

**FLUVANNA COUNTY BOARD OF SUPERVISORS
ACTIONS TAKEN ON AUGUST 17, 2022**

Mr. Sheridan entered the meeting at 7:04pm

No.	Item – Regular Meeting	<u>Action</u>
1	Adoption of agenda: as amended;	<u>BOARD ADOPTED</u> 4-0
2	VDOT Quarterly Update;	<u>BOARD PRESENTATION</u>
3	<p>ZMP 22:03 Wolfpack Properties LLC:</p> <p>approved ZMP 22:03, Wolfpack Properties LLC a request to conditionally rezone from A-1, General Agricultural to the B-1, General Business Zoning District of 35 +/- acres of Tax Map 9 Section A Parcels 11, 11B, 11C, 11D, 11F and 11G along with the proffers dated August 3, 2022</p> <ol style="list-style-type: none"> 1. CONCEPTUAL REZONING EXHIBIT: An Illustrative Exhibit is attached as: EXHIBIT A and it is conceptual in nature and is shown in consideration of rezoning request ZMP 22:03. The final site plan(s) shall provide for safe and convenient vehicular and pedestrian circulation between sites to be occupied by complementary uses. 2. SCREENING: The Property shall be screened from view in substantial accordance with the Illustrative Exhibit, submitted August 3, 2022 as prepared by Shimp Engineering, PC along with the requirements of Section 22-24-7 of the Fluvanna County Zoning Ordinance. The Developer will maintain a one hundred (100) foot vegetative buffer along the shared property boundaries and with adjacent properties fronting on Jefferson Drive, starting at the intersection of Glen Burnie Road and Jefferson Drive. 3. CONSTRUCTION ENTRANCE: The VDOT approved construction entrance(s) for the Property, including primary ingress and egress for any logging operations, shall be established from Route 618. The Developer shall notify VDOT and Fluvanna County prior to commencing any construction or logging activity. No construction entrance shall be permitted to connect to Jefferson Drive, or any road inside the gates of Lake Monticello. 4. EXCLUDED USES: <ul style="list-style-type: none"> • The following permitted by right land uses shall be excluded from the Property under B-1 Zoning Section 22-9-2.1: <ul style="list-style-type: none"> • <u>Commercial Uses:</u> Automobile sales, Boarding houses; Self-storage facilities; and Shooting ranges, indoor • The following uses permitted by special use permit only shall be excluded from the Property under B-1 Zoning Section 22-9-2.2: <ul style="list-style-type: none"> • <u>Commercial Uses:</u> Entertainment establishments, adult; Retail stores, adult; and Transportation terminals. • <u>Industrial Uses:</u> Lumberyards, Railroad facilities 	<u>BOARD APPROVED</u> 3-2 (Fairchild, O'Brien)

4	<p>ZTA 22:01 Commercial Uses: excluded Vehicle Impound Facilities in A-1 Zoning, Section 22-4-2.2 from ZTA 22:01;</p>	<p><u>BOARD ADOPTED</u> 4-1 (Booker)</p>
5	<p>ZTA 22:01 Commercial Uses: adopted Ordinance ZTA 22:01 an Ordinance to amend Chapter 22 - Zoning of the Fluvanna County Code, pursuant to Fluvanna County Code Section 22-20-1(c), to:</p> <ul style="list-style-type: none"> - In Section 22-22-1, <ul style="list-style-type: none"> o Amend the definition of Agricultural Enterprise, with the correction noted in the staff report, and o Add definitions of Brewpub, Data Center, Emergency Center, Event Facility, Machinery Sales and Service, Microbrewery, and Vehicle Impound Facility; - In A-1 Zoning, Section 22-4-2.2, add Event Facilities, Machinery Sales and Service, and Microbreweries as commercial uses permitted by special use permit; - In R-3 Zoning, Section 22-7-9.1, add Brewpub as commercial uses permitted by Right; - In R-3 Zoning, Section 22-7-9.2, add Microbreweries as commercial uses permitted by special use permit; - In B-1 Zoning, Section 22-9-2.1, add Brewpub, Emergency Centers, Event Facilities, Machinery Sales and Service, and Microbreweries as commercial uses permitted by right; - In B-1 Zoning, Section 22-9-2.2, add Vehicle Impound Facilities as commercial uses permitted by special use permit; - In B-C Zoning, Section 22-10-3, add Brewpub as commercial uses permitted by right; - In B-C Zoning, Section 22-10-4, add Microbreweries as commercial uses permitted by special use permit; - In I-1 Zoning, Section 22-11-2.1, add Machinery Sales and Service and Vehicle Impound Facilities as commercial uses permitted by right; and add Data Centers as Industrial uses permitted by right - In I-2 Zoning, Sec. 22-12-2.1, add Machinery Sales and Service and Vehicle Impound Facilities as commercial uses permitted by right; and add Data Centers as Industrial uses permitted by right; 	<p><u>BOARD ADOPTED</u> 5-0</p>
6	<p>Third Amendment to Structure Lease Agreement with New Cingular Wireless PCS, LLC: approved the “Third Amendment to Structure Lease Agreement” of County property, with New Cingular Wireless PCS, LLC for the purposes of allowing AT&T to install a generator and lease additional ground space therefore as described in the amendment, and further authorize the County Administrator to execute the agreement subject to approval as to form by the County Attorney;</p>	<p><u>BOARD APPROVED</u> 5-0</p>
7	<p>Career Development Certification Pay:</p>	<p><u>BOARD APPROVED</u> 5-0</p>

	<p>approved the implementation of the Compensation Board’s Career Development Certification Pay Plan for the offices of the Clerk of Circuit Court, the Treasurer and Commissioner of the Revenue, and removing the qualification of the position needing to be Compensation Board funded. The revised plan establishes that each Master’s certified constitutional officer and staff member receive a 9.3% salary certification pay, with the amount to be determined by the Compensation Board annually and based on the minimum salary set for the respective staff position by the Compensation Board’s annual “Classification and Pay Plan for Support Personnel” for each respective office, with a total estimated FY23 additional personnel cost to the County of \$15,393;</p> <p>approved a budget transfer of \$15,393 from the BOS contingency, with \$9,825 for the Clerk of the Circuit Court’s office and \$5,568 for the Commissioner of the Revenue’s office to implement the revised Career Development Certification Pay Plan;</p>	<p><u>BOARD APPROVED</u> 5-0</p>
8	<p>Compression Pay Raise for Sheriff Deputies in Non Compensation Board Positions:</p> <p>approved the compression pay for the three non-Compensation Board funded Deputy positions that qualify for the \$100.00 for each year of consecutive service over three years, which totals \$1,100.00 each year, with funding to come from the FY23 Personnel Contingency;</p>	<p><u>BOARD APPROVED</u> 5-0</p>
9	Waiver to Administer an Existing Split Precinct;	<u>PULLED FROM AGENDA</u>
10	Minutes of July 6, 2022: as presented;	<u>BOARD ADOPTED</u> 5-0
11	Minutes of August 3, 2022: as presented;	<u>PULLED FROM AGENDA</u>
12	<p>CRMF - Central Elementary Chillers:</p> <p>approved a Capital Reserve Maintenance Fund Request in the amount of \$10,560.00 for the purpose of purchasing 3 HVAC chiller fans for Central Elementary;</p>	<p><u>BOARD APPROVED</u> 5-0</p>
13	<p>CRMF - Public Safety Building 5 Ton Heat Pump Upgrade:</p> <p>approved a Capital Reserve Maintenance Fund Request in the amount of \$6,408.00 for the purpose of additional contracted work needed to complete Public Safety Building 5 ton heat pump upgrade to meet code and manufacturers specifications</p>	<p><u>BOARD APPROVED</u> 5-0</p>
14	<p>Motion to Extend:</p> <p>approved a motion to extend the August 17, 2022 Regular Board of Supervisors meeting to 12:00am;</p>	<p><u>BOARD APPROVED</u> 5-0</p>
15	<p>SUP 22:01 Johnston & Co LLC:</p> <p>approved SUP 22:01 Johnston & Co LLC a Special Use Permit request in the B-1, General Business Zoning District to permit a contractor’s</p>	<p><u>BOARD APPROVED</u> 5-0</p>

	<p>storage yard with respect to 6.4 +/- acres of Tax Map 17 Section 2 Parcel 2 and subject to the eight (8) case conditions in the staff report</p> <ol style="list-style-type: none"> 1. The administrative site development plans shall be in substantial conformance with the Johnston & Co LLC Self-Storage Rezoning / Special Use Permit Concept Plan, prepared by Shimp Engineering and last revised on May 23, 2022; 2. Prior to development of the site, a site development plan that meets the requirements of the Fluvanna County Zoning Ordinance, it shall be submitted for administrative approval; 3. Any lighting shall not be directed toward the adjacent properties and it shall comply with Article 25 Outdoor Lighting Control of the Fluvanna County Zoning Ordinance; 4. Any noise shall comply with Chapter 15.1 of the Fluvanna County, Virginia Code as the same may be amended from time to time; 5. The site shall be maintained in a neat and orderly manner so that the visual appearance from the public right-of-way and adjacent properties is acceptable to County officials; 6. The Board of Supervisors, or its representative, reserves the right to inspect the property for compliance with these conditions at any time; 7. Under Section 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; 8. No outside storage of heavy equipment for earthwork operations affiliated with a contractor’s storage yard will be permitted; this does not preclude storage of heavy equipment for earthwork operations during construction activities on the property; 9. Additional screening shall include fence panels that are 6ft tall along with evergreen plantings to provide not less than 64’ of screening 	
<p>16</p>	<p>Motion to Extend: approved a motion to extend the August 17, 2022 Regular Board of Supervisors meeting to 1:00am;</p>	<p><u>BOARD APPROVED</u> 5-0</p>
<p>17</p>	<p>Closed Session: Litigation – Actual litigation in connection with the Zion Crossroads water and sewer project;</p>	<p><u>NO ACTION</u></p>

Board Directives:

Provide the FY22 non-profit budget sheets and presentations to the Board by the next meeting.