

**FLUVANNA COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
Circuit Court Room  
January 4, 2017  
Regular Meeting 4:00pm**

**MEMBERS PRESENT:**

Patricia Eager, Palmyra District  
Tony O'Brien, Rivanna District  
John M. (Mike) Sheridan, Columbia District  
Donald W. Weaver, Cunningham District

**ALSO PRESENT:**

Steven M. Nichols, County Administrator  
Fred Payne, County Attorney  
Kelly Belanger Harris, Clerk for the Board of Supervisors

**ABSENT:**

Mozell Booker, Fork Union District

**CALL TO ORDER**

At 4:03pm Steven M. Nichols, County Administrator, called to order the Organizational Meeting of January 4, 2017.

After the recitation of the Pledge of Allegiance, a moment of silence was observed.

**2017 Organizational Meeting of the Fluvanna County Board of Supervisors**

*Election of Chair* - This action will elect a Chair to the Board of Supervisors for 2017. Mr. Steven M. Nichols, County Administrator, called for nominations.

Mrs. Eager nominated Supervisor Sheridan. Mr. O'Brien seconded.

VOTE COUNT: 4-0. AYE: Sheridan, Eager, O'Brien, Weaver. NAY: None. ABSENT: Booker.

With a vote of 4-0, Supervisor Sheridan was elected Chair, and the nomination/voting process was complete.

Following the election of a Chair, Mr. Nichols turned the gavel, and the meeting, over to Chair Sheridan.

*Election of Vice-Chair* - This action will elect a new Vice-Chairperson to the Board of Supervisors for 2017. Chair Sheridan opened the floor for nominations for Vice-Chair.

Mrs. Eager nominated Supervisor Booker. With a second by Mr. Weaver, the vote passed 4-0. AYE: Sheridan, Eager, O'Brien, & Weaver. NAY: None. ABSENT: Booker.

*Resolution Entitled "Organizational Meeting of the Fluvanna County Board of Supervisors 2017"* - The Code of Virginia requires an annual organizational meeting of the Board of Supervisors for the election of officers and the conduct of such other business as to meeting times and dates.

**MOTION:**

Mrs. Eager moved to adopt the Resolution entitled "Organizational Meeting of the Fluvanna County Board of Supervisors 2017" which designates the location, day, and time of meetings.

Meeting Place: Circuit Courtroom of the Fluvanna County Courts Building

Meeting Times: Day Meetings begin at 4:00 p.m. and end at 8:00 p.m., unless extended;  
Night Meetings begin at 7:00 p.m. and end at 11:00 p.m., unless extended;  
When scheduled, Work Sessions begin at 4:00 p.m. prior to the evening meeting.

Mr. Weaver seconded. The motion carried with a vote of 4-0. AYE: Sheridan, Eager, O'Brien, & Weaver. NAY: None. ABSENT: Booker.

*Selection of Dates for the Board Meetings* - This action will adopt the Board of Supervisors 2017 Regular Meeting Calendar.

**MOTION:**

Mr. Weaver moved to adopt the Board of Supervisors 2017 Regular Meeting Calendar as presented.

Mrs. Eager seconded and the motion carried with a vote of 4-0. AYE: Sheridan, Eager, O'Brien, and Weaver. NAY: None. ABSENT: Booker.

*Adoption of Board By-Laws and Rules of Practice and Procedures* - This action will adopt the Fluvanna County Board of Supervisors By-Laws and Rules of Practice and Procedures. In addition to the current By-Laws, Mr. Nichols presented a revised and updated version of the bylaws for consideration.

After brief discussion,

**MOTION:**

Mr. O’Brien moved to adopt the revised 2017 Fluvanna County Board of Supervisors By-Laws and Rules of Practice and Procedures, with suggested changes. Mrs. Eager seconded and the motion carried with a vote of 4-0. AYE: Sheridan, Eager, O’Brien, and Weaver. NAY: None. ABSENT: Booker.

**ADOPTION OF AGENDA**

With no objections, the Agenda for the January 4, 2017, Regular Meeting of the Board of Supervisors, was adopted.

**COUNTY ADMINISTRATOR’S REPORT**

Mr. Nichols reported on the following topics:

- Staff Stars and Community Efforts:
  - Way to Go, Bruce Anderson, from Public Works! Completed training and certification test and is now certified by Virginia Department of Agriculture and Consumer Services, Office of Pesticide Services, as Registered Technician to apply pesticides and herbicides on County land.
- Spotlight on Business
  - TOTES McGOATS Body Soaps, located in Columbia, and owned by Jennifer Lyons. Produces goat milk soaps and lotions.
- Announcements and Updates:
  - E911 Tower Updates: Sheriff’s Office (195 ft) – Complete. Convenience Center (250 ft) – Largely Complete. CVEC (250 ft) – Site Prep. Columbia School (300 ft) – Site Prep
  - Treasurer's Office Renovation--Renovation beginning Friday, January 20, Office closed, Friday, January 20, Reopen in Historic Courthouse on Monday, January 23 (for about two months)
  - Zion Crossroads Water & Sewer Project Town Hall Meeting, Thursday, January 26, 2017
- County Website User Survey—in process
- Meeting Dates Realignment Proposal: (The bodies will adopt their updated meeting calendars in January.

Board/Commission	Current Schedule	Proposed Schedule
Board of Supervisors	1 <sup>st</sup> & 3 <sup>rd</sup> Wed	No Change
School Board	2 <sup>nd</sup> Wed	2 <sup>nd</sup> Wed or 2 <sup>nd</sup> Thu or 3 <sup>rd</sup> Tue
Planning Commission	4 <sup>th</sup> Wed	2 <sup>nd</sup> Tue (varies)
Board of Zoning Appeals	2 <sup>nd</sup> Tue	3 <sup>rd</sup> or 4 <sup>th</sup> Tue

- Next BOS Meetings:

Day	Date	Time	Purpose	Location
Wed	Jan 18	4:00 PM 7:00 PM	Preliminary Budget Work Session Regular Meeting	Morris Room Courtroom
Wed	Feb 1	4:00 PM 7:00 PM	Regular Meeting FY18 Budget Proposal Presentation	Courtroom
Wed	Feb 8	7:00 PM	Budget Work Session - Constitutional Officers	Morris Room
Wed	Feb 15	4:00 PM 7:00 PM	BOS Budget Work Session - FCPS FY18 Adopted Budget Presentation Regular Meeting	Courtroom Courtroom
Wed	Feb 22	7:00 PM	Budget Work Session – Agencies	Morris Room

**PUBLIC COMMENTS #1**

At 4:28pm Chair Sheridan opened the first round of Public Comments.

Michael Mason, 4121 Antioch Road, addressed the Board regarding nuisance barking dogs in his neighborhood. With no one else wishing to speak, Chair Sheridan closed the first round of Public Comments at 4:33pm.

**PUBLIC HEARING**

None.

**ACTION MATTERS**

Proposal to Establish a Broadband Access Taskforce (BAT) – Steven M. Nichols, County Administrator, brought forward a request to establish a Broadband Access Taskforce (BAT), briefly outlining the purpose, and scope of the Taskforce.

With no discussion,

**MOTION**

Mr. O'Brien moved to approve the Broadband Access Taskforce (BAT) as presented. Mr. Weaver offered second and the motion passed 4-0. AYE: Sheridan, Eager, O'Brien, and Weaver. NAY: None. ABSENT: Booker.

**PRESENTATIONS**

*Proposal for Capital Improvements Program (CIP) and Capital Reserve Maintenance Fund (CRMF) Policies* – Steven M. Nichols, County Administrator, briefed the Board on proposed changes to County Financial Policies regarding the Capital Improvements Program (CIP) and the Capital Reserve Maintenance Fund (CRMF). Changes to the policies would create a formal CIP Policy, update CIP dollar value threshold to \$50,000, and redefine use of Capital Reserve Maintenance Funds as those planned and unplanned maintenance, repair, and renovation (MRR) expenses of generally less than \$50,000.

*FY17 Fund Balance Update*—Eric Dahl, Deputy County Administrator & Finance Director, gave an update to the FY17 Fund Balance as of January 4, 2017.

Fund Balance amounts included:

- Nonspendable and Restricted = \$159,520
- Unassigned-Reserved = \$\$8.1 million
- Committed (CIP Projects) = \$4.9 million
- Unassigned-Unreserved Fund Balance = \$8.4 million which includes a \$358,967 reimbursement from JRWA.

**CONSENT AGENDA**

The following items were approved under the Consent Agenda for January 4, 2017:

*Secondary Street Acceptance of Two Rivers Drive in Two Rivers Subdivision*—Jason Stewart, Planning and Zoning Administrator

As the item under consideration concerned Mrs. Eager's personal business, Mrs. Eager recused herself from the vote.

**MOTION:**

Mr. O'Brien moved to approve the consent agenda. With a second from Mr. Weaver, the motion passed 3-0-1. AYE: Sheridan, O'Brien, and Weaver. NAY: None. ABSTAIN: Eager. ABSENT: Booker.

**UNFINISHED BUSINESS**

None.

**PUBLIC COMMENTS #2**

At 5:24pm 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 5:24pm.

**CLOSED MEETING**

**MOTION TO ENTER INTO A CLOSED MEETING**

At 5:25pm, Mr. Weaver moved the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.7 of the Code of Virginia, 1950, as amended, for the purpose of discussing Legal Matters. Mr. O'Brien seconded. The motion carried, with a vote of 4-0. AYE: Sheridan, Eager, O'Brien, and Weaver. NAY: None. ABSENT: Booker.

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

At 5:36pm, 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." Mr. O'Brien seconded. The motion carried, with a roll call vote, of 4-0. AYES: Sheridan, Eager, O'Brien, and Weaver. NAYS: None. ABSENT: Booker.

**ADJOURN**

**MOTION:**

At 5:25pm Mr. O'Brien moved to adjourn the regular meeting of Wednesday, January 4, 2017. Mr. Weaver seconded and the motion carried with a vote of 4-0. AYES: Sheridan, Eager, O'Brien, & Weaver. NAYS: None. ABSENT: Booker.

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

---

Kelly Belanger Harris  
Clerk to the Board

---

John M. Sheridan  
Chair

APPROVED



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

**RESOLUTION No. 01-2017**

**A RESOLUTION RECOGNIZING THE 2017 ORGANIZATIONAL MEETING  
OF THE BOARD OF SUPERVISORS**

At the annual Organizational Meeting of the Fluvanna County Board of Supervisors held in the Fluvanna County Courts Building at 4:00 PM on Wednesday, January 4, 2017, the following resolution was adopted by the Board of Supervisors, the vote being as shown below and recorded in the minutes of the meeting.

**WHEREAS**, the Code of Virginia requires an annual organizational meeting for the Board of Supervisors for the election of officers and the conduct of such other business as to meeting times and dates and,

**WHEREAS**, the Board of Supervisors does now conduct such an organizational meeting;

**NOW, THEREFORE BE IT RESOLVED** by the Board of Supervisors that it does hereby designate the Circuit Courtroom in the Fluvanna Courts Building as its meeting place for Regular Meetings to be held on the first Wednesday of each month at 4:00 p.m. and the third Wednesday of each month at 7:00 p.m., except for the month of July when the only meeting shall be on the first Wednesday starting at 4:00 p.m., breaking for dinner, then reconvening at 7:00 p.m. for additional business or public hearings. When scheduled, Work Sessions will be held the third Wednesday of each month at 4:00 p.m. prior to the regular meeting.

**BE IT FURTHER RESOLVED** by the Board of Supervisors that it does hereby designate the fourth Wednesday at 7:00 p.m. as the meeting date for any such regular meeting that is postponed due to weather or such other circumstances.

**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** by the Fluvanna County Board of Supervisors at the annual Organizational Meeting of the Board held on the 4<sup>th</sup> day of January, 2017;

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Mozell H. Booker, Fork Union District				X		
Patricia B. Eager, Palmyra District	X				X	
Anthony P. O'Brien, Rivanna District	X					
John M. Sheridan, Columbia District	X					
Donald W. Weaver, Cunningham District	X					X

A Copy, teste:

---

Kelly Belanger Harris

Clerk to the Board of Supervisors

Fluvanna County, Virginia



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

**RESOLUTION No. 02-2017**

**A Resolution to Take Streets in the Two Rivers Subdivision into the Secondary System of Highways in Fluvanna County, Virginia**

At a regular meeting of the Board of Supervisors of Fluvanna County held in the Fluvanna County Courts Building at 4:00 PM on Wednesday, January 4, 2017, at which the following members were present, the following resolution was adopted by a majority of all members of the Board of Supervisors, the vote being recorded in the minutes of the meeting as shown below:

**WHEREAS**, the eligible streets described on the attached VDOT AM-4.3 form, fully incorporated herein by reference, are shown on plats recorded in the clerk’s office of the Circuit Court of Fluvanna County; and

**WHEREAS**, the streets described in the Two Rivers subdivision have been developed in Fluvanna County and the developer has constructed the streets in accordance with the plans submitted to and approved by the Virginia Department of Transportation and the streets have been inspected by the Office of the Land Development Engineer and found to be acceptable in the State Highway System; and

**NOW, THEREFORE BE IT RESOLVED**, on this 4<sup>th</sup> day of January, 2017, that the Fluvanna County Board of Supervisors hereby requests that the Virginia Department of Transportation add the described roads listed on the attached VDOT AM-4.3 form to the Secondary System of State Highways of Fluvanna County pursuant to Section 33.2-705 of the Code of Virginia, as amended, and the Subdivision Street Requirements; and

**BE IT FURTHER RESOLVED**, that the Fluvanna County Board of Supervisors guarantees a clear and unrestricted right-of-way, and any necessary easements for cuts, fills, and drainage; and

**BE IT YET FURTHER RESOLVED** that a certified copy of this resolution be forwarded to the Land Development Engineer for the Virginia Department of Transportation.

**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** by the Fluvanna County Board of Supervisors at a regular meeting of the Board held on the 4<sup>th</sup> day of January, 2017 on a motion by \_\_\_\_, seconded by \_\_\_\_, and by the following vote:

SUPERVISORS	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Mozell H. Booker, Fork Union District	X					
Patricia B. Eager, Palmyra District			X			
Anthony P. O'Brien, Rivanna District	X				X	
John M. Sheridan, Columbia District	X					
Donald W. Weaver, Cunningham District	X					X

Attest:

\_\_\_\_\_  
 John M. Sheridan, Chair  
 Board of Supervisors  
 Fluvanna County, Virginia