



FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING AGENDA

Circuit Courtroom, Fluvanna Courts Building
November 6, 2013
2:00 pm (Regular Meeting) (No Work Session)

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

None

5 - ACTION MATTERS

- B Adoption of the Draft 2014 Thomas Jefferson Planning District Legislative Program – David Blount, TJPDC Legislative Liaison
 - C Capital Reserve Maintenance Fund Request - Bus Cameras – Mr. Chuck Winkler, FCPS Deputy Superintendent
 - D Appointment/ Agricultural Forestal Advisory Committee – Mary L. Weaver, Clerk, Board of Supervisors
 - E FY14 Pay Plan – Ms. Gail Parrish, Human Resources Manager
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6 - PRESENTATIONS (normally not to exceed 10 minutes each)

Program of All Inclusive Care for the Elderly (PACE) - Dr. Jocelyn Reeder, Site Director, Blue Ridge PACE

Schools Update and Preliminary Budget Planning – Gena Keller, FCPS Superintendent

7 - CONSENT AGENDA

- F Minutes of October 16, 2013 – Mary Weaver, Clerk to the Board
 - G Accounts Payable Report – Barbara Horlacher, Finance Director
 - H Resolution/ Recognizing an Outstanding Conservation Farm (Modesto Farm) – Nicola McGoff, Thomas Jefferson Soil and Water Conservation District
 - I Rural Rustic Road Resolutions/ Route 621-Lantre Lane, Route 687-Radical Circle and Route 675-Canal Street - Steve Nichols, County Administrator
 - J Open Space Application/ Ms. Susan Harvey Dawson – Mel Sheridan, Commissioner of the Revenue
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8 - UNFINISHED BUSINESS

Central Meadows Conservation Easement – Fred Payne, County Attorney

9 - NEW BUSINESS

None

10 - PUBLIC COMMENTS #2 (5 minutes each)

11 - CLOSED MEETING

TBD

12 – ADJOURN

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: November 6, 2013

SUBJECT:	2014 Thomas Jefferson Planning District Legislative Program Draft
MOTION(s):	I move the Board of Supervisors adopt the 2014 draft Thomas Jefferson Planning District (TJPD) Legislative Program, understanding that additional, suggested revisions to the draft may be incorporated into the final version.
STAFF CONTACT:	David C. Blount, Legislative Liaison
RECOMMENDATION:	Approve
TIMING:	Routine
DISCUSSION:	See Attached
FISCAL IMPLICATIONS:	N/A
POLICY IMPLICATIONS:	N/A
LEGISLATIVE HISTORY:	N/A
ENCLOSURES:	Thomas Jefferson Planning District(TJPD) Memo 2014 Draft TJPD Legislative Program

November 1, 2013

TO: Members, Fluvanna County Board of Supervisors
Fluvanna County Administrator

FROM: David C. Blount, Acting Executive Director/Legislative Liaison

RE: 2014 TJPDC Legislative Program

Attached is the draft 2014 TJPDC Legislative Program. As I discussed when I met with you in September, I will be presenting the program and seeking approval of it at your November 6 meeting. The titles of the program's priority areas are listed below; please note that some have been regional priorities for a number of years. The top priority in the proposed program is public education funding, while we maintain our focused attention on state funding obligations, mandates and cost shifting in the second priority.

- 1) Public Education Funding
- 2) State Mandates and Funding Obligations
- 3) Transportation Funding and Devolution
- 4) Chesapeake Bay TMDL
- 5) Land Use and Growth Management
- 6) Comprehensive Services Act

As in the past, the legislative program draft also contains sections that highlight ongoing local government positions. You will note that changes in these sections under "Areas of Continuing Concern" are underlined where the language is new, while language proposed for deletion is stricken. I will be happy to discuss the suggested changes to the draft program when we meet on November 6. Thank you.

Recommended Action: Approve the draft TJPDC legislative program.

2014

Thomas Jefferson Planning District Legislative Program

Representing the Local Governments of:

**Albemarle County
City of Charlottesville
Fluvanna County
Greene County
Louisa County
Nelson County**

October 2013

**Allen Hale, Chairman
David Blount, Acting Executive Director/Legislative Liaison**

PRIORITY ITEMS

PUBLIC EDUCATION FUNDING

*Legislative Position of Charlottesville City and the
Counties of Albemarle, Fluvanna, Greene, Louisa and Nelson*

PRIORITY: The Planning District localities urge the State to fully fund its share of the realistic costs of the Standards of Quality without making policy changes that reduce funding or shift funding responsibility to localities. Further, we believe that unfunded liability associated with the teacher retirement plan should be a shared responsibility of state and local government.

Rationale: The state will spend about \$5.3 billion on public education in FY14, about 30% of its general fund budget. The level of state funding for FY14 remains below the FY09 amount by more than \$250 million; state per pupil expenditures for FY14 of \$4,880 are still well below the FY09 high of \$5,274 per pupil by almost \$400. Meanwhile, local governments boost education funding by spending over \$3.3 billion more per year than required by the state.

Reductions in state public education dollars the last four to five years have been accomplished mainly through policy changes that are decreasing the state's funding obligations moving forward. For example, the state has "saved" millions of dollars by shifting costs to localities through making some spending ineligible for state reimbursement or lowering the amount of the payback. It previously imposed a cap on state funding for education support personnel and has reduced funding for other support costs.

Policy changes to the Virginia Retirement System (mandatory teacher 5% for 5%) are not a zero sum game for localities and do nothing to reduce a \$15.2 billion unfunded teacher pension liability. A coming GASB rules change will assign liabilities associated with cost-shared pension plans (like the Virginia teacher plan) to the government (in our case, local) that makes the payment, potentially impacting credit ratings. The state sets standards and benefits for teachers; it should take responsibility for part of their pension plan's unfunded liability. Meanwhile, contribution rates are expected to surge again, as the State pays back previously borrowed VRS funds and seeks to make up for past underfunding.

Position Statements:

The State should resist further policy changes that require localities to fund a greater share of costs. State funding should be realistic and recognize actual needs, practices and costs; otherwise, more of the funding burden will fall on local taxpayers. Localities and school divisions should have flexibility to meet requirements and management their budgets when state funding decreases and cost-shifting occurs.

We also take the following positions:

- 1) The State should not eliminate or decrease funding for benefits for school employees.
- 2) Localities in our region should be included in the "Cost of Competing Adjustment" available to various localities primarily in Northern Virginia.
- 3) We support establishment of a mechanism for local appeal of the calculated Local Composite Index to the State.
- 4) We urge state financial assistance with school construction and renovation needs, including funding for the Literary Loan and interest rate subsidy programs. The State should discontinue seizing dollars from the Literary Fund to help pay its costs for teacher retirement.

STATE MANDATES & FUNDING OBLIGATIONS

*Legislative Position of Charlottesville City and the
Counties of Albemarle, Fluvanna, Greene, Louisa and Nelson*

PRIORITY: The Planning District localities urge the governor and legislature to 1) not impose financial or administrative mandates on localities; 2) not shift costs for state programs to localities; and 3) not further restrict local revenue authority.

Rationale: Locality budgets continue to be challenged by slowly-recovering local revenue, stagnant state funding and additional requirements. While state general fund appropriations have increased by \$2 billion since FY09, state assistance to local governments for locally-administered programs is \$375 million less for FY14 than in FY09. These reductions have not been accompanied by program changes that could alleviate financial burdens on localities, as state standards prescribe how services are to be delivered and localities have to meet such standards regardless of the costs. The governor and state officials have boasted of state budget “surpluses” the past four years, yet continue to approve unfunded and underfunded state requirements and shift costs to localities, straining local ability to craft effective and efficient budgets to deliver services mandated by the state or demanded by residents.

Position Statements:

We oppose unfunded state and federal mandates and the cost shifting that occurs when the state fails to fund requirements or reduces or eliminates funding for state-supported programs. Any state funding reductions for state-required services/programs should be accompanied by relaxation or suspension of the state requirement or flexibility for the locality to meet the requirement. We support efforts to improve and enhance the process for determining local fiscal impacts of proposed legislation, including additional state involvement and resources to support such fiscal analyses and reinstatement of the “first day” introduction requirement for bills with local fiscal impact.

Changes to Virginia’s tax code or in state policy should not reduce local government revenue sources or restrict local taxing authority. Any legislative or study committee examining such revenues or authority should include local government representation. This includes proposals to alter or eliminate the BPOL and Machinery and Tools taxes, or to divert Communications Sales and Use Tax Fund revenues intended for localities to other uses. Instead, the legislature should broaden the revenue sources available to local governments.

The State also should not confiscate or redirect local general fund dollars to the state treasury, as was done in 2012 when it directed a portion of fines and fees collected at the local level pursuant to the enforcement of local ordinances to the Literary Fund. The State should refrain from establishing local tax policy at the state level and allow local governments to retain authority over decisions that determine the equity of local taxation policy. The State should equalize the revenue-raising authority of counties with that of cities, and also should ensure the appropriate collection of transient occupancy taxes from online transactions.

TRANSPORTATION FUNDING and DEVOLUTION

*Legislative Position of Charlottesville City and the
Counties of Albemarle, Fluvanna, Greene, Louisa and Nelson*

PRIORITY: The Planning District localities urge the State remain focused on providing for sufficient state revenues to expand and maintain our transportation infrastructure. It is imperative that the State restore formula allocations for secondary/urban construction and for unpaved roads. We oppose any legislation or regulations that would transfer responsibility to counties for construction, maintenance or operation of current or new secondary roads.

Rationale: State leaders took a big step this past year toward addressing transportation infrastructure needs with approval of a transportation funding package that is expected to generate nearly \$800 million per year by 2018, with funding targeted primarily for road maintenance, rail and transit. Under the approved plan, revenues for transportation are being generated from policy changes that 1) eliminated the gas tax and converted it to a wholesale tax (on both gas and diesel); 2) increased the state sales tax from 5% to 5.3%, while also hiking the motor vehicle sales tax and the alternative fuel vehicles annual fee; 3) diverted additional general fund dollars to transportation; and 4) will utilize internet sales tax collections, should federal law be put in place. Previous legislative changes (2012) authorize \$500 million of the top for Commonwealth Transportation Board priorities before funds are provided to the construction fund. Accordingly, construction funding for secondary and urban roads, suspended in 2010, has not been restored and is not due to resume until 2016.

Position Statements:

We urge the state to restore formula allocations for secondary/urban construction and for unpaved roads, and we support stable and increasing dollars for cities and towns to maintain roads within their jurisdictional boundaries. Funding for urban, suburban and secondary road improvements are vital to our region's ability to respond to local and regional congestion and economic development issues.

Concerning secondary road devolution, we believe that efficient and effective transportation infrastructure, including the secondary road system, is critical to a healthy economy, job creation, a cleaner environment and public safety. In the past 20 years, the number of miles travelled on Virginia roadways has steadily increased, while the attention to maintaining the nearly 50,000 mile secondary system took a back seat. We oppose shifting the responsibility for secondary roads to local entities, which could result in vast differences among existing road systems in different localities, potentially placing the state at a competitive economic disadvantage with other states when considering business and job recruitment and movement of goods.

We support ongoing state and local efforts to coordinate transportation and land use planning, without eroding local land use authority, and state incentives for localities that do so. We urge VDOT to be mindful of various local and regional plans when conducting corridor or transportation planning within a locality or region. We also take the following positions:

- 1) We support enabling authority to establish mechanisms for funding transit and non-transit projects in the region.
- 2) While we opposed the closing of VDOT's Louisa residency facilities and support its reopening, we also support the option for the locality to purchase the property.

CHESAPEAKE BAY TMDL

*Legislative Position of Charlottesville City and the
Counties of Albemarle, Fluvanna, Greene, Louisa and Nelson*

PRIORITY: The Planning District localities support the goal of improved water quality, but believe it is imperative that we have major and reliable forms of financial and technical assistance from the federal and state governments if comprehensive water quality improvement strategies for local and state waters emptying into the Chesapeake Bay are to be effective. We support fairness in applying requirements for reductions in nutrient and sediment loading across source sectors, along with accompanying authority and incentives for all sectors to meet such requirements. The Planning District localities are in strong agreement that we will oppose actions that impose monitoring, management or similar requirements without providing sufficient resources.

Rationale: As the result of various court settlements concerning the Clean Water Act of 1972, the Environmental Protection Agency is enforcing water quality standards in the Chesapeake Bay watershed by imposing a pollution diet (known as Total Maximum Daily Load, or TMDL) to reduce pollution to acceptable levels. Bay states submitted plans for achieving TMDL goals of reducing nitrogen, phosphorous and sediment flowing into the Bay. The TMDL and Virginia Watershed Implementation Plan require two-year milestones for the state and localities. As local governments will be greatly impacted by initiatives to reduce pollutants into state waters of the Bay watershed, it is imperative that aggressive state investment in meeting such milestones occurs. This investment must take the form of authority, funding and other resources being in place to assure success, and must ensure that cost/benefit analyses are conducted of solutions that generate the greatest pollution reductions per dollar spent.

Local governments particularly are concerned about the various effects on their communities and their economic growth. There will be costs to meet reduced pollutant discharge limitations for localities that own/operate treatment plants. Local governments will be required to develop and implement nutrient management programs for certain large, public properties. Costs for stormwater management regulations will fall on both new development and redevelopment. There will be economic impacts due to increased cost for compliance by agriculture and increased fees charged by the permitted dischargers.

Position Statements:

- 1) We support sufficient state funds for the full cost of implementing TMDL measures that will be required of local governments. This includes costs associated with revised stormwater management regulations and requirements for locally-implemented stormwater management programs, as fees that have been authorized likely will be inadequate to cover costs associated with the new programs. The state should consider using state budget surplus dollars to fund such measures. We also support allowances for modified stormwater management plans for individual lots.
- 2) We support sufficient federal funds for grants and low-interest loans for capital costs, such as for permitted dischargers to upgrade treatment plants and for any retrofitting of developed areas, while minimizing the economic impact of increased fees.
- 3) We support sufficient state funding for a) the Cooperative Extension Service and Soil and Water Conservation Districts to aid farmers with best management practices (BMP) in their operations, and b) the Soil and Water Conservation Board for monitoring resource management plan compliance.
- 4) We believe that implementation of the Nutrient Trading Act to allow exchange of pollution allocations among various point and nonpoint sources should contain such exchanges within a particular watershed, so as to improve the health of local waters.

LAND USE and GROWTH MANAGEMENT

*Legislative Position of Charlottesville City and the
Counties of Albemarle, Fluvanna, Greene, Louisa and Nelson*

PRIORITY: The Planning District localities encourage the state to provide local governments with additional tools to manage growth, without preempting or circumventing existing authorities.

Rationale: In the past, the General Assembly has enacted both mandated and optional land use provisions applicable to local governments in order to address growth issues. While some have been helpful, others have prescribed one-size-fits-all rules that hamper various localities that may approach their land use planning differently. Preemption or circumvention of existing local authority hinders localities in implementing the comprehensive plan or overseeing land uses. Moreover, current land use authority often is inadequate to allow local governments to provide for balanced growth in a manner that protects and improves quality of life.

Position Statements:

The General Assembly should grant localities additional tools necessary to meet important infrastructure needs that are driven by development. We endorse efforts to have impact fee and proffer systems that are workable and meaningful for various parties, but we oppose attempts to weaken our current proffer authority. Rather, we support revisions to the current road impact fee authority that would include additional localities and provide: 1) a fair allocation of the costs of new growth on public facilities; 2) facility costs that include various transportation modes, schools, public safety, libraries and parks; 3) effective implementation and reasonable administrative requirements; and 4) no caps or limits on locality impact fee updates.

We also take the following positions:

- 1) We oppose efforts to unnecessarily expand and commercialize the definition of farm operations that would impede local abilities to protect the property values, health, safety and welfare of citizens in the locality.
- 2) To enhance our ability to pay for infrastructure costs and to implement services associated with new developments, we support localities being given authority to enact local ordinances for determining whether public facilities are adequate (“adequate public facility,” or APF ordinances).
- 3) We support optional cluster development as a land use tool for local governments.
- 4) Concerning conservation of land, we support a) state funding for localities, at their option, to acquire, preserve and maintain open space; b) authority to generate local dollars for such efforts; c) additional incentives for citizens to create conservation easements; and d) authority for localities, at their option, to enact scenic protection and tourist enhancement districts.

COMPREHENSIVE SERVICES ACT

*Legislative Position of Charlottesville City and the
Counties of Albemarle, Fluvanna, Greene, Louisa and Nelson*

PRIORITY: The Planning District localities urge the state to be partners in containing costs of the Comprehensive Services Act (CSA) and to better balance CSA responsibilities between state and local government. We also request increased state dollars for local CSA administrative costs.

Rationale: Since the inception of the Comprehensive Services Act in the early 1990's, there has been pressure to hold down costs, to cap state costs for serving mandated children, to increase local match levels and to make the program more uniform by attempting to control how localities run their programs. After years of steep increases (ranging from five to 16 percent) in state and local costs of residential and non-residential mandated services, CSA pool expenditures for state and local governments have declined or remained steady the last four years as the number of youth receiving services has dropped. Costs remain challenging to forecast because of factors beyond state and local control (number of mandated children in a community, severity of problems, service rates, and availability of alternative funding).

In addition, localities pay the overwhelming majority (80%) of costs to administer this shared program. State dollars for administration have not increased since the late 1990's. At the same time, administrative costs have jumped due to additional data collection and reporting requirements.

Position Statements:

We take the following positions:

- 1) The state should either provide additional funding to localities for administrative support or revise its data collection and reporting requirements.
- 2) The state should provide full funding of the state pool for CSA, with allocations based on realistic anticipated levels of need.
- 4) The state should establish a cap on local expenditures in order to combat higher local costs for serving mandated children, costs often driven by unanticipated placements in a locality.
- 5) The categories of populations mandated for services should not be expanded unless the state pays all the costs.
- 6) The state should be proactive in making residential facilities and service providers available, especially in rural areas.
- 7) In a further effort to help contain costs and provide some relief to local governments, we recommend that the state establish contracts with CSA providers to provide for a uniform contract management process in order to improve vendor accountability and to control costs.

AREAS OF CONTINUING CONCERN

ECONOMIC and WORKFORCE DEVELOPMENT

The Planning District's member localities recognize economic development and workforce training as essential to the continued viability of the Commonwealth. We support policies that closely link the goals of economic and workforce development and the state's efforts to streamline and integrate workforce activities and revenue sources. We also support increased state funding for workforce development programs.

- We support the state's Economic and Workforce Development Strategic Plan for the Commonwealth that more clearly defines responsibilities of state and local governments and emphasizes regional cooperation in economic, workforce and tourism development.
- We support meaningful opportunities to boost regional collaboration and projects. Specifically, we endorse enhanced state funding for the Regional Competitiveness Act to initiate and sustain such efforts. ~~to continue meaningful opportunities for regional projects.~~ We also support increased state funding for the Industrial Site Development Fund, the Governor's Opportunity Fund and tourism initiatives that help promote economic development in localities and regions.
- We encourage the state and local governments to work with other entities to identify, to provide incentives for ~~incentivize~~ and to promote local, regional and state agricultural products and rural enterprises, and to encourage expansion and opportunities for such products and enterprises.
- We support ~~restructuring of the Virginia Cooperative Extension Service (VCES) that preserves beneficial extension agents and the services they provide, and that increases~~ increased state funding for the Virginia Cooperative Extension Service VCES.
- We encourage continuing state incentives and support for expediting deployment and reducing the cost of broadband technology, particularly in underserved areas.

ENVIRONMENTAL QUALITY

The Planning District's member localities believe that environmental quality should be funded and promoted through a comprehensive approach, and address air and water quality, solid waste management, land conservation, climate change and land use policies. We are committed to protection and enhancement of the environment and recognize the need to achieve a proper balance between environmental regulation and the socio-economic health of our communities within the constraints of available revenues. Such an approach requires regional cooperation due to the inter-jurisdictional nature of many environmental resources, and adequate state funding to support local and regional efforts.

We believe the following:

- The state should not impose a fee, tax or surcharge on water, sewer, solid waste or other local services to pay for state environmental programs. To do so would set a disturbing precedent whereby the state could levy surcharges on local user fees to fund state priorities.
- The legislature should continue to provide funding for wastewater treatment and other necessary assistance to localities as it works to clean up the state's impaired waterways. The state also should explore alternative means of preventing and remediating water pollution.
- We oppose legislation mandating expansion of the Chesapeake Bay Preservation Act's coverage area. Instead, we urge the state to 1) provide legal, financial and technical support to localities that wish to

comply with any of the Act's provisions, 2) allow localities to use other practices to improve water quality, and 3) provide funding for other strategies that address point and non-point source pollution.

- We support legislative and regulatory action to 1) ensure that alternative on-site sewage systems will be operated and maintained in a manner that protects public health and the environment, and 2) increase options for localities to secure owner abatement or correction of system deficiencies.
- The state should be a partner and advocate for localities in water supply development and should work with and assist localities in addressing water supply issues, including investing in regional projects. Also, the state's water supply planning efforts should continue to involve local governments.
- We support legislation enabling localities, as a part of their zoning ordinances, to designate and/or reasonably restrict the land application of biosolids to specific areas within the locality, based on criteria designed to further protect the public safety and welfare of citizens. In addition, we support increased local government representation on the Biosolids Use Regulation Advisory Committee.
- We support scenic river designation for a portion of the Tye River in Nelson County.

HEALTH and HUMAN SERVICES

The Planning District's member localities recognize that special attention must be given to developing circumstances under which people, especially the disabled, the poor, the young and the elderly, can achieve their full potential. Funding reductions to community agencies have been especially troublesome, as their activities often end up preventing more costly services later. The delivery of health and human services must be a collaborative effort from federal, state and local agencies. We urge the General Assembly to ensure funding is available to continue such valuable preventive services.

- We oppose any changes in state funding or policies that result in an increase of the local share of costs for human services.
- The state should increase funding to the Virginia Juvenile Community Crime Control Act (VJCCCA) program, which has cut in half the number of juvenile justice commitments over the past decade.
- The state should provide sufficient funding to allow Community Services Boards (CSBs) to meet the challenges of providing a community-based system of care, including maximizing the use of Medicaid funding. We believe children with mental health needs should be treated in the mental health system, where CSBs are the point of entry. We support state action to increase investment in the MR waiver program for adults and young people and Medicaid reimbursement for children's dental services. We also oppose any shifting of Medicaid matching requirements from the state to localities, and request sufficient federal and/or state financial resources associated with new or additional roles and responsibilities for local governments due to any expansion of Medicaid.
- We urge full state funding to offset any increased costs to local governments for additional responsibilities for processing applications for the FAMIS program.
- We support funding for mental health and substance abuse services at juvenile detention centers.
- We oppose new state or federal entitlement programs that require additional local funding.
- We support the provision of sufficient state funding to match all available federal dollars for the administration of mandated services within the Department of Social Services (DSS), and to meet the staffing standards for local departments to provide services as stipulated in state law. Additionally, the state should not assess penalties on localities resulting from federal Title IV-E foster care audit findings; rather it should adequately fund, equip and support local DSS offices.
- We support sufficient state funding assistance for older residents, to include companion and in home services, home delivered meals and transportation.
- We support the continued operation and enhancement of early intervention and prevention programs (and renewal of CSA Trust Fund dollars to support them), including school-based prevention

programs which can make a difference in children's lives. This would include the state's program for at-risk four-year-olds and the Child Health Partnership and Healthy Families programs, as well as Part C of the Individuals with Disabilities Education Act (infants and toddlers).

- The legislature should provide full funding to assist low-income working and TANF (and former TANF) families with childcare costs. These dollars help working-class parents pay for supervised day care facilities and support efforts for families to become self-sufficient. We oppose any initiatives to shift traditional federal and state childcare administrative responsibility and costs to local governments. We believe the current funding and program responsibility for TANF employment services should remain within the social services realm. We also support a TANF plan that takes into account and fully funds state and local implementation and support services costs.

HOUSING

The Planning District's member localities believe that every citizen should have an opportunity to afford decent, safe and sanitary housing. The state and localities should work to expand and preserve the supply and improve the quality of affordable housing for the elderly, disabled, and low- and moderate-income households. Regional housing solutions and planning should be implemented whenever possible.

- We support the following: 1) local flexibility in the operation of affordable housing programs, 2) creation of a state housing trust fund, 3) local flexibility in establishment of affordable dwelling unit ordinances, 4) grants and loans to low- or moderate-income persons to aid in purchasing dwellings, and 5) the provision of other funding to encourage affordable housing initiatives.
- We support enabling legislation that allows property tax relief for community land trusts that hold land for the purpose of providing affordable homeownership.
- We support measures to prevent homelessness and to assist the chronic homeless.
- We support incentives that encourage rehabilitation and preservation of historic structures.
- We support retaining local discretion to regulate the allowance of manufactured homes in zoning districts that permit single-family dwellings.
- We encourage and support the use of, and request state incentives for using environmentally friendly (green) building materials and techniques, which can contribute to the long-term health, vitality and sustainability of the region.

PUBLIC SAFETY

The Planning District's member localities encourage state financial support, cooperation and assistance for law enforcement, emergency medical care, criminal justice activities and fire services responsibilities carried out locally.

- We urge the state to make Compensation Board funding a top priority, fully funding local positions that fall under its purview. It should not increase the local share of funding constitutional offices or divert funding away from local offices, but increase money needed for their operation. Local governments continue to provide much supplemental funding for constitutional officer budgets when state funding is reduced.
- We urge continued state funding of the HB 599 law enforcement program (in accordance with *Code of Virginia* provisions), the drug court program and the Offender Reentry and Transition Services (ORTS), Community Corrections and Pretrial Services Acts. We also support continued state endorsement of the role and authority of pretrial services offices.

- The state should continue to allow exemptions from the federal prisoner offset and restore the per diem payment to localities for housing state-responsible prisoners to \$14 per day. Also, the state should not shift costs to localities by altering the definition of state-responsible prisoner.
- We support restoration of state funding responsibility for the Line of Duty Act.
- We urge state funding for the Volunteer Firefighters' and Rescue Squad Workers' Service Award Program and other incentives that would help recruit and retain emergency service providers. Further, the state should improve access to and support for training for volunteer and paid providers.
- We encourage shared funding by the state of the costs to construct and operate regional jails; however, we do not believe the state should operate local and regional jails.

LOCAL GOVERNMENT STRUCTURE and LAWS

The Planning District's member localities believe that since so many governmental actions take place at the local level, a strong local government system is essential. Local governments must have the freedom and tools to carry out their responsibilities.

- We oppose intrusive legislation involving purchasing procedures; local government authority to establish hours of work, salaries and working conditions for local employees; matters that can be adopted by resolution or ordinance; and procedures for adopting ordinances.
- We request that any changes to the Virginia Freedom of Information Act (FOIA) preserve 1) a local governing body's ability to meet in closed session, 2) the list of records currently exempt from disclosure under FOIA, and 3) provisions concerning creation of customized computer records. We support changes to allow local and regional public bodies to conduct electronic meetings as now permitted for state public bodies.
- We support allowing localities to use alternatives to newspapers for publishing various legal advertisements and public notices.
- We oppose any changes to state law that further weaken a locality's ability to regulate noise or the discharge of firearms.
- We support expanding local authority to regulate smoking in public places.
- The state should amend the Code to require litigants in civil cases to pay for the costs associated with compensating jury members.
- We support authorization for the court to issue restricted driver's licenses to persons denied them because of having outstanding court costs or fees.
- ~~We support legislation to include Albemarle County as a locality enabled to restrict the number of inoperable vehicles which may be kept outside of an enclosed building or structure on residential or commercial property.~~
- We support legislation to allow localities to give developers the option to install sidewalks or to contribute corresponding funds in connection with ~~new~~ residential development or redevelopment.
- ~~The state should enable localities to retain civil penalties collected from illegal sign removal in the right-of-way.~~
- ~~We support a pilot program to combine voting precincts into centralized voting centers for primary elections, in order to study their potential efficacy and cost savings.~~
- We support increased state funding for regional planning districts.
- We support legislation to increase permissible fees for courthouse maintenance.
- We oppose attempts to reduce sovereign immunity protections for localities.
- We support enactment of an interest rate cap of 36% on payday loans, fees and other related charges.



Capital Reserve Maintenance Fund Request

MOTION: I move that the Board of Supervisors approve a Capital Reserve Maintenance Fund Request to:
 Purchase and install 20 bus monitoring cameras with GPS and video enhanced software on the FCPS buses at a price of \$25,500

Section 1 - REQUEST

Requesting Department/Agency	Dept/Agency Contact	Date of Request
FCPS	Chuck Winkler and Jessica Cann	10-8-13
Phone	Fax	Fiscal Year
434-589-8208	434-589-2248	FY13

Reserve Fund Purpose Category: Unexpected equipment failure

Description of Project/Repair	Qty	Unit Price	Total Price
Toshiba 320 GB Camera with HD/CD DVR enhanced GPS	20	\$975.00	\$19,500.00
Mobile DVR and Install	20	\$300.00	\$6,000.00
Total Request:			\$25,500.00

Description and justification for proposed use.

The cameras in a lot of our school buses are old and outdated. When schools attempt to pull up video from many of the monitoring systems on the buses, it can't be viewed due to poor quality. Replacing the antiquated equipment is a must to assist school level administration with discipline concerns and other student related matters.

Department/Agency Head Name	Signature	Date
Fluvanna Co. Public Schools	Chuck Winkler <small>Digitally signed by Chuck Winkler DN: cn=Chuck Winkler, ou=Fluvanna County Public Schools, ou=Central Records/Support, cn=FCPS Date: 2013.05.20 11:51:28 -0400</small>	2013/10/08

Section 2 - REVIEW

Recommended?	County Finance Director	Date
<input type="checkbox"/> Yes <input type="checkbox"/> No		
Recommended?	County Administrator	Date
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	 Steven M. Nichols 2013.10.08 15:45:48 -04'00'	

Section 3 - BOARD OF SUPERVISORS

Approved?	Decision Date	Comments
<input type="checkbox"/> Yes <input type="checkbox"/> No		

BOARD OF SUPERVISORS AGENDA ITEM

Meeting Date: November 6, 2013

SUBJECT:	Appointment to the Agricultural/Forestral Advisory Committee, At Large Position, replacing Mr. R. Kent Loving
MOTION(s):	I move to appoint _____ to the Agricultural/Forestral Advisory Committee, with a term to begin immediately and to terminate June 30, 2016.
STAFF CONTACT:	Mary Weaver
RECOMMENDATION:	Approval
TIMING:	Normal
DISCUSSION:	Applicants who have shown an interest in this position are: Ed Zimmer, currently on the Planning Commission
FISCAL IMPLICATIONS:	None
POLICY IMPLICATIONS:	None
LEGISLATIVE HISTORY:	None
ENCLOSURES:	Boards and Commissions Applications

Interest in Agricultural/Forestal Advisory Committee

Columbia

Last Name Zimmer First Name Ed Date Recieved 6/29/2012

Mailing Address 8023 Venable Road City Kents Store State VA Postal Code 23084-

Home Phone (757) 653-7511 Work Phone 4342209178 Cell Phone/Other

Fax Email Address ed.zimmer@dof.virginia.gov

Physical Address 8023 Venable road City Kents Store State VA Postal Code 23084

Education and Experience:

BS in Forestry from West Virginia University, MBA from Averrett University; 5 years military experience; 25 years in Natural Resources

Civic Activities and Committee Memberships:

Scout Leader, Virginia Forestry Association

Interest in Committee:

To use skills and abilities to give back service to the County

Comments: Replaced Carolyn Tinsley who resigned mid-term.

BOARD OF SUPERVISORS AGENDA ITEM

Meeting Date: November 6, 2013

SUBJECT:	FY14 Pay Plan
MOTION(s):	I move to adopt and approve the Fluvanna County FY14 Pay Plan, including the FY14 Pay Band Salary Schedule and the FY14 Schematic List of Classes.
STAFF CONTACT:	Gail Parrish/ HR Manager
RECOMMENDATION:	Approve
TIMING:	November, prior to next year's Budget review
DISCUSSION:	Performed a review of the current Fluvanna County Salary Schedule and Schematic list of classes. Reviewed all positions' grades' weighted market averages used in the last budget process to other positions in the same grade and made recommended changes if the weighted averages were not within the mid-range of the grade. Adjusted the minimum hiring range of the grades to more competitive rates and keeping most current wages above the minimum wage.
FISCAL IMPLICATIONS:	None
POLICY IMPLICATIONS:	Pay Plan to be approved Annually by the Board of Supervisors
LEGISLATIVE HISTORY:	Last reviewed and revised November 2012
ENCLOSURES:	Fluvanna County Salary Schedule, Fluvanna County Schematic List of Classes and Power Point Presentation



FY14 Pay Plan Proposal

**Proposed New Salary Schedule and
Schematic List of Classes**

November 2013



Proposed Changes

- **Pay Band Adjustments**

- Increase Minimum pay rates 5 – 10 % to account for recent pay plan increases
- Rebalance Mid-range
- No change to Maximum pay rates

- **Position Realignment and Title Changes within Pay Bands**

- Compared current pay bands for all positions against market weighted averages
 - 15 positions upgraded to new pay band
 - 2 positions downgraded to new pay band
- **2 title changes for Parks & Rec. positions**



FY14 Salary Schedule Proposal

Schematic

Pay Band	Cat	Minimum	Mid-Range	Maximum
1	Annual	\$17,242	\$21,497	\$25,752
	Hourly	8.29	10.34	12.38
2	Annual	\$18,373	\$22,895	\$27,417
	Hourly	8.83	11.01	13.18
3	Annual	\$18,720	\$23,955	\$29,190
	Hourly	9.00	11.52	14.03
4	Annual	\$20,821	\$25,958	\$31,096
	Hourly	10.01	12.48	14.95
5	Annual	\$22,171	\$27,640	\$33,110
	Hourly	10.66	13.29	15.92
6	Annual	\$23,612	\$29,445	\$35,278
	Hourly	11.35	14.16	16.96
7	Annual	\$24,960	\$31,258	\$37,555
	Hourly	12.00	15.03	18.06
8	Annual	\$25,688	\$32,848	\$40,008
	Hourly	12.35	15.79	19.23
9	Annual	\$26,770	\$34,692	\$42,614
	Hourly	12.87	16.68	20.49
10	Annual	\$30,385	\$37,879	\$45,373
	Hourly	14.61	18.21	21.81
11	Annual	\$31,616	\$39,973	\$48,329
	Hourly	15.20	19.22	23.24
12	Annual	\$33,280	\$42,370	\$51,461
	Hourly	16.00	20.37	24.74
13	Annual	\$36,700	\$45,755	\$54,811
	Hourly	17.64	22.00	26.35
14	Annual	\$39,102	\$48,741	\$58,381
	Hourly	18.80	23.43	28.07
15	Annual	\$41,642	\$51,905	\$62,169
	Hourly	20.02	24.95	29.89

Pay Band	Cat	Minimum	Mid-Range	Maximum
16	Annual	\$45,024	\$55,611	\$66,198
	Hourly	21.65	26.74	31.83
17	Annual	\$47,224	\$58,868	\$70,512
	Hourly	22.70	28.30	33.90
18	Annual	\$50,290	\$62,690	\$75,089
	Hourly	24.18	30.14	36.10
19	Annual	\$53,562	\$66,767	\$79,972
	Hourly	25.75	32.10	38.45
20	Annual	\$57,040	\$71,112	\$85,184
	Hourly	27.42	34.19	40.95
21	Annual	\$60,746	\$75,724	\$90,703
	Hourly	33.59	43.61	43.61
22	Annual	\$64,705	\$80,660	\$96,615
	Hourly	31.11	38.78	46.45
23	Annual	\$68,915	\$85,896	\$102,878
	Hourly	33.13	41.30	49.46
24	Annual	\$73,399	\$91,489	\$109,579
	Hourly	35.29	43.99	52.68
25	Annual	\$71,053	\$93,874	\$116,696
	Hourly	34.16	45.13	56.10
26	Annual	\$75,670	\$99,971	\$124,273
	Hourly	36.38	48.06	59.75
27	Annual	\$80,600	\$106,476	\$132,353
	Hourly	38.75	51.19	63.63
28	Annual	\$85,821	\$113,390	\$140,959
	Hourly	41.26	54.51	67.77
29	Annual	\$91,416	\$120,775	\$150,134
	Hourly	43.95	58.06	72.18
30	Annual	\$97,344	\$128,612	\$159,879
	Hourly	46.80	61.83	76.86



Summary of Position Changes

Pay Band	Job Class	Position Title
5 to 4	4131	Facilities Assistant
4 to 5	3461	Convenience Center Worker
6 to 8	4111	Recreation Program Specialist (Programs Assistant, Parks & Rec)
8 to 9	3190	Maintenance/Energy Technician
9 to 10	2111	Code Compliance Officer
9 to 10	1022	Senior Program Support Assistant, Planning
9 to 10	1021	Senior Program Support Assistant, Public Works
11	1051	Administrative Program Specialist Administrative Assistant
10 to 12	3391	Buildings Supervisor
10 to 12	3371	Grounds Supervisor
15 to 12	1131	Human Resources Assistant
9 to 12	1071	Legal Secretary
12 to 13	1091	Administrative Assistant/Clerk to the Board
12 to 13	3431	Convenience Center Manager/Recycle Coordinator
13 to 15	6551	Deputy Sheriff - Investigator
15 to 18	6291	Director of Communications, (9-1-1 Call Ctr)
17 to 18	1130	Human Resources Manager
20 to 21	1120	Director of Information Technology



Results of Proposed Changes

- **No Salary Changes at this time**
 - All but 2 employee's salaries are within the proposed pay bands
 - Potential salary adjustments to these two positions will be addressed during Budget
- **Creates proper alignment for positions with similar market weighted averages**
- **Creates more competitive salary ranges for recruitment and retention**



Questions?

BOARD OF SUPERVISORS AGENDA ITEM

Meeting Date: November 6, 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, October 16, 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 October 16, 2013

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Court Room
October 16, 2013, 7:00 pm, Regular Meeting**

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

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, October 16, 2013, to order 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 to remember Mr. Kent Loving who passed on October 10, 2013. He served as Commissioner of the Revenue for 16 years and was a member of other Boards and Commissions.

CLOSED SESSION

MOTION TO ENTER INTO A CLOSED MEETING:

At 7:01 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 and 2.2-3711A.7 for discussion of Personnel Matters and Legal Matters. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Chesser, Weaver, Ullenbruch and Booker. NAYS: None. ABSENT: None.

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

At 7:48 p.m., Mr. Weaver moved the closed meeting be adjourned and the Fluvanna County Board of Supervisors reconvene again in open session. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Chesser, Weaver, Ullenbruch and Booker. NAYS: None. ABSENT: None.

MOTION:

At 7:49 p.m., the following resolution was adopted by the Fluvanna County Board of Supervisors, following a closed meeting held Wednesday, October 16, 2013, on motion of Mr. Weaver, seconded by Mr. Chesser, and carried by the following vote of 5-0. AYES: Kenney, Chesser, Weaver, Ullenbruch and Booker. 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.”

COUNTY ADMINISTRATOR’S REPORT

Mr. Nichols reported on the following topics:

- Happy Birthday to Mr. Chesser on October 27, 2013.
- Greg Sawyer in Public Works completed Small Engine and Equipment Repair at PVCC.
- A PVCC “pruning” course designed specifically for our Public Works staff was held to teach about pruning shrubs & trees along with general plant care.

- 35th Annual Apple Harvest Camporee at Pleasant Grove Park held on October 12, 2013. Over 900 Boy Scouts, Cub Scouts, Leaders, and parents attended.
- 1st Annual Trail Run at the Apple Harvest and 277 runners/walkers registered.
- Bike Rodeo was held at Old Farm Day - 100 free bike helmets given out and 40 kids rode through the obstacle course.
- Parks and Recreation Driveway was resurfaced.
- October 15, 2013 – JRWA meeting at 10:00 am at the Virginia Community Bank at Zion Crossroads.
- Pleasant Grove House Update – Would like to meet with Board Representatives to discuss current status. Mr. Weaver and Mrs. Booker were selected as the representatives.

Mrs. Booker requested we contact Dr. Reeder to set up a presentation at the November 6, 2013 meeting on JABA/PACE.

- Discussed work session schedule – School Board Work Session moved to presentation on the November 6, 2013 agenda. General Discussion on Fork Union Sanitation District and possible Fluvanna Water Authority scheduled for the December 4, 2013 work session.
- Fluvanna Leadership Development Class is present this evening.
- October 23, 2013 focus group for JABA and Senior Citizens services.

PUBLIC COMMENTS #1

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

- Judge Allen Talley, Palmyra District – addressed the Board in regards to interpretation and application of Zoning Ordinance.
- Ray Weimer, Rivanna District – thanked the Board for support the Fluvanna Leadership Development Program.

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

PUBLIC HEARING

ZMP 12-02 and SUP 13-02/ Hotel Street Capital, LLC – Mrs. Allyson Finchum, Planning and Zoning Administrator, addressed the Board in regards to this request to amend the Fluvanna County Zoning Map with respect to approximately 222.03 acres of Tax Map 30, Section A, Parcel 110, and 10 acres of Tax Map 19, Section A, Parcel 39C, for an aggregate of 232.03 acres, to rezone the same from R-3, Residential, Planned Community (conditional) to Planned Unit Development (PUD) (conditional).

The Board discussed recent changes that were made to the application and the possibility of returning this item to the Planning Commission. Mr. Fred Payne, County Attorney, voice he didn't feel the changes made were large enough to return the item back to the Planning Commission. Mr. Payne relayed some of the concerns the Planning Commission had to the Board. Mr. Keith Smith, applicant, reviewed with the Board the plans for this request and the proposed proffers. Mr. Fred Payne, County Attorney, addressed a concern with the potential closing of a public road twice, stating he has never seen approved that he knew of.

Chairman Kenney opened the floor for the public hearing.

- Henry Southworth, Fork Union District – addressed the Board in regards to concerns with; ground water, septic system, schools and taxes associated with this request. Opposed to this request.
- Rick Kelly, Rivanna District – addressed the Board in regards to supporting business associated with this request. Opposed to this request.
- Mary Tillman, Columbia District – addressed the Board in regards to concerns with water and traffic associated with this request. Opposed to this request.
- Glenn Schumaker, Cunningham District – addressed the Board in opposition of this request.
- Ashleigh Ninnis, Palmyra District – addressed the Board on behalf of Dr. Samantha Dukes, Camp Physician, in opposition of this request.
- Judge Allen Talley, Palmyra District – addressed the Board in regards to this request not being a good plan, not prepared and commercial space allotted to small. Opposed to this request.

- James C. Gibson, Palmyra District – addressed the Board in opposition of this request.
- Elizabeth Franklin, Columbia District – addressed the Board in regards to this request setting a precedence and not beneficial for tax payers. Opposed to this request.
- Dennis Holder, Columbia District – addressed the Board in opposition of this request.
- Jean DeMarco, Cunningham District – addressed the Board in regards to concerns with; taxes, roads, water pollution, and destroying the rural character associated with this request. Opposed to this request.
- Sean O'Malley, Palmyra District – addressed the Board in regards to the Apple Harvest Festival and this request. Please follow your defined vision for Fluvanna and deny this request.
- Carolyn Talley, Palmyra District – addressed the Board in regards to this request effecting Fluvanna in a negative way. Opposed to this request.
- Kate Skovera, Cunningham District – addressed the Board in opposition of this request.
- Molly Suling, Palmyra District – addressed the Board in opposition of this request, water resources would be at risk.
- Jennifer Dudley, Palmyra District – addressed the Board in opposition of this request.
- Chuck Ackenbom, Owner of Camp Friendship, Palmyra District – addressed the Board in opposition of this request it will drastically affect Camp Friendship in a negative way.
- Erin Weiner, Palmyra District – addressed the Board on behalf of Deborah Jeffreys Gruder, Scott-Free Scholarship Foundation, in opposition of this request.
- David Perry, Cunningham District – addressed the Board in opposition of this request, has fiscal issues, weak commercial plan, tax burden, safety issues, Fire and Rescue response and substantial environmental issues.
- Adrian Miller, Rivanna District – addressed the Board in opposition of this request, doesn't fit the area.
- Chris Fairchild, Cunningham District - addressed the Board in opposition of this request, not profitable for Fluvanna County.
- Betty McGehee, Palmyra District - addressed the Board in opposition of this request.
- George O'Malley, Fork Union District - addressed the Board in opposition of this request.

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

Mr. Justin Shimp, Engineer, and Mr. Keith Smith, applicant addressed some of the questions that were raised during the public hearing.

EXTEND MEETING

MOTION:

Mr. Weaver moved to extend the Board of Supervisors meeting to 1:00 a.m. Mr. Chesser seconded. The motion carried with a vote of 5-0. AYES: Kenney, Ullenbruch, Booker, Chesser and Weaver. NAYS: None. ABSENT: None.

The Board discussed in depth their concerns of water supply, the style of homes to be built, who would maintain water, sewer and roads, and when construction would begin. Mr. Fred Payne discussed the possibility of this plan not being able to be completed as shown. He stated the Board, as the governing body, has a duty under Section 22-17-4D of Fluvanna County's Zoning Ordinance to make a finding of certain things, one of those is the proposed use shall be compatible with the uses permitted by right in the zoning district and shall not adversely affect the use and/or value of neighboring property. The Board discussed the statutory concern and considered remanding the request to the Planning Commission. The applicant requested this item be deferred to a future Board meeting.

MOTION:

Mr. Ullenbruch moved to remand ZMP 12:02 and SUP 13:02 back to the Planning Commission. Mr. Weaver seconded. The motion carried, with a vote of 4-1. AYES: Kenney, Chesser and Weaver. NAYS: Booker. ABSENT: None.

Board Recessed at 11:49pm.

Board Reconvened at 12:02pm.

ACTION MATTERS

Resolution to Opt-Out of the VLDP Plan – Ms. Gail Parrish addressed this request to opt-out of the VLDP Plan and establish a County disability plan.

MOTION:

Mr. Chesser moved to make the irrevocable election to request that Fluvanna County's eligible employees not participate in the VLDP and that the County establish, and continue to maintain, comparable employer-paid disability coverage for such employees as per required in the Code of Virginia, Chapter 11.1, Title 51.1. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Chesser, Ullenbruch and Weaver. NAYS: None. ABSENT: None.

Hybrid Disability Plan Election – Ms. Gail Parrish addressed this request to establish a disability plan for the county.

MOTION:

Mr. Chesser moved to establish a disability plan for VRS Hybrid Plan eligible employees per Chapter 11.1 of Title 51.1 of the Code of Virginia, with such plan to include VaCorp and The Standard Insurance companies proposed Short Term and Long Term Plan, effective January 1, 2014. Also moved that Fluvanna County establish the new Sick Leave Plan for Hybrid Employees, effective January 1, 2014. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Chesser, Ullenbruch and Weaver. NAYS: None. ABSENT: None.

Appointment to Thomas Jefferson Emergency Medical Services Council (TJEMS)

MOTION:

Mr. Ullenbruch moved to appoint Ms. Cheryl Wilkins to the Thomas Jefferson Emergency Medical Services Council (TJEMS), replacing Ms. Andrea Gaines as the Fluvanna Representative, with a term to begin immediately and to terminate June 30, 2104. Mr. Chesser seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Chesser, Ullenbruch and Weaver. NAYS: None. ABSENT: None.

Appointment to the Parks and Recreation Advisory Board Student Position

MOTION:

Mr. Ullenbruch moved to appoint Eva McGehee to the Parks and Recreation Advisory Board Student Position, with a term to begin immediately and to terminate June 30, 2017. This position replaces Kelsey Schlein, who graduated. Mr. Chesser seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Chesser, Ullenbruch and Weaver. NAYS: None. ABSENT: None.

Loan of \$30,000 to Fork Union Sanitary District (FUSD) – Mrs. Barbara Horlacher, Finance Director, addressed this request.

MOTION:

Mr. Ullenbruch moved that the Board of Supervisors approve a loan from the Fluvanna County General Fund to Fork Union Sanitary District for \$30,000.00, effective 6/30/2013. Mrs. Booker seconded. The motion carried, with a vote of 4-1. AYES: Kenney, Booker, Chesser and Ullenbruch. NAYS: Weaver. ABSENT: None.

PRESENTATIONS

None

CONSENT AGENDA

The Capital Reserve Maintenance Fund Request was pulled from the consent agenda and deferred to the November 6, 2013 meeting for discussion.

The following items were approved under the consent agenda:

MOTION:

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

- Minutes from October 02, 2013 as presented.
- Open Space Renewal Application/Mr. James R. Gerling and Mr. James R. Gerling, Jr.
- Open Space renewal Application/Mr. Robert A. Gunnell, Jr.
- Supplemental Appropriation Request

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

UNFINISHED BUSINESS

None

NEW BUSINESS

Economic Development and Water Infrastructure – Mr. Steve Nichols, County Administrator, reviewed with the Board where we are with the anticipation of the work session coming up at the December 4 meeting. Mrs. Booker and Chairman Kenney inquired about Bond Counsel/Financial Advisor advice regarding financing of a Zion Crossroads water project. Mr. Nichols will meet with Mrs. Booker to review the request and then will provide follow-up information to the full board by email.

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.

ADJOURN

MOTION:

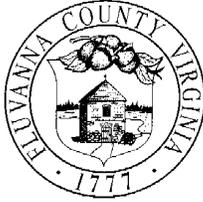
At 12:27 a.m., Mr. Chesser moved to adjourn the meeting of Wednesday, October 16, 2013. Mr. Weaver seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Chesser, Ullenbruch and Weaver. NAYS: None. ABSENT: None.

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

Mary L. Weaver, Clerk

Shaun V. Kenney, Chairman



BOARD OF SUPERVISORS
County of Fluvanna
Palmyra, Virginia

RESOLUTION

At a regular monthly meeting of the Fluvanna County Board of Supervisors held on Wednesday, October 16, 2013 in Palmyra, Virginia, the following action was taken:

<u>Present</u>	<u>Vote</u>
Shaun V. Kenney	YEA
Bob Ullenbruch	YEA
Mozell Booker	YEA
Joe Chesser	YEA
Donald W. Weaver	YEA

WHEREAS, for purposes of VLDP administration, an employer with VLDP-eligible employees may make an irrevocable election on or before November 1, 2013, requesting that its eligible employees not participate in VLDP as of the VLDP effective date of January 1, 2014, because it has or will establish, and continue to maintain, comparable employer-paid disability coverage for such employees that meets or exceeds the coverage set out in Chapter 11.1 of Title 51.1 of the *Code of Virginia*, with the exception of long term care coverage, by January 1, 2014; and

WHEREAS, it is the intent of the County of Fluvanna, VRS member #55132, to make this irrevocable election to request that its eligible employees not participate in VLDP; and

NOW, THEREFORE, BE IT RESOLVED that the County of Fluvanna irrevocably elects not to participate in VLDP because it has or will establish, and continue to maintain, comparable employer-paid disability coverage for such employees; and

BE IT FURTHER RESOLVED that, as an integral part of making this irrevocable election, the County of Fluvanna certifies that it has or will establish, and continue to maintain, comparable employer-paid disability coverage for such employees.

Adopted this 16th day of October 2013
 by the Fluvanna County Board of Supervisors

Shaun V. Kenney, Chairman
 Fluvanna County Board of Supervisors

TAB G

Accounts Payable

Information is forthcoming and
will be available night of
meeting

BOARD OF SUPERVISORS AGENDA ITEM

Meeting Date: November 06, 2013

SUBJECT:	Resolution/Recognizing an Outstanding Conservation Farm
MOTION(s):	I move the Fluvanna County Board of Supervisors approve the resolution for Recognizing an Outstanding Conservation Farm.
STAFF CONTACT:	Nicola McGoff – Thomas Jefferson Soil and Water Conservation District
RECOMMENDATION:	Approve
TIMING:	Routine
DISCUSSION:	N/A
FISCAL IMPLICATIONS:	N/A
POLICY IMPLICATIONS:	N/A
LEGISLATIVE HISTORY:	N/A
ENCLOSURES:	Resolution



RESOLUTION

For Recognizing An Outstanding Conservation Farm
Offered on November 06, 2013

In recognition of Modesto Farm of Fluvanna County for their outstanding farm conservation management practices,

BE IT KNOWN Among All Within the County of Fluvanna,

That the Thomas Jefferson Soil and Water Conservation District serves this community through programs and activities that enhance water quality of our surface and ground waters; while conserving and protecting our natural resources.

That in cooperation with the Virginia Department of Conservation and Recreation, farmers who demonstrate outstanding management practices which conserve our precious natural resources are selected and recognized through the Clean Water Farm Award Program.

That the Thomas Jefferson SWCD has selected Modesto Farm as the Clean Water Farm Award Program recipient of the County of Fluvanna for 2012.

That Modesto Farm demonstrates a commitment to the conservation of the natural resources on their farm through:

- Fencing cattle out of all 23,000 linear feet of streams on site
- Installing eight alternative water sources for the cattle
- Establishing a rotational grazing management system throughout 19 paddocks.
- Creating 10.6 acres of CREP buffers established wildlife habitat corridors throughout the farm. Mast-producing trees have been left along field edges, and persimmon trees have even been left in the middle of many of the fields.
- The six greenhouses on the farm are open to the public and have been featured on PBS's *Virginia Home Grown*. Modesto farm start most of their plants from seed, and insect control is accomplished using carnivorous plants and other natural methods. They have used the greenhouses as an educational tool, having local school groups out to discuss plant and animal life cycles to expand their SOL studies.

BE IT RESOLVED by County of Fluvanna Supervisors, that Modesto Farm of Fluvanna County is hereby commended or their commitment to protecting and enhancing waters that flow beyond farm boundaries and for the conservation ethic demonstrate through the farm management practices.

Endorsed this Sixth day of November, 2013

Shaun V. Kenney, Chairman
Fluvanna County Board of Supervisors

BOARD OF SUPERVISORS AGENDA ITEM

Meeting Date: November 6, 2013

SUBJECT:	Resolutions for the Designation of Rural Rustic Roadways
MOTION(s):	I move that the Board of Supervisors approve the attached resolutions declaring Route Route 621, Lantre Lane, Route 687, Radicel Circle, and Route 675, Canal Street to be Rural Rustic Roads and to be improved to be accepted into the Secondary System of State Highways as such.
STAFF CONTACT:	Steven M. Nichols, County Administrator
RECOMMENDATION:	Approve
TIMING:	Routine
DISCUSSION:	VDOT has requested this action by the County in order to move these projects forward and improve them to the rural rustic road standards required for acceptance into the state system. These roads are currently approved in the VDOT Secondary Six Year Plan as projects.
FISCAL IMPLICATIONS:	
POLICY IMPLICATIONS:	
LEGISLATIVE HISTORY:	
ENCLOSURES:	Resolutions for Route 621, Lantre Lane, Route 687, Radicel Circle and Route 675, Canal Street

FLUVANNA COUNTY, VIRGINIA
BOARD OF SUPERVISORS
RURAL RUSTIC ROAD PROJECT
ROUTE 675, CANAL STREET

The Board of Supervisors of Fluvanna County, in regular meeting on the 6th day of November, 2013, adopted the following:

RESOLUTION

WHEREAS, Section 33.1-70.1 of the *Code of Virginia*, permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Fluvanna County, Virginia desires to consider whether Route 675 Canal Street, From: Route 6 W River Road To: End of State Maintenance should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Residency Administrator.

Recorded Vote _____
Moved By: _____
Seconded By: _____
Yeas: _____
Nays: _____

A Copy Teste:

Signed _____
Printed Name Shaun Kenney
Title Board of Supervisors, Chairman

FLUVANNA COUNTY, VIRGINIA
BOARD OF SUPERVISORS
RURAL RUSTIC ROAD PROJECT
ROUTE 621, LANTRE LANE

The Board of Supervisors of Fluvanna County, in regular meeting on the 6th day of November, 2013, adopted the following:

RESOLUTION

WHEREAS, Section 33.1-70.1 of the *Code of Virginia*, permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a **Rural Rustic Road**; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Fluvanna County, Virginia desires to consider whether Route 621 Lantre Lane, From: Route 611 Paynes Landing Road To: End of State Maintenance should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Residency Administrator.

Recorded Vote _____
Moved By: _____
Seconded By: _____
Yeas: _____
Nays: _____

A Copy Teste:

Signed _____
Printed Name Shaun Kenney
Title Board of Supervisors, Chairman

FLUVANNA COUNTY, VIRGINIA
BOARD OF SUPERVISORS
RURAL RUSTIC ROAD PROJECT
ROUTE 687, RADICEL CIRCLE

The Board of Supervisors of Fluvanna County, in regular meeting on the 6th day of November, 2013, adopted the following:

RESOLUTION

WHEREAS, Section 33.1-70.1 of the *Code of Virginia*, permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a **Rural Rustic Road**; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Fluvanna County, Virginia desires to consider whether Route 687 Radicel Circle, From: Route 646 Hardware Road To: Route 646 Hardware Road should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Residency Administrator.

Recorded Vote _____
Moved By: _____
Seconded By: _____
Yeas: _____
Nays: _____

A Copy Teste:

Signed _____
Printed Name Shaun Kenney
Title Board of Supervisors, Chairman

BOARD OF SUPERVISORS AGENDA ITEM

Meeting Date: November 6, 2013

SUBJECT:	Approval of Open Space Contract for Ms. Susan Harvey Dawson
MOTION(s):	I move to approve the open space contract application for Ms. Dawson for Tax Map Parcel 14-6-5; agreement shall remain in effect for a term of five (5) consecutive years.
STAFF CONTACT:	Andrew M. Sheridan, Commissioner of the Revenue
RECOMMENDATION:	Approval
TIMING:	Immediate
DISCUSSION:	These properties qualify for an Open Space contract with Fluvanna County in accordance with Code Section 58.1-3229 et. seq. of the Virginia State Code.
FISCAL IMPLICATIONS:	None
POLICY IMPLICATIONS:	In accordance with Section 58.1-3229 et. seq. of Virginia State Code.
LEGISLATIVE HISTORY:	
ENCLOSURES:	Ms. Susan Harvey Dawson executed Open Space Contract



CONTRACT FOR OPEN SPACE LAND USE ASSESSMENT

THIS AGREEMENT, made this 21st day of OCTOBER, 2013, by and between SUSAN H DAWSON, party(ies) of the first part, hereinafter called the Grantor, and the COUNTY OF FLUVANNA, a political subdivision of the Commonwealth of Virginia, party of the second part, hereinafter called the County:

WITNESSETH

WHEREAS, the Grantor owns certain real estate, described below, hereinafter called the Property; and

WHEREAS, the County is the local governing body having real estate tax jurisdiction over the Property; and

WHEREAS, the County has determined:

- A. That it is in the public interest that the Property should be provided or preserved for conservation of agricultural and forestal land and of wildlife and
- B. That the property meets the applicable criteria for real estate devoted to open-space use as prescribed in Article 4 (Section 58.1-3229 et. seq.) of Chapter 32 of Title 58.1 of the Code of Virginia, and the standards for classifying such real estate prescribed by the Director of the Virginia Department of Conservation and Recreation; and
- C. That the provisions of this agreement meet the requirements and standards prescribed under section 58.1-3233 of the Code of Virginia for recorded commitments by landowners not to change an open-space use to a non-qualifying use; and

WHEREAS, the Grantor is willing to make a written recorded commitment to preserve and protect the open-space uses of the Property during the term of this agreement in order for the Property to be taxed on the basis of a use assessment, and the Grantor has submitted an application for such taxation to the Commissioner of the Revenue of the County pursuant to Section 58.1-3234 of the Code of Virginia and Section 20-4-2(d) of the Fluvanna County Code; and

WHEREAS, the County is willing to extend the tax for the Property on the basis of a use assessment commencing with the next succeeding tax year and continuing for the term of this agreement, in consideration of the Grantor's commitment to preserve and protect the open-space uses of the property, and on the condition that the Grantor's application is satisfactory and that all other requirements of Article 4, Chapter 32, Title 58.1 of the Code of Virginia and Section 20-4-2(d) of the Fluvanna County Code are complied with.

NOW, THEREFORE, in consideration of the recital and the mutual benefits, covenants and terms herein contained, the parties hereby **COVENANT** and **AGREE** as follows:

1. This agreement shall apply to all the following described real estate:

Tax Map Parcel: 14-6-5 (10.534 acres in Open Space of 12.534 total acres)

2. The Grantor agrees that during the term of this agreement:
 - A. There shall be no change in the use or uses of the Property that exist as of the date of this agreement to any use that would not qualify as open-space use. The qualifying use for the Property is conservation of agricultural and forestal land and of wildlife.
 - B. There shall be no display of billboards, signs or other advertisements on the property except to (i) state solely the name of the Grantor and the address of the Property, (ii) advertise the sale or lease of the Property, (iii) advertise the sale of goods or services produced pursuant to the permitted use of the Property, or (iv) provide warnings. No sign shall exceed four feet by four feet.
 - C. There shall be no construction, placement or maintenance of any structure on the Property unless such structure is either:
 - 1) on the Property as of the date of this agreement; or
 - 2) related to and compatible with the open-space uses of the Property which this agreement is intended to protect or provide for.
 - D. There shall be no dumping or storage of trash, garbage, ashes, waste, junk, abandoned property or other unsightly or offensive material on the Property.
 - E. There shall be no filling, excavating, mining, drilling, removal of topsoil, sand, gravel, rock, minerals, or other materials which alters the topography of the Property, except as required in the construction of permissible building structures and features under this agreement.
 - F. There shall be no construction or placement of fences, screens, hedges, walls or other similar barriers which materially obstruct the public view of scenic areas of the Property.

- G. There shall be no removal or destruction of trees, shrubs, plants and other vegetation, except that the Grantor may:
 - 1) engage in agricultural, horticultural or silvicultural activities, provided that there shall be no cutting of trees, other than selective cutting and salvage of dead or dying trees, within 100 feet of a scenic river, a scenic highway, a Virginia Byway or public property listed in the approved State Comprehensive Outdoor Recreation Plan (Virginia Outdoors Plan), and
 - 2) remove vegetation which constitutes a safety, a health or an ecological hazard, e.g., vegetation classified as noxious weed pursuant the Code of Virginia (1950), as amended.
 - H. There shall be no alteration or manipulation of natural water courses, shores, marshes, swamps, wetlands or other water bodies, nor any activities or uses which adversely affect water quality, level or flow.
 - I. On areas of the Property that are being provided or preserved for conservation of land, floodways or other natural resources, or that are to be left in a relatively natural or undeveloped state, there shall be no operation of dune buggies, all-terrain vehicles, motorcycles, motorbikes, snowmobiles or other motor vehicles, except to the extent necessary to inspect, protect or preserve the area.
 - J. There shall be no industrial or commercial activities, conducted on the property, except for the continuation of agricultural, horticultural or silvicultural activities; or activities that are conducted in a residence or an associated outbuilding such as garage, smokehouse, small shop or similar structure which is permitted on the property.
 - K. There shall be no separation or split-off of lots, pieces or parcels from the property. The Property may be sold or transferred during the term of this agreement only as the same entire parcel that is the subject to this agreement, provided, however, that the Grantor may grant to a public body or bodies open-space, conservation or historic preservation easements which apply to all or part of the Property.
3. This agreement shall be effective upon acceptance by the County, provided, however, that the real estate tax for the Property shall not be extended on the basis of its use value until the next succeeding tax year following timely application by the Grantor for the use assessment and taxation in accordance with Section 20-4-2(d) of the Fluvanna County Code. Thereafter, this agreement shall remain in effect for a terms of FIVE (5) consecutive years.

4. Nothing contained herein shall be construed as giving to the public a right to enter upon or to use the Property or any portion thereof, except as the Grantor may otherwise allow, consistent with the provisions of this agreement.
5. The County shall have the right at all reasonable times to enter the Property to determine whether the Grantor is complying with the provisions of this agreement.
6. Nothing in this agreement shall be construed to create in the public or member thereof a right to maintain a suit for any damages against the Grantor for any violation of this agreement.
7. Nothing in this agreement shall be construed to permit Grantor to conduct any activity or to build or maintain any improvement which is otherwise prohibited by law.
8. If any provision of this agreement is determined to be invalid by a court of competent jurisdiction, the remainder of the agreement shall not be affected thereby.
9. The provisions of this agreement shall run with the land and be binding upon the parties, their successors, assigns, personal representatives, and heirs.
10. Words of one gender used herein shall include the other gender, and words in the singular shall include words in the plural, whenever the sense requires.
11. This agreement may be terminated in the manner provided in Section 15.1-1513 of the Code of Virginia for withdrawal of land from an agricultural, forestal or an agricultural and forestal district.
12. Upon termination of this agreement, the Property shall thereafter be assessed and taxed at its fair market value, regardless of its actual use, unless the County determines otherwise in accordance with applicable law.
13. NOTICE: WHEN THE OPEN SPACE USE OR USES BY WHICH THE PROPERTY QUALIFIED FOR ASSESSMENT AND TAXATION ON THE BASIS OF USE CHANGES TO A NONQUALIFYING USE OR USES, OR WHEN THE ZONING FOR THE PROPERTY CHANGES TO A MORE INTENSIVE USE AT THE REQUEST OF THE GRANTOR, THE PROPERTY, OR SUCH PORTION OF THE PROPERTY WHICH NO LONGER QUALIFIES SHALL BE SUBJECT TO ROLLBACK TAXES IN ACCORDANCE WITH SECTION 58.1-3237 OF THE CODE OF VIRGINIA. THE GRANTOR SHALL BE SUBJECT TO ALL OF THE OBLIGATIONS AND LIABILITIES OF SAID CODES SECTION.

Susan H Dawson (SEAL)
Landowner

Co-owner (s) (SEAL)



**STATE OF VIRGINIA
COUNTY OF FLUVANNA, to-wit:**

The foregoing instrument was acknowledged before me by

Susan H. Dawson, Landowner (s)

on this 21 day of October, 2013.

My commission expires: 6/30/2017

April M. Ward
Notary Public

COUNTY OF FLUVANNA, VIRGINIA

By: _____
County Administrator

**STATE OF VIRGINIA
COUNTY OF FLUVANNA, to-wit:**

The foregoing instrument was acknowledged before me by

_____, Fluvanna County Administrator

on this _____ day of _____, _____.

My commission expires: _____

Notary Public



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, Management Analyst
SUBJECT: FY14 Contingency Balance
DATE: October 30, 2013

The balance for the BOS Contingency line for FY14 is as follows:

Board of Supervisors Contingency:

Beginning Budget:	\$100,000.00
LESS: U12 Youth Football 6.19.13	-\$19,965.00
Available:	\$80,035.00

Total Available Budget: Board of Supervisors Contingency Line

\$80,035.00



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MEMORANDUM

TO: Board of Supervisors
FROM: Eric Dahl, Management Analyst
SUBJECT: FY14 Capital Reserve Balance
DATE: October 30, 2013

The balance for the Capital Reserve for County and Schools in FY14 is as follows:

County Capital Reserve:

FY14 Beginning Budget:	\$171,575.00
Available:	\$171,575.00

Schools Capital Reserve:

FY14 Beginning Budget:	\$200,580.00
LESS: Abrams building datacenter infrastructure and generator 07.03.13	-\$40,000.00
LESS: Central Elementary intercom and phone system split 07.03.13	-\$8,500.00
Available:	\$152,080.00



Board of Supervisor's Directives and Requests Status Report

Updated: Oct 3, 2013

Status	Date	Directive/Request	Action By	Comments
Pending	2-Oct-13	Organize a Town Hall meeting for the Fork Union Sanitary District	Staff	
Ongoing	18-Sep-13	Develop a policy for use of county vehicles	Staff	
Ongoing	4-Sep-13	Schedule and plan for a Board Retreat in January 2014.	Staff	
Pending	17-Jul-13	Prepare cash proffer guidance for consideration by the Board	Staff	
Pending	5-Jun-13	Pursue a cell phone stipend policy	Staff	
Pending	15-May-13	Request a speed study be done between the Town of Columbia and the Rivanna Bridge on Route 6.	Staff	Request submitted to VDOT
Pending	15-May-13	Research the ability to purchase /install curve warning signs on Route 620, Rolling Road near Blue Mountain Lane.	Staff	
Pending	2-Jan-13	Review collection options for personal property taxes	Treasurer	
Pending	2-Jan-13	Research County funds investment plan and options	Treasurer	
Ongoing	7-Nov-12	Review recommendations of Rural Land Use Committee, prepare cash proffers policy and draft zoning and subdivision ordinances that provide cohesive solutions to rural land use issues.	Staff	
Ongoing	19-Sep-12	Continue with water source negotiations with the Department of Corrections	Staff	Pending receipt of agreements
Ongoing	1-Aug-12	Continue review of the Aqua Virginia and any other water proposal received under the PPEA process.	Staff	Deferred for 30 Days at Public Hearing on 18 Sep 13.
Ongoing	1-Aug-12	Investigate Carysbrook wells ("Thomasville") and the County's existing unused James River water intake to determine viability for potential county water needs.	Staff	
Complete	4-Sep-13	Reschedule First BOS meeting of 2014 to Wednesday, January 8, 2014.	Staff	
Complete	7-Aug-13	Post the draft ROI Model versions on the County website.	Staff	Posted 8/8/2013
Complete	7-Aug-13	Defer Walkers Ridge Public Hearing to the October 16, 2013 Board meeting in the Fluvanna Courts Building in the Circuit Court Room.	Staff	
Complete	7-Aug-13	Advertise the Aqua PPEA Proposal for the September 18, 2013 Board meeting in the Fluvanna County High School Auditorium.	Staff	Ran 09/05 and 09/12
Complete	3-Jul-13	Reserve the high school for the August 7, 2013 Board meeting.	Staff	
Complete	19-Jun-13	Put the Code Compliance Officer position on the July 3, 2013 agenda.	Staff	
Complete	5-Jun-13	Bring a formal motion on the Local Youth Football Team (7 th Grade Level) at the June19th meeting.	Staff	

Status	Date	Directive/Request	Action By	Comments
Complete	5-Jun-13	Do a need analysis on changing the Code Compliance Officer Position from part-time to full-time.	Staff	
Complete	15-May-13	Present a briefing at a future BOS Meeting about the role, responsibilities, and typical actions of the EDA to help inform the public.	EDA	Briefed 09/04/2013
Complete	15-May-13	Present an update on the volunteer contributions plan at the June 5, 2013 meeting	Treasurer	
Complete	15-May-13	Provide an update regarding the possibility of supporting establishment of a local youth football team (7th Grade level) at the June 5, 2013 meeting.	Staff	
Complete	1-May-13	Coordinate a joint meeting between the Board of Supervisors and the Social Services Board for the June 5, 2013 work session.	County Administrator	Meet on Jun 5, 2013
Complete	1-May-13	Prepare a list of interested individuals for the Zion Crossroads Steering Committee and present it at the May 15, 2013 meeting for selection.	Staff	
Complete	1-May-13	Present an update of the Fork Union Streetscape at the May 15, 2013 meeting.	Staff	
Complete	1-May-13	Put the Accounts Payable and the Budget Report into the Consent Agenda for future meetings.	Staff	
Complete	17-Apr-13	Complete the new High School cost figures, including the energy efficiency measures and costs.	Staff	Presented at Jul 3 Meeting
Complete	17-Apr-13	Present the Committee Recommendation for the Zion Crossroads project at the May 1, 2013 meeting.	Staff	
Complete	10-Apr-13	Review rules and procedures for a voluntary contributions program and bring recommendations to the Board.	Staff	BOS approved 8/7/2013
Complete	10-Apr-13	Move \$10,000.00 from the FY14 Personnel Contingency and to FY14 JABA funding.	Staff	
Complete	13-Mar-13	Advertise Parks & Recreation Activities, Events, and Equipment Rental Fee Structure and present at April 3, 2013 meeting.	Staff	
Complete	20-Feb-13	Add construction of a new elementary school to the CIP.	Staff	
Complete	6-Feb-13	Get the statistics of the loss of Personal Property Tax revenue in the past two years.	Staff	
Complete	6-Feb-13	Present a rental fee structure for Pleasant Grove and other amenities for Fluvanna County at the March 6, 2013 meeting.	Staff	
Complete	16-Jan-13	Report on the errors in real and personal property values provided for inclusion in the FY13 budget and provide an explanation of actions being taken to prevent this from happening again.	Commissioner of the Revenue	

Status	Date	Directive/Request	Action By	Comments
Complete	19-Dec-12	Set up a contact Mr. Terry Rephann from the Center for Economic and Policy Studies at the Weldon Cooper Center for Public Service at UVa to request a Post-Election Economic and Revenue Outlook briefing.	Staff	
Complete	5-Dec-12	Formally identify planning requirements and steps necessary for development of the Zion Crossroads growth area.	Staff	BOS briefed 8/7/2013
Complete	5-Dec-12	Add the Planning Activity Report to the BOS Agenda quarterly.	Staff	
Complete	20-Nov-12	Research options of taking a bond out for CIP items.	Staff	

Monthly Approval Report for September 2013

<i>District</i>	<i>Action</i>	<i>ID#</i>	<i>Description</i>	<i>Tax Map</i>	<i>Parcels</i>	<i>Total Acreage</i>	<i>Number of Lots</i>
Columbia							
	<i>Approved</i>						
		EST 13-001		22	(A)7, 42, 43 & (3)2,3	665.86	
		SDP 13-009	Major Site Plan	4	(A)99	14.771	
Cunningham							
	<i>Approved</i>						
		SDP 13-011	Minor Site Plan	39	(A)48	26.041	
		ZUP 13-001	Modification/replacement of existing antennas	18	(A)41	26.041	
Fork Union							
	<i>Approved</i>						
		BSP 13-014	Boundary Survey	39	(A)55	0	
		SUB 13-016	Ordinance of Vacation	49	(A) 26B, 26C, 26D	14.755	3

Tuesday, October 01, 2013

Page 1 of 1

AFD - Agricultural Forestal District *BSP - Boundary Survey Plat*
BZA - Board of Zoning Appeals (Variance) *CCE - Code Compliance Enforcement*
CPA - Comprehensive Plan Amendment *SDP - Site Development Plan*
SUB - Subdivisions *SUP - Special Use Permits*
ZMP - Zoning Map Proposal (Rezoning) *ZTA - Zoning Text Amendment*

Pending Meetings Report

<i>Action</i>	<i>Action Date</i>	<i>District</i>	<i>ID#</i>	<i>Applicant Name</i>	<i>Tax Map Parcels</i>	<i>Description</i>	<i>Total Acreage</i>	<i>Number of Lots</i>
<i>Pending BOS Meeting</i>								
	11/20/2013		CPA 13-001	Fluvanna County		Amend Infrastructure & Land Use Chapter	0	
	11/20/2013	Palmyra	ZMP 12-003	Sycamore Square, LLC	9 (A)13,14,14	Proffer Amendment	43.733	
	11/20/2013	Fork Union	SUP 13-005	Lori L. Roberts	29 (A)89	Commercial Greenhouse	3.581	
	11/20/2013	Palmyra	SUP 13-004	Andrew & Jess Boyle	4 (41) 3	Commercial Kennel	4.067	
	11/20/2013	Fork Union	SUP 13-007	Brad Kennedy	29 (A)12	Auto Repair Service Establishment	25.422	
	11/20/2013	Cunningham	SUP 13-006	Gregory Cox	16 (14)4	Auto Repair Service Establishment	10	
<i>Pending PC Meeting</i>								
	11/18/2013	Columbia	SUP 13-008	Mary E. Marks	21 (12) 4, 5	Commercial Kennel	26.602	

Code Compliance Enforcement Activity Report

ID#	Tax Map Parcels	Reported Against	Type of Violation	Comments	Status	Status Date
Columbia						
CCE 13-012	33 (9)-1A	Liberty Homes, LLC, Et Al	Trash	Property address is located west of No.3049 Cedar Lane. Complaint is in regards trash, debris and junk. Site inspection 3-05-2013 noted an accumulation of trash and debris that could be providing a habitat for rodents and vermin. 1st letter sent 4-25-2013. Site inspec. 5-30-2013 noted some progress during new house construction. Monitoring continues.	Awaiting Action	6/27/2013
CCE 13-011	33 (A)-57	Gail Bruce, Et, Al	Trash	Complaint is in regards trash, debris and junk. Site inspection 3-05-2013 noted an accumulation of trash and debris that could be providing a habitat for rodents and vermin. 1st letter sent 4-25-2013. Owner advised 5-30-2013 that her tenant is cleaning up the property. Monitoring continues.	Awaiting Action	6/27/2013
Fork Union						
CCE 12-001	51A (A)22	JWS Enterprises, LLC (James W. Sherrill,	Misc.	4985 James Madison Hwy. Site insp. on 12-20-11 and 1-06-12 noted that the property is being used for general storage which is not a use permitted "by right" or "by SUP". 1st letter sent on 1/12/12. 2nd violation 1/31/12. Letter of intent approved by Darren Coffey 2/29/12. 3rd letter sent by hand delivery 4/09/13. Summons issued 4/29/13. 1st hearing 5-21-13. 2nd hearing 9-10-13.	Pending Court	5/21/2013
Palmyra						
CCE 12-002	3 (A)-31, 32	JWS Enterprises, LLC (James W. Sherrill,	Misc.	Behind 1017 Union Mills Road. Regards to "dumping". Site insp. 1/09/12 noted that contractor type materials are being stored on property. 1st letter sent 1/12/12. 2nd letter sent requesting intentions 1/31/12. Letter of intent approved by Darren Coffey 2/29/12. 3rd letter sent by hand delivery 4/09/13. Summons issued 4/29/13. 1st hearing 5-21-13. 2nd hearing 9-10-13.	Pending Court	5/21/2013

ID#	Tax Map Parcels	Reported Against	Type of Violation	Comments	Status	Status Date
CCE 10-013	10 (3)-2B	Eric D. Taylor	SUPs	Property is at intersection of Union Mills Road and North Boston Road. SDP 10:09 approved 07/26/11. SDP requirements not implemented as of 9-23-11. 2nd letter sent 9/23/11. 3rd letter sent 1/24/12. Site inspec. 2/3/12 noted newly vegetative screening per/approved SDP. Monitoring conitues.	Awaiting Action	5/8/2012

Fluvanna County Planning Department
Code Compliance Projects

Staff Contact	Scott Miller (Code Compliance Officer)
Date	October 15, 2013

Project	Status
Special Use Permit (SUP) Applications	<ul style="list-style-type: none"> ● SUP required (automobile repair service establishment) [TMP 29 (A) 12] <ul style="list-style-type: none"> ○ Planning Commission meets 10-23-13 (SUP 13:007) ● SUP required (automobile repair service establishment) [TMP 16 (14) 4] <ul style="list-style-type: none"> ○ Planning Commission meets 10-23-13 (SUP 13:006)
Special Use Permit (SUP) Violations	<ul style="list-style-type: none"> ● Compliance – Sound Levels [Tenaska] <ul style="list-style-type: none"> ○ All requirements and conditions for sound levels compliant as of 10-24-13 ● Compliance with site inspection for SUP 11:003 – All requirements compliant ● Compliance with site inspection for SUP 10-004 – All requirements compliant ● Compliance with site inspection for SUP 09-007 – All requirements compliant ● Compliance with site inspection for SUP 07-016 – All requirements compliant
Zoning Violations	<ul style="list-style-type: none"> ● Illegal Use [TMP 51A (A) 22], Zoned B-1, general outside storage of materials <ul style="list-style-type: none"> ○ On 10-01-13 General District Court Judge ruled in favor of Fluvanna Co., fine \$100 ● Illegal Use [TMP 3 (A) 31, 32], Zoned A-1, contractor’s storage yard <ul style="list-style-type: none"> ○ On 10-01-13 General District court judge ruled in favor of Fluvanna Co., fine \$100 ● Illegal Use [TMP 23 (10) A1], Zoned A-1, single family attached dwelling <ul style="list-style-type: none"> ○ Owner has failed to initiate Virginia State licensure for permitted use – First letter of violation issued 9-24-13 ● Illegal Use [TMP 5 (A) 59, Zoned A-1, removal of use or requiring SUP or rezoning to B-1- <ul style="list-style-type: none"> ○ Owner and tenant advised 9-20-13, monitoring for compliance
Assisting Building Inspections and other agencies	<ul style="list-style-type: none"> ● Evaluate Fluvanna County Voluntary Fire Station retention basin and ditches for possible failure ● Evaluate Bioisold spill on Cedar Lane with Department of Environmental Quality
Signage	<ul style="list-style-type: none"> ● Removal of Illegal Signage in Road Right-of-Ways <ul style="list-style-type: none"> ○ Seventeen signs removed ○ Placement of four public hearing signs (13:004, 13:005, 13:006, 13:007) ○ Advised tenant for sign permit requirement [TMP 18 (10) 6] Cuppa Joe ○ Advised tenant for sign permit requirement [TMP 51 (9) 3] Sals Italian Restaurant
Miscellaneous	<ul style="list-style-type: none"> ● Proactive compliance evaluation of all visible properties in the county – 30% complete ● Deliver packet for the upcoming Planning Commission meeting ● Acquired five new public hearing signs for placement

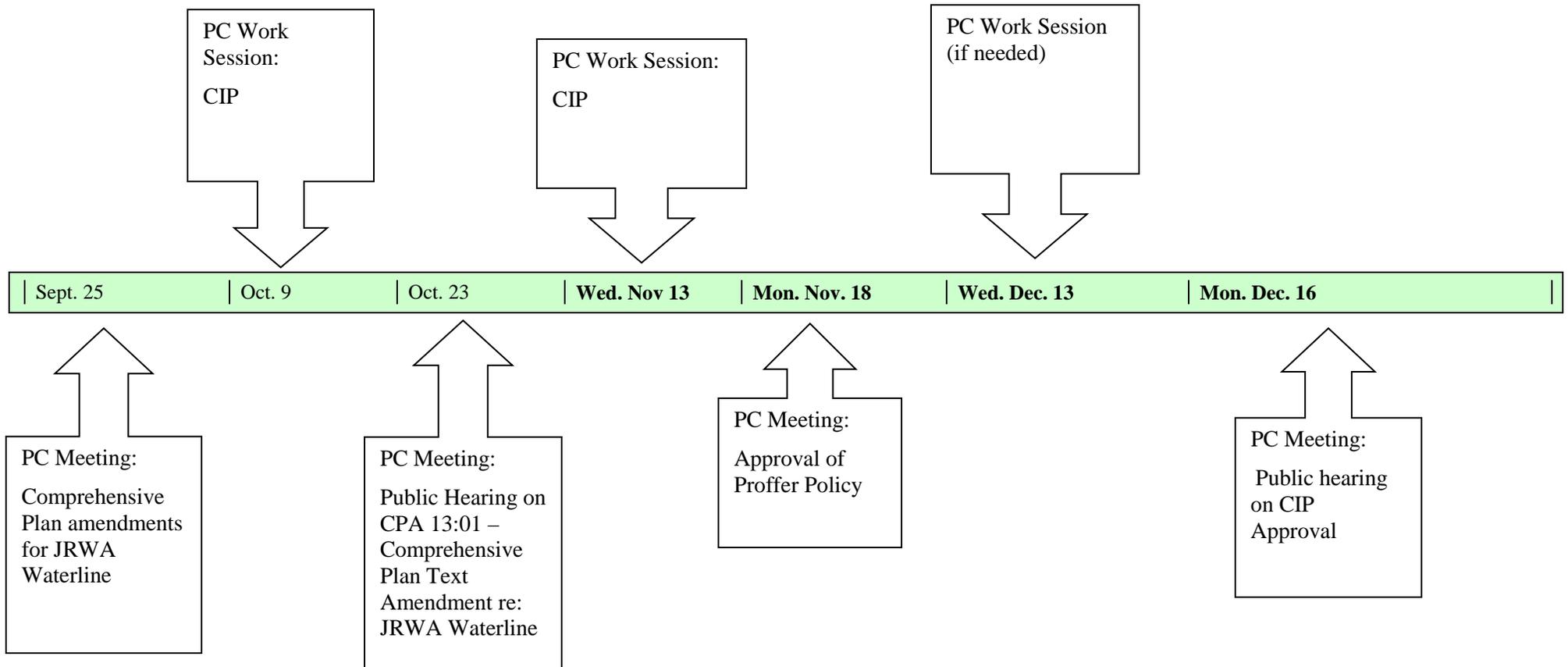
Planning Commission Text Amendment Timeline

Amended October 2013



Amendment Discussions for 2014:

- Comprehensive Plan Update
- Hydrogeologic Testing and Fiscal Impact Study
- Phasing of Development
- Central/ Public Sewer and Water for major subdivisions
- Broadband Initiative/ Study



Fluvanna County Planning Department
Long-Range Planning Projects

Staff Contact	Jay Lindsey (Planner)
Date	October 16, 2013

Current/ Complete Projects	Status
Comprehensive Plan Amendments – JRWA Public Utilities	<ul style="list-style-type: none"> • Finalize Amendment language • Present Amendments to Planning Commission and Board of Supervisors
Capital Improvement Plan (CIP)	<ul style="list-style-type: none"> • Identify capital projects for CIP • Prepare estimates for request amounts • Present results to Planning Commission
Walker’s Ridge	<ul style="list-style-type: none"> • Determine new fiscal impacts to schools

Upcoming Projects	Status
Development Activity Report	<ul style="list-style-type: none"> • Begin Preparation of 2013 Development Activity Report (DAR)
Comprehensive Plan Updates	<ul style="list-style-type: none"> • Ongoing