

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Court Room
May 21, 2014, 7:00 pm**

MEMBERS PRESENT: Mozell Booker, Chairperson
Bob Ullenbruch, Vice-Chairperson
Donald W. Weaver
Tony O'Brien
Mike Sheridan (*Arrived at 7:36*)

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

Chairperson Booker called the meeting of Wednesday, May 21, 2014, to order at 7:00 p.m., in the Circuit Courtroom in Palmyra, Virginia; and the Pledge of Allegiance was recited, after which, Chairperson Booker called for a moment of silence.

SPECIAL PRESENTATION

Chairperson Booker presented Mr. Ryant Washington with a flag box recognized his wonderful contributions during his 14 years of service as the Fluvanna County Sheriff.

COUNTY ADMINISTRATOR'S REPORT

Mr. Nichols reported on the following topics:

- Thanked staff, Roger Black and Scott Miller, for taking the initiative to clean up a hazard on Rt 53 that VDOT was unable to attend to in a timely manner.
- National EMS Week is May 18 – 24, 2014.
- 2nd Annual Employee Health and Wellness Fair was a great success, thanks to Aaron Spitzer & Gail Parrish for coordinating, Parks and Rec and Public Works for assisting and all the vendors that participated.
- Community Investment Collaborative (CIC) Information Session will be held on Tuesday, June 17, 6pm at the Library. Training Workshop begins August 2014, applications due by July 1, 2014.
- Business Visits – Visited Vanderlin Recycling and Kloeckner Metals and learned about their business and plans for expansion.
- 2014 Comprehensive Plan Review Public Meetings are scheduled for the following dates, time to be determined. Will be advertised in the Fluvanna Review and Fan Mail.
 - June 10 – Fork Union Community Center
 - June 12 – Morris Room, County Administration Building
 - June 17 – Lake Monticello Terrace Room
- There is a new warden at Fluvanna Correctional Center for Women – Tammy C. Brown
- Mowing and Field Care Plan will be briefed at the next BOS Meeting.
- Agricultural/Forrestal Advisory Committee has a vacancy beginning July 1, 2014, no applicants currently on file.
- Dominion Power Outage for System Upgrades will take place on June 6th, 2014. Area involved will be North of Carysbrook to Palmyra Fire Station.
- County Administrator will be on vacation, May 24-31. Mr. Bobby Popowicz will be acting County Administrator.
- Upcoming meetings
 - Wednesday, June 4 – 4:00 pm, Regular Meeting
 - 7:00 pm Work Session (County Facility Space Utilization and Strategic Initiatives Update)

BOARD OF SUPERVISORS UPDATES

Social Services Board (Mr. Bob Ullenbruch) – interviews are about to begin for the Social Services Director.

Planning Commission Work Session (Mr. Tony O'Brien) – discussion of Poplar Ridge Master Plan Amendment and Special Use Permit request along with a discussion of the Comprehensive Plan

Piedmont Community Virginia College Breakfast – regular meeting, Fluvanna has the largest dual enrollment participation.

JABA Board of Directors (Mrs. Mozell Booker) – stopped using meals on wheels now using Mom's meals, will be delivered by Fed Ex. The all-inclusive PACE program is off to a slow start.

PUBLIC COMMENTS #1

Chairperson Booker opened the floor for the first round of public comments.

- Len Gardner, Rivanna District – addressed the Board in regards to additional revenue resources. Consider investing funds to earn interest on reserved funds.

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

PUBLIC HEARING

SUP 14-01/Timothy Reese – Mr. Steven Tugwell, Senior Planner, addressed the Board with this request for a special use permit to operate a landscaping material supply business.

Chairperson Booker opened the floor for the Public Hearing.

- David Gregory, Palmyra District – addressed the Board in opposition of this request with concerns about noise, water and pesticides.
- Pam Gregory, Palmyra District - addressed the Board in opposition of this request, read a letter expressing her concerns with this request.
- Eugene Profitt, Palmyra District – addressed the Board in support of this request, current owner of this property and has no problems with the water.

Chairperson Booker closed the Public Hearing.

Mr. Timothy Reese, applicant, addressed the Board and described the intended operation of this business and currently has a total of six employees. Mr. Reese informed the Board of the strict regulations and certificates that would be required of him when he started to use pesticides. Mr. Fred Payne, County Attorney discussed the concerns with pesticides and requested a change to condition #7 to read “No Greenhouse or cultivation of irrigated plants on-site”. Mr. Payne reminded the Board that they can add additional conditions as needed.

MOTION:

Mr. Ullenbruch moved the Board of Supervisors approve SUP 14:01 with respect to 11.558 acres of Tax Map 4, Section A, Parcel 38, with the following eleven conditions:

1. Prior to development of the site, a site development plan that meets the requirements of the Fluvanna County Zoning Ordinance, must be submitted for review and approval.
2. The site must meet all Virginia Department of Transportation requirements.
3. The site must meet the requirements set forth by the Virginia Department of Health.
4. The property shall be maintained in a neat and orderly manner so that the visual appearance from the road and adjacent properties is acceptable to County officials.
5. Hours of operation shall be Monday through Saturday 7:00 a.m. to 6:00 p.m.
6. *No retail sales permitted on-site.*
7. *No Greenhouse or cultivation of irrigated plants on-site.*
8. The Board of Supervisors, or its representative, reserves the right to inspect the business for compliance with these conditions at any time.
9. Any noise generated by the activity on this site shall be limited to the maximum decibel level allowed by Sec. 15.1-9 A. d. of the County Code.
10. All outdoor landscaping supply materials storage areas shall be screened from the view of public roads, rights-of-way, and adjacent properties as required by Sec. 22-24-7 3. iii of the Zoning Ordinance.
11. 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.

Mr. Weaver seconded. The motion carried, with a vote of 5-0. AYES: Booker, Ullenbruch, O'Brien, Sheridan and Weaver. NAYS: None. ABSENT: None.

ACTION MATTERS

County MUNIS SAAS Contract – Mr. Jonathan McMahon, Information Technology Director and Mr. Joe Rodish, Purchase Officer, addressed the Board with this request in regards to Tyler’s provision of hosting services for our MUNIS financial system and FCPS shall be three calendar years beginning July 1, 2014 through June 30, 2017.

MOTION:

Mr. Ullenbruch moved the Board of Supervisors approve the Addendum and Amendment to the Tyler Technologies (MUNIS) Agreement dated June 9, 2010, for the purpose of adding Software as a Service (SAAS) for both Fluvanna County and Fluvanna County Public Schools MUNIS system support, at a cost of \$379,294.00 for the period July 1, 2014 through June 30, 2017, and authorize the County Administrator to execute the amendment, subject to approval as to form by the County Attorney. Mr. O'Brien seconded. The motion carried, with a vote of 5-0. AYES: Booker, Ullenbruch, O'Brien, Sheridan and Weaver. NAYS: None. ABSENT: None.

James River Water Authority (JRWA) Funding Request – Mr. Steven Nichols, County Administrator, addressed the Board with this request in regards to administrative and engineering necessary to have the DEQ withdrawal permit updated and moved from Breemo Bluff to the Columbia area. Mr. Weaver and Mr. Ullenbruch were concerned about spending this money out of fund balance.

MOTION:

Mr. O'Brien moved the Board of Supervisors approve a supplemental appropriation for the James River Water Authority (JRWA) in the amount of \$150,000.00 for administrative and engineering costs associated with the water withdrawal permitting process, with funding to come from Uncommitted Fund Balance. Mr. Sheridan seconded. The motion carried, with a vote of 5-0. AYES: Booker, Ullenbruch, O'Brien, Sheridan and Weaver. NAYS: None. ABSENT: None.

The Board requested the schools give a presentation to the Board in regards to the school year end shortfalls.

PRESENTATIONS

Town of Columbia update – Ms. Jessica Phillips, Attorney on behalf of the Town of Columbia, addressed the Board in regards to the process involved in dissolving the Town of Columbia and its Charter. Town of Columbia would enter into a formal agreement with the County and everything would fall back to the county. The Town Council would then pass an ordinance would petition the Fluvanna Circuit Court for an order requiring a referendum. The town’s goal is to get on the ballot for November for the voters of Town to annul or appeal the charter. The Formal agreement will then be binding and the Town of Columbia Charter dissolved. The Town of Columbia is discussion with the Catholic Church of Dioceses in regards to the Town Hall ownership. Mayor John Hammond spoke on regards of dissolving the charter and the grants in process.

Dogs in Residential Zoning Districts Overview – Mr. Jay Lindsey, Planner, reviewed with the Board Dogs and Zoning in nearby counties. The Board discussed implementing an ordinance. The Board inquired about the need to regulate dogs in the county. Mr. Nichols will inquire with the Sheriff's Department and bring back to the Board at another time.

Architectural Review Boards Overview – Mr. Jay Lindsey, Planner, addressed the Board in regards to what is an Architectural Review Board and counties that use them. Mr. Fred Payne, County Attorney, recommend against this type of Board, little or no benefit to the public. Planning Commission agrees with the County Attorneys recommendation.

Comprehensive Plan Review – Mr. Jay Lindsey, Planner, addressed the Board in regards to review and updated timeline of the Comprehensive Plan Review. Three public meetings are scheduled to be held in June, chapters reviewed through the summer/fall and the final draft ready for BOS approval in December.

Emergency Services Coordinator update – Ms. Cheryl Wilkins, Emergency Services Coordinator, gave the Board an overview of Emergency Services in Fluvanna; What is the Goal, Emergency Services Focus Areas, and ongoing and future projects.

CONSENT AGENDA

The following items were approved under the consent agenda:

MOTION:

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

- Minutes of May 07, 2014.
- FY15 County Administrator Pay Increase (base salary increase of \$2,895 & one-time bonus of \$3,000.
- FY14 Sheriff's Department Insurance Claims, \$23,924.90.
- FY14 Department of Social Services Insurance Claim, \$293.40.
- Farm Museum Grant Application Letter of Support.
- Proclamation – Fluvanna Garden Club Week, June 1st – June 7th, 2014.

Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Booker, Ullenbruch, Sheridan, O'Brien, and Weaver. NAYS: None. ABSENT: None

UNFINISHED BUSINESS

Mr. Weaver requested a hard copy of the school efficiency study.

NEW BUSINESS

Finance Board (reestablish) – Mr. Steven M. Nichols, County Administrator, addressed the Board with this request to reestablish the Finance Board.

MOTION:

Mr. Weaver moved the Board of Supervisors reestablish the County Finance Board per County Code, Sec. 2-5-2.1 - Establishment of County Finance Board. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Booker, Ullenbruch, O'Brien, Sheridan and Weaver. NAYS: None. ABSENT: None.

PUBLIC COMMENTS #2

Chairperson Booker opened the floor for the second round of public comments.

With no one wishing to speak, Chairperson Booker closed the second round of public comments.

CLOSED MEETING

None

ADJOURN

MOTION:

At 10:46 p.m., Mr. Ullenbruch moved to adjourn the meeting of Wednesday, May 21, 2014. Mr. O'Brien seconded. The motion carried, with a vote of 5-0. AYES: Booker, Ullenbruch, Sheridan, O'Brien, and Weaver. NAYS: None. ABSENT: None.

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

Mary L. Weaver, Clerk

Mozell H. Booker, Chairperson



BOARD OF SUPERVISORS
County of Fluvanna
Palmyra, Virginia

RESOLUTION

**Authorizing an Appropriation to the James River Water Authority (JRWA)
 for Costs Associated with the Permit Process and Relocation of Intake**

WHEREAS, there is a need for funding for the anticipated additional tasks associated with the permit process and relocation of intake to include the following:

- Threatened and Endangered Species Field Studies;
- Topographic and Bathometric Surveys;
- Geotechnical Investigation for Intake/PS Locations;
- Preliminary Engineering for Intake, PS, and Pipeline Routing;
- Project Advertising and Announcements;
- Real Estate Consultant;
- Easement Plat Preparation;
- Railroad Crossing Permit; Prepare and Manage Permit Application;
- Floodplain Study;
- Permit Fees; and

WHEREAS, the estimated costs associated with the permit process and relocation of intake will be approximately \$299,375; and

WHEREAS, Fluvanna and Louisa Counties are to contribute equally regarding the costs of the Authority; and

WHEREAS, the JRWA has requested a \$150,000 appropriation from both the County of Fluvanna and the County of Louisa for costs associated with the permit process and relocation of intake.

NOW, THEREFORE BE IT RESOLVED, on this 21st day of May 2014, that the Fluvanna County Board of Supervisors hereby approves an appropriation in the amount of \$150,000 to the JRWA for costs associated with the permit process and relocation of intake. The source of funds is the County's Uncommitted Fund Balance.

Adopted this 21st day of May 2014
 by the Fluvanna County Board of Supervisors

Mozell H. Booker, Chairperson