



FLUVANNA COUNTY BOARD OF SUPERVISORS

REGULAR MEETING AGENDA

Circuit Courtroom, Fluvanna Courts Building

November 2, 2016 - 4:00 PM

TAB AGENDA ITEMS

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

2 – ADOPTION OF AGENDA

SPECIAL PRESENTATION - Recognition of Reserve Deputies—Sheriff Eric Hess & Captain Von Hill

3 – COUNTY ADMINISTRATOR'S REPORT

4 – BOARD OF SUPERVISORS' UPDATES

5 – PUBLIC COMMENTS #1 (5 minutes each)

6 – PUBLIC HEARING

None

7 – ACTION MATTERS

V 2017 TJPDC Legislative Program—David Blount, TJPDC Legislative Liaison

8 – PRESENTATIONS (normally not to exceed 10 minutes each)

W VDOT Quarterly Update—Alan Saunders, Residency Administrator

X Emergency Services Update—Cheryl Elliott, Emergency Services Coordinator

YZ Historical Monument Request—Steven M. Nichols, County Administrator

9 – CONSENT AGENDA

A BOS Meeting Minutes of October 05, 2016—Kelly Belanger Harris, Clerk to the Board

B BOS Meeting Minutes of October 19, 2016—Kelly Belanger Harris, Clerk to the Board

C FY17 FCPS Blue Ridge Virtual Governor's School Grant Supplemental Appropriation— Ed Breslauer, FCPS Director of Finance

D Approval of Open Space Contract for Charles Alexander IV—Andrew M. Sheridan, Commissioner of the Revenue

E Approval of Open Space Contract for Donald W. Weaver—Andrew M. Sheridan, COR

10 – UNFINISHED BUSINESS

F Business Personal Property Policies and Tax Rate Review – Steve Nichols, County Administrator

11 – NEW BUSINESS (Joint Discussion with School Board and Superintendent)

G FCPS Update Brief and Preliminary FY18 Budget Discussion – Gena Keller, FCPS Superintendent

12 – PUBLIC COMMENTS #2 (5 minutes each)

13 – CLOSED MEETING (Joint with School Board)

Legal Matters

14 – ADJOURN

Steven M. Nichols
2016.10.27 07:57:31
-04'00'

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.

Fluvanna County...The heart of central Virginia and your gateway to the future!



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

BOS2016-11-02 P.2/64
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2016-2017 STRATEGIC INITIATIVES AND ACTIONS

Strategic Initiative A -- SERVICE DELIVERY

- A1** - Create a local Broadband Task Force to: assess our current status county-wide, determine our gaps and needs, develop alternatives and options for improvement, and to identify potential funding sources for broadband expansion.
- A2** - Perform Process Improvement Review of Planning and Zoning Processes.
- A3** - Perform Process Improvement Review of Building Inspection Processes.
- A4** - Implement credit card payment option for citizen at all County funds collection points through MUNIS Cashiering process.
- A5** - Update, format, and improve web-accessibility of all County Personnel Policies.
- A6** - Create Fluvanna County Data Website Dashboard with key metrics.
- A7** - Perform a comprehensive review and update of all ordinances, rules, policies, and practices relating to junk cars, trash and litter, waste tires, condemnation of structures, etc.
- A8** - Create an improved system for managing and tracking of SUPs and Subdivisions (Bond status, project status, etc.).

Strategic Initiative B -- COMMUNICATION

- B1** - Create a Community Impact Awards Program.
- B2** - Hold an Elected Official Breakfast for our State Representatives in Spring 2016
- B3** - Collect and analyze the results of the local Business Climate Survey.
- B4** - Hold a Local Business Forum - Subtitle: "The Future of Fluvanna's 250 Corridor"
- B5** - Create a local Business Support Action Plan.
- B6** - Assess options to communicate more efficiently, effectively, and economically with Fluvanna residents.
- B7** - Expand County Website to receive, answer, and post questions from residents.
- B8** - Improve communication and collaboration with the School Board to improve understanding of school system funding needs and better plan future budgets.
- B9** - Create a brief, easy to understand tax impact message showing Fluvanna advantages for both residential and business.

Strategic Initiative C -- PROJECT MANAGEMENT

- C1** - Investigate the use of Technology or other types of Overlay Zones for the Zion Crossroads Community Planning Area to support economic development aims.
- C2** - Create a County-wide overlay map showing utilities and other key features that support business growth and development.
- C3** - Investigate all options for GIS system delivery and management to support needs of all County departments.
- C4** - Develop and adopt a Fluvanna County Master Water and Sewer Service Plan and implementation schedule.
- C5** - Successfully oversee and manage Fluvanna County aspects of the James River Water project.

C6 - Finalize locations and fund installation of Fire Hydrants in the Columbia District along the route of the Louisa County Water Authority raw water pipeline.

C7 - Successfully oversee and manage the design and construction of the Zion Crossroads water and sewer system.

C8 - Successfully oversee and manage the County's E911 Emergency Communications System Project.

C9 - Proceed with the Pleasant Grove Farm Museum design.

C10 - Investigate opportunities and options for a Palmyra Village Streetscape project to improve safety, parking, walkability, and overall appearance.

Strategic Initiative D -- ECONOMIC DEVELOPMENT AND TOURISM

D1 - Create EDTAC - Economic Development and Tourism Advisory Council.

D2 - Plan for Fluvanna County activities to celebrate the Virginia Business Appreciation Month in May 2016.

D3 - Draft and adopt a formal County-wide economic development and tourism strategy inclusive of an implementation schedule.

D4 - Create separate Tourism and Business information pages for the County website.

D5 - Create a Fluvanna County "triangle" tourism brochure describing a Monticello, Pleasant Grove House & Museum, Old Stone Jail, Historic Courthouse, and Montpelier history and tourism route.

D6 - Create a "Faces and Places of Fluvanna" Poster and Rack Card to market Fluvanna County as a destination for tourism and recreational activities.

D7 - Create a "New Residents Guide" package for distribution to local Real Estate agents.

D8 - Develop a "This is Fluvanna County" video message to be shared with county citizens and businesses as well as use with county economic development initiatives.

D9 - Investigate and pursue with State offices the installation of select Boat Ramps along the Rivanna and James Rivers to support additional recreational and tourism opportunities.

D10 - Investigate opportunities for park expansion or Rivanna River access points to support expanded recreational activities in Fluvanna (e.g., Crofton Park, LMOA river access areas, Town of Columbia flood plain/potential park, etc.).

D11 - Support local businesses and entrepreneurs by establishing a focused business appreciation and expansion program.

Strategic Initiative E -- FINANCIAL STEWARDSHIP AND EFFICIENCY

E1 - Identify all sources of revenue the county can use to finance local government programs and services and determine which sources Fluvanna County should utilize.

E2 - Investigate creation of a "Capital Depreciation Fund" that would be funded within the tax rate each fiscal year to save for future capital needs.

E3 - Update, format, and improve web-accessibility of all County Financial Policies.

E4 - Review, update, and approve new Fluvanna County Proffer Guidelines.

E5 - Reduce the County's reliance on creating and mailing paper checks for payments and to implement ACH/EFT transaction options.

E6 - Research and provide samples of Monthly Treasurer Report options and formats so that the Board can decide what they would like to see on a recurrent basis (e.g., what reports are provided in other counties?). Create report for inclusion in Board package each month, as well as a quarterly in-person briefing on the data.

**FLUVANNA COUNTY BOARD OF SUPERVISORS
 AGENDA ITEM STAFF REPORT**

MEETING DATE:	November 2, 2016				
AGENDA TITLE:	TJPDC Draft 2017 Legislative Program				
MOTION(s):	I move to adopt the Draft Thomas Jefferson Planning District Legislative Program for 2017.				
STRATEGIC INITIATIVE?	Yes	No	If yes, list initiative(s):		
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
		XX			
STAFF CONTACT(S):	Steven M. Nichols, County Administrator				
PRESENTER(S):	David Blount, TJPDC Legislative Liaison				
RECOMMENDATION:	Approval				
TIMING:	Routine				
DISCUSSION:	The Board should discuss the program and offer any suggested changes prior to adoption.				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	Draft 2017 Legislative Program				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other

October 25, 2016

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

FROM: David C. Blount, Legislative Liaison

RE: 2017 TJPD Legislative Program Approval

Attached is the draft 2017 TJPD Legislative Program for your review and consideration. As I discussed when I spoke to you at your September meeting, I will be presenting the program and seeking approval of it at your November 2 meeting. This year, the draft program lists three top legislative priorities, along with several other priority positions. They are contained in the draft program as follows:

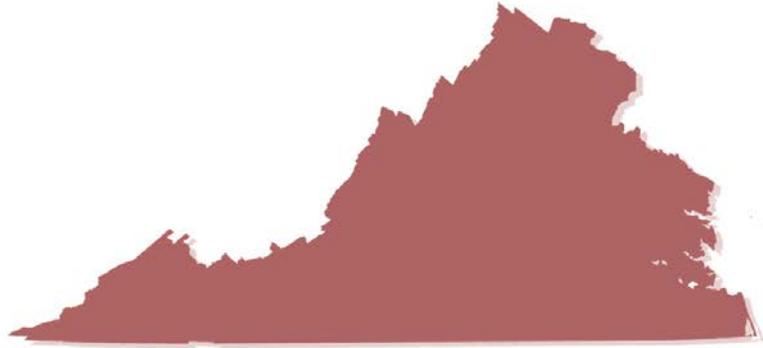
- 1) State Budget and Funding Obligations
- 2) Public Education Funding
- 3) Local Revenue Authority
- 4) Land Use and Growth Management
- 5) Transportation Funding and Devolution
- 6) Water Quality

The “Legislative Positions and Policy Statements” section contains recommendations, requests and positions in other areas of interest and concern to the region or to our individual localities.

A summary of the top priority positions will be produced and distributed later for you to use in communicating with your legislators.

I look forward to presenting and discussing the draft program when we meet November 2. Thank you.

Recommended Action: Approve the draft TJPD Legislative Program.



Thomas Jefferson Planning District
2017 LEGISLATIVE PROGRAM

DRAFT

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

October 2016

Andrea Wilkinson, Chairman
Chip Boyles, Executive Director
David Blount, Legislative Liaison

TOP LEGISLATIVE PRIORITIES

State Budget and Funding Obligations

PRIORITY: The Planning District localities urge the governor and legislature to preserve state aid to localities when addressing the current state budget gap, and to not impose mandates on or shift costs for state programs to localities in order to balance the budget.

The State's FY17/18 spending plan faces a projected \$1.2 billion shortfall, the fallout from which can impact local governments, where budgets remain challenged by slowly-recovering local revenues and state funding, as well as meeting state and local requirements and priorities. Inflation and population growth has been outpacing increases in state and local revenues; still, State income tax revenues have increased much faster than local real estate taxes since the Great Recession. While State general fund appropriations have jumped by about \$4 billion since FY09, state assistance to local government priorities has increased just about \$400 million. State aid to localities makes up about 42% of the state general fund budget in FY17.

Accordingly, we take the following positions:

→The State should strive to mitigate the impact to localities when closing the FY17/FY18 state budget gap. The State should not reduce funding for locally-provided, state-mandated services in order to compensate for the budget shortfall.

→We urge policymakers to preserve existing funding formulas rather than altering them in order to save the State money and/or to shift costs to localities.

→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. Doing so strains local ability to craft effective and efficient budgets to deliver services mandated by the State or demanded by residents.

→The State should not confiscate or redirect local general fund dollars to the state treasury.

Public Education Funding

PRIORITY: The Planning District localities urge the State to fully fund its share of the realistic costs of the Standards of Quality (SOQ) without making policy changes that reduce funding or shift funding responsibility to localities.

The State will spend about \$5.9 billion on public education in FY17. Localities appreciate the additional \$900 million in state funding that is targeted for K-12 in the current biennium, and urge the governor and the legislature to preserve this investment moving forward through the latest state budget challenges. However, in the past decade, overall state funding has increased just five percent, and while the state-funded per pupil amount has jumped back above

the FY09 level, state dollars do not reflect the true costs of K-12 education. Localities need an adequately defined SOQ that closes the gap between what school divisions are actually providing and what the state currently funds in the SOQ. Local governments consistently do their part to close the gap; in FY15, Virginia localities spent over \$7.1 billion for school division operations, which is double the state-required effort.

Reductions in state public education dollars since the Great Recession have been accomplished through policy changes that are decreasing the state's funding obligations moving forward. For example, changes to the Virginia Retirement System increased local costs and did nothing to reduce the unfunded teacher pension liability. Education expenditures are expected to continue increasing, as greater numbers of at-risk students (now close to 40% of students), rising State and local VRS contribution rates, and forthcoming changes to high school graduation standards will drive additional spending in the coming years.

Local Revenue Authority

PRIORITY: The Planning District localities urge the governor and legislature to diversify the revenue options available to localities, to include equalizing the revenue-raising authority of counties with that of cities, and to not restrict local revenue-raising authority.

We support the legislature making additional revenue options available to diversify the local revenue stream, which could reduce dependency on real property taxes, rather than removing or restricting local revenue authorities. One way to do this is to eliminate the differences between city and county taxing authority, which exist due to now less-prevalent distinctions in the services provided. This would mean removing the restrictions that currently apply to county authority to levy the meals, lodging, cigarette and amusement taxes. Equalizing revenue authority for counties with that of cities also should be included as part of a needed modernization of the state's tax system to comport with the realities of a global, information-driven economy, which will rely less on federal and other government spending and more on new, private sector business models.

Local governments cannot be expected to bear the expenses related to the imposition of new funding requirements or the expansion of existing ones on services delivered at the local level without a commensurate increase of state financial assistance or new local taxing authority (such as those noted above). 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. Further, it should not alter or eliminate the BPOL and Machinery and Tools taxes, or divert Communications Sales and Use Tax Fund revenues intended for localities to other uses. The State also should support the appropriate collection of transient occupancy taxes from online transactions.

OTHER PRIORITY ITEMS

Land Use and Growth Management

PRIORITY: The Planning District localities encourage the State to resist preempting or circumventing existing land use authorities, and to provide additional tools to plan and manage growth.

In the past, the General Assembly has enacted both mandated and optional land use provisions. Some have been helpful, while others have prescribed one-size-fits-all rules that hamper different local approaches to land use planning. Accordingly, we support local authority to plan and regulate land use. We oppose legislation that weakens these key local responsibilities; this would include recent efforts to 1) restrict local oversight of the placement of various telecommunications infrastructure, and 2) single out specific land uses for special treatment without regard to the impact of such uses in particular locations.

We also believe the General Assembly should provide localities with necessary tools to meet important infrastructure needs, as current land use authority often is inadequate to allow local governments to provide for balanced growth in ways that protect and improve quality of life. This would include more workable impact fee authority for facilities other than roads, and changes to the currently-enacted proffer system. Proffer legislation approved in 2016 limits the scope of impacts that may be addressed by proffers, and establishes specific criteria for when a proffer is deemed to be unreasonable. We support changes to this new law to provide more balanced and practical standards for determining whether a proffer is reasonable.

Further, we support ongoing state and local efforts to coordinate land use and transportation planning, and urge state and local officials to be mindful of various local and regional plans when conducting corridor or transportation planning within a locality or region.

Finally, concerning land preservation, we request state funding and incentives for localities, at their option, to acquire, preserve and maintain open space.

Transportation Funding and Devolution

PRIORITY: The Planning District localities urge the State to continue to enhance funding for local and regional transportation needs. We oppose legislation or regulations that would transfer responsibility to counties for construction, maintenance or operation of current or new secondary roads.

We urge the State to remain focused on providing revenues for expanding and maintaining all modes of our transportation infrastructure that are necessary to meet Virginia's well-documented highway and transit challenges and to keep pace with growing public needs and expectations. As the State continues to implement the prioritization process established by HB 2 (2014), now known as "Smart Scale," and the distribution formula for highway construction projects established by HB 1887 (2015), there should be adequate funding, and local authority to generate transportation dollars, for important local and regional projects. We also support having

the Department of Rail and Public Transportation pursue a “Smart Scale-type” prioritization for rail and transit projects.

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. Accordingly, 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.

Other positions:

We support additional authority to establish mechanisms for funding transit in our region.

We support highway maintenance dollars being preserved for cities that convert highway lanes to bicycle-only lanes.

We support VDOT utilizing Metropolitan Planning Organizations and regional rural transportation staff to carry out local transportation studies.

We support continued funding of the state’s revenue sharing program with localities.

Finally, while we opposed closing of VDOT’s Louisa residency facilities and support its reopening, we also support the option for the locality to purchase the property if available.

Water Quality

PRIORITY: The Planning District localities support the goal of improved water quality, but as we face ongoing costs for remedies, including stormwater management, we believe major and reliable forms of financial and technical assistance from the federal and state governments is necessary if comprehensive improvement strategies are to be effective.

As local governments are greatly impacted by federal and state initiatives to reduce pollutants into state waters, it is imperative that aggressive state investment in meeting required milestones for reducing Chesapeake Bay pollution to acceptable levels occurs. This investment must take the form of authority, funding and other resources to assure success, and must ensure that cost/benefit analyses are conducted of solutions that generate the greatest pollution reductions per dollar spent. Dollars should be targeted to stormwater management, for permitted dischargers to upgrade treatment plants and for any retrofitting of developed areas, and to aid farmers with best management practices.

Specifically concerning stormwater management, we support adequate funding and training to enable the State and local governments to meet ongoing costs associated with local stormwater programs that became effective in 2014. We will oppose proposals that would result in new or expanded mandates or requirements, including elimination of current “opt-out” provisions, or financial burdens on local governments. We support an exemption from stormwater planning requirements for sidewalk, path or trail construction within a public greenway, and oppose further amendments to the regulation of stormwater which would require a locality to waive stormwater charges.

We oppose efforts that would require re-justification of nutrient allocations for existing wastewater treatment facilities in our region or that would reduce or eliminate nutrient allocation or related treatment capacity serving the region.

LEGISLATIVE POSITIONS and POLICY STATEMENTS

Children's Services Act

The Planning District localities urge the State to be partners in containing costs of the Children's Services Act (CSA) and to better balance CSA responsibilities between the State and local government. Since the inception of CSA 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.

CSA Administration:

We appreciate action by the 2016 General Assembly to increase state dollars by \$1 million for local CSA administrative costs, the first increase since the 1990s. We urge the State to maintain and increase this funding, as localities pay the overwhelming majority of costs to administer this shared program at the local level.

Pool Expenditures:

- The State should provide full funding of the state pool for CSA, with allocations based on realistic anticipated levels of need.
- 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.
- Categories of populations mandated for services should not be expanded unless the State pays all the costs.

Efficiency:

- The State should be proactive in making residential facilities and service providers available, especially in rural areas.
- 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.

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 and additional state funding that closely links the goals of economic and workforce development and the state's efforts to streamline and integrate workforce activities and revenue sources. We encourage enhanced coordination with K-12 education to equip the workforce with in-demand skill sets so as to align workforce supply with anticipated employer demands. We also support continuing emphasis on regional cooperation in economic, workforce and tourism development.

Economic Development:

- We support implementation of the *GO Virginia* initiative to grow and diversify the private sector in each region, with ongoing state financial incentives, technical support and other

incentives to support collaboration by business, governments, educational institutions and communities that spur economic development, job creation and career readiness.

- We support legislation that dedicates income and sales tax revenues generated by corporations and limited liability companies within an economic development project to such locality in cases where the locality has expended local funds for such project and state grant funds or incentives were not involved.
- We support enabling authority to allow counties to create local economic revitalization zones, authority which currently exists for cities.

Broadband:

We encourage and support continuing state and federal efforts and financial incentives that assist localities and their communities in deploying universal, affordable access to broadband technology, particularly in underserved areas. We believe such efforts should include:

- Development of a statewide comprehensive plan for broadband and state support for local governments that are developing or implementing local or regional broadband plans;
- Support for linking broadband efforts for education and public safety to private sector efforts to serve businesses and residences; and
- Maintaining local land use, permitting, fee and other local authorities.

Planning District Commissions:

- We support increased state funding for regional planning district commissions.
- We encourage opportunities for planning districts to collaborate with state officials and state agencies on regional programs and projects, and support funds for the Regional Competitiveness Act to initiate and sustain such efforts.

Agricultural Products and Enterprises:

We encourage state and local governments to work together and with other entities to identify, to provide incentives for and to promote local, regional and state agricultural products and rural enterprises, and to encourage opportunities for such products and enterprises through a balanced approach.

Education

The Planning District's member localities believe that the state should be a reliable funding partner with localities, recognizing the operational, personnel, and capital resources necessary for a high-quality public education system.

School Division Finances:

- We believe that unfunded liability associated with the teacher retirement plan should be a shared responsibility of state and local government, with the Virginia Department of Education paying its share of retirement costs directly to VRS in order to facilitate such sharing.
- The State should not eliminate or decrease funding for benefits for school employees.
- We support legislation that 1) establishes a mechanism for local appeal to the State of the calculated Local Composite Index (LCI); and 2) amends the LCI formula to recognize the land use taxation value, rather than the true value, of real property.

Literary Fund:

- The State should discontinue seizing dollars from the Literary Fund to help pay for teacher retirement.
- We urge state financial assistance with school construction and renovation needs, including funding for the Literary Loan and interest rate subsidy programs.

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 support 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.

Chesapeake Bay Preservation Act:

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.

Biosolids:

We support the option for 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.

Alternate On-Site Sewage Systems:

We support legislative and regulatory action to 1) ensure operation and maintenance of alternative on-site sewage systems in ways that protect public health and the environment, and 2) increase options for localities to secure owner abatement or correction of system deficiencies.

Dam Safety:

We support dam safety regulations that do not impose unreasonable costs on dam owners whose structures meet current safety standards.

Water Supply:

The State should be a partner with localities in water supply development and should work with and assist localities in addressing water supply issues, including investing in regional projects.

Program Administration:

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.

General Government

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.

Internet-based Businesses and Services:

We oppose legislation that would single out internet-based businesses and services for special treatment or exceptions for purposes of local taxation, licensing and regulation. Rather, there should be a level playing field for competition among businesses offering goods and services to ensure safety, reliability and fair access to such offerings by consumers and the general public.

Local Government Operations:

- 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; procedures for conducting public meetings; and procedures for adopting ordinances.
- We support allowing localities to use alternatives to newspapers for publishing various legal advertisements and public notices.
- We support local flexibility regarding public parking regulation and enforcement.
- We oppose attempts to reduce sovereign immunity protections for localities.

State-Supported Positions:

- Localities should have maximum flexibility in providing compensation increases for state-supported local (and other) employees, as local governments provide such offices with significant local dollars and additional personnel beyond those funded by the State.
- We support removing from the appropriation act, confusing language requiring governing authorities, as a condition of receiving supplemental state funding for salaries, to certify that certain state-supported employees received a prescribed pay increase.

Elections:

As elections administration has become more complex and both federal and state financial support for elections has been decreasing, we urge funding to address coming critical shortfalls in elections administration dollars. We also support state funding for voting equipment replacement, as many older voting machines are exhibiting end-of-life problems.

Freedom of Information Act:

- 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, and 3) provisions concerning creation of customized records.
- We support changes to allow local and regional public bodies to conduct electronic meetings as now permitted for state public bodies.

Quality of Life Issues:

- 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.

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. Transparent state policies and funding for at-risk individuals and families to access appropriate services is critical. The delivery of such services must be a collaborative effort by federal, state and local agencies.

Funding:

- We oppose changes in state funding or policies that increase the local share of costs for human services. We also oppose any shifting of Medicaid matching requirements from the State to localities.
- The State should provide sufficient funding to allow Community Services Boards (CSBs) to meet the challenges of providing a community-based system of care. We believe children with mental health needs should be treated in the mental health system, where CSBs are the point of entry.

- We support increased investment in the ID waiver program for adults and young people and Medicaid reimbursement for children's dental services.
- We urge state funding to offset any increased costs to local governments for additional responsibilities for processing applications for the FAMIS program.
- We support sufficient state funding assistance for older residents, to include companion and in-home services, home-delivered meals and transportation.

Social Services:

- We support the provision of sufficient state funding to match federal dollars for the administration of mandated services within the Department of Social Services, and to meet the staffing standards for local departments to provide services as stipulated in state law.
- We believe the current funding and program responsibility for TANF employment services should remain within the social services realm.
- We support changes to the Code to provide that a judicial finding be controlling of administrative findings in alleged child abuse and neglect cases.

Prevention:

We support continued operation and enhancement of early intervention and prevention programs, including school-based prevention programs. This would include the Virginia Preschool Initiative and the Child Health Partnership and Healthy Families program, as well as Part C of the Individuals with Disabilities Education Act (infants and toddlers).

Childcare:

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 daycare facilities and support efforts for families to become self-sufficient.

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 planning and solutions should be implemented whenever possible.

Affordable Housing:

We support the following: 1) local flexibility in the operation of affordable housing programs and establishment of affordable dwelling unit ordinances; 2) creation of a state housing trust fund; 3) grants and loans to low- or moderate-income persons to aid in purchasing dwellings; and 4) the provision of other funding to encourage affordable housing initiatives.

Homelessness:

We support measures to prevent homelessness and to assist the chronic homeless.

Historic Structures:

We support incentives that encourage rehabilitation and preservation of historic structures.

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.

Funding:

- 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 money away from them, but increase dollars needed for their operation.
- We support returning funding responsibility for the Line of Duty Act (LODA) to the State. In the absence of that, there should be no new or enhanced benefits that increase locality costs. We support efforts to improve the administration of LODA and to ensure the long-term fiscal stability of the program.
- We urge continued state funding of the HB 599 law enforcement program in accordance with *Code of Virginia* provisions.
- The State should increase funding to the Virginia Juvenile Community Crime Control Act program, which has cut in half the number of juvenile justice commitments over the past decade.
- We support funding for mental health and substance abuse services at juvenile detention centers.

Jails:

- The State should restore per diem payments to localities 1) for housing state-responsible prisoners to \$14 per day, and 2) for housing local responsible offenders to \$8 per day. If a state-responsible prisoner remains in local jail longer than one year, then the State should compensate the jail for the actual cost of incarceration.
- The State should not shift costs to localities by altering the definition of state-responsible prisoner.
- The State should continue to allow exemptions from the federal prisoner offset.
- We support legislation requiring the use of closed circuit television for preliminary hearings and related minor procedures.

Offender Programs and Services:

- We support continued state funding of the drug court program and the Offender Reentry and Transition Services (ORTS), Community Corrections and Pretrial Services Acts.
- We support continued state endorsement of the role and authority of pretrial services offices.
- We support authorization for the court to issue restricted driver's licenses to persons denied them because of having outstanding court costs or fees.

Body Cameras:

We support the ability of local governments to adopt policies regarding law enforcement body worn cameras that account for local needs and fiscal realities.

**FLUVANNA COUNTY BOARD OF SUPERVISORS
 AGENDA ITEM STAFF REPORT**

MEETING DATE:	November 2, 2016				
AGENDA TITLE:	VDOT Update				
MOTION(s):	None				
STRATEGIC INITIATIVE?	Yes	No	If yes, list initiative(s):		
		XX			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
			XX		
STAFF CONTACT(S):	Wayne Stephens, Public Works Director/County Engineer				
PRESENTER(S):	Alan Saunders, Fluvanna/Louisa Residency Administrator				
RECOMMENDATION:	n/a				
TIMING:	n/a				
DISCUSSION:	VDOT Quarterly update.				
FISCAL IMPACT:	n/a				
POLICY IMPACT:	n/a				
LEGISLATIVE HISTORY:	n/a				
ENCLOSURES:	None				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

MEETING DATE:	November 2, 2016				
AGENDA TITLE:	Emergency Services Update				
MOTION(s):	None				
STRATEGIC INITIATIVE?	Yes	No	If yes, list initiative(s):	Includes C8	
	XX				
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
			XX		
STAFF CONTACT(S):	Cheryl J. Elliott, Emergency Services Coordinator				
PRESENTER(S):	Cheryl J. Elliott, Emergency Services Coordinator				
RECOMMENDATION:	n/a				
TIMING:	n/a				
DISCUSSION:	Presentation includes updates on emergency services activities in the county, including cost recovery, E911 radio project, rescue services, updating the regional Hazard Mitigation Plan and Fluvanna’s Emergency Operations Plan (EOP), and county training/exercise plans.				
FISCAL IMPACT:	n/a				
POLICY IMPACT:	n/a				
LEGISLATIVE HISTORY:	n/a				
ENCLOSURES:	None				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

MEETING DATE:	November 2, 2016				
AGENDA TITLE:	Historical Monument Request				
MOTION(s):	N/A				
STRATEGIC INITIATIVE?	Yes	No	If yes, list initiative(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
			XX		
STAFF CONTACT(S):	Steven M. Nichols, County Administrator				
PRESENTER(S):	Steven M. Nichols, County Administrator				
RECOMMENDATION:	Discussion				
TIMING:	Routine				
DISCUSSION:	The Fluvanna County Historical Society submitted a request to place a Historical Monument (Emancipation Proclamation) at Pleasant Grove House.				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	<ul style="list-style-type: none"> • Fluvanna County Historical Society Request • Briefing Slides 				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other

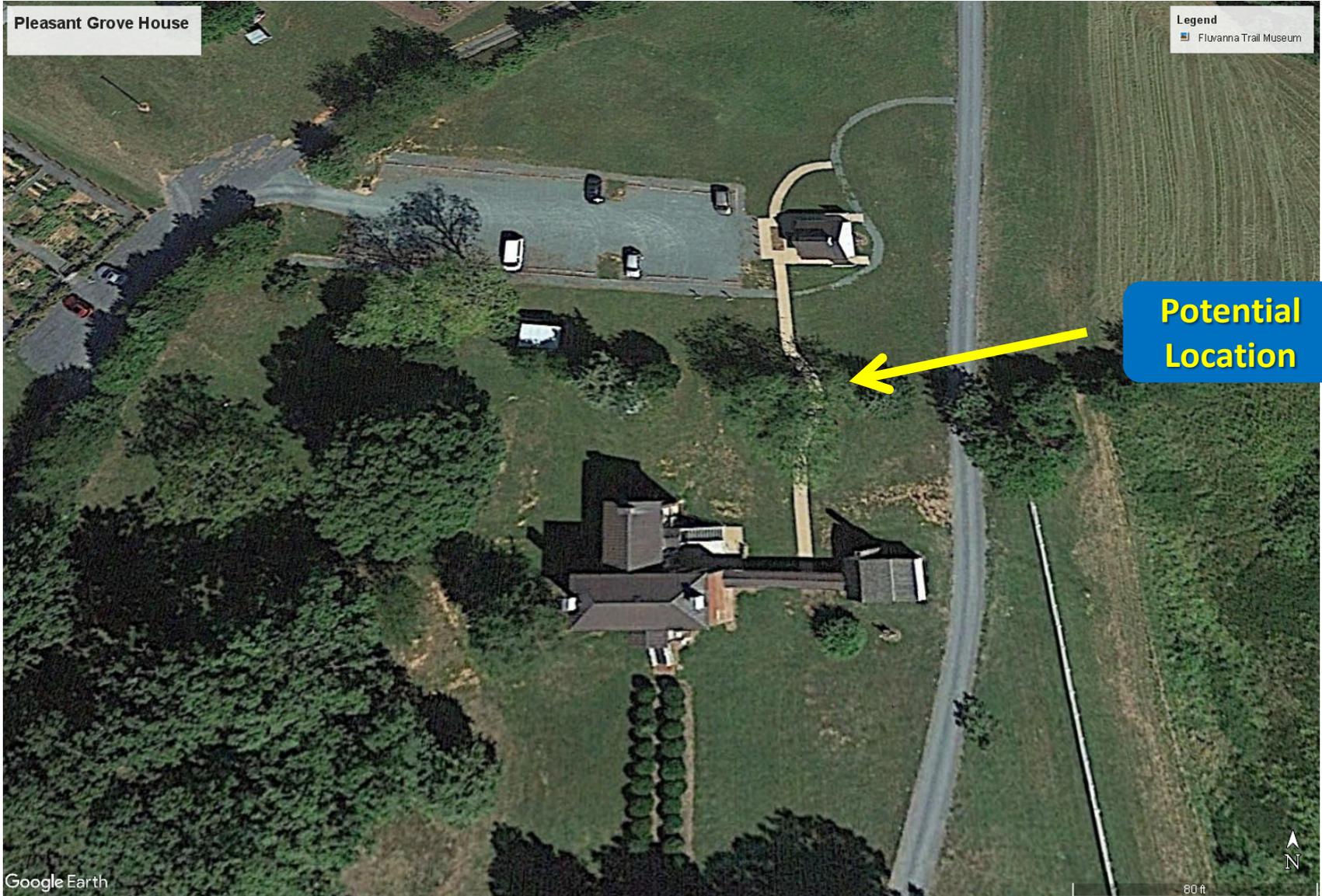


Request to Display an Emancipation Proclamation Monument

**Fluvanna County Historical Society
November 2, 2016**



Pleasant Grove House





Pleasant Grove House





Civil War Park





Civil War Park





Board Discussion and Direction

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

MEETING DATE:	November 2, 2016				
AGENDA TITLE:	Adoption of the Fluvanna County Board of Supervisors Regular Meeting Minutes.				
MOTION(s):	I move the meeting minutes of the Fluvanna County Board of Supervisors for Wednesday, October 5, 2016 Regular Meeting, be adopted.				
STRATEGIC INITIATIVE?	Yes	No	If yes, list initiative(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				XX	
STAFF CONTACT(S):	Kelly Belanger Harris, Clerk to the Board				
PRESENTER(S):	Steven M. Nichols, County Administrator				
RECOMMENDATION:	Approve				
TIMING:	Routine				
DISCUSSION:	None.				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	None				
ENCLOSURES:	Draft Minutes for October 5, 2016				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other

FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Court Room
October 5, 2016
Regular Meeting 4:00pm

MEMBERS PRESENT: John M. (Mike) Sheridan, Columbia District, Chair
Mozell Booker, Fork Union District, Vice Chair
Patricia Eager, Palmyra District
Tony O'Brien, Rivanna District (*Arrived at 4:04pm*)
Donald W. Weaver, Cunningham District

ALSO PRESENT: Steven M. Nichols, County Administrator
Fred Payne, County Attorney
Kelly Belanger Harris, Clerk to the Board of Supervisors

CALL TO ORDER

At 4:01pm Chair Sheridan, called the Regular Meeting of October 5, 2016.
After the recitation of the Pledge of Allegiance, a moment of silence was observed.

ADOPTION OF AGENDA

MOTION

Mrs. Booker moved to accept the Agenda, removing Tab N: Update of Treasurer's Office Position Descriptions and including New Business: Fluvanna Rescue Update, for the October 5, 2016 Regular Meeting of the Board of Supervisors. Mr. Weaver seconded and the Agenda was adopted by a vote of 5-0. AYES: Sheridan, Booker, Eager, O'Brien, and Weaver. NAYS: None. ABSENT: None.

COUNTY ADMINISTRATOR'S REPORT

Mr. Nichols reported on the following topics:

- Parks and Recreation & Public Works installing a fitness trail along the Dog Park ADA trail; Donated by the Heritage Trail Foundation; Currently 4 stations in place with new stations going up each week until all 20 stations are installed
- Annual Employee Recognition Dinner: Thursday, October 6, 2016, Cunningham Creek Winery, 4:00 - 6:00 pm with dinner served from 4:30 - 5:30 pm.. Formal Presentations of the 2016 P.R.I.D.E. In Public Service Awards and Annual Service Awards will be made at 5:00pm.
- Business Spotlight: The Golden Fish, Owner: Charlotte Broxon. Located on the upper level at Village Station
- Fluvanna County Affordable Senior Housing Project Timeline:
 - Apr 1, 2016 – DHCD application submitted for funding assistance for Affordable Senior Housing in Fluvanna
 - May 20, 2016 – Received DHCD letter reserving funds and identifying the initial tasks to be complete by July 29
 - Jun 29, 2016 – Public meeting and 1st Management Team meeting
 - Jul 2016 – Community Surveys advertised and results collected
 - Jul 26, 2016 – 2nd Management Team meeting
 - Aug 3, 2016 – Submission of initial tasks and final documentation to DHCD
 - Oct 3, 2016 – Received confirmation letter from DHCD that they have acknowledged an acceptable level of interest in need of developing plans for this proposed project
 - Future Project Timeline/Steps:
 - Nov 2016 – Facilitated Planning Strategy Session with DHCD Representative to begin work on the Planning Grant Proposal; Dec 2016 – Submission of Planning Grant Proposal; Jan 2017 – DHCD approval of Planning Grant Proposals
 - Keeping in mind...Activities under the Planning Grant are intended to position the County to apply to DHCD for a Community Improvement Grant (CIG) up to \$700,000 in March 2017 with grant awards being announced in September 2017. If awarded, funds would be used for design costs and site improvements. PHA would enter into a joint venture with JABA and could possibly break ground in 2018.
- Vehicle License Fees:
 - Based on State Code 46.2-694, our current fees are:
 - Cars/trucks: \$33.00
 - Motorcycles: \$18.00
 - Trailers: None (License Fees are not currently assessed on Trailers or Semitrailers)
 - Current DMV Rates for Trailers
 - 0 - 1,500 lbs (per year): \$18.00
 - 1,501 - 4,000 lbs (per year): \$28.50
 - 4,001 or more lbs (per year): \$40.00
 - Single weight (travel trailer for living quarters): \$29.50
 - If a Trailer base fee of \$18.00 was adopted:
 - Current Number - 4,870
 - Potential Revenue - \$87,660 (annual)
- Announcements and Updates:
 - Board Guidance: Business License Fee. Board directed Staff to place the item on the October 19, 2016 Agenda.
 - Energy Performance Contracting Status Update
- Hurricane Matthew Update

➤ Next BOS Meetings:

- Wed, Oct 19, 4:00 PM, Work Session, Courtroom; 7:00 PM, Regular Meeting, Courtroom
- Wed, Nov 2, 4:00 PM Regular Meeting Courtroom
- Wed, Nov 16, 7:00 PM, Regular Meeting, Courtroom
- Wed, Dec 7, 2016, 4:00PM, Regular Meeting, Courtroom

BOARD OF SUPERVISORS UPDATES

Sheridan— Presented at Leadership Development Program for Schools, Finance Committee Meeting.

Booker— JABA Board, YAC, TRIAD, Partnership for Aging, FUSD Advisory, CMPT, Carol Owen Retirement, BBQ, Bands, Brews, & Wine.

Eager— Carol Owen Retirement, BBQ, Bands, Brews, & Wine, Social Services Board, TRIAD, Chamber Breakfast.

O'Brien— BBQ, Bands, Brews, and Wine,

Weaver—Energy Savings Work Group.

PUBLIC COMMENTS #1

At 4:53pm Chair Sheridan opened the first round of Public Comments.

Mr. Nichols asked the Board if they would be open to hearing the update from Chief Mike Brent, Fluvanna Fire Chief, at this time. With Board concurrence, Chief Brent notified the Board that Fluvanna Fire Department received a citation from the Virginia Office of Emergency Medical Services regarding the processing of calls. At a fact-finding hearing on September 30, 2016, Fluvanna Fire Department has made several changes. Among these changes are: all calls since January 1, 2016 through the present have been processed; tablets have been ordered to allow for input at the scene; a contracted Continuing Education First Responder instructor has been retained, with trainings taking place 4 times a month, once at each station; ImageTrend software in CAD system; five fire fighters will be graduating from the current EMT class. In response to these changes, the OEMS will allow Fluvanna Fire to retain their license, provisionally, with monthly inspections.

With no one else wishing to speak, Chair Sheridan closed the first round of Public Comments at 5:03pm.

PUBLIC HEARING

None.

ACTION MATTERS

Determination of Violation of County Code Chapter 10 (Garbage, Refuse, and Waste)—Jason Stewart, Planning and Zoning Administrator, asked the Board to make a determination concerning construction debris that appeared to have been dumped behind the buildings at 21708 James Madison Highway, the former I & J Homes business address. Mr. Stewart noted that this appears to be a code violation of Chapter 10 (Garbage, Refuse, and Waste) of the Fluvanna County Code. Should the Board so determine, the property owner would be given 30 days to remove the garbage. If not removed, before the end of 30 days, staff would have the authority to clean up and place a lien on the property to recover the money spent on the cleanup. Mr. Stewart indicated that this request is consistent with how these issues have been handled in the past.

MOTION:

Mrs. Eager moved the Board of Supervisors determine that the property at 21708 James Madison Highway, Tax Map Number 5-11-5B, is in violation of the provisions of Chapter 10, Garbage, Refuse, and Waste, of the Fluvanna County Code, and that proper legal notice be given to the subject property owner under the provisions of Sec 10-1-2 of Fluvanna County Code in regards to the removal of all unlawful substances accumulated on the subject property and that upon failure of the subject property owner to comply with notice that the Board of Supervisors authorize the County Administrator to take action under the provisions of Sec. 10-1-3 of the Fluvanna County Code to remove any and all trash, garbage, refuse, litter and like substances found on the subject property with the costs of removal being charged to the subject property owner under the provisions of §§ 10-1-3.1 and 10-1-3.2 of the Fluvanna County Code. Mrs. Booker seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O'Brien, & Weaver. NAY: None. ABSENT: None.

Position Description Change for Children Services Act (CSA) Position—Gail Parrish, Human Resources Manager, brought forward a request to change the Position Description, noting that Dr. Jacqueline Meyers will be retiring at the end of October 2016. The Position Description was reviewed by Dr. Meyers, Ms. Parrish, Steven M. Nichols, County Administrator, and knowledgeable representatives from Schools and Social Services. Having also reviewed the State recommendations for the position Ms. Parrish made the following recommendations: revising the position to a coordinator position and revising the pay band from 17 to 14.

MOTION

Mrs. Eager moved to approve the following position description revisions and pay band changes:

FROM: CSA Manager – Position 1351, band 17, \$47,476

TO: CSA Coordinator – Position 1351, band 14, \$40,040

Mr. Weaver seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O'Brien, & Weaver. NAY: None. ABSENT: None.

Clerk to the Board Position Upgrade - Gail Parrish, Human Resources Manager, requested a change to the Clerk to the Board position. Noting legislative changes to the Virginia Freedom of Information Act requiring more from the FOIA Officer, the Clerk of the Board taking on the additional responsibilities created with the elimination of the Administration Assistant in the County Administration department, and changes from the Department of Labor non-exempt overtime pay, Ms. Parrish indicated that the position was eligible for exempt status. In calendar year 2015, the current employee, Ms. Kelly Belanger Harris's gross salary, with overtime, was \$46,314; the minimum exempt salary is \$47,476. If the position is maintained as

non-exempt, Ms. Harris would be eligible for the Staff Pay Plan increase that could potentially result in pay, with overtime, above the requested exempt salary change.

MOTION

Mr. Weaver moved to approve the following position description revision and grade change:

FROM: Administrative Assistant / Clerk to the Board, Pay Band 13, \$37,440

TO: Executive Assistant / Clerk to the Board, Pay Band 17, \$47,476

With the change to be effective October 9, 2016, and increased funding change to come from the existing FY17 County Administration Personnel budget. Mrs. Eager seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O'Brien, & Weaver. NAY: None. ABSENT: None.

FY17 Pay Band and Schematic Update - Gail Parrish, Human Resources Manager requested changes to the Salary Schedule and Schematic, to become compliant with Department of Labor requirements for exempt employees.

MOTION:

Mr. O'Brien moved the Board of Supervisors approve an updated FY17 Salary Schedule and Schematic List of Classes with the following changes:

- Increase the Minimum Base Salary for Pay Band 17 from \$47,224 to \$47,476
- Increase the Mid-Range Salary for Pay Band 17 from \$58,868 to \$58,994
- Move the CSA Program Manager, Job Class 1711, from Pay Band 17, to CSA Coordinator, Job Class 1711, Pay Band 14
- Move the Administrative Assistant/Clerk of the Board, Job Class 1091, from Pay Band 13, to Executive Assistant/Clerk of the Board, Job Class 1091, Pay Band 17
- Move the Chief Deputy Treasurer, Job Class 1451, from Pay Band 14 to Pay Band 17
- Move the Chief Deputy Commissioner of the Revenue, Job Class 1551, from Pay Band 14 to Pay Band 17
- Move the Chief Deputy Clerk, Job Class 1851, from Pay Band 14 to Pay Band 17

Mrs. Eager offered second and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O'Brien, & Weaver. NAY: None. ABSENT: None.

Deed of Gift from Fluvanna Rescue Squad – 90 Rescue Ln, Palmyra VA 22963—Eric Dahl, Deputy County Administrator/ Finance Director, brought forward a request to approve the Deed of Gift of the Fluvanna Rescue Squad at 90 Rescue Lane. Mr. Dahl detailed the costs to the County associated with this gift, and asked for approval of an amount not-to-exceed in order to move forward.

MOTION

Mr. O'Brien moved the Board of Supervisors approve the Deed of Gift of 90 Rescue Ln, Palmyra, Virginia, 22963, designated on the tax maps of the County of Fluvanna, Virginia as Tax Map Parcel 30-A-110A, for no consideration, as a gift only, and authorize the County Administrator to execute the Deed of Gift, subject to approval as to form by the County Attorney. Mrs. Booker seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O'Brien, & Weaver. NAY: None. ABSENT: None.

MOTION

Mr. O'Brien moved the Board of Supervisors approve the costs for legal, title, and survey with an amount not to exceed \$2,000, with funding to come from the FY17 BOS Contingency. Mr. Weaver seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O'Brien, & Weaver. NAY: None. ABSENT: None.

MOTION

Mr. O'Brien moved the Board of Supervisors acknowledge and recognize the prompt and professional survey services performed on 90 Rescue Lane, Palmyra VA 22963 (Palmyra Rescue Building) that were provided by J. Andrew Graff of Old Albemarle Surveying, LLC, and for the generosity shown by charging the County of Fluvanna \$1.00 for those surveying services. Mrs. Booker seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O'Brien, & Weaver. NAY: None. ABSENT: None.

PRESENTATIONS

None.

CONSENT AGENDA

The following items were discussed before approval:

Tab U: Approval of Open Space Contract for Mayfair Farm, Inc.—Andrew M. Sheridan, Commissioner of the Revenue

Tab W: Approval of Open Space Contract for Valentine Associates, LLC—Andrew M. Sheridan, Commissioner of the Revenue

Tab A: Approval of Open Space Contract for Carl E. Beuchert, III & Catherine M. Alessi—Andrew M. Sheridan, Commissioner of the Revenue

Tab D: Approval of Open Space Contract for Ernest J. & Carolyn H. Marrs—Andrew M. Sheridan, Commissioner of the Revenue

The following items were approved under the Consent Agenda for September 21, 2016:

Minutes of September 7, 2016—Kelly Belanger Harris, Clerk of the Court

FY17 FCPS Security Equipment Grant Supplemental Appropriation—Ed Breslauer, FCPS Finance Director

Approval of Open Space Contract for Mayfair Farm, Inc.—Andrew M. Sheridan, Commissioner of the Revenue

Approval of Open Space Contract for Minnie M. McGehee—Andrew M. Sheridan, Commissioner of the Revenue

Approval of Open Space Contract for Valentine Associates, LLC—Andrew M. Sheridan, Commissioner of the Revenue

Approval of Open Space Renewal Contract for Samuel R. & DeNae D. Babbitt—Andrew M. Sheridan, Commissioner of the Revenue

Approval of Open Space Contract for Carl E. Beuchert, III & Catherine M. Alessi—Andrew M. Sheridan, Commissioner of the Revenue

Approval of Open Space Contract for Roy Howard & Constance Haislip—Andrew M. Sheridan, Commissioner of the Revenue

Approval of Open Space Contract for Kenneth B. & Linda S. Handy—Andrew M. Sheridan, Commissioner of the Revenue

Approval of Open Space Contract for Ernest J. & Carolyn H. Marrs—Andrew M. Sheridan, Commissioner of the Revenue

MOTION

Mr. Weaver moved to approve the items on the Consent Agenda for October 5, 2016. Mrs. Booker seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, and Weaver. NAY: None. ABSENT: None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Mrs. Eager mentioned a request from a resident of Sycamore Landing, regarding people driving too fast in the subdivision. Mrs. Eager called VDOT to request a "Children at Play" sign for the entrance to the community. Staff will follow-up with VDOT to see if the sign can be placed in the subdivision.

PUBLIC COMMENTS #2

At 5:46pm Chair Sheridan opened the second round of Public Comments.

There being no one wishing to speak, Chair Sheridan closed the second round of public Comments.

CLOSED MEETING

MOTION TO ENTER INTO A CLOSED MEETING

At 5:46pm, Mr. Weaver moved the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.1, A.3, & A.7 of the Code of Virginia, 1950, as amended, for the purpose of discussing Personnel, Real Estate, and Legal Matters. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYE: Sheridan, Booker, Eager, O'Brien, Sheridan, and Weaver. NAY: None. ABSENT: None.

MOTION TO EXIT A CLOSED MEETING & RECONVENE IN OPEN SESSION

At 7:21pm, Mr. Weaver moved that the Closed Meeting be adjourned and the Fluvanna County Board of Supervisors convene again in open session and "BE IT RESOLVED, the Board of Supervisors does hereby certify to the best of each member's 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." Mrs. Booker seconded. The motion carried, with a roll call vote, of 5-0. AYES: Sheridan, Booker, Eager, O'Brien, and Weaver. NAYS: None. ABSENT: None.

ADJOURN

MOTION:

At 7:22pm Mr. Weaver moved to adjourn the regular meeting of Wednesday, October 5, 2016. Mrs. Booker seconded and the motion carried with a vote of 5-0. AYES: Sheridan, Booker, Eager, O'Brien, and Weaver. NAYS: None. ABSENT: None.

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

Kelly Belanger Harris
Clerk to the Board

John M. Sheridan
Chair

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

MEETING DATE:	November 2, 2016				
AGENDA TITLE:	Adoption of the Fluvanna County Board of Supervisors Regular Meeting Minutes.				
MOTION(s):	I move the meeting minutes of the Fluvanna County Board of Supervisors for Wednesday, October 19, 2016 Regular Meeting, be adopted.				
STRATEGIC INITIATIVE?	Yes	No	If yes, list initiative(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				XX	
STAFF CONTACT(S):	Kelly Belanger Harris, Clerk to the Board				
PRESENTER(S):	Steven M. Nichols, County Administrator				
RECOMMENDATION:	Approve				
TIMING:	Routine				
DISCUSSION:	None.				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	None				
ENCLOSURES:	Draft Minutes for October 19, 2016				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other

FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Court Room
October 19, 2016
Work Session 4:00pm
Regular Meeting 7:00 pm

MEMBERS PRESENT: John M. (Mike) Sheridan, Columbia District, Chair (*Arrived at 4:17pm*)
Mozell Booker, Fork Union District, Vice Chair
Patricia Eager, Palmyra District
Tony O'Brien, Rivanna District (*Arrived at 4:10pm*)
Donald W. Weaver, Cunningham District

ALSO PRESENT: Steven M. Nichols, County Administrator
Fred Payne, County Attorney
Eric Dahl, Deputy County Administrator / Finance Director
Kelly Belanger Harris, Clerk to the Board of Supervisors

CALL TO ORDER WORK SESSION

At 4:00pm, Vice Chair Booker called the Work Session of October 19, 2016 to order. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

WORK SESSION DISCUSSION ITEMS

Topics of the Work Session included:

- Energy Savings Contract Review
- Business License Fee Impacts
- Ordinances, Policies, Procedures for Public Utilities and Economic Development
- Organizational Structure Options for Public Utilities.

Energy Savings Contract Review—Eric Dahl, Deputy County Administrator and Finance Director, opened the discussion with review of the Energy Savings Contract. With Mr. Dahl, were Mr. Charlie Barksdale, Virginia Department of Mines, Minerals, and Energy, Mr. Darrell Bishop, Trane, Craig Washburn, Trane. The Board directed staff to move forward with the project.

Business License Fee Impacts—Andrew M. Sheridan, Commissioner of the Revenue, provided a brief overview of a Business License Fee, and the logistics of implementing such a fee. Mrs. Eager expressed a desire to find other ways to track businesses in the County. The Board decided not to proceed with the process to implement a Business License Fee.

Ordinances, Policies, Procedures for Public Utilities and Economic Development and Organizational Structure Options for Public Utilities –Wayne Stephens, Director of Public Works and County Engineer, provided a comprehensive overview of a plan to create ordinances, procedures, and policies for a county water system at Zion Crossroads. Mr. Stephens covered such items as who may, must, or shall connect to the public system, and presented a rate comparison summary. The Board concurred with the draft connection algorithms and authorized for staff to use them in community meetings about the water/sewer system.

RECESS FOR DINNER

MOTION

At 5:28pm, Mr. Weaver moved to recess for dinner. Mrs. Booker offered second and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O'Brien, & Weaver. NAY: None. ABSENT: None.

RECONVENE IN OPEN SESSION AND CALL TO ORDER

At 7:00 pm Chair Sheridan, reconvened the October 19, 2016, Regular Meeting into Open Session.

ADOPTION OF AGENDA

MOTION

Mrs. Booker moved to accept the Agenda, with changes, eliminating Tab Mc: *Advertisement of the Proposed Fluvanna County Code Update Relating to a License Fee For Businesses, Professions and Occupations*, for the October 19, 2016 Regular Meeting of the Board of Supervisors. Mr. O'Brien seconded and the Agenda was adopted by a vote of 5-0. AYES: Sheridan, Booker, Eager, O'Brien, and Weaver. NAYS: None. ABSENT: None.

SPECIAL PRESENTATION

Community Service Award Resolution Recognizing Deborah Johnson – Steve Nichols, County Administrator

MOTION

Mrs. Booker moved the Fluvanna County Board of Supervisors adopt the resolution entitled, "Community Service Award Resolution Honoring Deborah Thomas Johnson." Mr. Weaver seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O'Brien, & Weaver. NAY: None. ABSENT: None.

Presentation of Community Service Award Resolution—Steven M. Nichols, County Administrator, called forward Mrs. Deborah Thomas Johnson and her family, to present the Community Service Award Resolution. Mrs. Johnson was joined by many members of her family. After reading of the Resolution, Mr. Sheridan presented the Resolution to Mrs. Johnson.

COUNTY ADMINISTRATOR'S REPORT

Mr. Nichols reported on the following topics:

- Fluvanna Leadership Development Program (FLDP) – in attendance tonight. Welcome to Class 13 Members!
- Spotlight on Business - Welcomed First Run Café at their soft opening and ribbon cutting on Tuesday, October 18th. County Officials, EDA leaders, and Chamber of Commerce members attended for tour and meet and greet with the owners and staff.
- Announcements and Updates:
 - Blue Ridge Mass Appraisal plans the following schedule:
 - Notices to be mailed: Nov 4.
 - Hearings scheduled: Nov 14 - 30, Weaver Bldg.
 - Evening appointments: Nov 28 - 29
 - Plan to have Blue Ridge rep at Nov 16th BOS meeting to give the Board an overview of their data and findings for this reassessment.
- Upcoming Meetings:
 - Wed, Nov 2, 4:00 PM, Regular Meeting, Courtroom
 - Wed, Nov 16, 7:00 PM, Regular Meeting, Courtroom
 - Wed, Dec 7, 4:00 PM, Regular Meeting, Courtroom
 - Wed, Dec 21, 7:00 PM, Regular Meeting, Courtroom

BOARD OF SUPERVISORS UPDATES

Sheridan— Annual Staff Picnic.

Booker— Fluvanna Historical Society Annual Meeting; MAPP Meeting.

Eager—Coffee With a Cop; BZA; Senior Program at Kents Store; EDTAC; Annual Staff Picnic.

O'Brien—Website update & EnerGov presentations with Staff; Annual Staff Picnic; Cliff Altschull Foundation gift to the Elementary School.

Weaver—CVRJ.

PUBLIC COMMENTS #1

At 7:19pm Chair Sheridan opened the first round of Public Comments.

With no one else wishing to speak, Chair Sheridan closed the first round of Public Comments at 7:19pm.

PUBLIC HEARING

SUP 16:10 NCT Tower at VFW Site—James Newman, Planner, brought forward a request for a Special Use Permit to amend Special Use Permit 11:03, with regards to a 250' tall self-support lattice tower for telecommunication and emergency services purposes, with respect to 3.5 acres of Tax Map 47, Section A, Parcel 10. The affected property is located on the north side of West River Road (U.S. Route 6), approximately 0.4 miles east of its intersection with Beals Lane (Route 645). The property is located in the Cunningham Election District and is within the Rural Residential Planning Area. Mr. Newman noted that the Board previously approved the NCT Tower Site Agreement for VFW Site lease on a vote of 5-0 on September 7, 2016.

Chair Sheridan asked for questions from the Board.

With no questions from the Board, Chair Sheridan opened the Public Hearing.

There being no one wishing to speak, Chair Sheridan closed the Public Hearing at 7:22pm

MOTION

Mr. O'Brien moved, move that the Board of Supervisors approve Special Use Permit 16:10, a request to amend Special Use Permit 11:03, with respect to 3.5 acres of Tax Map 47, Section A, Parcel 10 [if approved] subject to the thirteen (13) conditions listed in the staff report. Mrs. Booker gave second, and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O'Brien, & Weaver. NAY: None. ABSENT: None.

Conditions:

- 1) The tower structure shall not exceed 250 feet. This does not include antennae, lighting, lightning rods, and other ancillary equipment, subject to FAA regulations.
- 2) The applicant secures all necessary permits required, and submits structural design and certification by a Virginia Registered Professional Engineer that the proposed facility, as built, will comply with EIA/TIA 222-G for the wind zone for Fluvanna County; Virginia; 3) Prior to issuance of building permits the applicant shall submit satisfactory SHPO and NEPA documentation;
- 4) The applicant shall secure the necessary permits required by Fluvanna County and VDOT;
- 5) The applicant shall provide space on the TASF for the County's Public Safety antennas and feed lines at the designed elevations. Space for ground level electronic equipment shall also be provided;
- 6) The facility when completed shall be accessible only to authorized personnel;
- 7) The tower shall be a self-support lattice Class III tower;
- 8) The facility shall install the necessary landscaping buffer;
- 9) If the structures should no longer be needed, the applicant shall remove them, and restore the grounds to the prior condition;
- 10) The support structure is to be sufficient to support antennas of a like design for at least six (6) wireless service providers;
- 11) The tower shall be in the same location as shown in the application;
- 12) Violation of any condition of this permit shall be grounds for revocation of this permit, and;
- 13) The Board of Supervisors, or their representative, has the right to inspect the property for compliance with these conditions at any time.

SUP 16:09 – Coronal Development Services—Brad Robinson, Senior Planner, presented a request for a special use permit to operate a solar farm (major utility) with respect to 57 acres of Tax Map 5, Section A, Parcels 23 and 23E. The subject property is located along Palmer Farm Lane off Little Creek Road (State Route 617), approximately 800 feet west of the intersection with James Madison Highway (US Route 15). The parcels are within the Zion Crossroads Community Planning Area and the Columbia Election District.

Robinson indicated that the applicant, Kyle West, Coronal Development Services, was available to answer questions. Mr. West addressed site selection, environmental impacts, job creation and construction duration, and benefits to the County. At 7:41pm, Chair Sheridan opened the Public Hearing. Mr. O'Brien expressed concern with using such valuable real estate near a planned growth corridor for such a low intensity use. He asked if other properties around the county had been considered. Mr. West explained that they had done research and that Fluvanna County was difficult to find suitable parcels due to the topography and utility requirements.

There being no one wishing to speak, Chair Sheridan closed the Public Hearing at 7:42pm.

MOTION

Mr. Weaver moved that the Board of Supervisors approve SUP 16:09, a request for a special use permit to allow for a major utility, with respect to 57 acres of Tax Map 5, Section A, Parcels 23 & 23E, subject to the nine (9) conditions listed in the staff report. Mrs. Eager offered second and the motion passed 4-1 Weaver. NAY: O'Brien. ABSENT: None.

ZMP 16:05 Fluvanna Self Storage—Brad Robinson, Senior Planner, brought forth a request to amend the Fluvanna County Zoning Map with respect to 3.67 acres of Tax Map 8, Section A, Parcels 31 & 32, to rezone the same from A-1, Agricultural, General, to B-1, Business, General. The property is located on the north side of Lake Monticello Road (State Route 618), approximately one half mile east of its intersection of Thomas Jefferson Parkway (State Route 53). The parcels are within the Rivanna Community Planning Area and the Palmyra Election District.

Mr. Carlos Burns, applicant, was present and answered questions from the Board. Mr. Burns addressed plans for building to capacity, screening, lighting, noise, and sight-lines for turning into and out of the driveway.

At 8:10pm, Chair Sheridan opened the Public Hearing.

Dawn Wright, 701 Lake Monticello Rd, spoke in opposition to the rezoning, citing privacy and aesthetic concerns.

Jane Martin, 697 Lake Monticello Rd, spoke in opposition to the rezoning citing privacy and aesthetic concerns.

Mr. Burns returned to clarify that the dumpster is not on his property.

With no one else wishing to speak, Chair Sheridan closed the Public Hearing at 8:18pm, and asked for Supervisor comments and discussion.

Mr. Weaver and Mrs. Booker voiced concerns about the reduction in quality of life for the two residents most closely located to the property.

Mrs. Eager and Mr. O'Brien advocated for approving the rezoning.

MOTION

Mrs. Eager moved to approve ZMP 16:05, a request to amend the Fluvanna County Zoning Map with respect to approximately 3.67 acres of Tax Map 8, Section A, Parcels 31 and 32, to rezone the same from A-1, Agricultural, General, to B-1, Business, General. Mr. O'Brien seconded. The motion failed 2-3. AYE: Eager, O'Brien. NAY: Sheridan, Booker, & Weaver. ABSENT: None.

ACTION MATTERS

Appointment/Reappointment to the Board of Building Code Appeals— Steve Nichols, County Administrator.

With no discussion,

MOTION:

Mrs. Booker moved to reappoint David Rafaly and to appoint Matthew Fichter, who replaces Robert Lawhorne, and to appoint Robert Schwagerl, Jr., who replaces Mike Himes, to the Board of Building Code Appeals, with terms to begin November 1, 2016 and to terminate October 31, 2020. Mr. O'Brien seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O'Brien, & Weaver. NAY: None. ABSENT: None.

Resolution Supporting Cigarette Taxation Equality—Steven M. Nichols, County Administrator, brought forward a request to adopt a resolution for Cigarette Taxation Equality. Counties, not having the same taxing authority as cities, cannot assess and collect a tax on cigarettes sales. Following general discussion on the origin of the request and resolution,

MOTION:

Mr. O'Brien moved to approve the Resolution entitled, "A RESOLUTION SUPPORTING CIGARETTE TAXATION EQUALITY," and authorize the County Administrator to forward the resolution to Virginia elected officials representing Fluvanna County. Mrs. Booker gave second and the motion passed 4-1. AYE: Sheridan, Booker, O'Brien, & Weaver. NAY: Eager. ABSENT: None.

Assessment and Collection of Reasonable Charges, Related to Virginia Freedom of Information Act Requests — Kelly Harris, Clerk to the Board / FOIA Officer and Fred Payne, County Attorney.

With little discussion,

MOTION:

Mrs. Booker moved to approve the assessment and collection of reasonable charges, not to exceed the actual cost of responding to Virginia Freedom of Information Act requests, as provided in Subsection F of Section 2.2-3704 of the Code of Virginia, 1950, as amended, and as detailed in the Fluvanna County Freedom of Information Act (FOIA) Rights and Responsibilities Operational Procedures. Mr. O'Brien offered second. On a vote of 5-0, the motion passed. AYE: Sheridan, Booker, Eager, O'Brien, & Weaver. NAY: None. ABSENT: None.

E911 Radio Project: Dominion Brema Lease—Cheryl Elliott, Emergency Services Coordinator.

With no discussion,

MOTION:

Mrs. Eager moved the Board of Supervisors approve the “Telecommunications Agreement” between Virginia Electric and Power Company and Fluvanna County, and authorize the County Administrator to execute the Agreement, subject to approval as to form by the County Attorney. Mr. Weaver offered second and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O’Brien, & Weaver. NAY: None. ABSENT: None.

\$8,250,000 Equipment Lease Purchase Financing Resolution—Eric Dahl, Deputy County Administrator / Finance Director, presented a request to refinance the original \$6,594,545 Motorola Lease 2015 associated with the Public Safety Emergency Communications Radio System and payoff accrued interest of ~\$234,450. The original Motorola Lease with principal and interest will achieve ~4.00% Present Value savings depending upon the final interest structure chosen. Additional funding of \$1,378,899 for change orders for the Public Safety Emergency Communications Radio System. The effect of refinancing the \$6,594,545 original Motorola Lease 2015 would be a ~\$281K debt service savings from the lower interest rate. The additional funding for change orders for project updates and additional towers will increase the Lease payment in FY18 from \$1,073,335 to \$1,236,088 (based on 1.34%, 7 year amortization, YM Call Provision) which is an increase of \$162,753 PER YEAR.

Following general discussion regarding terms and rates,

MOTION:

Mr. O’Brien moved the Board of Supervisors approve the resolution entitled, “Resolution Approving A Plan Of Lease/Purchase Financing For Emergency Communication Equipment In An Amount Not To Exceed \$8,250,000 By Fluvanna County, Virginia,” and hereby incorporate the following terms into the resolution: (i) the term of the 2016 Lease shall be seven (7) years; (ii) principal payments under the 2016 Lease shall be due annually in arrears and interest payments under the 2016 Lease shall be due semi-annually on each March 1 and September 1, compounded semi-annually in arrears, beginning September 1, 2017; (iii) the tax-exempt interest rate for the 2016 Lease shall be a fixed rate of 1.34 %; (iv) the 2016 Lease shall be subject to prepayment after the first anniversary date of execution of the 2016 Lease, at the election of the County upon payment of a prepayment premium in the amount of, the greater of 1% of the outstanding principle amount of the 2016 Lease, or a Yield Maintenance Fee; and (v) the County shall purchase the Equipment from the Lessor at the expiration of the term of the 2016 Lease for a purchase price of \$1.00. Mrs. Booker seconded. On a vote of 5-0, the motion passed. AYE: Sheridan, Booker, Eager, O’Brien, & Weaver. NAY: None. ABSENT: None.

FY16-17 Carryover and Capital Project Requests—Eric Dahl, Deputy County Administrator and Finance Director, presented a request to approve departmental budget carryover requests. Per Fluvanna County Financial Policies Section 1-10, carryovers may be requested for purposes that are necessary for continuation of services, for projects that could not have reasonably started prior to June 30, or for circumstances where unexpended funds are available to be re-appropriated for projected current fiscal year uses or shortfalls. Requests exclude outstanding operating encumbrances, insurance reimbursements, grants, previously approved supplemental appropriations and existing capital projects. Approval of the request will allow the Finance Department to increase FY17 revenue and expenses by \$340,000.

- Unexpended Budget: ~\$1,679,000
- Less FY16 Carryover Requests: -\$173,618
- Less FY17 Capital Requests: -\$340,000
- FY16 Return to General Fund: ~\$1,165,382

MOTION

Mr. O’Brien moved approved the following carryover requests of FY16 Budget Authority from the listed departments to FY17 Department Budgets in the amounts specified:

- A. Cooperative Extension - For Commercial Kitchen \$3,732
- B. Treasurer’s Office - For Security System Upgrades \$15,000
- C. Sheriff’s Office - For Surveillance and Access Controls \$83,546
- D. Registrar’s Office - For Election Needs \$16,500
- E. Clerk of Circuit Court - For Security and Disaster Recovery \$28,978
- F. Circuit Court Judge - For Security and Storage \$7,862
- G. Information Technology - For County Website Upgrades \$18,000

with the total amount of \$173,618 to be re-appropriated to the specified FY17 department budgets. Mrs. Booker seconded and the motion passed 3-2. AYE: Sheridan, Booker, & O’Brien. NAY: Eager & Weaver. ABSENT: None.

And,

Mrs. Booker moved that the Board of Supervisors approve the following FY17 New Capital Project requests:

1. Facilities Security Upgrades: \$30,000
2. Munis Modules/Training: \$125,000
3. Public Works/FUSD Mini-Excavator: \$50,000, subject to additional justification;
5. Pleasant Grove Road Paving: \$98,000

with a supplemental appropriation of \$303,000 from unassigned fund balance, with partial funding support to come from FY16 unexpended budgets. Mr. O’Brien seconded and the motion passed 3-2. AYE: Sheridan, Booker, & O’Brien. NAY: Eager & Weaver. ABSENT: None.

PRESENTATIONS

None.

CONSENT AGENDA

The following items were discussed before approval:

The following items were approved under the Consent Agenda for October 19, 2016:

Minutes of Special Meeting, September 21, 2016 – Elected Officials Breakfast—Kelly Belanger Harris, Clerk to the Board

Accounts Payable Report, September 2017—Eric Dahl, Deputy County Administrator / Finance Director

FY17 1st Quarter Voluntary Contributions—Martin Brookhart, Management Analyst

Assistant Commonwealth Attorney’s Hiring Salary—Gail Parrish, Human Resources Manager

Approval of Open Space Contract for the Mozell H. Booker Living Trust—Andrew M. Sheridan, Commissioner of the Revenue

Fluvanna Fire Flat-Bed Brush Truck Build Agreement—Cyndi Toler, Purchasing Officer

Proclaim October Domestic Violence Awareness Month—Steven M. Nichols, County Administrator

MOTION

Mr. Weaver moved to approve the items on the Consent Agenda for October 19, 2016, and ratified Accounts Payable and Payroll for September 2016, in the amount of \$3,360,429.84. Mr. O’Brien seconded and the motion passed 4-0-1. AYE: Sheridan, Eager, O’Brien, & Weaver. NAY: None. ABSTAIN: Booker. ABSENT: None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Mrs. Booker inquired about the parking lot drainage at the Central Virginia Regional Jail. Mr. Nichols noted that the parking lot has been repaved, and the parking lot does not drain during hard rains. Mr. Weaver will follow up with the Jail Board.

PUBLIC COMMENTS #2

At 10:02pm Chair Sheridan opened the second round of Public Comments.

With no one else wishing to speak, Chair Sheridan closed the second round of Public Comments at 10:02pm.

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

At 10:02pm, Mr. Weaver moved the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.1, A.3, & A.7 of the Code of Virginia, 1950, as amended, for the purpose of discussing Personnel, Real Estate, and Legal Matters. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYE: Sheridan, Booker, Eager, O’Brien, and Weaver. NAY: None. ABSENT: None.

MOTION TO EXIT A CLOSED MEETING & RECONVENE IN OPEN SESSION

At 10:58pm, Mr. Weaver moved that the Closed Meeting be adjourned and the Fluvanna County Board of Supervisors convene again in open session and “BE IT RESOLVED, the Board of Supervisors does hereby certify to the best of each member’s 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.” Mrs. Booker seconded. The motion carried, with a roll call vote, of 5-0. AYES: Sheridan, Booker, Eager, O’Brien, and Weaver. NAYS: None. ABSENT: None.

MOTION

Mr. O’Brien moved to approve a hiring salary offer of \$50,750 for the new CSA Coordinator, Mrs. Mary Anna Twisdale, effective October 31, 2016, with the pay and benefits to come from the existing FY17 CSA Budget. Mrs. Booker seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O’Brien, & Weaver. NAY: None. ABSENT: None.

ADJOURN**MOTION:**

At 10:59pm Mr. Weaver moved to adjourn the regular meeting of Wednesday, October 19, 2016. Mrs. Booker seconded and the motion carried with a vote of 5-0. AYES: Sheridan, Booker, Eager, O’Brien, and Weaver. NAYS: None. ABSENT: None.

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

Kelly Belanger Harris
Clerk to the Board

John M. Sheridan
Chair

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

MEETING DATE:	November 2, 2016				
AGENDA TITLE:	FY17 FCPS Blue Ridge Virtual Governor's School Grant Supplemental Appropriation				
MOTION(s):	I move the Board of Supervisors approve the supplemental appropriation of \$5,025 to the Fluvanna County Public Schools FY17 budget for funds received from the Commonwealth of Virginia for the Blue Ridge Virtual Governor's School.				
STRATEGIC INITIATIVE?	Yes	No	If yes, list initiative(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				X	
STAFF CONTACT(S):	Martin Brookhart, Management Analyst				
PRESENTER(S):	Ed Breslauer, FCPS Director of Finance				
RECOMMENDATION:	I recommend approval of the motion as stated above.				
TIMING:	Routine				
DISCUSSION:	<p>Fluvanna County Public Schools was notified in October 2016 of the Blue Ridge Virtual Governor's School Grant award. These funds will be used to pay for a site visit and evaluation. FCPS serves as fiscal agent for BRVGS and their State funding is part of the total funds appropriated by the Board of Supervisors.</p> <p>FCPS FY17 instruction budget will increase from \$28,220,234.35 to \$28,225,259.35.</p> <p>FCPS FY17 overall budget will increase from \$38,692,900.35 to \$38,697,925.35.</p>				
FISCAL IMPACT:	<p>Approval of this supplemental appropriation will authorize staff to increase FCPS Revenue and Instruction Expenses by \$5,025.</p> <p>There is no local match required for this grant.</p>				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	None				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
		X			

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

MEETING DATE:	November 2, 2016				
AGENDA TITLE:	Approval of Open Space Contract for Charles Alexander IV				
MOTION(s):	I move to approve the open space contract for Charles Alexander IV for tax map parcels 51-A-140 and 51-A-141; agreement shall remain in effect for a term of five (5) consecutive years.				
STRATEGIC INITIATIVE?	Yes	No	If yes, list initiative(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				X	
STAFF CONTACT(S):	Andrew M. Sheridan, Jr., Commissioner of the Revenue				
PRESENTER(S):	Andrew M. Sheridan, Jr., 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 IMPACT:	None				
POLICY IMPACT:	In accordance with Section 58.1-3229 et. seq. of Virginia State Code.				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	-Charles Alexander IV's executed open space contract -Map of tax map parcels 51-A-140 and 51-A-141				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other



CONTRACT FOR OPEN SPACE LAND USE ASSESSMENT

THIS AGREEMENT, made this 18 day of Oct. 2016, by and between **Charles Alexander, IV** 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: 51-A-140 (7.0 acres)

51-A-141 (6.5 acres)

Total acres: 13.5 acres

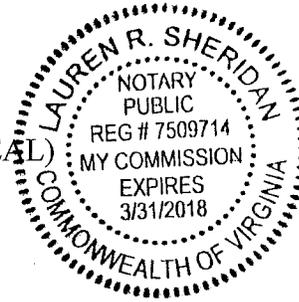
2. The Grantor agrees that during the term of this agreement:
 - A. There shall be no change in the use or uses of the Property that exist as of the date of this agreement to any use that would not qualify as open-space use. The qualifying use for the Property is conservation of agricultural and forestal 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 term of 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.

Charles Alexander IV
Landowner

(SEAL)



Co-owner (s) (SEAL)

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

The foregoing instrument was acknowledged before me by

Charles Alexander IV, Landowner (s)

on this 18th day of October, 2016.

My commission expires: March 31, 2018

Lauren R. Sheridan
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

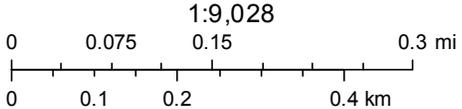
on this _____ day of _____, _____.

My commission expires: _____

Notary Public



October 25, 2016



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

MEETING DATE:	November 2, 2016				
AGENDA TITLE:	Approval of Open Space Contract for Donald W. Weaver				
MOTION(s):	I move to approve the open space contract for Donald W. Weaver for tax map parcel 38-15-3; agreement shall remain in effect for a term of five (5) consecutive years.				
STRATEGIC INITIATIVE?	Yes	No	If yes, list initiative(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				X	
STAFF CONTACT(S):	Andrew M. Sheridan, Jr., Commissioner of the Revenue				
PRESENTER(S):	Andrew M. Sheridan, Jr., Commissioner of the Revenue				
RECOMMENDATION:	Approval				
TIMING:	Immediate				
DISCUSSION:	This property qualifies for an open space contract with Fluvanna County in accordance with Code Section 58.1-3229 et. seq. of the Virginia State Code.				
FISCAL IMPACT:	None				
POLICY IMPACT:	In accordance with Section 58.1-3229 et. seq. of Virginia State Code.				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	-Donald W. Weaver's executed open space contract -Map of tax map parcel 38-15-3				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other



CONTRACT FOR OPEN SPACE LAND USE ASSESSMENT

THIS AGREEMENT, made this 24 day of OCT, 2016, by and between Donald W. Weaver, 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: 38-15-3 (10.0 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. The Grantor may engage in agricultural, horticultural or silvicultural activities and 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 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.

Ronald W. Weaver (SEAL)
Landowner



Co-owner (s)

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

The foregoing instrument was acknowledged before me by

Donald Weaver, Landowner (s)

on this 24th day of October, 2016.

My commission expires: March 31, 2018

Lauren R. Sheridan
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

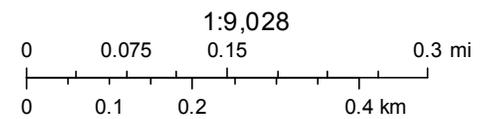
on this _____ day of _____, _____.

My commission expires: _____

Notary Public



October 25, 2016



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

**FLUVANNA COUNTY BOARD OF SUPERVISORS
 AGENDA ITEM STAFF REPORT**

MEETING DATE:	November 2, 2016				
AGENDA TITLE:	Business Personal Property Policies and Tax Rate Review				
MOTION(s):	None				
STRATEGIC INITIATIVE?	Yes	No	If yes, list initiative(s):	E1	
	XX				
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
			XX		
STAFF CONTACT(S):	Steve Nichols, County Administrator				
PRESENTER(S):	Steve Nichols, County Administrator				
RECOMMENDATION:	n/a				
TIMING:	n/a				
DISCUSSION:	<p>Review of Business Personal Property policy and tax rate alternatives.</p> <p>Need BOS direction in advance of new tax year and FY18 Budget development.</p>				
FISCAL IMPACT:	n/a				
POLICY IMPACT:	n/a				
LEGISLATIVE HISTORY:	n/a				
ENCLOSURES:	Briefing				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other



Review of Business Personal Property Policies and Tax Rate

November 2, 2016

Revenue Enhancement Options Update

No.	Action item	BOS Approval	Notes
1	Improve links between Building Inspections and Commissioner's Office	Yes	Underway; process and procedure review meeting held June 22, 2016.
2	Compare all MLS sales and listings to Assessment Records	Yes	Implemented by Commissioner's Office – May 2016
6	Capture Unreported Building Improvements	Yes	Underway; process and procedure review.
3	Capture Boats Not Currently Included on Personal Property Rolls	Yes	BOS Letter sent Jul 1, 2016 to LMOA requesting list. Pending LMOA response from Aug 25, 2016 mtg. No response from follow-up calls.
4	Update Business Personal Property Policies	Pending	Need financial impacts of alternatives; review county comparisons. Reviewed during Oct 19 th Work Session to get BOS direction. New policy needs to be in place before Jan 1, 2017.
5	Lower Business Personal Property Tax Rate	Pending	Coordinated with COR to review options, assess cost/staff impacts; COAD to provide recommendations to BOS; BOS to decide what rate to use in building the FY18 Budget
11	Begin Meals Tax Referendum Process	Pending	Prepare plan for BOS review in early 2017. Earmark new revenue to specific function or leave general? If BOS directs, begin referendum process and marketing.
9	Increase Vehicle License Fees	On Hold	Consider in fall of 2017 for possible CY 2018 rate changes and/or implementation of new Trailer fees.
7	Strengthen Land Use Program Revalidation	No	
8	Implement Business License Fee	No	
10	Implement DUI/Vehicle Accident Fee	No	

4. Business Personal Property (BPP) Policies

- **BPP policies out of date with common practice?**
- **Current:**
 - Equipment initial value of \$100 or greater
 - 20% of Purchase Price x 10 years
- **Options?**
 - Equipment initial value of \$250 or greater
 - 20-25% of Purchase Price while in service

**Revenue
Change:
TBD**

Staff Impact – Moderate

BPP Rate and Policy Comparisons

County	2015 Rates	Heavy Tools & Machinery	Computer Hardware	Generating Equipment	Research & Development	Business Furniture & Fixtures	Biotechnology
Louisa	\$1.90	1 Year 75% OC, 70%, 60%, 50%, 40%, 30%, 20%, 10% min.	1 Year 75% OC, 70%, 60%, 50%, 40%, 30%, 20%, then 10% to \$100 min.	1 Year 75% OC, 70%, 60%, 50%, 40%, 30%, 20%, then 10% to \$100 min.	N/A	1 Year 90% OC, 80%, 70%, 60%, 50%, 40%, 30%, 25% min.	N/A
Madison	\$3.45	20% less from prior year to \$100 min.	20% less from prior year to \$100 min.	10% less from prior year to \$100 min.	N/A	BV to 10%; \$100 min.	N/A
Nelson	\$3.45	1 Year 70% OC, less 10% from prior year to 0%	15% OC				
Powhatan	\$3.60	1 Year 60% OC, 45%, 37.5%, 30%, then 20% to \$100 min.	1 Year 60% OC, 45%, 37.5%, 30%, then 20% to \$100 min.	1 Year 60% OC, 45%, 37.5%, 30%, then 20% to \$100 min.	1 Year 60% OC, 45%, 37.5%, 30%, then 20% to \$100 min.	1 Year 60% OC, 45%, 37.5%, 30%, then 20% to \$100 min.	1 Year 60% OC, 45%, 37.5%, 30%, then 20% to \$100 min.
Orange	\$3.75	1 Year 65% OC, 60%, 55%, 50%, 45%, 40%, 37%, 34%, 31%, 28%, 25% min.	1 Year 65% OC, 60%, 55%, 50%, 45%, 40%, 37%, 34%, 31%, 28%, 25% min.	1 Year 65% OC, 60%, 55%, 50%, 45%, 40%, 37%, 34%, 31%, 28%, 25% min.	1 Year 65% OC, 60%, 55%, 50%, 45%, 40%, 37%, 34%, 31%, 28%, 25% min.	1 Year 65% OC, 60%, 55%, 50%, 45%, 40%, 37%, 34%, 31%, 28%, 25% min.	1 Year 65% OC, 60%, 55%, 50%, 45%, 40%, 37%, 34%, 31%, 28%, 25% min.
Goochland	\$4.00	1 Year 60% OC, 45%, 37.5%, 30%, 20% min.	1 Year 60% OC, 45%, 37.5%, 30%, 20% min.	1-5: 75% OC, 6-10: 56%, 11+: 37%	1 Year 60% OC, 45%, 37.5%, 30%, 20% min.	1 Year 60% OC, 45%, 37.5%, 30%, 20% min.	1 Year 60% OC, 45%, 37.5%, 30%, 20% min.
Buckingham	\$4.05	1-9: 15% OC, 10-19: 10%, 20+: 5%	1-9: 15% OC, 10-19: 10%, 20+: 5%	N/A	N/A	1-9: 15%, 10-19: 10%, 20+: 5%	N/A
Fluvanna	\$4.35	1-10 years 20% OC, then 0%					
Cumberland	\$4.50	20% OC	1 Year 80% OC, 70%, 60%, 50%, 40%, 30%, 20%, 10% min.	1 Year 80% OC, 70%, 60%, 50%, 40%, 30%, 20%, 10% min.	1 Year 80% OC, 70%, 60%, 50%, 40%, 30%, 20% min.	1 Year 80% OC, 70%, 60%, 50%, 40%, 30%, 20% min.	1 Year 80% OC, 70%, 60%, 50%, 40%, 30%, 20% min.
Greene	\$5.00	1 Year 80% OC, 70%, 60%, 50%, 40%, 30%, 20% min.	1 Year 80% OC, 70%, 60%, 50%, 40%, 30%, 20% min.	N/A	N/A	1 Year 80% OC, 70%, 60%, 50%, 40%, 30%, 20% min.	N/A

OC - Original Cost

BV - Book Value

5. BPP Tax Rate

- **Lower BPP tax rate?**
 - To be more competitive with surrounding counties
- **Tax rate changes would be adopted through budget process**
 - Identify BPP tax rate planned for FY18 Budget
 - If adopted with FY18 budget, new rate would be retroactive to January 1, 2017
 - Calculate and plan for the loss of budgeted FY17 revenue

COUNTY	2015 Rates
Louisa	\$1.90
Madison	\$3.45
Nelson	\$3.45
Powhatan	\$3.60
Orange	\$3.75
Goochland	\$4.00
Buckingham	\$4.05
Fluvanna	\$4.35
Cumberland	\$4.50
Greene	\$5.00

Staff Impact – Minor

5. BPP Tax Rate (cont.)

Year	Tax Rate	Estimated Revenue
2015*	\$4.35	\$ 282,000
2016	\$4.35	TBD
2017	\$4.35	TBD

Annual Revenue Decrease

Semi-Annual Revenue Decrease

2017	\$4.00	\$ 259,310
2017	\$3.00	\$ 194,483
2017	\$2.00	\$ 129,655
2017	\$1.90	\$ 123,172
2017	\$1.75	\$ 113,448
2017	\$1.50	\$ 97,241

\$ (22,690)
\$ (87,517)
\$ (152,345)
\$ (158,828)
\$ (168,552)
\$ (184,759)

\$ (11,345)
\$ (43,759)
\$ (76,172)
\$ (79,414)
\$ (84,276)
\$ (92,379)

* Actual

Potential FY18
Budget Impact

Potential FY17
Budget Impact



Questions?

FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

MEETING DATE:	Nov 2, 2016				
AGENDA TITLE:	FCPS Update Brief and Preliminary FY18 Budget Discussion – Gena Keller, FCPS Superintendent				
MOTION(s):					
STRATEGIC INITIATIVE?	Yes	No	If yes, list initiative(s):		
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
			XX		
STAFF CONTACT(S):	Gena Keller, Superintendent, FCPS				
PRESENTER(S):	Fluvanna County School Board & Gena Keller, Superintendent, FCPS,				
RECOMMENDATION:					
TIMING:					
DISCUSSION:					
FISCAL IMPACT:					
POLICY IMPACT:					
LEGISLATIVE HISTORY:					
ENCLOSURES:					
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other

**FLUVANNA COUNTY BOARD OF SUPERVISORS
MEETING PACKAGE ATTACHMENTS**

October 05, 2016

No.	Item
1	FY17 Capital Reserve Memo 2016-11-02
2	FY17 Contingency Balance 2016-11-02
3	Building Inspections Report September 2016
4	
5	
6	
7	
8	
9	
10	

BUILDING INSPECTIONS MONTHLY REPORT

County of Fluvanna

Building Official:	Period:
Florin Moldovan	Sep-2016

Category	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTAL
BUILDING PERMITS ISSUED														
NEW - Single Family Detached	2014	7	1	4	6	9	16	5	12	6	8	4	9	87
	2015	4	5	10	9	12	12	14	13	2	4	7	3	95
	2016	11	11	8	15	9	18	6	5	9				92
NEW - Single Family Attached	2014	0	0	6	0	0	0	0	0	0	0	2	0	8
	2015	2	0	0	0	0	0	0	2	0	0	0	0	4
	2016	0	0	0	0	0	0	0	0	0				0
NEW - Mobil Homes	2014	0	1	1	0	0	1	1	0	1	0	0	0	5
	2015	0	0	0	0	1	1	0	2	0	0	0	0	4
	2016	0	1	0	0	0	0	0	1	0				2
Additions and Alterations	2014	22	12	17	29	31	28	18	28	31	36	25	25	302
	2015	21	30	38	28	21	30	22	25	23	27	35	18	318
	2016	13	10	31	27	29	29	15	32	31				217
Accessory Buildings	2014	2	0	2	0	4	1	3	5	1	2	2	1	23
	2015	4	4	3	4	1	0	0	2	6	0	0	3	27
	2016	3	4	4	6	2	2	1	2	1				25
Swimming Pools	2014	0	0	0	1	0	0	0	0	0	0	0	1	2
	2015	0	0	0	0	0	0	0	1	1	0	0	0	2
	2016	0	0	0	0	0	1	1	0	0				2
Commercial/Industrial Bldgs	2014	0	0	0	0	0	2	1	0	0	0	0	1	4
	2015	1	0	0	0	0	0	2	0	0	1	1	1	6
	2016	0	0	2	2	0	0	1	0	1				6
Land Disturbing Permits	2014	8	1	10	4	8	16	3	10	5	9	6	10	90
	2015	6	5	9	10	10	12	15	16	3	5	10	5	106
	2016	12	11	8	14	10	17	7	6	11				96
TOTAL PERMITS	2014	39	14	30	36	44	48	28	45	39	46	33	37	431
	2015	32	39	51	41	35	43	38	45	32	32	43	25	456
	2016	27	26	45	50	40	50	24	40	42	0	0	0	344
BUILDING VALUES FOR PERMITS ISSUED														
TOTAL BUILDING VALUES	2014	1,902,399	453,326	1,783,992	2,540,111	2,570,600	3,119,333	1,724,192	2,586,705	1,353,471	1,922,260	1,461,680	2,563,409	\$ 23,981,478
	2015	1,384,631	1,560,716	2,916,520	3,567,237	2,999,918	4,280,357	5,272,378	3,107,731	2,625,563	2,203,913	1,931,893	6,252,403	\$ 38,103,260
	2016	1,817,981	2,555,455	5,552,458	3,711,821	2,447,891	5,181,921	3,611,179	1,817,783	3,089,971	0	0	0	\$ 29,786,460
INSPECTIONS COMPLETED														
TOTAL INSPECTIONS	2014	135	149	103	180	113	168	173	148	155	167	112	162	1765
	2015	105	137	146	214	113	232	193	181	208	206	149	149	2033
	2016	116	91	153	157	155	214	249	230	197				1562
FEES COLLECTED														
Building Permits	2014	\$9,160	\$2,655	\$10,041	\$11,601	\$11,808	\$18,950	\$6,913	\$12,848	\$8,080	\$11,602	\$9,740	\$11,568	\$ 124,965
	2015	\$6,731	\$8,351	\$13,711	\$16,037	\$13,508	\$16,628	\$14,931	\$18,895	\$10,411	\$8,558	\$10,381	\$9,575	\$ 147,717
	2016	\$11,850	\$11,954	\$11,576	\$14,889	\$8,447	\$18,588	\$12,947	\$7,537	\$11,285				\$ 109,072
Land Disturbing Permits	2014	\$2,125	\$1,225	\$2,400	\$2,300	\$1,310	\$8,500	\$2,739	\$2,850	\$625	\$2,839	\$2,450	\$2,850	\$ 32,213
	2015	\$1,775	\$875	\$1,425	\$3,425	\$1,750	\$1,850	\$2,325	\$3,338	\$1,085	\$2,819	\$10,450	\$2,298	\$ 33,414
	2016	\$3,200	\$2,575	\$1,700	\$1,950	\$2,250	\$2,200	\$4,020	\$875	\$28,074				\$ 46,844
Zoning Permits/Proffers	2014	\$1,000	\$250	\$1,800	\$1,100	\$14,200	\$2,400	\$1,050	\$19,900	\$1,400	\$1,350	\$950	\$1,700	\$ 47,100
	2015	\$1,200	\$1,000	\$1,650	\$2,600	\$1,500	\$1,850	\$1,850	\$2,400	\$1,650	\$1,050	\$900	\$850	\$ 18,500
	2016	\$1,150	\$1,250	\$1,800	\$2,450	\$1,650	\$2,700	\$1,150	\$1,150	\$1,900				\$ 15,200
TOTAL FEES	2014	\$ 12,285	\$ 4,130	\$ 14,241	\$ 15,001	\$ 27,318	\$ 29,850	\$ 10,702	\$ 35,598	\$ 10,105	\$ 15,790	\$ 13,140	\$ 16,118	\$ 204,278
	2015	\$ 9,706	\$ 10,226	\$ 16,786	\$ 22,062	\$ 16,758	\$ 20,328	\$ 19,106	\$ 24,632	\$ 13,146	\$ 12,427	\$ 21,731	\$ 12,722	\$ 199,631
	2016	\$ 16,200	\$ 15,779	\$ 15,076	\$ 19,289	\$ 12,347	\$ 23,488	\$ 18,117	\$ 9,562	\$ 41,258	\$ -	\$ -	\$ -	\$ 171,116

COUNTY OF FLUVANNA

"Responsive & Responsible Government"

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

MEMORANDUM

Date: November 2, 2016
From: Martin Brookhart – Management Analyst
To: Board of Supervisors
Subject: FY17 Capital Reserve Balances

The FY17 Capital Reserve account balances are as follows:

County Capital Reserve:

FY16 Carryover	\$14,370
FY17 Beginning Budget:	\$200,000
Plus: FY15 & FY16 Projects Completed Under Budget	\$50,323
Less: Palmyra Rescue Building CIP - 9.7.16	-\$50,000
Available:	\$214,693

Schools Capital Reserve:

FY16 Carryover	\$193,243
FY17 Beginning Budget:	\$100,000
Plus: FY15 & FY16 Projects Completed Under Budget	\$48,168
Less: FCHS Equipment Shed Replacement - 8.3.16	-\$5,400
Less: FCPS Floor Scrubber Replacement - 8.3.16	-\$11,300
Available:	\$324,711

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MEMORANDUM

Date: November 2, 2016
From: Martin Brookhart – Management Analyst
To: Board of Supervisors
Subject: FY17 BOS Contingency Balance

The FY17 BOS Contingency line balance is as follows:

Beginning Budget:	\$150,000.00
Less: Staff Pay Plan Supplement 9.21.16	-\$13,740.00
Less: County Administrator Salary Increase 9.21.16	-\$3,526.10
Plus: FY17 1 st Quarter Voluntary Contributions to General Fund	\$10.00
Available:	\$132,743.90