

**FLUVANNA COUNTY BOARD OF SUPERVISORS**  
**ACTIONS TAKEN ON February 15, 2017**

*Mr. O'Brien arrived at 4:05pm*

No.	Item- 4:00 pm Work Session	Action
1	Work Session: <ul style="list-style-type: none"> <li>• County &amp; Schools Shared Services Review Proposal – DecideSmart, LLC</li> <li>• Joint Work Session with School Board—Adopted FCPS FY18 Budget;</li> </ul>	<b><u>NO ACTION</u></b>
2	Closed Session (Personnel, Investment of Funds, and Legal Matters);	<b><u>NO ACTION</u></b>
No.	Item- 7:00 pm Regular Meeting	Action
3	Adoption of Agenda: as presented;	<b><u>BOARD APPROVED</u></b> <b>5-0</b>
4	ZMP 16:06 Wilson Ready-Mix Industrial Rezoning: approved ZMP 16:06, a request to amend the Fluvanna County Zoning Map with respect to approximately 10.5 acres of Tax Map 4, Section A, Parcel 109, to rezone the same from A-1, Agricultural, General, to I-2 Industrial, General;	<b><u>BOARD APPROVED</u></b> <b>5-0</b>
5	ZMP 16:07 Foster Fuels: approved ZMP 16:07, a request to amend the Fluvanna County Zoning Map with respect to approximately 1.53 acres of Tax Map 5, Section 23, Parcel 8, to rezone the same from I-1, Industrial, Limited, to I-2, Industrial, General. 5-0;	<b><u>BOARD APPROVED</u></b> <b>5-0</b>
6	SUP 16:12 Foster Fuels: approved SUP 16:12, a request to allow for a petroleum distribution facility with respect to 1.53 acres of Tax Map 5, Section 23, Parcel 8, subject to the eight (8) conditions listed in the staff report. <u>Staff Conditions:</u> <ol style="list-style-type: none"> <li>1. Prior to development of the site, a site development plan that meets the requirements of the Fluvanna County Zoning Ordinance must be submitted for review and approval.</li> <li>2. Only two 30,000 gallon tanks may be installed. Further tank installations will require additional special use permits.</li> <li>3. Safety measures such as fencing and bollards will be required, to the satisfaction of Fluvanna County Fire Chief, Building Staff and Planning Staff.</li> <li>4. All screening shall be maintained in a condition acceptable to the County.</li> <li>5. Any lighting shall not be directed toward adjacent properties and comply with Article 25 of the Fluvanna County Code.</li> <li>6. All equipment and/or structures associated with the petroleum distribution facility use shall be removed from the property upon termination of the lease agreement.</li> <li>7. The Board of Supervisors, or its representative, reserves the right to inspect the property for compliance with these conditions at any time.</li> <li>8. Under Sec. 22-17-4 F (2) of the Fluvanna County Code, the Board of Supervisors has the authority to revoke a Special Use Permit if the property owner has substantially breached the conditions of the Special Use Permit;</li> </ol>	<b><u>BOARD APPROVED</u></b> <b>5-0</b>

7	<p><b>FY17 Budget Amendment:</b></p> <p>approved an FY17 budget amendment of \$8,223,125 for the issuance of the 2016 capital lease for the Public Safety Emergency Communications Radio System, with \$6,830,494 of the funds used for refinancing the 2015 capital lease and \$1,392,631 for new project construction funds to build (3) self-supported lattice towers and cost of issuance, increasing the FY17 Amended Budget to \$87,741,841;</p>	<p><b><u>BOARD APPROVED</u></b></p> <p><b>5-0</b></p>
8	<p><b>Trane Energy Performance Contract:</b></p> <p>approved the Energy Performance Contract between the County of Fluvanna, Virginia and Trane U.S. Inc. in the amount of \$7,398,098.00 subject to any necessary modifications as deemed appropriate by the County Attorney, and the Board of Supervisors authorizes the County Administrator to execute the Contract contingent upon the Contract being approved by him with the requisite modifications noted, after being approved as to form by the County Attorney, in addition CO-10, Standard Performance Bond and CO-10.1, Standard Labor and Material Payment Bond, which are Exhibits to the Contract, will be attached and approved as to form by the County Attorney prior to signature; I further move to approve and issue that Exhibit D.2 attached to the Energy Performance Contract entitled "Limited Notice to Proceed" to begin certain work as outlined therein and the Board of Supervisors authorizes the County Administrator to execute the Limited Notice to Proceed contingent upon the same being approved as to form by the County Attorney; and I further move to approve and issue that Exhibit D.1 attached to the Energy Performance Contract entitled "Full Notice to Proceed" to authorize all work as outlined therein as soon as and only if that financing related to the Project closes and funds sufficient to cover Project costs are received as contemplated by said financing and the Board of Supervisors authorizes the County Administrator to execute the Full Notice to Proceed at such time contingent upon the same being approved as to form by the County Attorney.</p>	<p><b><u>BOARD APPROVED</u></b></p> <p><b>5-0</b></p>
9	<p><b>Special Counsel to Fluvanna County School Board:</b></p> <p>consented to Richard Hurlbert, Esquire, with Haneberg Hurlbert PLC, to serve as Special Counsel to the Fluvanna County School Board for the limited purpose of the financing for the Energy Performance Project and for the County Administrator to sign an acknowledgment reflecting the same in a form approved by the County Attorney;</p>	<p><b><u>BOARD APPROVED</u></b></p> <p><b>5-0</b></p>
10	<p><b>Energy Equipment Lease Purchase Financing Resolution:</b></p> <p>approved the resolution entitled "Resolution Of The Board Of Supervisors Of The County Of Fluvanna, Virginia To Enter Into A Sale/Leaseback Financing For Energy Efficiency Equipment In An Amount Not To Exceed \$7,800,000;"</p>	<p><b><u>BOARD APPROVED</u></b></p> <p><b>5-0</b></p>
11	<p><b>Prepayment of Capital Leases:</b></p> <p>approved a payment not to exceed \$293,764 to pay off the remaining principal, accrued interest and a 1% prepayment penalty on principal owed in full on a 2012 BB&amp;T Governmental Finance capital lease for a fire truck, with the amount of \$177,000 to come from unexpended FY17 Debt Service budget and \$116,764 to come from unexpended FY17 Emergency Management budget.</p> <p>AND</p>	<p><b><u>BOARD APPROVED</u></b></p> <p><b>5-0</b></p>

	approved a payment not to exceed \$106,809 to pay off the remaining principal and accrued interest owed in full on a 2009 Suntrust Bank capital lease for a fire truck with the amount owed to come from unexpended FY17 Emergency Management budget;	<b>5-0</b>
12	Adoption of Fluvanna County Emergency Operations Plan: adopted a Resolution to adopt the Fluvanna County Emergency Operations Plan;	<b><u>BOARD APPROVED</u></b> <b>5-0</b>
13	Conservation Easement Request – Hotel Street Capital, LLC: approved EST 16:01, a request to establish the creation of a Conservation Easement for 232.003 acres of Tax Map 19-A-39C and 30-A-110, subject to the property restrictions listed in the staff report and the Deed of Easement being subject to approval as to form by the County Attorney.  Property Restrictions: 1. Further subdivision of the property into more than the existing two lots is prohibited; 2. No permanent or temporary building or structure may be built, maintained or replaced on the property other than: one single family dwelling on each parcel; one accessory dwelling on each parcel; non-residential outbuildings and structures commonly and appropriately incidental to the dwellings permitted; and farm buildings or structures; 3. Civic, industrial, commercial or miscellaneous uses other than those specified are prohibited; 4. A forest stewardship plan shall be provided prior to any commercial timber harvesting; 5. Grading, blasting or earth removal shall not materially alter the topography of the property except for dam construction to create private ponds, stream bank restoration and erosion control pursuant to a government permit, or as required in the construction of permitted buildings, structures, private roads and utilities; 6. Accumulation or dumping of trash, refuse, junk or toxic materials is not permitted on the property; 7. Signs will be limited in type and will be no larger than nine (9) square feet; 8. Within a 100' buffer strip along each edge of the Rivanna River, Fishing Lake, wetlands or perennial stream, no buildings or structures, no grazing of livestock, no storage of compost, manure, fertilizers, chemicals, machinery or equipment, and no cultivation or other earth disturbing activity shall be permitted to protect water quality of the Rivanna River; and 9. The property shall be managed in accordance with a Farm Conservation Plan as long as at least five acres are in agricultural production;	<b><u>BOARD APPROVED</u></b> <b>5-0</b>
13	Appointment to the Broadband Access Taskforce: appointed the following citizen representatives to the Broadband Access Taskforce:  Columbia District: Susan Golding, Cunningham District: George Mitchell and Dana Shiflett, Fork Union District: Brandon Chiesa, Michael Aquilino, and James Kirkham,  Rivanna District: Bob Dorsey and Mike Feazel, Fluvanna Business/Education: Valerie Palamountain and Scott Krogh	<b><u>BOARD APPROVED</u></b> <b>5-0</b>

	For terms to begin February 15, 2017 and to terminate no later than October 31, 2017, unless the Board extends the term;	
14	Appointment to the Fluvanna Partnership for Aging-Rivanna Representative: appointed Susan Liberman as the Rivanna District Representatives to the Fluvanna Partnership for Aging, replacing Suzanne Cotellessa, who resigned, for a term to begin February 15, 2017 and to terminate December 31, 2017;	<b><u>BOARD APPROVED</u></b> <b>5-0</b>
15	Parks and Recreation Update;	<b><u>BOARD PRESENTATION</u></b>
16	Minutes of February 1, 2017: as presented;	<b><u>BOARD APPROVED</u></b> <b>5-0</b>
17	Acting Assistant Director of Public Works: approved Peter Welch as Acting Assistant Director of Public Works, retroactive to February 1, 2017, and to award him an additional 10% increase over and above his current pay until such time as a permanent Assistant Director is hired and begins work;	<b><u>BOARD APPROVED</u></b> <b><u>5-0</u></b>
18	First Amendment to VFW Tower Site Agreement REVISED: as presented;	<b><u>BOARD APPROVED</u></b> <b>5-0</b>
19	Ratification FY17 Cooperative Extension Supplemental Appropriation: ratified the approval of the supplemental appropriation of \$24,799.61 to the FY17 Cooperative Extension budget for funds received from Health Department Vacancy Savings.	<b><u>BOARD APPROVED</u></b> <b>3-2</b> <b><u>(Eager, Weaver)</u></b>

**Board Tasks and Directives:**

None