

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Court Room
June 19, 2013, 7:00 pm, Regular Meeting**

MEMBERS PRESENT: Shaun V. Kenney, Chairman
Bob Ullenbruch, Vice-Chairman
Donald W. Weaver
Mozell H. Booker (arrived at 7:03)
Joe Chesser

ALSO PRESENT: Steven M. Nichols, County Administrator
Fred Payne, County Attorney
Mary Weaver, Clerk to the Board of Supervisors

CALL TO ORDER/PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

Chairman Kenney called the meeting of Wednesday, June 19, 2013, to order at 7:00 p.m., in the Circuit Courtroom in Palmyra, Virginia; and the Pledge of Allegiance was recited, after which, Chairman Kenney called for a moment of silence.

COUNTY ADMINISTRATOR'S REPORT

Mr. Nichols reported on the following topics:

- Summer Reading Program kicked off with a bang, June 12, 2013, 260 people attended.
- BBQ, Bands and Brews will be held Saturday, June 22, 2013 from 10:00 a.m. to 6:00 p.m. at Pleasant Grove Park. Event for the whole family.
- Assistant Public Works Director/Project Manager, Mr. Will Shaw started Monday, June 17, 2013
- Jefferson Center Park & Ride Plan agreement received back from owner with two new stipulations. Fifteen parking spaces will be reserved and the county must provide trash receptacles and empty them twice per week.
- Reviewed benefits of adding "Infield Mix" on Ball Fields.
- Provided overview of Pleasant Grove Pole Barn Demolition Plan.
- Reviewed existing County policies regarding end of Fiscal Year Carryovers (Reappropriations).
- Potential 1-2% cost overrun on Fork Union Firehouse.
- Historic Courthouse lighting upgrade completed.
- Next BOS Meeting, July 3rd at 2:00pm. No evening Work Session planned.
- County Administrator Out of Office, Friday, June 21. Barbara Horlacher, Finance Director will be Acting Administrator.
- Update of ongoing Projects and Supervisor Requests.
- Thanked Mrs. Pat Groot for her hard work and 13 years of service to the County and best of luck at the TJPDC.

Chairman Kenney recognized Mrs. Groot's accomplishments over her 13 years of service.

PUBLIC COMMENTS #1

Chairman Kenney opened the floor for the first round of public comments.

- Mr. Marvin Moss, Columbia District, President of the Historical Society and the Fluvanna Heritage Trail Foundation – Honored and thanked Mrs. Pat Groot for her 13 years of service to Fluvanna County.

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

PUBLIC HEARING

ZMP 13-01/JCM III, LLC – An ordinance to amend the Fluvanna County Zoning Map with respect to 4.81 acres of Tax Map 59, Section A, Parcel 8 to rezone the same from B-1, Business, General to I-1, Industrial, Limited (Conditional). The affected properties are located on the west side of Route 15 (James Madison Highway), at its intersection with Route 695 (Creasy Town Road) approximately 0.23 miles south of Route 713 (Bowles Town Lane). The properties are located in the Fork Union Election District and are within the Fork Union Community Planning Area. Mr. Steve Tugwell, Senior Planner addressed the Board with this request. Mr. Cabel Mets, applicant, was present and available for questions.

Chairman Kenney opened the floor for the public hearing.

With no one wishing to speak Chairman Kenney closed the public hearing.

MOTION:

Mrs. Booker moved to approve ZMP 13:01, a request to amend the Fluvanna County Zoning Map with respect to approximately 4.81 acres of Tax Map 59, Section A, Parcel 8 to conditionally rezone the same from B-1, Business, General, to I-1, Industrial, Limited,

subject to the following proffer:

1. Exclude “indoor shooting ranges” out of the list of permitted uses in I-1 zoning.

Mr. Chesser seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Ullenbruch, Chesser and Weaver.

ACTION MATTERS

Local Youth Football Team (7th Grade Level) – Mr. Jason Smith, Director of Parks and Recreation, addressed the Board regarding this request to fund the initial cost of a 7th Grade Level Local Youth Football Team. Mr. Weaver expressed his concern about pulling it out of the Board Contingency fund. Mr. Ullenbruch felt precedence would be set for others to come forward, should be brought up during budget season. Mr. Kenney felt this would be a onetime capital expense to help them become self-maintained.

MOTION:

Mrs. Booker moved to approve the proposed budget transfer of \$19,965.00 from the FY14 Board Contingency budget to the Department of Parks and Recreation for a U12 youth football team to fund this new program. Mr. Chesser seconded. The motion carried, with a vote of 3-2. AYES: Kenney, Booker and Chesser. NAYS: Ullenbruch and Weaver. ABSENT: None.

Re-classification of Part-time Records Administrator – Sheriff Ryant Washington addressed the Board regarding this request to re-classify the Records Administrator part-time position to a Deputy Sheriff Evidence Custodian part-time position.

MOTION:

Mrs. Booker moved to adopt and approve re-classification of the Sheriff’s Office Part-Time Records Administrator to the position of Part-Time Deputy Sheriff Evidence Custodian. Mr. Weaver seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Ullenbruch, Chesser and Weaver. NAYS: None. ABSENT: None.

Recommendation of Appointment to the Board of Zoning Appeals, At-Large Position – Mr. Steve Nichols addressed the Board regarding this request to fill the Board of Zoning Appeals, At-Large Position left vacant by Mr. Wendell Pollard.

MOTION:

Mr. Chesser moved to recommend to the Circuit Court Dr. Sam Babbitt for appointment to the Board of Zoning Appeals, At-Large Position, with a term to begin immediately and to terminate December 31, 2014, filling the unexpired term of Wendell Pollard. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Ullenbruch, Chesser and Weaver. NAYS: None. ABSENT: None

Appointment/Reappointment to the Parks and Recreation Advisory Board, Five At-Large Positions - Mr. Steve Nichols addressed the Board regarding this request to fill five At-Large Positions for the Parks and Recreation Advisory Board.

MOTION:

Mrs. Booker moved to appoint/reappoint Mr. Scott Marshall, Ms. Libby Edwards-Allbaugh, Mr. Scott Scudamore, Mr. Jerry Custer and Ms. Bobbi Losee Vernon to the Parks and Recreation Advisory Board, At-Large Positions, with a term to begin July 1, 2013 and to terminate June 30, 2014 for a new appointment, or on June 30, 2016 for a reappointment. Mr. Weaver seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Ullenbruch, Chesser and Weaver. NAYS: None. ABSENT: None

Appointment to the Agricultural/Forestral Advisory Committee, two At-Large Positions - Mr. Steve Nichols addressed the Board regarding this request to fill the At-Large Positions for the Agricultural/Forestral Advisory Committee.

MOTION:

Mr. Ullenbruch moved to reappoint Mr. David Haney and Ms. Deborah Murdock to the Agricultural/Forestral Advisory Committee, At-Large Positions, with a term to begin July 1, 2013 and to terminate June 30, 2017. Mr. Weaver seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Ullenbruch, Chesser and Weaver. NAYS: None. ABSENT: None

Appointment to the Jefferson Area Board for Aging (JABA) Advisory Council, At-Large Position - Mr. Steve Nichols addressed the Board regarding this request to fill the At-Large Position for the Jefferson Area Board for Aging Advisory Council.

MOTION:

Mrs. Booker moved to reappoint Ms. Elva Key to the Jefferson Area Board for Aging Advisory Council, At-Large Position, with a term to begin July 1, 2013 and to terminate June 30, 2015. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Ullenbruch, Chesser and Weaver. NAYS: None. ABSENT: None

Appointment to the Jefferson Area Board for Aging (JABA) Board of Directors, At-Large Position - Mr. Steve Nichols addressed the Board regarding this request to fill the At-Large Position for the JABA Board of Directors.

MOTION:

Mrs. Booker moved to reappoint Mr. William Hughes to the Jefferson Area Board for Aging (JABA) Board of Directors, At-Large Position, with a term to begin July 1, 2013 and to terminate June 30, 2015. Mr. Chesser seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Ullenbruch, Chesser and Weaver. NAYS: None. ABSENT: None

Appointment to the JAUNT Board, At-Large Position - Mr. Steve Nichols addressed the Board regarding this request to fill the At-Large Position for the JAUNT.

MOTION:

Mrs. Booker moved to reappoint Ms. Pat Thomas to the JAUNT, At-Large Position, with a term to begin July 1, 2013 and to terminate June 30, 2016. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Ullenbruch, Chesser and Weaver. NAYS: None. ABSENT: None

Appointment to the Region Ten Community Services Board, At-Large Position - Mr. Steve Nichols addressed the Board regarding this request to fill the At-Large Position for the Region Ten Community Services Board.

MOTION:

Mr. Chesser moved to appoint Dr. Pamela Ross to the Region Ten Community Services Board, At-Large Position, with a term to begin July 1, 2013 and to terminate June 30, 2016. Mr. Weaver seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Ullenbruch, Chesser and Weaver. NAYS: None. ABSENT: None

Appointment to the Social Services Board, At-Large Position - Mr. Steve Nichols addressed the Board regarding this request to fill the At-Large Position for the Social Services Board.

MOTION:

Mr. Chesser moved to appoint Ms. Laura Giles to the Social Services Board, At-Large Position, with a term to begin July 1, 2013 and to terminate June 30, 2017. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Ullenbruch, Chesser and Weaver. NAYS: None. ABSENT: None

PRESENTATIONS

None

CONSENT AGENDA

The following items were approved under the consent agenda:

MOTION:

Mrs. Booker moved to approve the consent agenda, which consisted of:

- Minutes from June 5, 2013.
- Capital Reserve Maintenance Fund Request to purchase materials and service to install new VHF antennas in the amount of \$32,000.
- FY13 Supplemental Budget Appropriation for CSA Purchase of Services.
- Capital Reserve Maintenance Fund Request for Courthouse Building HVAC Equipment in the amount of \$11,000.

Mr. Weaver seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Ullenbruch, Chesser and Weaver. NAYS: None. ABSENT: None.

UNFINISHED BUSINESS

Code Compliance Officer – The Board discussed making the part-time Code Compliance Position 28 hours or full-time. Mrs. Allyson Finchum, Planning Director, discussed with the Board the need for these extra hours.

The Board **directed staff** to put the Code Compliance Officer position on the July 3, 2013 agenda.

NEW BUSINESS

Relay for Life raised \$103,000.00 on June 08, 2013

PUBLIC COMMENTS #2

Chairman Kenney opened the floor for the second round of public comments. With no one wishing to speak, Chairman Kenney closed the second round of public comments.

CLOSED SESSION

MOTION TO ENTER INTO A CLOSED MEETING:

At 8:19 p.m., Mr. Weaver moved the Fluvanna County Board of Supervisors enter into a closed session, pursuant to the Virginia Code Section 2.23711A.3, 2.23711A.6 and 2.23711A.7 for discussion of Real Estate, Investment of Funds and Legal Matters. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Ullenbruch, Weaver, Booker and Chesser. NAYS: None. ABSENT: None.

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

At 10:02 p.m., Mr. Weaver moved the closed meeting be adjourned and the Fluvanna County Board of Supervisors reconvene again in open session. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Ullenbruch, Weaver, Booker and Chesser. NAYS: None. ABSENT: None.

MOTION:

At 10:03 p.m., the following resolution was adopted by the Fluvanna County Board of Supervisors, following a closed meeting held Wednesday, June 19, 2013, on motion of Mr. Weaver, seconded by Mrs. Booker, and carried by the following vote of 5-0. AYES: Kenney, Ullenbruch, Weaver, Booker and Chesser. NAYS: None. ABSENT: None.

“**BE IT RESOLVED** to the best of my 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.”

ADJOURN

MOTION:

At 10:04 p.m., Mr. Weaver moved to adjourn the meeting of Wednesday, June 19, 2013. Mr. Chesser seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Chesser, Ullenbruch and Weaver. NAYS: None. ABSENT: None.

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

Mary L. Weaver, Clerk

Shaun V. Kenney, Chairman

An Ordinance To Amend The Fluvanna County Zoning Map, With Respect To 4.81 acres of Tax Map 59, Section A, Parcel 8 to conditionally rezone the same from B-1, Business, General to I-1, Industrial, Limited.

(ZMP 13:01)

BE IT ORDAINED BY THE FLUVANNA BOARD OF SUPERVISORS, pursuant to Virginia Code Section 15.2-2285, that the Fluvanna County Zoning Map be, and it is hereby, amended, as follows:

That 4.81 acres of Tax Map 59, Section A, Parcel 8, be and is hereby, rezoned from B-1, Business, General to I-1, Industrial, Limited, subject to the submitted proffer as set out in the letter dated May 17, 2013, which is attached hereto.

This letter is to inform the Fluvanna County Board of Supervisors and the Fluvanna County Planning Commission that we wish to proffer out of the list of permitted uses under I-1

Shooting Range Indoor

APPROVED