

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Court Room
July 17, 2013, 7:00 pm, Regular Meeting**

MEMBERS PRESENT: Shaun V. Kenney, Chairman
Bob Ullenbruch, Vice-Chairman
Donald W. Weaver
Mozell H. Booker
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, July 17, 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:

- Clerk to the Circuit Court and staff received laudatory comments for great customer service with passport processing, especially Trista Larson.
- Summer Reading Program is going strong.
- Roger Smith did a great job with the overseeing and reviewing of the Pleasant Grove water service expansion.
- Will Shaw fixed the AC unit in the Courthouse expediently after it broke down this afternoon.
- A Cooling Station will be open July 17 – 19, 8 am – 5 pm, at the Fluvanna County Community Center.
- 11th Fluvanna Leadership Development Program Class to begin in September. Registration deadline is August 15th, 2013.
- RFP issued for general engineering and architectural services.
- Water Return on Investment (ROI) Study nearing completion.
- Next BOS meeting will be Wednesday August 7, 2013 at 2:00pm and 7:00pm in the Fluvanna County High School Auditorium.
- Reviewed ongoing projects and supervisor requests.

Mrs. Booker mentioned that Sheriff Washington is been elected as a Virginia representative on the National Sheriff's Board.

PUBLIC COMMENTS #1

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

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

PUBLIC HEARING

ZMP 12:02 & SUP 13:02/Hotel Street Capital, LLC – Mr. Steve Nichols relayed to the Board that the applicant for this request asked to defer to a later date due to a scheduling conflict.

MOTION:

Mr. Chesser moved that the Board of Supervisors defer ZMP 12:02, a request to amend the Fluvanna County Zoning Map with respect to approximately 222.03 acres of Tax Map 30, Section A, Parcel 110 and 10 acres of Tax Map 19, Section A, Parcel 39C, for an aggregate of 232.03 acres, to conditionally rezone the same from R-3, Residential, Planned Community (conditional) to Planned Unit Development (PUD) to the September 18, 2013 Board Meeting. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Ullenbruch, Chesser and Weaver. NAYS: None. ABSENT: None.

MOTION:

Mr. Chesser moved that the Board of Supervisors defer SUP 13:02, a request for a special use permit to allow for major utilities in conjunction with a Planned Unit Development (PUD) with respect to approximately 222.03 acres of Tax Map 30, Section A, Parcel 110 and 10 acres of Tax Map 19, Section A, Parcel 39C to the September 18, 2013 Board Meeting. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Ullenbruch, Chesser and Weaver. NAYS: None. ABSENT: None.

SUP 13:03/Jason J. Farren - Automotive Repair Service Establishment – Mr. Steve Tugwell, Senior Planner, addressed this request for a Special Use Permit to allow for an automotive repair service establishment with respect to 4.567 acres of Tax Map 17, Section 16, Parcel 4.

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 approved SUP 13:03 with respect to 4.567 acres of Tax Map 17, Section 16, Parcel 4, with the conditions as follows:

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.
2. The site must meet all Virginia Department of Transportation requirements.
3. The site must meet the requirements set forth by the Virginia Department of Health.
4. Not more than five (5) vehicles waiting for service shall be stored on the property outside of normal business hours.
5. All activity related to this automotive repair service establishment shall be confined to within the 30x40 detached garage.
6. The hours of operation shall be from 7 a.m. to 5 p.m. Monday – Saturday.
7. All noise generated by this activity shall be limited to maximum daytime level of 60 dB at the property line.
8. Used motor oil, coolants, discarded automotive parts and tires shall be recycled or disposed of in accordance with State and local laws.
9. The property shall be maintained in a neat and orderly manner so that the visual appearance from the road and adjacent properties is acceptable to County officials.
10. The Board of Supervisors, or representative, reserves the right to inspect the business for compliance with these conditions at any time.
11. 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.

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

ACTION MATTERS

None

PRESENTATIONS

Voluntary Contributions Plan Update - Mr. Steven M. Nichols, County Administrator, reviewed with the Board the proposed implementation plan for accepting voluntary contributions. Contributions are tax-deductible, minimum donation should be \$10.00 and 100% of each voluntary contribution will go to the department or agency selected. Estimated costs to prepare and mail these forms would be \$5417.10 not including staff time. Contributions can be made at any time during the year. Mr. Fred Payne, County Attorney recommended as set of specific directives of where the donation should go.

Discussion of Growth in Fluvanna County's Community Planning Areas (CPAs) – Mrs. Allyson Finchum, Planning and Zoning Administrator, reviewed with the Board the implementation strategies that would; Support the Rural Landscape, help the existing places and create great new places. Mrs. Finchum discussed the following implementation tools they would use to implement the mention strategies:

- Phasing of Development
- Central/Public Sewer/Water requirements for major subdivisions in rural areas
- PUD 1 and PUD 2 (rural PUD classification)
- Resize/Reshape CPA
- Require Fiscal Analysis and Hydrogeological Study from all development applicants
- Cash Proffer Policy
- Transfer of Developments Rights
- Other Ordinance Text Amendments

The Board **directed staff** to prepare cash proffer guidance for consideration by the Board

Economic Development and Marketing – Mr. Bobby Popowicz, Community Development Director, reviewed with the Board the current tactics being used to bring Economic Development to Fluvanna, Business Prospect Recruitment, Fluvanna's Visitation Program, and Fluvanna's Best Attributes.

CONSENT AGENDA

Mr. Weaver asked for the minutes to include the Library as one of the less expensive buildings to operate in the County Building Utilities Costs Comparisons presentation.

The following items were approved under the consent agenda:

MOTION:

Mr. Weaver moved to approve the consent agenda, which consisted of:

- Minutes from July 3, 2013 as amended.
- Extension of Fluvanna County Attorney Contract.
- Resolution Recognizing Andrew Shaffer Baum as an Eagle Scout.

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

UNFINISHED BUSINESS

None

NEW BUSINESS

None

PUBLIC COMMENTS #2

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

- Mr. Adrian Miller, Rivanna District – addressed the Board in regards to donation contributions.
- Mr. Mike Sheridan, Columbia District – addressed the Board in regards to; donation contributions, retaining Virginia Engineering firm, two lane roads and cash proffers.

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

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

At 9:27 p.m., Mr. Weaver moved the Fluvanna County Board of Supervisors enter into a closed session, pursuant to the Virginia Code Section 2.2-3711 A.5, 2.2-3711A.6 and 2.2-3711A.7 for discussion of Prospective Industry, 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 11:13 p.m., Mr. Weaver moved the closed meeting be adjourned and the Fluvanna County Board of Supervisors reconvene again in open session. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Ullenbruch, Weaver, Booker and Chesser. NAYS: None. ABSENT: None.

MOTION:

At 11:14 p.m., the following resolution was adopted by the Fluvanna County Board of Supervisors, following a closed meeting held Wednesday, July 17, 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.”

MOTION:

Mr. Weaver moved to ratify the extension of the meeting to 12:00. Mr. Chesser seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Ullenbruch, Weaver, Booker and Chesser. NAYS: None. ABSENT: None.

ADJOURN**MOTION:**

At 11:16 p.m., Mr. Chesser moved to adjourn the meeting of Wednesday, July 17, 2013. Mrs. Booker 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



BOARD OF SUPERVISORS
County of Fluvanna
Palmyra, Virginia

RESOLUTION

Recognizing Andrew Shaffer Baum Award of Eagle Scout Status

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910; and

WHEREAS, the Boy Scouts of America was founded to promote citizenship, training, personal development and fitness of individuals; and

WHEREAS, Andrew Shaffer Baum has completed all the requirements for becoming an Eagle Scout; and

WHEREAS, Andrew has been examined by an Eagle Scout Board of Review and deemed worthy of the Eagle Scout award; and

WHEREAS, Boy Scout Troop 154 will be convening an Eagle Scout Court of Honor on August 3, 2013 at 4:00 p.m. at Lake Christian Church, Palmyra, Virginia; and

WHEREAS, the Fluvanna County Board of Supervisors fully supports the programs of the Boy Scouts of America and recognizes the important services they provide to the youth of our Country.

NOW, THEREFORE BE IT RESOLVED that the Fluvanna County Board of Supervisors joins Andrew's family and friends in congratulating him on his achievements, the award of Eagle Scout status and acknowledges the good fortune of the County to have such an outstanding young man as one of its citizens.

Adopted this 17th, day of July 2013 by the Fluvanna County Board of Supervisors

Shaun V. Kenney, Chairman