

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Court Room
July 18, 2012, 7:00 p.m.**

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

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

CALL TO ORDER/PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

Chairman Kenney called the meeting of July 18, 2012, 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.

COUNTY ADMINISTRATOR'S REPORT

Mr. Steven M. Nichols, County Administrator reported on the following topics:

- New Employees – Introduced Mr. Wayne Stephens our new Public Works Director.
- Turf Workshop – Mr. John Thompson, Virginia Cooperative Extension, hosted a successful turf workshop on July 9. Had 17 participants from Fluvanna, Albemarle and Goochland counties.
- Community Animal Response Team (CART) Workshop – Dr. Jackie Meyers presented the CART workshop at the Virginia State Animal Response Team Summit. First seminar to reach maximum registration.
- Budgeting 101 – Fluvanna County Public Schools will be conducting a “Budgeting 101” on July 24, 6:00-7:00pm at the School Board Office to inform those interesting in learning about the schools budget.
- Finance Board and JAUNT Board – seeking applicants to fill vacant positions on the JAUNT Board and the Finance Board.

Mrs. Booker recognized the community for pulling together and supporting such things as Relay for Life, cash mobs, BBQ, Bands & Brews, and Let Alyssa Live fundraiser.

PUBLIC COMMENTS #1

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

- Bridgett Madison, Fork Union District – addressed the Board in regards to getting more involved and informed with the community, and be a positive role model.
- Ellie Sechler, Palmyra District – addressed the Board in regards to a new group from called Students for Teachers.
- Katie Sechler, Palmyra District – addressed the Board in regards to events that Student for Teachers will be hosting.
- Cindy Corbin, Columbia District – addressed the Board in regards to who created the Students for Teacher group and what they are trying to accomplish.
- Perrie Johnson, Fork Union District – addressed the Board in regards to how recent budget cuts will immediately affect our children and by extension our community. Virginia is ranked 41st in the Nation in Pupil to Teacher ratio.
- Len Bozza, Rivanna District – addressed the Board in regard to the well designed and constructed school.
- Lori Hall, Fluvanna Teacher, Charlottesville, VA – addressed the Board in regards to repairing the wedge that has come between this county.
- Cheryl Daidone – Rivanna District – addressed the Board in regards to health insurance rates for the schools.

- Angela Davis, Cunningham District – addressed the Board in regards to not enough space or individual instruction for students in classrooms. Please find a way to reallocate money to the schools.
- Rebecca Newman, Rivanna District – addressed the Board in regards to how budget cuts are impacting teachers and students.
- John Carrier, Palmyra District – addressed the Board in support of the schools and the county.
- Tony O'Brien, Rivanna District – addressed the Board in regards to being 41st in the state for student per teacher ratio. Destroy the schools, destroy the community. What was really the difference between the tax rates?
- Kerry Murphy-Hammond, Columbia District – addressed the Board in regards to current budget cuts left residents with a greater burden. Become a part of this county.

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

CONSENT AGENDA

The following items were approved under the consent agenda:

MOTION:

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

- Minutes of June 20, 2012
- Minutes of July 3, 2012
- U.S. Cellular – Amendment No. 3 to Tower and Ground Space Lease (Holdover)
- FY12 Budget Supplement for Department of Social Services Share of the Cost Allocation Funds
- FY12 Budget Supplement for Registrar/Electoral Board March Primary Reimbursement Funds
- FY12 Budget Supplement for Planning Development Cell Tower Applications
- FY12 Budget Supplement for Sheriff's Department Insurance Claim
- FY12 Four-for-Life Supplemental Appropriation
- FY13 Grants Administrator Budget Transfer

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

ACCOUNTS PAYABLE

None

PUBLIC HEARING

SUP 12:02 – Clear Signal Towers, LLC (Hardware River) – A request for a Special Use Permit (SUP) to allow for a 175-foot wireless communications tower with respect to 71.46 acres of Tax Map 48, Section A, Parcel 94. The property is zoned A-1 (Agricultural, General) and is located on the north side of West River Road (State Route 6) 1.3 miles west of its intersection with Hardware Road (Route 646). The property is located in the Cunningham Election District and is within the Rural Residential Planning Area.

Applicant deferred this request.

SUP 12:03 – Clear Signal Towers, LLC (Weber City) – A request for a Special Use Permit (SUP) to allow for a 195-foot wireless communications tower with respect to 46.6 acres of Tax Map 59, Section A, Parcel 13B. The property is zoned A-1 (Agricultural, General) and is located on the east side of James Madison Highway (Route 15) 1.2 miles south of its intersection with Winnsville Drive (Route 612). The property is located in the Fork Union Election District and is within the Rural Residential Planning Area.

Applicant deferred this request.

SUP 12:04 – Clear Signal Towers, LLC (Cohasset) – A request for a Special Use Permit (SUP) to allow for a 195-foot wireless communications tower with respect to 97.7 acres of Tax Map 50, Section A, Parcel 3. The property is zoned A-1 (Agricultural, General) and is located on the west

side of Mountain Hill Road (Route 650) approximately 500 feet south of its intersection with West River Road (State Route 6). The property is located in the Fork Union Election District and is within the Rural Preservation Planning Area. Mr. Steve Tugwell, Senior Planner, addressed this request.

Applicant deferred this request.

AFD 02:03 – Riverside Agricultural & Forestal District (AFD) – A review of the Riverside Agricultural and Forestal District (AFD), which is set to expire on August 7, 2012. The Riverside AFD currently consists of 18 parcels (Tax Map 60, Section A, Parcel 10; Tax Map 60, Section A, Parcel 34; Tax Map 60, Section A, Parcel 35; Tax Map 60, Section 3, Parcel 1; Tax Map 60, Section 3, Parcel 2; Tax Map 60, Section 3, Parcel 3; Tax Map 60, Section A, Parcel 31; Tax Map 60, Section A, Parcel 32; Tax Map 60, Section A, Parcel 33; Tax Map 60, Section 7, Parcel 8; Tax Map 60, Section A, Parcel 16A; Tax Map 60, Section A, Parcel 17A; Tax Map 60, Section A, Parcel 17B; Tax Map 60, Section A, Parcel 18; Tax Map 60, Section A, Parcel 21C; Tax Map 60, Section A, Parcel 21; Tax Map 60, Section A, Parcel 21D; Tax Map 60, Section 7, Parcel 9) totaling 552.526 acres. The properties are zoned A-1 (Agricultural, General) and are generally located along, or in close proximity to, Bremo Road (State Route 656). The properties are located within the Fork Union Election District and are within the Rural Residential and Rural Preservation Planning Areas. Mr. Andrew Pompei, Planner, addressed this request.

Chairman Kenney opened the floor for public hearing.

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

MOTION:

Mr. Chesser moved to terminate that the Riverside Agricultural and Forestal District following the review date on August 7, 2012, since the district no longer meets the minimum size requirements set forth in Sec. 3.1-4 of the Fluvanna County Code, see attached ordinance.

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

PRESENTATIONS

None

ACTION MATTERS

Additional Compensation Board Funding for Certified Career Development Employees – Mr. Steve Nichols, County Administrator and Mr. Mel Sheridan, Commissioner of the Revenue, addressed this request to allocate additional funds received from the Compensation Board for Career Development Certifications.

MOTION:

Mr. Chesser moved to allocate the additional funds received from the Compensation Board, earmarked for Career Development Certification of Commissioner of the Revenue employees, in the amount of \$7,776, to the Commissioner of the Revenue FY13 salary and benefits budget.

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

Appointment/Reappointment to Economic Development Commission, Cunningham District Position

MOTION:

Mr. Weaver moved to reappoint Mr. Keith Smith to the Economic Development Commission, Cunningham District Position, with a term to begin August 1, 2012, and to terminate on July 31, 2016.

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

Appointment/Reappointment to Economic Development Commission, At-Large Position

MOTION:

Mrs. Booker moved to reappoint Ms. Tammy Grigg to the Economic Development Commission, Fork Union District Position, with a term to begin August 1, 2012, and to terminate on July 31, 2016.

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

Leasing of Police Vehicles – Sheriff Washington addressed the Board with this request to clarify the leasing and financing of police vehicles.

MOTION:

Mr. Ullenbruch moved the Board of Supervisors authorize the County Administrator or designee to seek bids for the financing of \$251,750 over a three year period and execute the approved awarded documents for the leasing of the Sheriff's Office Police Vehicles.

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

UNFINISHED BUSINESS

None

NEW BUSINESS

Letter of Support – Rivanna River Basin Commission requests a letter of support for Technical Assistance for the Rivanna Snapshot and Rivanna Watershed Management Plan.

MOTION:

Mr. Chesser moved the Board of Supervisors authorize the Chairman to execute a Letter of Support for the Rivanna River Basin Commission in support of Technical Assistance for the Rivanna Snapshot and Rivanna Watershed Management Plan.

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

Mr. Kenney asked the Board to consider rearranging the order of the agenda items and consider a second reading review. Staff will present options at the August 1, 2012 meeting.

Mr. Fred Payne, County Attorney, addressed a question Mr. Weaver asked concerning SUP's and what happens if they are abandoned. They remain in effect until the Board revokes them.

PUBLIC COMMENTS #2

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

Bridgette Madison, Fork Union District – addressed the Board with the website for the Students for Teachers website address, studentsforteachers.yolasite.com.

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

CLOSED MEETING

None

ADJOURN

MOTION:

At 8:35 p.m., Mr. Weaver moved to adjourn the meeting of Wednesday, July 18, 2012. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Ullenbruch, Weaver, Booker and Chesser. NAYS: None. ABSENT: None.

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

Mary L. Weaver, Clerk

Shaun V. Kenney, Chairman

AN ORDINANCE TO TERMINATE THE RIVERSIDE AGRICULTURAL/FORESTAL DISTRICT

WHEREAS, the Fluvanna County Board of Supervisors approved the creation of the Riverside Agricultural/Forestal District on August 7, 2002 for a ten-year period; and

WHEREAS, the Fluvanna County Board of Supervisors must complete a review of the Riverside Agricultural/Forestal District prior to August 7, 2012, a date ten (10) years after the district's creation; and

WHEREAS, in accordance with Section 15.2-4311 of the State Code of Virginia and Section 3.1-10 of the County Code of Fluvanna, Fluvanna County has completed a review of the Riverside Agricultural/Forestal District; and

WHEREAS, in accordance with Section 15.2-4311 of the State Code of Virginia and Section 3.1-10 of the County Code of Fluvanna, all current owners of parcels enrolled within the Riverside Agricultural/Forestal District have been notified that the district will be reviewed on or before August 7, 2012 and have been asked whether they would like their properties to remain in, or be withdrawn from, the district; and

WHEREAS, the current owners of thirteen (13) of the eighteen (18) parcels enrolled within the Riverside Agricultural/Forestal District have notified the Fluvanna County Department of Planning and Community Development, in writing, that they wish to withdraw their properties from the district; and

WHEREAS, the Riverside Agricultural/Forestal District, due to the expressed desire of some of the current owners to withdraw their properties from the district, no longer meets the minimum size requirements set forth in Section 15.2-4305 of the State Code of Virginia and Section 3.1-4 of the County Code of Fluvanna; and

WHEREAS, the Agricultural/Forestal District Advisory Committee, at its meeting on June 13, 2012, by a vote of seven (7) to zero (0), has recommended that the Riverside Agricultural/Forestal District be terminated; and

WHEREAS, the Planning Commission, following an advertised public hearing on June 27, 2012, by a vote of four (4) to zero (0), has recommended that the Riverside Agricultural/Forestal District be terminated;

NOW, THEREFORE BE IT ORDAINED BY THE FLUVANNA COUNTY BOARD OF SUPERVISORS, in accordance with Section 15.2-4311 of the State Code of Virginia and Section 3.1-10 of the County Code of Fluvanna, that, on this 18th day of July 2012, the Riverside Agricultural/Forestal be terminated effective August 7, 2012, a date ten (10) years after the district's creation; and

BE IT FURTHER ORDAINED that the Clerk of the Board cause copies hereof to be submitted in accordance with the provisions of Section 15.2-4314-E of the State Code of Virginia and Section 3.1-13-E of the County Code of Fluvanna.