

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Courtroom
Fluvanna Courts Building
May 18th, 2011
7:00 p.m.**

MEMBERS PRESENT: John Y. Gooch, Chairman
Shaun V. Kenney, Vice-Chairman
Joe Chesser
Donald W. Weaver
Mozell H. Booker
Chris S. Fairchild

ALSO PRESENT: Jay Scudder, County Administrator
Fred Payne, County Attorney
Patricia Groot, Grants Administrator
John Robins, Public Works Director
Dwight Godwin, Parks and Recreation Director
Darren K. Coffey, Director of Planning
Matt Weaver, Planner
Mary L. Weaver, Clerk, Board of Supervisors

CALL TO ORDER/PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

Chairman Gooch called the meeting of May 18th, 2011, to order at 7:00 p.m., in the Circuit Courtroom of the New Courts Building in Palmyra, Virginia; and the Pledge of Allegiance was recited, after which, Chairman Gooch called for a moment of silence.

REPORTS

Mr. Jay Scudder, County Administrator, reported on the following topics:

- *van der Linde Recycling* – took a tour of this local business, have people visiting from different countries.
- *Trans Continental Gas Pipeline* – informational DVD available on the expansions that are being made to the systems.
- *Citizen Tourism Committee* – kick off meeting schedule Thursday, May 19, from 2:00 to 4:30 in the Tap room at the Lake Monticello Club House.
- *Blue Ridge Juvenile Detention Facility* – running 17% below budgeted inmates projected, it is possible this will impact the rate of per diem paid.
- *JAUNT* – rising fuel prices are causes budget challenges.

PUBLIC COMMENTS #1

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

- Ms. Elizabeth Franklin, Columbia District – spoke on behalf of the Fluvanna Taxpayers Association and prefers the more representative solution, either 6 or 7 representatives.
- Perry Johnson, Fork Union District – thanked the Board for their time and courage especially to those that voted for the tax increase.
- Brian Phillips, Rivanna District – thanked Mr. Coffey and Mr. Matt Weaver for the detailed and easy to read redistricting maps that were provided; opposed to a five district option.

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

CONSENT AGENDA

The following items were pulled from the consent agenda:

- RRBC – Request letter of Support from Fluvanna County for new NFWF Grant Proposal.
- VDOT Six-Year Primary Transportation Improvement Program (TIP) Project Listing.

The following items were approved under the consent agenda:

MOTION:

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

- Minutes of May 4th, 2011.
- Kents Store Firehouse ARC Easement.
- Accept VA DCJS formula Byrne Justice Assistance Grant.
- Accept VDEM State Homeland Security Program Pet Shelter Grant.

Mr. Chesser seconded. The motion carried with a vote of 6-0. AYES: Gooch, Weaver, Booker, Kenney, Fairchild and Chesser. NAYS: None. ABSENT: None.

Rivanna River Basin Commission – Request letter of Support from Fluvanna County for new NFWF Grant Proposal

Mr. Weaver questioned whether this would require more time from staff than what is currently being provided. Mr. Coffey and Mr. Chesser both expressed that they did not feel there would be any additional time needed.

MOTION:

Mr. Weaver moved that the Board send a letter of support for Rivanna River Basin Commission Grant to the National Fish and Wildlife Foundation for Rivanna Watershed Planning. Mr. Chesser seconded. The motion carried, with a vote of 6-0. AYES: Gooch, Weaver, Chesser, Booker, Fairchild and Kenney. NAYS: None. ABSENT: None.

VDOT Six-Year Primary Transportation Improvement Program (TIP) Project Listing

Mr. Chesser questioned making the Route 15 and Route 53 intersection the number one priority for the VDOT Six-Year Primary Transportation Improvement Program (TIP). Mr. Coffey, director of Planning and Development, explained that if our revenue share funds don't cover the full cost of the project and it is listed in the Six-Year TIP as a priority, that funding source will complete the project. There is no match from the County.

MOTION:

Mr. Chesser moved that the Board of Supervisors authorize the County Administrator to send a letter to the Virginia Department of transportation (VDOT) stating that the Route 15 and Route 53 roundabout intersection is the number one priority for the VDOT Six-Year Primary Transportation Improvement Program (TIP) which includes \$285,000 in matching funds. Ms. Booker seconded. The motion carried, with a vote of 5-1. AYES: Gooch, Chesser, Booker, Fairchild and Kenney. NAYS: Weaver. ABSENT: None.

ACCOUNTS PAYABLE

None

PUBLIC HEARING

None

Chairman Gooch moved the following request up on the agenda.

SUP 11:02/Otis Collier

This is a request for a special use permit to allow for a small home industry with respect to 1.76 acres of Tax Map 12, Section 4, Parcel B1. Applicant is proposing to conduct a small business to include automobile refurbishment, small engine repair, and furniture repair. The property is zoned A-1; located in the Columbia District and is in the Rural Residential Planning Area.

Mr. Darren K. Coffey, Director of Planning, addressed the Board regarding this item.

Chairman Gooch read the response from DEQ. After some discussion the Board made the following motion:

MOTION:

Mr. Kenney moved that the Board of Supervisors approve SUP 11:02, a special use permit request to allow for a small home industry with respect to 1.76 acres of Tax Map 12, Section 4, Parcel B1, subject to the conditions listed in the staff report:

1. Prior to development of the site, a site development plan that meets the requirements of the Fluvanna County Zoning Ordinance, must be submitted for review and approval.
2. The site must meet all Virginia Department of Transportation requirements.
3. The site must meet the requirements set forth by the Virginia Department of Health.
4. All activity related to this small home industry application, will be confined within the garage or on the asphalt pad directly in front of the garage doors.
5. No sandblasting will take place outside of the confined sandblasting chamber that is located within the garage.
6. The hours of operation shall be from 8 a.m. to 5 p.m., Monday – Saturday.
7. The property shall be maintained in a neat and orderly manner so that the visual appearance from the road and adjacent properties is acceptable to County officials.
8. The Board of Supervisors, or representative, reserves the right to inspect the business for compliance with these conditions at any time.

9. Under Sec. 22-17-4 F (2) of the Fluvanna County Code, the Board of Supervisors has the authority to revoke a Special Use Permit if the property owner has substantially breached the conditions of the Special Use Permit.
10. Proposed use shall be screened from neighboring properties and adjacent public roads to the reasonable satisfaction of the Zoning Administrator.

Ms. Booker seconded. The motion carried, with a vote of 5-1. AYES: Gooch, Chesser, Booker, Fairchild and Kenney. NAYS: Weaver. ABSENT: None.

PRESENTATIONS:

Richmond, VA Medical Center's Rural Health Initiative Program – Mr. Gary R. Pond, RN, MBA Rural Health Initiative Lead Health Education Specialist, presented the Board with information on the Rural Health Initiative Program available for veterans.

Fluvanna County Alcohol Policy – Mr. Dwight Godwin, Park and Recreation Director, presented the Board with information regarding sales and consumption of alcoholic beverages on County Property. The Board discussed. Mr. Fred Payne, County Attorney, reviewed the difference between adopting a policy and an ordinance. The Sherriff expressed his preference for an ordinance. The Board directed staff to draft an ordinance to allow sales and consumption of alcoholic beverages on County property and present it at the June 1, 2011 meeting.

ACTION MATTERS

Initiation of a Zoning Map Amendment

Mr. Darren K. Coffey, Director of Planning, addressed the Board to requested a Zoning Map Amendment be initiated to provide zoning clarification for Tax Map Parcels 12(18)1, 2, 3, 12(18)4, and 12(17)C.

MOTION:

Mr. Chesser moved that the Fluvanna County Board of Supervisors initiate a rezoning to amend the Fluvanna County Zoning Map for the following five (5) parcels; Tax Map 12, section 18, parcels 1, 2, and 3, from I-1 (Industrial, Limited) to A-1 (Agricultural, General); and Tax Map parcels 12-18-4, and 12-17-C from I-1 (Industrial, Limited) to I-1(Industrial, Limited), and to schedule a public hearing on June 22, 2011 for the Planning Commission's consideration and recommendation and to adopt resolution as referenced. Mr. Kenney seconded. The motion carried, with a vote of 6-0. AYES: Gooch, Weaver, Chesser, Booker, Fairchild and Kenney. NAYS: None. ABSENT: None.

Town of Columbia Task Force

Ms. Patricia Groot, Grants Administrator, addressed the Board in regards to formalizing the Town of Columbia Task Force which will focus on the revitalization efforts for the Town. The charter will formalize the County role in the process of the town's revitalization efforts.

MOTION:

Mr. Kenny moved that the Fluvanna County Board of Supervisors form a Town of Columbia Task Force in collaboration with the Town of Columbia, to identify issues of concern and appropriate solutions to those issues. The composition, scope and duration of this committee shall be established as described in the Task Force's Charter (attached), contingent upon approval of the Columbia Town Council. Ms. Booker seconded. The motion carried, with a vote of 6-0. AYES: Gooch, Weaver, Chesser, Booker, Fairchild and Kenney. NAYS: None. ABSENT: None.

2010 State Homeland Security Program Grant

Ms. Patricia Groot, Grants Administrator, addressed the Board regarding this non-competitive Federal Grant which will allow the Sheriff's office to purchase a network clock and a license plate reader.

MOTION:

Mr. Chesser moved to accept the 2010 State Homeland Security Program Grant (SHSP), in the amount of \$21,040, administered by the VA Department of Emergency Management and to authorize a supplemental appropriation to the federal grant budget for the Sheriff's Office, in the amount of \$21,040, to revenue line 20200015 334112 HOMSC (Homeland Security), and to expenditure line 20231000 406021 HOMSC for ADP Supplies. Mr. Kenney seconded. The motion carried, with a vote of 6-0. AYES: Gooch, Weaver, Chesser, Booker, Fairchild and Kenney. NAYS: None. ABSENT: None.

Fork Union Firehouse Design Development Stage Approval

Mr. John Robins, Public Works Director, addressed the Board regarding this item. Mr. Robins reviewed the changes in the plans for the Fork Union Firehouse Design and requested to move to the Construction Design Phase of the Project.

MOTION:

Ms. Booker moved to approve the Design Development drawings for the Fork Union Firehouse and authorize the Architect, DJG, Inc, of Williamsburg, Virginia, to proceed with the Construction Design Phase of the Project, that is budgeted for \$67,748. Mr. Fairchild seconded. The motion carried, with a vote of 6-0. AYES: Gooch, Weaver, Chesser, Booker, Fairchild and Kenney. NAYS: None. ABSENT: None.

Boards /Commissions Committee – Economic Development Commission –Columbia District

MOTION:

Mr. Kenney moved to reappoint Robert M. Lewis, Jr., to the Economic Development Commission, Columbia District position, with a term to begin June 1, 2011, and to terminate on May 31st 2015. Mr. Weaver seconded. The motion carried, with a vote of 6-0. AYES: Gooch, Weaver, Chesser, Booker, Fairchild and Kenney. NAYS: None. ABSENT: None.

Redistricting

Mr. Darren K. Coffey, Director of Planning, addressed the Board regarding this item. Mr. Coffey reviewed with the Board the three scenarios (two 5 districts and one 7 district) that was chosen by the Board to look at and requested a public hearing date for advertising be set.

After some discussion the following motion was made:

MOTION:

Mr. Fairchild moved to direct staff to prepare and advertise an ordinance for Scenario 4 - 7 Districts, for consideration at the second meeting in June. Mr. Kenney seconded. The motion carried, with a vote of 4-2. AYES: Weaver, Chesser, Fairchild and Kenney. NAYS: Gooch and Booker. ABSENT: None.

OLD BUSINESS

Joint Work Session - Mr. Chesser mentioned to the Board the Planning Commissions' interest in having a Joint Work Session to discuss proposed revisions to A-1.

iPADS - Mr. Chesser expressed the Planning Commission's interest in using iPADS. The Board directed staff to do a cost analysis on the savings and present it to the Board.

Comprehensive Economic Analysis – Mr. Chesser would like the Board to consider putting money into this study to get some answers for Fluvanna County. The Board directed staff to put synopsis together of the Comprehensive Economic Analysis and present it at the June 1st, 2011 meeting.

Fork Union Community Day – Ms. Booker expressed to the Board that the Fork Union Community Day was a wonderful success.

Central Virginia Sporting Clays – Mr. Kenney attended the Fun Shooting Day at Central Virginia Sporting Clays and shared with the Board his experience of how audible it was. He encouraged Board members to go out on a weekend or fun shoot day to see what residents are talking about.

Social Services Building Renovation Update – Mr. Robins informed the Board that there is a signed contract and work is expected to start on the building in a week to 10 days.

NEW BUSINESS

Merging Diamond Interchange – Mr. Fairchild mentioned to the Board that VDOT will be doing a converging diamond interchange at the Route 15 Bridge in Louisa. An informational session will be held at the Best Western on June 22, 2011, from 5 – 7 p.m., if anyone is interested.

PUBLIC COMMENTS #2

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

With no one wishing to speak, Chairman Gooch closed the second segment of public comments.

CLOSED MEETING

MOTION TO ENTER INTO A CLOSED MEETING:

At 9:19 p.m., Mr. Weaver moved the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 of the Code of Virginia, 1950, as amended, for the purpose of discussing actual potential litigation

and disposition of real property. Mr. Kenney seconded. The motion carried by a vote of 6-0. AYES: Chesser, Gooch, Kenney, Booker, Fairchild and Weaver. NAYS: None. ABSENT: None.

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

At 9:46 p.m., Mr. Weaver moved the closed meeting be adjourned and the Fluvanna County Board of Supervisors convene again in open session. Mr. Kenney seconded. The motion carried by a vote of 6-0. AYES: Chesser, Gooch, Kenney, Booker, Fairchild and Weaver. NAYS: None. ABSENT: None.

MOTION:

At 9:47 p.m., the following resolution was adopted by the Fluvanna County Board of Supervisors, following a closed meeting held Wednesday, May 18th, 2011 on motion of Mr. Weaver, seconded by Mr. Kenney and carried by the following vote: AYES: Chesser, Gooch, Kenney, Booker, Fairchild and Weaver. NAYS: None. ABSENT: None.

“**BE IT RESOLVED** to the best of my knowledge (i) only public business matters lawfully exempted from open meeting requirements under Section 2.2-3711-A of the Code of Virginia, 1950, as amended, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting.”

ADJOURN

MOTION:

At 9:48 p.m., Mr. Weaver moved to adjourn the meeting of Wednesday, May 18th, 2011. Ms. Booker seconded. The motion carried, with a vote of 6-0. AYES: Chesser, Gooch, Kenney, Booker, Weaver and Fairchild. NAYS: None. ABSENT: None

John Y. Gooch, Chairman

Prepared by and return to:
Donna R. DeLoria, Esquire
Payne & Hodons, L.L.P.
414 East Jefferson Street
Charlottesville, VA 22902

Tax Map: 22 (A) 60, 22 (A) 61
Title Insurance Underwriter for this
Instrument: None

DEED OF EASEMENT

THIS DEED OF EASEMENT, made this 28th day of March, 2011, by and between **BERNARD GRUBBS, PATRICIA P. KUNARD and HENRY B. GOODWIN, JR., TRUSTEES OF THE KENTS STORE AGRICULTURAL AND RECREATION CENTER CLUB**, also known as the **KENT'S STORE AGRICULTURAL RECREATIONAL CENTER**, of the first part (hereinafter "Grantors"); and **THE BOARD OF SUPERVISORS OF FLUVANNA COUNTY, VIRGINIA**, a political subdivision of the Commonwealth of Virginia, of the second part (hereinafter "Grantee"), whose address is: P. O. Box 540, Palmyra, Virginia 22963;

WITNESSETH:

WHEREAS, by deed dated September 18, 2002, recorded in the office of the clerk of the circuit court of Fluvanna County in Deed Book 497, page 930, Bernard Grubbs, Andrew Sheridan and Thomas Payne, Trustees of the Kents Store Agricultural and Recreation Center Club, also known as the Kents Store Agricultural Recreational Center, conveyed unto the Grantee a certain parcel containing 0.683 acres, more or less, which parcel is shown as Parcel X on a plat of Fluvanna Engineering & Surveying, Inc., dated February 13, 2001 and attached to the said deed; and which parcel was to be joined to and become a portion of the abutting property of the Grantee, which abutting parcel is shown on the said plat as "1M 22 (A) 62" and which is more particularly described in a deed recorded in Deed Book 72, page 296, both such parcels being collectively described hereinafter as "the Fire Company facility property"; and

WHEREAS the Grantee intends to construct on its said property a certain building to be used by the Kents Store Volunteer Fire Company of the Fluvanna Fire Department for the provision of

Y

emergency services to the public; and

WHEREAS the Grantors and the Grantee have caused to be constructed upon the remaining property of the Grantors a certain sewage treatment plant which is intended to serve the remaining property of the Grantors shown on the said plat as "TM 22 (A) 60" and "TM 22 (A) 61" ("the Property") as well as the said Fire Company facility property; and

WHEREAS, in order to permit the lawful use of the property of the Grantee and thereby to perfect the conveyance hereinabove described, the Grantors wish to convey to the Grantee certain non-exclusive easements to serve the Fire Company facility property, and no other property or facility except as otherwise expressly provided for herein, for construction, installation, maintenance and operation of the said sewage treatment plant, sanitary sewer lines, underground electric power lines to supply power for the said treatment plant, surface water drainage facilities and appurtenances thereto; which easements are shown on a certain plat entitled "Plat Showing Sewer & Drainage Easements on Tax Map 22 Parcels (A) 60, 61 & 62, The Fluvanna County & ARC Club Trustee Properties, Columbia District, Fluvanna County, Virginia" by Stanley Land Surveys, PLC, dated April 17, 2010 (the "Plat"), a copy of which is attached hereto and recorded herewith as **Exhibit A**; and

WHEREAS by order of the Circuit Court of Fluvanna County, Virginia entered on March 25, 2011, a copy of which is attached hereto and recorded herewith as **Exhibit B**, the Grantors were appointed Trustees of the Kents Store Agricultural and Recreation Center Club, also known as the Kents Store Agricultural Recreational Center, and authorized to convey by Special Warranty deed said easements as more particularly set forth hereinafter;

NOW THEREFORE, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration more particularly hereinafter set forth, the receipt and sufficiency of which are

hereby acknowledged, the Grantors do hereby GRANT, BARGAIN, SELL and CONVEY with SPECIAL WARRANTY OF TITLE unto the Grantee, its successors and assigns, for the benefit of the Fire Company facility property a perpetual easement and right-of-way on, over and under the Property (i) for the construction and installation of a sanitary sewage treatment plant consisting of pipes and appurtenances therein and for the construction and installation of underground electric power lines consisting of lines, conduit and appurtenances thereto to serve the same, including the right to discharge treated wastewater therefrom; (ii) together with a perpetual easement and right-of-way on, over and under the Property for the construction and installation of sanitary sewer lines consisting of pipes and appurtenances thereto; and (iii) together with a perpetual easement and right-of-way on, over and under the Property for offsite surface water drainage facilities consisting of pipes, grading and appurtenances thereto, including the right to discharge surface water therefrom.

Reference is hereby made to the Plat attached hereto as **Exhibit A** for the location and dimensions of said easements and rights-of-way as they cross the Property. The location of the easements described in (i) and (ii) above is the area depicted as "Sewer Easement" and "20' Sewer Easement" on the Plat. The location of the easement described in (iii) above is the area depicted as "Drainage Easement" on the Plat.

Grantors, for themselves and their successors and assigns, agree that new trees, shrubs, fences, buildings, overhangs or other improvements or construction shall not be placed within the easements conveyed hereby. As part of these easements, Grantee shall have the right to enter upon the Property within the easements for the purpose of constructing, installing, operating, maintaining, repairing, replacing, connecting to and altering the sewage treatment plant, sanitary sewer lines, electric power lines, surface water drainage facilities and appurtenances within such easements, and the right to ingress and egress thereto as is reasonably necessary for such purposes. Wherever it is

necessary to excavate earth within an easement, the Grantee agrees to backfill such excavation in a proper and workmanlike manner so as to restore surface conditions as nearly as practicable to the same conditions as prior to the excavation, including the restoration of such paved surfaces as may be damaged or disturbed as part of such excavation.

The easements provided for herein shall include the right of the Grantee, after reasonable prior notice to Grantors, to trim, cut and remove any new trees, brush, shrubbery, fences, structures or other obstructions within the easements and rights-of-way being conveyed, and to take other similar action reasonably necessary to provide efficient, safe and proper use of the easements and the facilities constructed therein for the purposes expressed herein. The Grantee shall have no responsibility to the Grantors, their successors or assigns, to replace or reimburse the cost of said trees, brush, shrubbery, fences, structures or obstructions within the easements if cut, removed or otherwise damaged pursuant to the terms herein.

The facilities constructed within the easements serving the aforesaid sewer treatment plant and surface water drainage facilities shall be and remain the property of the Grantee, which shall have the right to inspect, rebuild, remove, repair, improve and make such changes, alterations and connections of its facilities within the boundaries of the easements as are consistent with the purposes expressed herein and for no other purposes.

In further consideration of the conveyances set forth above, the Grantee hereby COVENANTS AND AGREES, for so long as the Fire Company facility property is used for public purposes and the existing sewage disposal system continues to serve the same, that the Grantors shall have, at no cost to them, the non-exclusive access to, and use of, the said sewage treatment plant; that the Grantee will maintain the said sewage treatment plant so as to provide lawful sewage disposal service to the Property for the benefit of the Grantors' current and similar uses of the

Property in common with Grantee's use of the Fire Company facility property; and that, in connection therewith, the Grantee will supply electric power service to operate the same, including electric power generated on site during outages of conventional electric power service.

The signature of John Y. Gooch, Chairman, is affixed hereto on behalf of the Board of Supervisors of Fluvanna County, Virginia, pursuant to a resolution duly adopted by the Board, to evidence the acceptance of this deed and agreement to the terms hereof by the Board, in accordance with Virginia Code Section 15.2-1803 (1950), as amended.

Witness the following duly authorized signatures and seals.

[SIGNATURE PAGES FOLLOW]

KENTS STORE AGRICULTURAL AND RECREATION
CENTER CLUB also known as KENTS STORE
AGRICULTURAL RECREATIONAL CENTER

By *Bernard W. Grubbs* (SEAL)
Bernard Grubbs, Trustee

By *Patricia P. Kumaal* (SEAL)
Patricia P. Kumaal, Trustee

By *Henry B. Goodwin, Jr.* (SEAL)
Henry B. Goodwin, Jr., Trustee

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF FALMOUTH

The foregoing instrument was acknowledged before me this 14th day of APRIL,
2011, by Bernard Grubbs, Trustee on behalf of the Kents Store Agricultural and Recreation Center
Club, also known as the Kents Store Agricultural Recreational Center.

Lea Ann Philipp
Notary Public

My commission expires: 4/30/2015
Notary registration number:

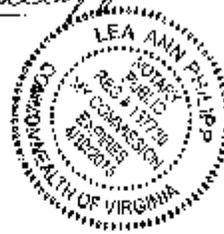


COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF ELIZABETH

The foregoing instrument was acknowledged before me this 20th day of April, 2011, by Patricia P. Kunard, Trustee on behalf of the Kents Store Agricultural and Recreation Center Club, also known as the Kents Store Agricultural Recreational Center.

Lea Ann Phillips
Notary Public

My commission expires: 4/30/2015
Notary registration number:



COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF ELIZABETH

The foregoing instrument was acknowledged before me this 14 day of APRIL, 2011, by Henry B. Goodwin, Jr., Trustee on behalf of the Kents Store Agricultural and Recreation Center Club, also known as the Kents Store Agricultural Recreational Center.

Barbara Wright
Notary Public

My commission expires: 11/30/2014
Notary registration number: 1376666



BOARD OF SUPERVISORS OF FLUVANNA COUNTY,
VIRGINIA

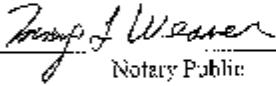
BY:


John Y. Gooch, Chairman



COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Fluvanna

The foregoing instrument was acknowledged before me this 18th day of May,
2011, by John Y. Gooch, Chairman, on behalf of the Board of Supervisors of Fluvanna, County,
Virginia.


Notary Public

My commission expires: 31 January 2012
Notary registration number: 347136

APPROVED AS TO FORM:

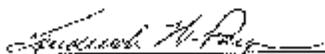

Frederick W. Payne, Fluvanna County Attorney

EXHIBIT A

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EXHIBIT B

Y 3 1

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF FLUVANNA

IN RE: KENTS STORE AGRICULTURAL AND RECREATION CENTER CLUB,
also known as KENTS STORE AGRICULTURAL RECREATIONAL CENTER
Civil Case #11CL57

ORDER

This day appeared Kents Store Agricultural and Recreation Center Club, also known as Kents Store Agricultural Recreational Center ("Kents Store ARC") of Fluvanna County, Virginia, by its counsel, and presented to the Court its petition for the appointment of Bernard Grubbs, Patricia P. Kunard and Henry B. Goodwin, Jr. as Trustees of the Kents Store Agricultural and Recreation Center Club, and seeking leave to convey certain easements across its properties to the Board of Supervisors of Fluvanna County, Virginia.

It appearing to the Court that by a resolution of Kents Store ARC, at a duly held meeting of the Board of Kents Store ARC, the governing body of the Kents Store ARC on March 8, 2011, that the ARC Board appointed and confirmed the following individuals to serve as the Trustees of the Kents Store Agricultural and Recreation Center Club, namely: Bernard Grubbs, Henry B. Goodwin, Jr. and Patricia P. Kunard, and that the ARC Board further approved the conveyance of certain easements to the Board of Supervisors of Fluvanna County for a sewage treatment plant and certain other uses, pursuant to the terms, conditions and agreements of a proposed Deed of Easement and the plat dated April 17, 2010, attached thereto, copies of which have been filed with the Petition in this cause as Exhibit D, and directed and authorized the Trustees to petition this Court for approval of conveyance of such easements.

AND it further appearing proper so to do, it is hereby ORDERED that Bernard Grubbs,

Patricia P. Kennard and Henry B. Goodwin, Jr. are hereby appointed as the Trustees of Kents Store Agricultural and Recreation Center Club.

AND if further appearing proper so to do, it is hereby ORDERED that Bernard Grubbs, Patricia P. Kennard and Henry B. Goodwin, Jr. as the Trustees of Kents Store Agricultural and Recreation Center Club are hereby granted leave to grant and convey with Special Warranty of Title to the Board of Supervisors of Fluvanna County, Virginia, its successors and assigns, for the benefit of the Fire Company facility property shown and described as TM 22 (A) 62 on a plat entitled "Plat Showing Sewer & Drainage Easements on Tax Map 22 Parcels (A) 60, 61 & 62 THE FLUVANNA COUNTY & ARC CLUB TRUSTEE PROPERTIES, Columbia District, Fluvanna County, Virginia" made by P. Timothy Stanley, Jr., dated April 17, 2010, (hereinafter referred to as the "Plat"), pursuant to the terms, conditions and agreements of said proposed Deed of Easement filed with the Petition as Exhibit D, a perpetual easement and right of way on, over and under the Kents Store ARC Property shown on the Plat as TM 22 (A) 60 and TM 22 (A) 61 (i) for the construction and installation of a sanitary sewage treatment plant consisting of pipes and appurtenances thereto and for the construction and installation of underground electric power lines consisting of lines, conduit and appurtenances thereto to serve the same, including the right to discharge treated wastewater therefrom; (ii) together with a perpetual easement and right of way on, over and under the Kents Store ARC Property for the construction and installation of sanitary sewer lines consisting of pipes and appurtenances thereto; and (iii) together with a perpetual easement and right of way on, over and under the Kents Store ARC Property for offsite surface water drainage facilities consisting of pipes, grading and appurtenances thereto, including the right to discharge surface water therefrom, which easements are more fully described as to

location and dimensions on the aforesaid Plat.

ENTER. John D. Busing
Judge
DATE: 3-25-11

I ask for this:

Barbara Wright Goshorn
Barbara Wright Goshorn
Counsel for Petitioners

A Copy
To: Sandra A. Farnish, Deputy Clerk
Honorable E. Pedersen, Jr., Clerk
Blaine County Circuit Court 3/28/11
Primo, Virginia

Date Received: 5/18/11; Revised 5/19/11	Project Name: Town of Columbia Task Force	Project Code: TBA
Sponsoring Organization: Fluvanna County	Sponsor: Shaun Kenney	Project Manager: Pat Groot

Task Force Charter

Scope and Composition of the Committee:

The scope of this task force shall be limited to assisting the Town of Columbia in identifying solutions to issues of concern identified by either the Town Council or the task force.

The task force shall be comprised of the following individuals – Shaun Kenney, Pat Groot, John Hammond (Mayor), Kerry Murphy Hammond (Council Member), Chip Howard (Council Member), Chuck Jones (Interfaith Council), Jean Lipscomb (Citizen), Debby Bryant (Citizen), Lt. Aaron Hurd, Sheriff Ryant Washington, Gary Rice (VDH), Susan Muir (DSS), Darius Lester (Bldg Official), Darren Coffey (Planning), Billie Campbell (TJPDC), Howard Evergreen (Housing Foundation), and other town representatives as assigned by the Town Council.

Committee Deliverables

Identify all issues of immediate and long-term concern to the Town of Columbia.
Recommend viable solutions to each issue and outline a recommended plan of action to implement solutions.

Project Schedule and Budget

Anticipated Duration of Committee: One year, or until the Town has implemented the necessary agreements and other tools necessary to fully address the identified issues.	Forecasted Budget Impact: \$0
Major Milestone Completion Times Meet monthly to identify issues and begin developing solutions. Discuss progress and additional implementation strategies at each meeting. Report back to the Fluvanna County Board of Supervisors on a quarterly basis. Project completion – Task Force work completed within one year, or as soon as is feasible to effectively address all identified issues and means to assist the town.	Major Budget Milestones: Monthly meetings = \$0 County, legal assistance or other = Unknown Recurring costs = County staff time
Additional Comments: Upon a recommendation from the Town of Columbia, this task force shall be disbanded by the Board of Supervisors with any remaining or future items to be addressed by the Town.	



**BOARD OF SUPERVISORS
County of Fluvanna
Palmyra, Virginia**

RESOLUTION

At a regular monthly meeting of the Fluvanna County Board of Supervisors held at 7:00 p.m. on Wednesday, May 18th, 2011, in Palmyra, Virginia, the following action was taken:

<u>Present</u>	<u>Vote</u>
John Y. Gooch, Chairman	YEA
Shaun V. Kenney, Vice Chairman	YEA
Mozell H. Booker	YEA
Joe Chesser	YEA
Chris S. Fairchild	YEA
Donald W. Weaver	YEA

On a motion by Mr. Chesser seconded by Mr. Kenney and carried by a vote of 6-0 the following resolution was adopted.

RESOLUTION

Initiate a Zoning Map Amendment for Tax Map Parcels 12(18)1, 2, 3, 4 & 12(17)C

WHEREAS, this action will initiate the necessary process for expeditiously amending the Fluvanna County Zoning Map; and

WHEREAS, this action is in response to recent zoning determination inquiries made to the Fluvanna County Zoning Administrator with regard to the current zoning classification of these parcels; and

WHEREAS, this action will clarify and correct the Fluvanna County Zoning Map and the respective zoning classifications with regard to the parcels identified in this motion; therefore

BE IT RESOLVED by the Board of Supervisors of Fluvanna County, pursuant to County Code Section 22-20-1(b), that the Board intends that the Fluvanna County Zoning Map be amended in Tax Map 12, Sec. 18, parcels 1, 2 and 3, from I-1 (Industrial, Limited) to A-1 (Agricultural General); and in Tax Map parcels 12-18-4 and 12-17-C from I-1 (Industrial, Limited) to I-1 (Industrial, Limited); and

BE IT FURTHER RESOLVED that this resolution be referred to the Fluvanna County planning commission for its consideration and recommendation. The public purpose of the proposed amendment is to correct and clarify the zoning applicable to the parcels in question.

Adopted this 18th day of May 2011
by the Fluvanna County Board of Supervisors

ATTEST:

Jay Scudder, County Administrator