water Table: Yes No. Not required.
- (9) Are follow-up inspections necessary Yes No.

Septic Tank Contractor: Stuart Glass Address Tracy, Va Phone _____
 This Sewage Disposal System (Is) (Is Not) Approved by Flawan Health Department.
 Date 10/26/72 Signed R. J. Jayson Date _____ Approved _____
(Sanitarian) (Health Director)
 Date _____ Approved _____ Date _____ Approved _____
(Advisory Sanitarian) (Reviewing Authority - Other Agency)

With proper maintenance, approved Sewage Disposal systems may be expected to function satisfactorily, provided no overloading or physical damage occurs to the system. Remarks: _____

PERMIT TO INSTALL REPAIR, REASONS FOR REJECTION
 WATER SUPPLY SEWAGE DISPOSAL SYSTEM

(1) Void after (12) twelve months. (2) Automatically cancelled when site conditions are changed from those shown on permit.
 (3) Automatically cancelled should facts later become known that a potential hazard would be created by continuing installation.

FHA/VA Yes No Date 9-11-73 Case No. _____

Owner Stuart Glass Address Jerry, Va. Phone 589-8810
 (Mailing Address)

Occupant Rent Address _____ Phone _____
 (Mailing Address)

Exact Location of premises E side of Rt 15 about 500 yds from 2nd road South
 (Subdivision, Street or Road Name, Section or Lot No)

FOR: Dwelling Other _____ Automatic Washing Machine Yes No Consumption _____ gal. per day
 Actual Potential Bedrooms 2 Garbage Disposal Unit Yes No (Actual estimated Water)
 Additional wastes _____

(1) WATER SUPPLY (Existing) Class _____ Approved Yes No Other _____
 (To be installed) Class _____ Cased _____ ft. to be grouted _____ ft.
 (Unless supported by positive evidence Class III is to be considered as to be installed.)

(2) SOIL STUDY Naturally drained, suitable by sight Yes No Technical Classification _____ (If Known)
 Estimated Percolation Rate 1-10 11-25 26-50 > 51 Percolation Test Required Yes No Rate _____
 (Minutes per inch) _____ (Minutes per inch to nearest: 10 minutes)
 Depth to Grey Mottles > 4' inches (estimate over 4 ft.) OTHER _____
 Surface drainage required Yes No OTHER DRAINAGE _____

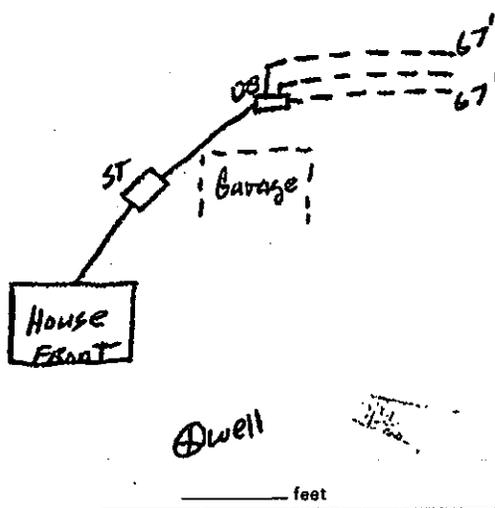
(3) HOUSE SEWER LINE Size 4 inches. Type of material required plastic Distance from Water Supply 35 feet.

(4) DETAILS OF CONSTRUCTION Watertight Septic Tank of concrete Material Liquid Capacity 750 gallons.
 Inside Dimensions Length 7 feet. Width 3 1/2 feet. Liquid Depth 4 feet. Depth of Air Space 1 feet.

SUBSURFACE ABSORPTION FIELD Number of square feet required 600 Type aggregate required broken stone
 (5) Depth of aggregate from base of tile to bottom of ditches 6 inches. Allowable fall 2 to 4 inches.
 Total aggregate minimum depth 13 inches or more. Depth of drainfield to be 24 inches from surface of original ground.
 Distance from well to septic tank 50 feet; distance from well to drainfield 100 feet.

Rough Sketch of Premises (including adjacent properties if pertinent, Showing Location of Lot Line, Buildings, Water Supplies, Sewage Disposal Systems, Trees, and Other Possible Sources of Contamination of Water Supplies, by Indicating Distances and Slope with regard to one another.

3-67' ditches
 3' wide
 2' deep
 9' centers



Signature _____
 Representative Owner

Note: Owner or his agent must notify Fluvanna Health Department, Phone 589-8021 when installation is ready for inspection. If any Sewage Disposal System, or part thereof, is covered before being inspected by the Health Department, it shall be uncovered at the direction of the Health Director or his agent. CONDITIONS DISCOVERED DURING INSTALLATION MAY REQUIRE ADJUSTMENTS OF SYSTEM DESIGN. Changes from above specifications require Health Department approval before being made.

Based on the above information, the undersigned recommends that this permit be issued.
 Date _____ Approved _____ (Reviewing Authority) Date 9/12/73 Signed R. J. L... (Sanitarian or Health Director)

Steven Tugwell

From: Wood, Mark (VDOT) <James.Wood@VDOT.virginia.gov>
Sent: Monday, March 18, 2013 4:23 PM
To: Steven Tugwell
Cc: Goodale, James E. (VDOT)
Subject: Landscaping Business at 21682 James Madison Highway (TMS 5-A-61), Fluvanna County

Importance: High

Steve,

As a follow up to our discussion this morning, I am providing comments for the subject project:

- Rte. 15 has a functional classification of "Rural Minor Arterial" and carries approximately 7400 vehicles per day as per VDOT's 2011 traffic data. Since the proposed commercial entrance is in close proximity to a signalized intersection (Rtes. 15 & 250), VDOT's Access Management Regulations require a minimum spacing from the center of the proposed commercial entrance to the center of the intersection of Rtes. 15 & 250 of 1,320 ft. for a posted speed of 55 mph and 1,050 ft. of spacing for a 35 to 45 mph posted speed limit. The spacing between the center of the existing private entrance and the center of Rte. 250 is approximately 650 ft. which does not meet the minimum spacing requirement. In order for VDOT to approve a commercial entrance at this location, an Exception for entrance spacing would have to be submitted to VDOT for review and approval.
- The location of the existing private entrance is located within the transition area of the four lane divided section of Rte. 15 where southbound traffic on Rte. 15 is merging from two lanes to one lane. A full access commercial entrance cannot be approved at this location without the construction of a left turn lane to protect southbound vehicles from being rear end collisions while making the left turn movement.
- The shrubs/bushes in the Rte. 15 median to the north of the existing private entrance would have to be removed in order to provide the minimum intersection sight distance.
- Due to the high volume of traffic on Rte. 15, a minimum of a right turn taper would be required for a commercial entrance serving a small landscaping business. Other land uses generating higher traffic would require both a right turn taper and a right turn lane.
- The applicant may submit a sketch plan for a partial access commercial entrance subject to VDOT review and approval.

J. Mark Wood, P.E., L.S.
Area Land Use Engineer
Virginia Department of Transportation
Land Development – South
P.O. Box 1017
11430 James Madison Highway
Troy, VA 22974
Phone: (434) 589-7932
Cell: (540) 223-5240
Fax: (434) 589-3967
Email: Mark.Wood@VDOT.Virginia.gov

From: Robert Popowicz [<mailto:rpopowicz@fluvannacounty.org>]
Sent: Monday, April 01, 2013 1:39 PM
To: Wood, Mark (VDOT)
Cc: ajbw75@gmail.com; Steven Tugwell; regallo23093@verizon.net
Subject: Follow up Letter

Dear Mr. Wood,

Please find the attached letter. I will send the signed hard copy to you.

Thank you for meeting with us today. I look forward to working with you and hope that a resolution can be reached soon.

Sincere Regards,

Bobby Popowicz
Director of Community Development
Fluvanna County
Office (434) 591-1900 x1053
Cell (434) 414-4403



COUNTY OF FLUVANNA

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snichols@co.fluvanna.va.us

Mary L. Weaver
Clerk to the Board
mweaver@co.fluvanna.va.us

April 1, 2013

J. Mark Wood, P.E., L.S.
Virginia Department of Transportation
Land Development – South
11430 James Madison Highway
Troy, VA 22974

Dear Mr. Wood:

Per our onsite conversation involving the **Landscaping Business at 21682 James Madison Highway (TMS 5-A-61), Fluvanna County**, I am writing about the nature of the new business and the mitigating factors that should be considered in evaluation of the entrance.

- 1) The business is a Landscape Design/Build business with a very limited retail component. The retail is mainly for display purposes to existing contractual customers. There is no greenhouse or intention to make the facility a major retail center.
- 2) The location will be used more for office operations and morning staging for off-site work being performed. Inventories will be mainly "just-in-time" for specific contracts.
- 3) The applicant has agreed verbally to limit delivery of goods from 7am to 3pm. This will be added to the requirements for the SUP. Delivery from Box-trucks will be 0 to 2 times per day.
- 4) Most traffic coming to the facility will be going against the main traffic of commuters and during the day when volumes are much lighter in the area.
- 5) The facility during peak season (March to June) should top out at no more than 20 vehicles per day including staff and customers. After peak season, the volumes will only be staff and the occasional customer wanting to approve plans with the Designer.
- 6) The largest vehicle will be the mulch truck (Tractor-Trailer) that will come once a month.

I believe that reconsideration of the left turn lane parameters and taper is needed, given the real nature of the business and the minimal traffic impact the facility will have on the current traffic situation in the area.

Thank you for your help in this matter.

Sincere Regards,

Bobby Popowicz
Director of Community Development, Fluvanna County

Steven Tugwell

From: Wood, Mark (VDOT) <James.Wood@VDOT.virginia.gov>
Sent: Friday, April 05, 2013 3:23 PM
To: Robert Popowicz
Cc: 'ajbw75@gmail.com'; Steven Tugwell; 'regallo23093@verizon.net'; Barron, L. Marshall (VDOT); Goodale, James E. (VDOT)
Subject: RE: Follow up Letter
Attachments: VDOT Letter Zion Crossroads Landscape.doc; Proposed Landscape Business Entrance.pdf; Form AM-2.pdf

Importance: High

Mr. Popowicz,

Thanks for following up our onsite meeting with your email and attached letter dated April 1, 2013 which includes mitigating factors for VDOT to consider in the review and approval process of the proposed commercial entrance on Rte. 15 at 21682 James Madison Highway (TMS 5-A-61) in Fluvanna County. Based on the mitigating factors that you outlined in your April 1, 2013 letter as well as VDOT's evaluation of the proposed entrance location, VDOT will approve a commercial entrance to serve the proposed landscaping business at the location of the existing private entrance. See attached .pdf showing a 30 ft. wide commercial entrance with 40 ft. radii that will fit within the footprint of the existing "U" shaped private driveway. A left turn lane will be required within the existing painted gore area between the Rte. 15 north and south bound lanes.

The applicant will need to submit the following to my office for review and approval:

- A pavement striping plan to create a 100 ft. left turn taper and an approximately 60 ft. long left turn lane in the existing painted gore area on Rte. 15 (see attached .pdf).
- Complete and submit an Access Management Exception Request: AM-2, Minor Arterial, Collector & Local Street Regulations 24 VAC 30-73 Section 120 (see attached .pdf of Form AM-2) for an "Exception to the Spacing Standards". To assist you in completing the form I am providing the following: Posted Speed Limit is 45 mph, this segment of Rte. 15 has a functional classification of "Minor Arterial", For spacing from a signalized intersection the Required Spacing is 1,050 ft., Proposed Spacing is 650 ft., and the Reduction in Spacing is 400 ft.
- Remove the shrubs from the south end of the Rte. 15 median as they impede intersection sight distance to the north of the proposed commercial entrance location (minimum of 500 ft. required at a posted speed of 45 mph). Seed and mulch disturbed areas.

If you have any questions please feel free to contact me. Thanks.

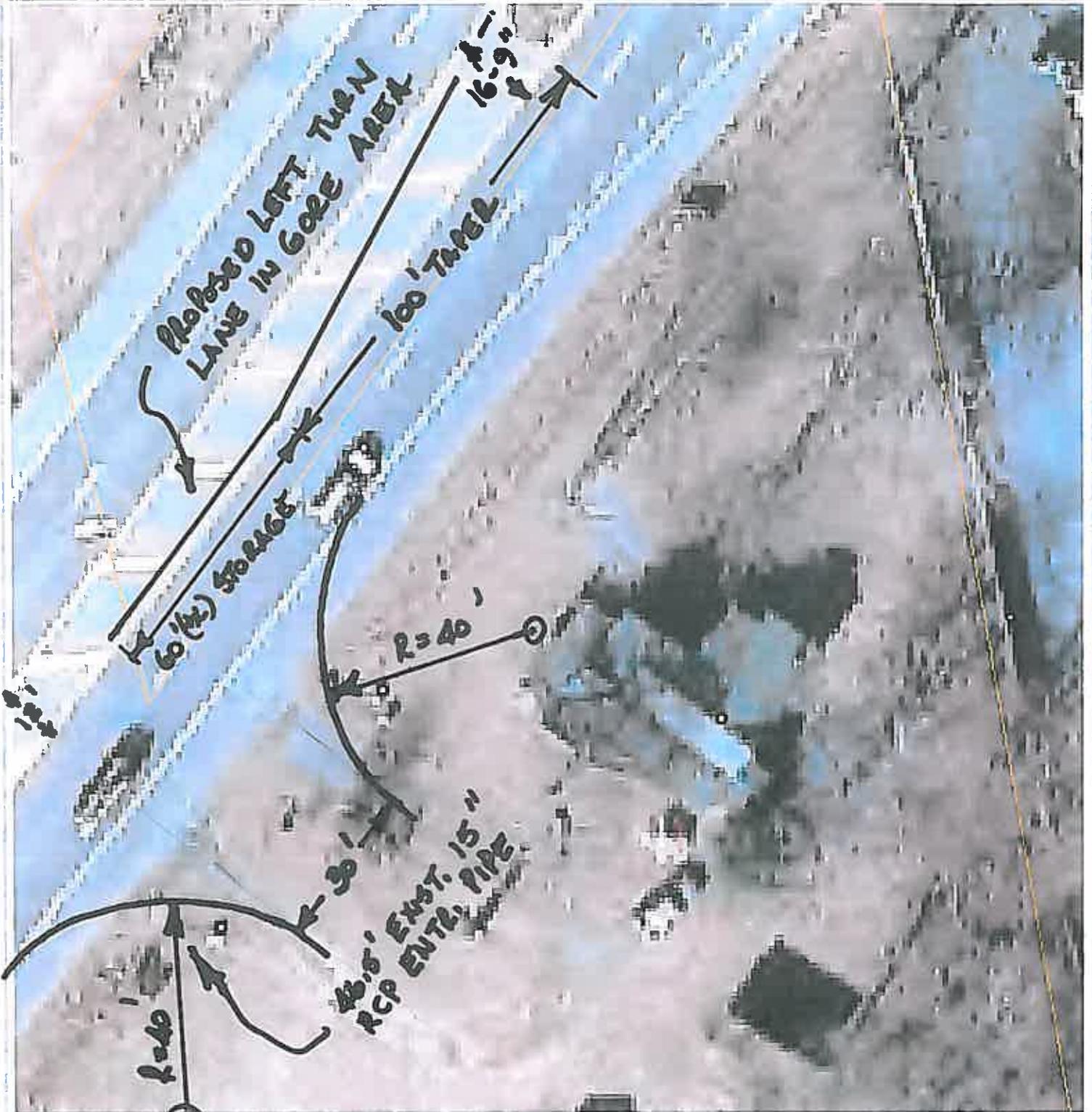
J. Mark Wood, P.E., L.S.
Area Land Use Engineer
Virginia Department of Transportation
Land Development – South
P.O. Box 1017
11430 James Madison Highway
Troy, VA 22974
Phone: (434) 589-7932
Cell: (540) 223-5240
Fax: (434) 589-3967
Email: Mark.Wood@VDOT.Virginia.gov



Rte. 15 South of Zion Xroads

Proposed Landscape Business

OPTION #2



Scale: 1:564

Date: 04/01/2013

Printed By:

Louisa County assumes no liability for any errors, omissions, or inaccuracies in the information provided regardless of the cause of such or for any decision made, action taken, or action not taken by the user in reliance upon any maps or data provided herein. Please consult official County plats and records for official information.

BOARD OF SUPERVISORS AGENDA ITEM

Meeting Date: April 3, 2013

SUBJECT:	Fair Housing Month 2013 Resolution
MOTION(s):	I move to approve the resolution entitled “Fair Housing Month 2013” that supports equal housing opportunity and seeks to affirmatively further fair housing not only during Fair Housing Month in April, but throughout the year.
STAFF CONTACT:	Karen Reifenberger, Deputy Director of Piedmont Housing
RECOMMENDATION:	Approve
TIMING:	Routine
DISCUSSION:	support equal housing opportunity and seeks to affirmatively further fair housing not only during Fair Housing Month in April, but throughout the year
FISCAL IMPLICATIONS:	None
POLICY IMPLICATIONS:	None
LEGISLATIVE HISTORY:	None
ENCLOSURES:	Resolution “Fair Housing Month 2013”



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Beth Golden

**Charlottesville Housing
Foundation**

Francis H. Fife

Thomas Jefferson

Community Workforce

Housing Fund

Advisors

Carol F. Clarke

Francis H. Fife

Jeff Gaffney

Mark Giles

Cheri A. Lewis

Leigh B. Middleditch, Jr.

David J. Toscano

Gordon J. Walker

Memorandum

TO: Fluvanna County Board of Supervisors

FROM: Karen Reifenberger, Deputy Director, Piedmont Housing Alliance

Howard Evergreen, Fluvanna/Louisa Housing Foundation

DATE: March 29, 2013

RE: Fair Housing Month Resolution

April is Fair Housing Month, and this April marks the 45th anniversary of the federal Fair Housing Act. The Fair Housing Act prohibits discrimination in housing based on race, color, national origin, sex, religion, familial status, or disability (and elderliness under Virginia's Fair Housing Law). The Act's purpose includes promoting housing integration and equal opportunity.

A recent Report on Fair Housing Compliance in the Rental Housing Market in the City of Charlottesville and Albemarle County found that housing discrimination based on race, disability, and familial status may limit housing opportunities in our area. Key differences noted were discouragement and inconsistent application procedures for African Americans and families with children, and lack of awareness about rights of people with disabilities to reasonable accommodations and modifications in housing.

Piedmont Housing Alliance's Fair Housing Program works year-round to raise awareness and promote compliance with civil rights laws that protect all of us from housing discrimination and support our shared value of equal opportunity. PHA's fair housing services include advocating for victims of housing discrimination, responding to fair housing compliance questions, conducting fair housing education sessions, creating comprehensive educational materials and public awareness campaigns, and chairing the Regional Fair Housing Advisory Meetings. Last year, PHA provided 25 education sessions for over 450 people and assisted 89 callers with fair housing information and/or advocacy. Fluvanna/Louisa Housing Foundation works with PHA to promote fair housing awareness in all its housing programs.

We invite you to celebrate Fair Housing Month by participating in one of these upcoming events:

Fair Housing Forum: Is There a Fair Housing Gap in the Charlottesville Area?

Tuesday, April 23rd from 10 am – noon

Charlottesville City Council Chambers

This panel presentation and interactive discussion will identify fair housing gaps and initiatives to promote equal housing opportunity. Topics and speakers will include HUD's role in promoting and enforcing fair housing, PHA's recent fair housing compliance testing report, local government's responsibilities to Affirmatively Further Fair Housing, TJPDC's Fair Housing & Equity Assessment, City of Charlottesville's Human Rights Commission, and other local fair housing issues. This event is designed to engage community members, local government officials, planners, community organizations and advocates, rental and real estate professionals, housing and community development staff.

Fair & Accessible Housing Seminar for People with Disabilities & Advocates

Wednesday, April 24th from 1 pm – 3 pm

Independence Resource Center, 815 Cherry Avenue, Charlottesville, VA 22903

Learn about rights of people with disabilities under the fair housing laws: non-discrimination, reasonable accommodations, reasonable modifications, and requirements for accessible housing.

Thank you for your continued support of fair housing and equal housing opportunity. For more information about this resolution or PHA's fair housing services, please contact Karen Reifenberger at: 434-817-2436 ext. 106 or karenr@piedmonthousing.org.

Fair Housing Month 2013 Resolution

WHEREAS, April is Fair Housing Month and marks the 45th anniversary of the passage of the federal Fair Housing Act (Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988);

WHEREAS, the Fair Housing Act provides that no person shall be subjected to discrimination because of race, color, national origin, religion, sex, disability, or familial status in the rental, sale, financing or advertising of housing (and the Virginia Fair Housing Law also prohibits housing discrimination based on elderliness);

WHEREAS, the Fair Housing Act supports equal housing opportunity throughout the United States;

WHEREAS, fair housing creates healthy communities, and housing discrimination harms us all;

WHEREAS, the Fluvanna County Board of Supervisors supports equal housing opportunity and seeks to affirmatively further fair housing not only during Fair Housing Month in April, but throughout the year;

Signed and sealed this 17th day of April, 2013.

Shaun Kenney, Fluvanna County Board of Supervisors Chairman

BOARD OF SUPERVISORS AGENDA ITEM

Meeting Date: April 17, 2013

SUBJECT:	Fiscal Year's 2014-2018 Capital Improvements Plan
MOTION(s):	I move the resolution entitled "Adoption of the FY2014-2018 Capital Improvements Plan" be adopted.
STAFF CONTACT:	Eric Dahl, Budget Analyst
RECOMMENDATION:	Approve the resolution to adopt Fiscal Year's 2014-2018 Capital Improvements Plan as outlined.
TIMING:	Immediate
DISCUSSION:	None.
FISCAL IMPLICATIONS:	FY14 Capital Improvements Plan outlines expenditures that are included in the FY14 budget. FY15-18 Capital Improvements Plan items are approved as planning projects only.
POLICY IMPLICATIONS:	This action will allow administration and staff to plan projects and resources accordingly.
LEGISLATIVE HISTORY:	None.
ENCLOSURES:	Resolution "Adoption of FY2014-2018 Capital Improvements Plan"

RESOLUTION
Fluvanna County Board of Supervisors
April 17, 2013

Adoption of FY 2014 – FY 2018 Capital Improvements Plan

At a regular monthly meeting of the Fluvanna County Board of Supervisors held on Wednesday, April 17, 2013, in Palmyra, Virginia, the following action was taken:

Present	Vote
Shaun Kenney, Chairman	_____
Bob Ullenbruch, Vice-Chairman	_____
Mozell Booker	_____
Joe Chesser	_____
Donald W. Weaver	_____

On a motion by _____, seconded by _____, and voted in the affirmative, the following resolution was adopted:

WHEREAS, it is the responsibility of the Fluvanna County Board of Supervisors to approve the County's Capital Improvements Program; and,

WHEREAS, the Capital Improvements Plan recommends the initiation and completion of numerous capital projects based upon staff recommendations and citizen input; and,

WHEREAS, the Board of Supervisors held a public hearing on the proposed Capital Improvements Plan on April 10, 2013; and,

WHEREAS, the Board of Supervisors has approved the FY2014 Capital Improvements Budget as part of the overall Fluvanna County Budget;

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors that the FY 2014-2018 Capital Improvements Plan hereby be approved.

A True Copy Teste:

Shaun Kenney, Chairman
Board of Supervisors

BOARD OF SUPERVISORS AGENDA ITEM

Meeting Date: April 17, 2013

SUBJECT:	Fiscal Year 2014 Operations Budget and Tax Rates								
MOTION(s):	I move the resolution entitled “A Resolution to Adopt the FY14 Operations Budget, Set the Tax Rates and Appropriate Funds” be adopted.								
STAFF CONTACT:	Eric Dahl, Budget Analyst								
RECOMMENDATION:	<p>Approve resolution to set the tax rates with a revised real property tax rate of \$0.795 per \$100.00, a personal property tax rate of \$4.15 per \$100.00, a machinery & tools tax rate of \$2.00 per \$100.00 and adopt the FY14 operations budget.</p> <table><tr><td>General Fund Operations</td><td style="text-align: right;">\$59,191,051</td></tr><tr><td>Capital Improvements Plan</td><td style="text-align: right;">\$ 3,834,662</td></tr><tr><td>Enterprise Funds</td><td style="text-align: right;"><u>\$ 2,287,285</u></td></tr><tr><td style="text-align: right;">TOTAL:</td><td style="text-align: right;">\$65,312,998</td></tr></table>	General Fund Operations	\$59,191,051	Capital Improvements Plan	\$ 3,834,662	Enterprise Funds	<u>\$ 2,287,285</u>	TOTAL:	\$65,312,998
General Fund Operations	\$59,191,051								
Capital Improvements Plan	\$ 3,834,662								
Enterprise Funds	<u>\$ 2,287,285</u>								
TOTAL:	\$65,312,998								
TIMING:	Immediate.								
DISCUSSION:	This action will allow adequate time to prepare for the June 5 th , 2013 tax billing cycle. The Code of Virginia, § 15.2-2503, requires the governing body to approve the budget and fix a tax rate for the budget year no later than the date on which the fiscal year begins.								
FISCAL IMPLICATIONS:	Adoption of the FY2014 operational budget and tax rates will establish authorization for receipt of revenues and disbursements of expenses.								
POLICY IMPLICATIONS:	Required by state code.								
LEGISLATIVE HISTORY:	None.								
ENCLOSURES:	“Resolution to Adopt the FY13 Operations Budget, Set the Tax Rate and Appropriate Funds”								

RESOLUTION
A RESOLUTION TO ADOPT THE FY14 OPERATIONS BUDGET,
SET THE TAX RATES AND APPROPRIATE FUNDS

WHEREAS, it is the responsibility of the Fluvanna County Board of Supervisors to approve and control the County's fiscal plan for FY14; and,

WHEREAS, the Board of Supervisors has received numerous staff reports; received comments from residents at a duly advertised public hearing on April 10, 2013; and has reviewed each request for funding;

NOW, THEREFORE, BE IT RESOLVED by the Fluvanna County Board of Supervisors this 17th day of April 2013, that the Fluvanna County budget totaling **\$65,312,998** is adopted and the tax rates for FY14 or July 1st 2013– June 30th 2014 set as given below:

2013 COUNTY TAX RATES

Real Estate	\$0.795 per \$100 of assessed value
Public Service Corps.	\$0.795 per \$100 of assessed value
Mobile Homes	\$0.795 per \$100 of assessed value
Personal Property	\$4.15 per \$100 of assessed value
Machinery & Tools	\$2.00 per \$100 of assessed value

BE IT FURTHER RESOLVED that the Board of Supervisors does hereby budget and appropriate to the COUNTY OPERATING BUDGET the following revenues and expenditures; this appropriation is also conditioned on the understanding that, with regard to the operating budget for the School system, revenues received from the Commonwealth will be expended prior to local dollars:

GOVERNMENTAL REVENUES

Local	\$31,799,400
State	25,717,303
Federal	2,472,239

TOTAL **\$59,988,942**

GOVERNMENTAL EXPENDITURES

General Government Administration	\$ 2,284,759
Judicial Administration	1,008,121
Public Safety	5,651,874
Public Works	1,628,061
Health and Welfare	4,575,835
Education	34,531,798
Parks and Recreation	663,701
Community Development	1,051,959
Non-Departmental	533,800
Debt Service	<u>7,227,143</u>

TOTAL **\$ 59,191,051**

BE IT FURTHER RESOLVED that for budgeting and accounting purposes, the adopted budget revenues and expenditures for the capital improvements fund are set as follows:

Capital Fund Revenues	
Local Use of General Fund Balance	\$2,733,662
Local Other	346,000
Federal and State	150,000
TOTAL	\$3,229,662

Capital Fund Expenditure

Governmental	\$ 355,000
Community Services	51,000
Public Works	1,007,000
Public Safety	1,012,650
Schools	1,409,012
TOTAL	\$3,834,662

*Capital fund revenues are supplemented by transfers from the General Fund.

FINALLY BE IT RESOLVED that for budgeting and accounting purposes the adopted budget revenues and expenditures for the enterprise funds are set as follows:

	Expenditure	Revenue
School Food Service	\$1,734,994	\$1,734,994
Fork Union Sanitary District	335,400	335,400
Utility*	<u>216,891</u>	<u>24,000</u>
TOTAL	\$2,287,285	\$2,094,394

*Utility fund revenues are supplemented by transfers from the General Fund.

Adopted this 17th day of April 2013 by the
Fluvanna County Board of Supervisors

Shaun V. Kenney, Chairman

BOARD OF SUPERVISORS AGENDA ITEM

Meeting Date: April 17, 2013

SUBJECT:	Adoption of the Fluvanna County Board of Supervisors regular meeting minutes.
MOTION(s):	I move the regular meeting minutes of the Fluvanna County Board of Supervisors for Wednesday, April 3, 2013 be adopted.
STAFF CONTACT:	Mary L. Weaver, Clerk to the Board of Supervisors
RECOMMENDATION:	Approval
TIMING:	Routine
DISCUSSION:	None
FISCAL IMPLICATIONS:	N/A
POLICY IMPLICATIONS:	N/A
LEGISLATIVE HISTORY:	None
ENCLOSURES:	Draft minutes for April 3, 2013

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Court Room
April 3, 2013, 2:00 p.m. Regular Meeting
6:00 p.m. Work Session**

MEMBERS PRESENT: Shaun V. Kenney, Chairman
Bob Ullenbruch, Vice-Chairman
Donald W. Weaver
Mozell H. Booker
Joe Chesser

ALSO PRESENT: Steven M. Nichols, County Administrator
Fred Payne, County Attorney
Mary Weaver, Clerk to the Board of Supervisors

CALL TO ORDER/PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

Chairman Kenney called the meeting of Wednesday, April 3, 2013, to order at 2:00 p.m., in the Circuit Courtroom in Palmyra, Virginia; and the Pledge of Allegiance was recited, after which, Chairman Kenney called for a moment of silence.

COUNTY ADMINISTRATOR'S REPORT

Mr. Nichols reported on the following topics:

- FUSD staff doing a great job dealing with an aging system.
- Senior and Pre-K Easter Event was a great success
- Annual Easter Egg Hunt at Pleasant Grove on Saturday, March 30 – Parks and Recreation staff did a great job coordinating, 500 participants attended.
- Volunteers constructed bridge at Pleasant Grove, Saturday, March 30, to improve experience while hiking, biking or horseback riding at the park.
- The County Health Rating is #14 of 133 in VA.
- Ongoing and Upcoming State OEMS Inspections – Fluvanna Fire, Fluvanna Rescue and Lake Monticello Rescue.
- Still recruiting Emergency Services Coordinator.
- Reviewing UVa EMS contract.
- Proposed Parks and Rec Fee Schedule Review delayed until April 10th BOS meeting.
- County Administrator Performance Review coming due.

PUBLIC COMMENTS #1

Chairman Kenney opened the floor for the first round of public comments.

- Roberta Ashmore, Palmyra District – addressed the Board in regards to a great job the Sherriff's Communications Department did during the emergency weather on March 6, 2013.
- Tony O'Brien, Palmyra District – requested the Board to reconsider the tax rate and help the schools.

With no one else wishing to speak, Chairman Kenney closed the first round of public comments.

PUBLIC HEARING

None

ACTION MATTERS

Approval of Procurement Policies and Procedures - Mr. Joe Rodish, Purchasing Officer, gave the Board an update of what he has been working on the first six months of this position. Mr. Rodish reviewed the new and revised Procurement Policies and Procedures.

MOTION:

Mr. Weaver moved to adopt and approve the revised Fluvanna County Procurement Policies and Procedures effective April 3, 2013. Mr. Chesser seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Ullenbruch, Chesser and Weaver. NAYS: None. ABSENT: None.

Proclamation Designating April 2013 celebrating Children's Month – Mrs. Susan Muir, Social Services Director, informed the Board of the annual Celebrating Children Daycare Fair, at the Fluvanna County Carysbrook Elementary School, on April 27, 2013, from 10 a.m. to 12 p.m. Ms. Karen Hebert, Ms. Shelia Compton, Mr. Jamie Vest, and Shannon Redman addressed the Board, with a short presentation of what Child Protective Services offers the residents in Fluvanna County, and requested proclaiming April “Celebrating Children’s Month”, in recognition of “Child Abuse Prevention Month,” and the work done in Fluvanna County.

MOTION:

Mr. Chesser moved to approve the proclamation designating the month of April, 2013, as “Celebrating Children Month,” in Fluvanna County, in observation of “Child Abuse Prevention Month”. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Ullenbruch, Chesser and Weaver. NAYS: None. ABSENT: None.

Fluvanna Park and Ride Agreement between the County and Jefferson Centre LLC C/O C.B Richard Ellis – Mr. Steve Nichols, County Administrator addressed this request to use part of the Owner’s property as a park and ride facility for the benefit of persons in carpools and commuters.

MOTION:

Mr. Chesser moved to authorize the County Administrator to execute the proposed Fluvanna Park and Ride Agreement between the County and Jefferson Centre LLC C/O C. B. Richard Ellis for use of a portion of their property for the benefit of persons in carpools and commuters, following approval of the agreement as to form by the County Attorney. Mr. Weaver seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Ullenbruch, Chesser and Weaver. NAYS: None. ABSENT: None.

Renewal of a Memorandum of Understanding between Fluvanna County and the Fluvanna County Radio Control Flying Club – Mr. Wayne Stephens, Director of Public Works addressed this request to renew the MOU between Fluvanna County and the Fluvanna County Radio Control Flying Club.

MOTION:

Mr. Weaver moved to authorize the County Administrator to execute a renewed and updated Memorandum of Understanding (MOU) between the County and Fluvanna County Radio Control Flying Club, Inc., for their use of a portion of the landfill/convenience center property as a landing strip, following approval of the document as to form by the County Attorney. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Ullenbruch, Chesser and Weaver. NAYS: None. ABSENT: None.

Reclassification of Public Works Project Manager (#3670) Position – Mr. Wayne Stephens, Director of Public Works and Ms. Gail Parrish, Human Resources Manager addressed this request to reclassify the Public Works Project Manager position to fit the department staffing needs. Mr. Chesser requested the first bullet under Skills: read Project/Program Management.

MOTION:

Mr. Chesser moved to adopt and approve with amendments, re-classification of the current position titled Project Manager, classification number 3670 and pay grade 17 to the position title of Assistant Public Works Director/Project Manager, classification number 3680, pay grade 18 effective June 1, 2013. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Ullenbruch, Booker, Weaver and Chesser. NAYS: None. ABSENT: None.

Appointment/Rivanna River Basin Commission (RRBC), Citizen Representative Position –

MOTION:

Mrs. Booker moved to appoint Mr. Marvin Moss to the Rivanna River Basin Commission (RRBC), Citizen Representative Position, with a term to begin April 1, 2013 and to terminate March 31, 2017. Mr. Chesser seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Ullenbruch, Booker, Weaver and Chesser. NAYS: None. ABSENT: None.

Appointment/James River Water Authority (JRWA), Citizen Representative Position – Mr. Steve Nichols addressed this request to fill the expiring position. The board discussed the two candidates.

MOTION:

Mr. Weaver moved to appoint Mr. Erick Gomez to the James River Water Authority (JRWA), Citizen Representative Position, with a term to begin April 20, 2013 and to terminate April 19, 2017. Mr. Ullenbruch seconded. The motion carried, with a vote of 3-2. AYES: Kenney, Ullenbruch and Weaver. NAYS: Booker and Chesser. ABSENT: None.

Appointment/JAUNT Board –

MOTION:

Mr. Chesser moved to appoint Pat Thomas to the JAUNT Board, with a term to begin immediately and to terminate June 30, 2013. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Ullenbruch, Booker, Weaver and Chesser. NAYS: None. ABSENT: None.

PRESENTATIONS

2012 Rivanna Watershed Snapshot Update –Ms. Leslie Middleton, Executive Director Rivanna River Basin Commission (RRBC), reviewed with the Board 2012 Rivanna Watershed Snapshot and the plans to move forward with this information.

CONSENT AGENDA

The following items were approved under the consent agenda:

MOTION:

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

- Minutes from March 19, 2013 as amended.
- Minutes of March 20, 2013.
- Resolution for National Crime Victims’ Rights Week.
- FY13 Health Insurance Budget Transfer.
- FY13 Parks & Rec Personnel Budget Correction.

Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Ullenbruch, Chesser and Weaver. NAYS: None. ABSENT: None.

ACCOUNTS PAYABLE AND BUDGET REPORT

Ms. Barbara Horlacher, Finance Director addressed the Board regarding the Accounts Payable.

MOTION:

Mr. Weaver moved the Accounts Payable and Payroll be ratified for the period February 23, 2013 through April 3, 2013 in the amount of \$1,784,336.95. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Ullenbruch, Weaver and Chesser. NAYS: None. ABSENT: None.

General Fund	\$ 533,969.89
Capital Improvements	\$ 295,129.00
Sewer	\$ 3,926.97
Fork Union Sanitary District	\$ 7,970.65
Total Expenditures by Fund	\$ 840,996.51

Payroll – \$ 943,340.44

Total Payables & Payroll **\$1,784,336.95**

UNFINISHED BUSINESS

None

NEW BUSINESS

Board is in receipt of a packet from Aqua Virginia, will be discussed in closed session.

PUBLIC COMMENTS #2

Chairman Kenney opened the floor for the second round of public comments.

With no one wishing to speak, Chairman Kenney closed the second round of public comments.

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

At 4:11 p.m., Mr. Weaver moved the Fluvanna County Board of Supervisors enter into a closed session, pursuant to the Virginia Code Section 2.2-3711-A-1, 2.2-3711-A-4 and 2.23711-A-6 for discussion of Personnel Matters, Privacy of Individuals and Legal Matters. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Ullenbruch, Weaver, Booker and Chesser. NAYS: None. ABSENT: None.

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

At 4:57 p.m., Mr. Weaver moved the closed meeting be adjourned and the Fluvanna County Board of Supervisors reconvene again in open session. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Ullenbruch, Weaver, Booker and Chesser. NAYS: None. ABSENT: None.

MOTION:

At 4:58 p.m., the following resolution was adopted by the Fluvanna County Board of Supervisors, following a closed meeting held Wednesday, April 3, 2013, on motion of Mr. Weaver, seconded by Mrs. Booker, and carried by the following vote of 5-0. AYES: Kenney, Ullenbruch, Weaver, Booker and Chesser. NAYS: None. ABSENT: None.

“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.”

BOARD RECESSED AT 4:59 p.m. for Dinner**BOARD RECONVENED AT 6:00 p.m. for a Work Session with Staff Updates**

Mr. Steve Nichols discussed having the VDOT Six-Year Plan presentation at the work session for May 1, 2013 and conduct the Public Hearing on May 15, 2013.

The new Fluvanna *FAN Mail* was sent out on April 1 2013 and will be sent out periodically with information about events in the County.

Convenience Center – Mr. Wayne Stephens, Public Works Director, reviewed with the Board the operation of the Convenience Center and the options to convert to a flat rate to save money. The Board discussed adjusting the hours of operation to be open later in the evenings.

Carysbrook Gym – Mr. Jason Smith, Parks and Recreation, discussed with the Board the history and options of reopening the Carysbrook Gym. The Board discussed the options and cost to opening and maintaining the Carysbrook Gym. Mr. Smith is going to work with the Parks and Recreation Advisory to find options to make the Carysbrook Gym self-sustaining.

Information Technology Update – Mr. Jonathan McMahon, Information Technology Director, reviewed with the Board the various projects that have been completed and are being worked.

Human Resources – Ms. Gail Parrish, Human Resource Manager, reviewed with the Board the turnover rate for the County in the past year.

Community Study (Youth Support/Activities) – Dr. Jacqueline Meyers, CSA Program Manager, presented the Board with her idea of a community study for Fluvanna County to help the children in need better.

Economic Development/Planning/Zoning Update – Mr. Bobby Popowicz updated the board with where we’ve been and where we are headed. Showed the Board a draft of the proposed Economic Development Brochure that he has been working on.

Zion Crossroads Master Plan – Mrs. Allyson Finchum, Planning Director, reviewed the Comprehensive Plan for Zion Crossroads. The Board would like to have a plan of what we would want for the Zion Crossroads area and put together a working group to start creating a Master Plan for Zion Crossroads

Mr. Weaver discussed hearing the Fluvanna Taxpayers Association Educational Cost Research Project presentation. Mr. Nichols suggested having it presented at a work session. Board requested presentation be presented at the May 1st work session.

ADJOURN

MOTION:

At 8:54 p.m., Mr. Weaver moved to adjourn the meeting of Wednesday, April 3, 2013 to April 10, 2013. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Chesser, Ullenbruch and Weaver. NAYS: None. ABSENT: None.

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

Mary L. Weaver, Clerk

Shaun V. Kenney, Chairman

PROCLAMATION

*By virtue of the authority vested in me,
I hereby proclaim the month of April as*

CHILD ABUSE PREVENTION MONTH

Whereas, preventing child abuse and neglect is a community responsibility that depends on involvement among people throughout the community; and

Whereas, child maltreatment occurs when people find themselves in stressful situations, without community resources, and don't know how to cope; and

Whereas, the majority of child abuse cases stem from situations and conditions that are preventable in an engaged and supportive community; and

Whereas, all citizens should become involved in supporting families in raising their children in a safe, nurturing environment; and

Whereas, effective child abuse prevention programs succeed because of partnerships created among families, social service agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community.

Therefore, I do hereby proclaim April as Child Abuse Prevention Month and call upon all citizens, community agencies, faith groups, medical facilities, and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and neglect and strengthening the communities in which we live.

Now therefore I, 

do hereby recognize April 2013 as Child Abuse Prevention Month in 3 April, 2013 BOS Mtg and I call this observance to the attention of all our citizens.

RESOLUTION
National Crime Victims' Rights Week

At a regular monthly meeting of the Fluvanna County Board of Supervisors held on Wednesday, April 3, 2013, in Palmyra, Virginia, the following resolution was adopted on a motion by Mr. Weaver, seconded by Mrs. Booker, and voted in the affirmative:

WHEREAS, over 18.7 million Americans are directly harmed by crime each year, suffering physical and emotional injury, as well as financial loss, and each impacts many more family members, friends, coworkers and neighbors;

WHEREAS, crime can leave a lasting physical, emotional, or financial impact on people of all ages and abilities, and of all economic, racial, and social backgrounds;

WHEREAS, in 1982 the President's Task Force on Victims of Crime envisioned a national commitment to supporting crime victims;

WHEREAS, thousands of victim assistance programs now provide help and support to child victims of violence and sexual abuse; stalking victims; survivors of homicide victims; victims of drunk-driving crashes; victims of burglaries and larcenies, and victims of domestic, dating, and sexual violence, and other crimes;

WHEREAS, today, the victim assistance community faces new challenges to reach and serve all victims, including victims of new types of crimes including cybercrimes, terrorism and human trafficking;

WHEREAS, the last 31 years have taught us that by working together, we can help meet the needs of victims of crime with respect and dignity and to support them as they seek to overcome their challenges and regain control over their lives;

WHEREAS, now is the time to embrace new solutions that involve new partnerships with underserved communities and a greater emphasis on learning what works in meeting victims' needs;

WHEREAS, National Crime Victims' Rights Week, April 21-27, provides an opportunity for us to reaffirm our commitment to victims by honoring the improvements that have been made, while working to find new solutions to the new challenges faced by victims; and

WHEREAS, the **Fluvanna Victim/Witness Assistance Program** is joining forces with other victim service programs, criminal justice officials, and concerned citizens throughout Fluvanna County and the Commonwealth of Virginia to raise awareness of victims' rights and observe National Crime Victims' Rights Week;

NOW, THEREFORE, BE IT RESOLVED that the Fluvanna County Board of Supervisors does hereby proclaim the week of April 21-27, 2013 as Crime Victims' Rights Week and reaffirms our commitment to respect and enforce victims' rights and address their needs during National Crime Victims' Rights Week and throughout the year.

Chairman
Fluvanna County Board of Supervisors

April 3, 2013

BOARD OF SUPERVISORS AGENDA ITEM

Meeting Date: April 17, 2013

SUBJECT:	Adoption of the Fluvanna County Board of Supervisors continued regular meeting minutes.
MOTION(s):	I move the continued regular meeting minutes of the Fluvanna County Board of Supervisors for Wednesday, April 10, 2013 be adopted.
STAFF CONTACT:	Mary L. Weaver, Clerk to the Board of Supervisors
RECOMMENDATION:	Approval
TIMING:	Routine
DISCUSSION:	None
FISCAL IMPLICATIONS:	N/A
POLICY IMPLICATIONS:	N/A
LEGISLATIVE HISTORY:	None
ENCLOSURES:	Draft minutes for April 10, 2013

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Court Room
April 10, 2013, 7:00 p.m.
(Continued Meeting from April 3, 2013)**

MEMBERS PRESENT: Shaun V. Kenney, Chairman
Bob Ullenbruch, Vice-Chairman
Donald W. Weaver
Mozell H. Booker
Joe Chesser

ALSO PRESENT: Steven M. Nichols, County Administrator
Fred Payne, County Attorney
Mary Weaver, Clerk to the Board of Supervisors

CALL TO ORDER/PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

Chairman Kenney reconvened the meeting of Wednesday, April 3, 2013, to order on April 10, 2013 at 7:00 p.m., in the Circuit Courtroom in Palmyra, Virginia; and the Pledge of Allegiance was recited, after which, Chairman Kenney called for a moment of silence.

COUNTY ADMINISTRATOR'S REPORT

No items to report.

PUBLIC COMMENTS #1

Chairman Kenney opened the floor for the first round of public comments.

- Elizabeth Franklin, Columbia District – addressed the Board in regards to voluntary community contributions.

With no one else wishing to speak, Chairman Kenney closed the first round of public comments.

PUBLIC HEARING

FY14 CIP, Budget, and Tax Rates – Ms. Barbara Horlacher, Finance Director, reviewed with the Board the proposed FY14 CIP, Budget and Tax Rates. The state funding for Social Services will be \$16,000 less than what was estimated. Ms. Horlacher suggested leaving personnel funding as is, less the \$16,000, since vacancies have historically led to extra funds in the Social Services Department. The Board confirmed the intent to add \$7,000 for the Fluvanna/Louisa Housing Foundation.

Chairman Kenney opened the floor for the public hearing.

- Perrie Johnson, Fork Union District – addressed the Board in regards to following through with the advertised tax rate.
- Elizabeth Franklin, Columbia District – addressed the Board in regards to the Elementary School that was added to the CIP.

- Marta Keane, Chief Executive Officer for JABA – addressed the Board in regards to considering the possibilities of combining the funding for home care and community services and reinstating the volunteer dollars to put the Friends in Schools helping in place.
- Ginger Dillard, Director of Advocacy Services for JABA – addressed the Board in regards to the role case manager’s play for the County.
- Emily Daidone, Manager Community Center in Charlottesville for JABA, - addressed the Board in regards to the importance of volunteers.
- Thelma Soto, Fork Union District – addressed the Board in regards to increasing the JABA budget a little.
- Linda Fletcher, Cunningham District – addressed the Board in regard to supporting the schools, hard to deliver quality education with budget issues.
- Gloria Scharer, Cunningham District – addressed the Board with a request to keep the advertised tax rate.

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

The Board discussed the budget. CIP is just a plan, the elementary school was added to consider and discuss nothing has been committed to.

The Board **directed staff** to move \$10,000.00 from the FY14 Personnel Contingency and to FY14 JABA funding.

ACTION MATTERS

Proposed Parks and Recreation Activities, Events, and Equipment Rental Fee Schedule - Mr. Jason Smith, Director of Parks and Recreation, reviewed with the Board the proposed Activities, Events and Equipment Rental Fee Schedule for Parks and Recreation.

MOTION:

Mr. Ullenbruch moved to approve the proposed fee structure for Parks and Recreation activities and events with all proposed fees to be effective immediately, with the exception of the youth sports fees, which will be effective July 1, 2013. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Ullenbruch, Chesser and Weaver. NAYS: None. ABSENT: None.

Resolution National Telecommunications Week – Mr. Steven M. Nichols, County Administrator, addressed this request.

MOTION:

Mr. Ullenbruch moved to approve the resolution proclaiming the week of April 14-20, 2013, as “National Telecommunications Week” and honor the men and women whose diligence and professionalism keep our county and citizens safe. Mr. Weaver seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Ullenbruch, Chesser and Weaver. NAYS: None. ABSENT: None.

PRESENTATIONS

None

CONSENT AGENDA

None

ACCOUNTS PAYABLE AND BUDGET REPORT

None

UNFINISHED BUSINESS

None

NEW BUSINESS

Voluntary Community Contributions – Supervisor Robert Ullenbruch, Palmyra District, requested the Board to consider establishing a policy to accept Voluntary Community Contributions. These contributions would be in addition to the budget not a replacement.

The Board **directed staff** to review rules and procedures for a voluntary community tax donation program and bring recommendations to the Board.

PUBLIC COMMENTS #2

Chairman Kenney opened the floor for the second round of public comments.

- Jack Ruch, Rivanna District – addressed the Board in regards to the voluntary community tax donation program. Good idea but accounting nightmare.
- Elizabeth Franklin, Columbia District – addressed the Board in regards to the great job Mr. Nichols and his staff did with the budget this year.
- Thelma Soto, Fork Union District – thanked the Board of adding funding to the JABA budget.

With no one else wishing to speak, Chairman Kenney closed the second round of public comments.

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

At 8:26 p.m., Mr. Weaver moved the Fluvanna County Board of Supervisors enter into a closed session, pursuant to the Virginia Code Section 2.2-3711-A-1, 2.23711 A.3, 2.2-3711-A-6 and 2.23711-A-7 for discussion of Personnel Matters, Real Estate, Investment of Funds and Legal Matters. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Ullenbruch, Weaver, Booker and Chesser. NAYS: None. ABSENT: None.

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

At 9:17 p.m., Mr. Weaver moved the closed meeting be adjourned and the Fluvanna County Board of Supervisors reconvene again in open session. Mr. Chesser seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Ullenbruch, Weaver, Booker and Chesser. NAYS: None. ABSENT: None.

MOTION:

At 9:18 p.m., the following resolution was adopted by the Fluvanna County Board of Supervisors, following a closed meeting held Wednesday, April 10, 2013, on motion of

Mr. Weaver, seconded by Mrs. Booker, and carried by the following vote of 5-0. AYES: Kenney, Ullenbruch, Weaver, Booker and Chesser. NAYS: None. ABSENT: None.

“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 9:19 p.m., Mr. Weaver moved to adjourn the meeting of Wednesday, April 10, 2013. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Chesser, Ullenbruch and Weaver. NAYS: None. ABSENT: None.

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

Mary L. Weaver, Clerk

Shaun V. Kenney, Chairman

BOARD OF SUPERVISORS AGENDA ITEM

Meeting Date: 4/17/13

SUBJECT:	FY13 Four-For-Life Supplemental Appropriation
MOTION(s):	I move the Board of Supervisors approve the requested supplemental appropriation to accommodate additional funding received from the Office of Emergency Medical Services in the amount of \$2,979.76 for the FY13 Four-For-Life program.
STAFF CONTACT:	Eric Dahl, Budget Analyst
RECOMMENDATION:	I recommend approval to maintain the accuracy of the FY13 budget.
TIMING:	Routine
DISCUSSION:	The Four-For-Life program stipulates that four additional dollars be charged and collected at the time of registration of each passenger vehicle, pickup and panel truck. The funds collected shall be used only for emergency medical services. The FY13 budgeted amount was \$22,000 for both revenue and expenditures.
FISCAL IMPLICATIONS:	This will increase the FY13 General Fund budget on both the revenue and expenditure sides by \$2,979.76. No additional funding is required by the County.
POLICY IMPLICATIONS:	None
LEGISLATIVE HISTORY:	N/A
ENCLOSURES:	Award letter from the Commonwealth of Virginia



COMMONWEALTH of VIRGINIA
Department of Health

Office of Emergency Medical Services
1041 Technology Park Drive
Glen Allen, VA 23059-4500

Cynthia C. Romero, MD, FAAFP
State Health Commissioner

Gary R. Brown
Director

P. Scott Winston
Assistant Director

1-800-523-6019 (VA only)
804-888-9100 (Main Office)
804-888-9120 (Training Office)
FAX: 804-371-3108

March 27, 2013

FLUVANNA COUNTY TREASURER
POST OFFICE BOX 299
ROUTE 15, SOUTH
PALMYRA VA 22963

Dear City/County Administrator:

IMMEDIATE ATTENTION REQUIRED
Please return this report within 30 days

Your locality will be receiving the Fiscal Year 2013 "Four-For-Life" payment for Emergency Medical Services (EMS) in the amount of **\$24,979.76**. *These funds are for the collection period March 1, 2012 through February 28, 2013.*

Guidelines for the use of these funds are attached and are available on our website: http://www.vdh.virginia.gov/OEMS/Files_page/Locality_Resources/FourForLifeGuidelines.pdf. Prior to distribution of these funds to the local government, this office must receive your Report of Expenditures on last year's distribution. The total amount that must be reported for last year's distribution is annotated on the enclosed report.

The Four-For-Life program, as amended in 2000, stipulates that four additional dollars be charged and collected at the time of registration of each passenger vehicle, pickup and panel truck. The funds collected, pursuant to Section 46.2-694, Code of Virginia, shall be used only for emergency medical services. The law further states that the Department of Health shall return twenty-six percent (26%) of the registration fees collected to the locality wherein such vehicle is registered to provide funding for:

- (1) Training of volunteer or salaried emergency medical service personnel of licensed, nonprofit emergency medical service agencies; or
- (2) The purchase of necessary equipment and supplies for licensed, nonprofit emergency medical service agencies.

It is important to recognize two clauses in the Four-For-Life legislation: (1) non-supplanting funds and (2) failure to report the use of funds by any local governing body will result in funds being retained. The Assistant Attorney General, at our request has offered the following interpretation for use of the funds. "Any funds received from Section 46.2-694 by a non-state agency cannot be used to match any other funds derived from Section 46.2-694 by that same non-state agency" Simply put, funds returned to localities cannot be used as the matching share of any grants offered using Four-For-Life funds.

*"Each local governing body shall report to the Board of Health on the use of **Four-For-Life** funds, which were returned to it. In any case in which the local governing body grants the funds to a regional emergency medical council to be distributed the licensed, nonprofit emergency medical and rescue services, the local governing body shall remain responsible for the proper use of the funds. If, at the end of any fiscal year, a report on the use of **Four-For-Life** funds for that year has not been received from a local governing body, any funds due to that local governing body for the next fiscal year shall be retained until such time as the report has been submitted to the Board."*

If you have any questions or need additional information, please do not hesitate to contact Brenda Carroll, OEMS Accountant, at (804) 888-9100.

Sincerely,



Dennis J. Molnar
Business Manager

Encl.:

Guidelines for Expenditures of EMS Funds
Four-For-Life Report of Expenditures Form

BOARD OF SUPERVISORS AGENDA ITEM

Meeting Date: April 17, 2013

SUBJECT:	Affirmation of JRWA Appointments
MOTION(s):	I move to affirm the appointments of Mr. Joe Chesser as Board of Supervisor's representative and Mr. Steve Nichols as County Administration representative to the James River Water Authority (JRWA) with terms to begin October 3, 2012 and to terminate October 2, 2016 or at the end of their terms of public office, whichever occurs first.
STAFF CONTACT:	Steven M. Nichols, County Administrator
RECOMMENDATION:	Approve
TIMING:	Immediate
DISCUSSION:	Mr. Chesser and Mr. Nichols were appointed to the JRWA on October 3, 2012 as the Board of Supervisor's representative and County Administration representative but no dates were mentioned. This motion is to affirm the appointments with dates in accordance with the JRWA By-Laws.
FISCAL IMPLICATIONS:	None
POLICY IMPLICATIONS:	None
LEGISLATIVE HISTORY:	None
ENCLOSURES:	

BOARD OF SUPERVISORS AGENDA ITEM

Meeting Date: 4/17/2013

SUBJECT:	Approval of a one year extension to Raymond James financial advisory service contract
MOTION(s):	I move that the Board of Supervisors approve a one year extension to the Raymond James financial advisory service contract effective May 1, 2013
STAFF CONTACT:	Joseph Rodish, Procurement Officer
RECOMMENDATION:	Approve
TIMING:	One year extension will begin May 1, 2013
DISCUSSION:	The original contract signed on May 1, 2010 with Morgan Keegan (now Raymond James) was for a three year term with two optional one year extensions. Approval will extend the contract until May 1, 2014.
FISCAL IMPLICATIONS:	None
POLICY IMPLICATIONS:	None
LEGISLATIVE HISTORY:	None
ENCLOSURES:	None



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

P.O. Box 540, Palmyra, VA 22963 · (434) 591-1910 · FAX (434) 591-1911 · www.fluvannacounty.org

MEMORANDUM

TO: Board of Supervisors
FROM: Eric Dahl, Budget Analyst
SUBJECT: Capital Reserve Balance
DATE: April 4, 2013

The balance for the Capital Reserve for County and Schools in FY13 is as follows:

County Capital Reserve:

Beginning Budget:	\$156,026.00
LESS: Carysbrook Performing Arts Center Roof Replacement 11.7.12	-\$40,000.00
LESS: Public Safety Building Battery Replacement in Static UPS 1.2.13	-\$30,000.00
Available:	\$86,026.00

Schools Capital Reserve:

Beginning Budget:	\$169,748.00
LESS: Abrams School Handicap Ramp 11.7.12	-\$2,483.00
LESS: Fuel Site Computer System Replacement 11.20.12	-\$20,403.00
LESS: Replace Tube Bundle Heat Exchange Unit at Central Elementary 11.20.12	-\$5,180.00
LESS: Refurbish Original Lockers at Fluvanna Middle School 11.20.12	-\$7,400.00
LESS: Un-interruptible Power Supplies 12.19.12	-\$14,869.00
LESS: Carysbrook Elementary and Fluvanna Middle School Signage 3.13.13	-\$3,833.00
Available:	\$115,580.00



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MEMORANDUM

TO: Board of Supervisors
FROM: Eric Dahl, Budget Analyst
SUBJECT: Contingency Balance
DATE: April 4, 2013

The balance for the BOS Contingency line for FY13 is as follows:

Board of Supervisors Contingency:

Beginning Budget:	\$100,000.00
LESS: Robinson, Farmer, Cox and Assoc. - Schools Efficiency Review 8.1.12	-\$20,249.80
LESS: Board of Supervisors Dept. – Davenport Case 3.20.13	-\$79,750.00
Available:	\$0.20

EMS Contract Services:

Beginning Budget:	\$150,000.00
LESS: Emergency Management Services Dept. 1.2.13	-\$110,000.00
LESS: Board of Supervisors Dept. – Zion Crossroads ROI Study 3.20.13	-\$10,000.00
Available:	\$30,000.00

Total Available Budget: Board of Supervisors Contingency Line

\$ 30,000.20