

**FLUVANNA COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
Circuit Court Room  
February 17, 2016  
Work Session 4:00 pm  
Regular Meeting 7:00 pm**

**MEMBERS PRESENT:**

John M. (Mike) Sheridan, Columbia District, Chair  
Mozell Booker, Fork Union District, Vice Chair  
Patricia Eager, Palmyra District  
Tony O'Brien, Rivanna District (*arrived 4:03pm*)  
Donald W. Weaver, Cunningham District

**ALSO PRESENT:**

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

**CALL TO ORDER WORK SESSION**

At 4:00 pm, Chair Sheridan called the Work Session Meeting of February 17, 2016 to order. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

**PRESENTATIONS**

*Treasurer's Budget Brief* – Linda Lenherr, Treasurer, presented a request for FY17 Budget. Mrs. Lenherr did not elaborate on the request as presented in the County Administrator's Budget proposal. Mrs. Lenherr stressed the lean nature of the Treasurer's operational budget and asked for questions. Mr. Weaver asked about the funds for a consultant to help with the transition to Munis, noting that this is the second year that this has been in the budget. Mrs. Lenherr noted that irregularities and between the old system and Munis have necessitated the use of a consultant to ensure the accuracies of statements.

*Sheriff's Budget Brief* – Sheriff Eric Hess, brought forward a request for FY17 funding, focusing on particular needs: public safety software, training and specialized schools, aging vehicle fleet, and staffing.

*Commonwealth's Attorney Budget Brief* – Jeff Haislip, Commonwealth's Attorney, briefed the Board on the FY17 Budget Request, noting that there is nothing new in his budget request. Mr. Haislip thanked the Board for their support of his office and asked that the Board take a particular look at employee compensation in this fiscal year.

*Commissioner of the Revenue Budget Brief* – Andrew (Mel) Sheridan, Commissioner of the Revenue, presented the FY17 budget request, highlighting the revenue streams which are administered through the Commissioner of Revenue's office and detailing the tax relief programs available to County citizens. Mr. Sheridan noted that his office is using electronic forms, saving money and time. In addition, the records in the Commissioner's office have been digitized, reducing paperwork and space.

*Clerk of the Circuit Court Budget Brief* – Tristana Pace Treadway, Clerk to the Circuit Court, presented the FY17 Budget for the Clerk of the Circuit Court's office. Mrs. Treadway noted that there have been very few improvements and repairs made to the building and fixtures since the Courthouse was built and would like to address these concerns. Of note, the chairs on the Judges' bench are broken and need to be replaced, file and record storage is depleted, and staffing needs are being reevaluated.

**Recess for dinner and Closed Meeting****CLOSED MEETING****MOTION TO ENTER INTO A CLOSED MEETING**

At 4:54pm, Mr. Weaver moved the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.6 & A.7 of the Code of Virginia, 1950, as amended, for the purpose of discussing Real Estate and Legal Matters. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYE: Sheridan, Booker, Eager, O'Brien, Sheridan, and Weaver. NAY: None. ABSENT: None.

**Reconvene and Return from Closed Session****MOTION TO EXIT A CLOSED MEETING & RECONVENE IN OPEN SESSION**

At 7:00pm, 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 5-0. AYES: Sheridan, Booker, Eager, O'Brien, and Weaver. NAYS: None. ABSENT: None.

**CALL TO ORDER REGULAR MEETING**

At 7:01 pm, Chair Sheridan called the Regular Meeting of February 17, 2016 to order. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

**SPECIAL PRESENTATION RECOGNIZING THE HISTORIC STANDING OF THE TOWN OF COLUMBIA AND THE DEDICATION OF TOWN COUNCIL MEMBERS**

Chair Sheridan, called forward all former Town Council members and past mayors of the Town of Columbia for the reading and presentation of "A Resolution Recognizing The Historic Standing Of The Town of Columbia and The Dedication of Town Council Members." Joining Chair Sheridan, Supervisors Booker, Eager, O'Brien and Weaver, and Mr. Nichols, were former Mayors John Hammond, Kirk Johnson, Liz Layne, Town Councilors Ben Saunders, Cathy Saunders, and Kerry Murphy-Hammond.

**ADOPTION OF AGENDA****MOTION**

Mrs. Booker moved to accept the Agenda for the February 17, 2016 Regular Meeting of the Board of Supervisors, deferring the February 3, 2016 minutes. Mr. Weaver seconded and the Agenda was adopted by a vote of 5-0. AYES: Booker, Eager, O'Brien, and Weaver. NAYS: None. ABSENT: Sheridan.

**COUNTY ADMINISTRATOR'S REPORT**

None.

**BOARD OF SUPERVISORS UPDATES**

*Booker*- Interagency Council, presented at the VACo Chairperson's Institute.

*Sheridan*—VACO Chairperson's Institute.

*Eager*—None.

*Weaver*—None.

*O'Brien*-None.

**PUBLIC COMMENTS #1**

At 7:10 pm Chair Sheridan opened the first round of Public Comments.

With no one else wishing to speak, Chair Sheridan closed the first round of Public Comments at 7:10pm.

**PUBLIC HEARING**

*SUP 15-10: The Catholic Diocese of Richmond*—Steve Tugwell, Senior Planner, brought forward a request for a Special Use Permit from St. Nicholas Learning Center to allow for an educational facility and afterschool daycare with respect to a portion of Tax Map 18, Section A, Parcels 7 & 7A. The affected property is located on the west side of Route 53 (Thomas Jefferson Parkway), approximately 1,380 feet northwest of its intersection with Route 600 (South Boston Road). The Planning Commission discussed this SUP request at their December 14, 2015 meeting, and voted unanimously 5-0 to recommend approval.

With no questions from the Board, Chair Sheridan invited the applicant forward for comments. Chair Sheridan then opened the Public Hearing. With no one wishing to speak, Chair Sheridan closed the Public Hearing. Chair Sheridan opened the floor for Supervisor discussion. There being no discussion,

**MOTION**

Mrs. Eager moved that the Board of Supervisors approve SUP 15:10, a special use permit to allow for an Educational facility and after-school daycare with respect to a portion of Tax Map 18, Section A, Parcels 7 & 7A, with the five (5) conditions as described in the staff report. Mrs. Booker seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O'Brien, Weaver. NAY: None. ABSENT: None.

**Staff recommended conditions:**

1. The maximum number of students enrolled at this facility during the academic school year shall not exceed 150.
2. The regular school hours of operation shall be 7 a.m. to 3:30 p.m. Monday through Friday.
3. The after-school daycare and summer services hours of operation shall be 3:30 p.m. to 6:30 p.m. Monday through Friday.
4. The Board of Supervisors, or representative, reserves the right to inspect the business for compliance with these conditions at any time.
5. 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.

*ZMP 15-06: The Gardner Trust*—Steve Tugwell, Senior Planner, brought forward a request to amend the Fluvanna County Zoning Map with respect to 13.4 acres of Tax Map 9, Section A, Parcel 9 to rezone the same from A-1, Agricultural, General, to B-1, Business, General (conditional). The affected property is located on the south side of State Route 618 (Lake Monticello Road) approximately ½ mile northwest of its intersection with Ashlawn Boulevard (The Main Gate to Lake Monticello). The property is located in the Palmyra Election District and is within the Rivanna Community Planning Area. Mr. Tugwell asked for questions; Mr. O'Brien inquired of water management plans for the project. Mr. Tugwell deferred the questions to the project engineer, noting that when a site development plan is submitted, a water management plan will be required to be submitted.

Chair Sheridan invited the applicant to address the Board. Mr. Carlos Burns, applicant, briefed the Board on the intent and purpose of the project. Mr. Burns noted the modifications that have been made to the application in response to adjoining

property owner feedback, including lighting plans, and screening. Mr. O'Brien asked Mr. Burns how this expansion compares to the existing business, noting that the building will be nearly identical to the existing.

Chair Sheridan opened the Public Hearing.

- Steve Carney, 7 Roadview Terrace, shared concerns about the project, and thanked Mr. Burns for his willingness to work with adjoining property owners.
- Christopher Perez, 739 Jefferson Dr, shared his concerns about the project, and while supportive of the project, has concerns about the phasing.
- Chris Fairchild, 15 Tobacco Terrace, spoke in support of the application.
- David Rafaly, 356 Union Mills Rd, thanked the Board for its service, and speaking as a small business owner, spoke in support of the SUP.
- Jim Higginbotham, 2077 Lake Monticello Rd, spoke in support of the SUP, while asking the Board to be mindful of the adjoining property owners.

Chair Sheridan closed the Public Hearing and opened the floor to discussion among Supervisors.

Mr. Weaver asked for clarification on the buffer zone closest to residential lots. Mr. Burns gave a detailed accounting of the buffer zone and noted that there would be enhancements to the existing buffer of trees. Responding to a question from Mrs. Eager, Mr. Burns noted that Phase II is 15-20 years in the future.

**MOTION**

Mrs. Eager moved that the Board of Supervisors approve ZMP 15:06 of the attached ordinance for ZMP 15:06, a request to amend the Fluvanna County Zoning Map with respect to approximately 13.4 acres of Tax Map 9, Section A, Parcel 9, to rezone the same from A-1, Agricultural, General, to B-1, Business, General (conditional). On a second by Mr. O'Brien, the motion passed 5-0. AYE: Sheridan, Booker, Eager, O'Brien, and Weaver.

**ACTION MATTERS**

*Adoption of Fluvanna County's Revised Vision Statement* – Steven M. Nichols, County Administrator, presented the Fluvanna County Vision Statement for adoption, noting that the Board had decided to modify the Statement to remove the word "central."

**MOTION**

Mr. Weaver moved that the Board of Supervisors adopt the revised Fluvanna County Vision statement by removing the word "central" from the prior Vision Statement. Mrs. Booker seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O'Brien, and Weaver. NAY: None. ABSENT: None.

*Appointment to the James River Water Authority*—Steven M. Nichols, County Administrator, brought to the Board a request to appoint a Fluvanna representative to the James River Water Authority (JRWA) to complete the term recently vacated by Mr. Erick Gomez. With no discussion,

**MOTION**

Mr. O'Brien moved to appoint Mark Dunning to the James River Water Authority (JRWA) Citizen Representative Position, replacing Erick Gomez, who resigned, with a term to begin immediately and to terminate April 19, 2017. Mr. Weaver offered second and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O'Brien, and Weaver. NAY: None. ABSENT: None.

*Appointment/Reappointment to the Economic Development Authority*—Steven M. Nichols, County Administrator. With no discussion,

**MOTION**

Mrs. Booker moved to reappoint Robert Flood to the Economic Development Authority (EDA), with a term to begin retroactively on January 1, 2016 and to terminate December 31, 2019. Mr. O'Brien seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O'Brien, and Weaver. NAY: None. ABSENT: None.

*Appointment/Reappointment to the JABA Board of Directors*—Steven M. Nichols, County Administrator. With no discussion,

**MOTION**

Mr. O'Brien moved to reappoint Mrs. Mozell Booker to the Jefferson Area Board for Aging (JABA) Board of Directors, Fluvanna Representative, with a term to begin February 29, 2016 and to terminate February 28, 2018. Mrs. Eager seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O'Brien, and Weaver. NAY: None. ABSENT: None.

**PRESENTATIONS**

*2015 Board of Equalization Summary* – Steve Nichols, County Administrator, gave a brief overview of the actions of the 2015 Board of Equalization. The BOE, made up of Mr. Gary Ellis, Mr. Everett Hannah, and Mr. Joe Ronan, with Ms. Karen Bercaw, alternate, and Mrs. Joann Rawls providing administrative support, heard fewer appeals than in previous years, noting that reassessments occur every two years now, instead of the previous 6 year interval and may have positively impacted the number of appeals.

*CSA Mid-Year Update* – Dr. Jackie Meyers, CSA Coordinator, gave a comprehensive update of the Children Services Act statistical information, including numbers of children served, State-mandates, and local dollars spent. Dr. Meyers responded to questions from the Board, giving detailed information about the purpose, role, and limitations of the CSA program.

*Public Safety Radio System Towers Update*—Cheryl Elliott, Emergency Services Coordinator, returned to the Board to provide a comprehensive update on the status of the Public Safety Radio System Tower project. Ms. Elliott provided detailed information regarding tower heights, technical specifications, scenarios for tower height and placement (for coverage and cost,) and build options. Mr. Nichols solicited guidance from the Board regarding willingness to build towers as opposed to leasing space on others’ towers: the Board directed Staff to pursue Option 6 (from the spreadsheet of options provided by Ms. Elliott.)

**CONSENT AGENDA**

The following items were discussed before approval:

Tab R - AP Report

*The following items were approved under the Consent Agenda for February 17, 2016:*

*Minutes of January 20, 2016*—Kelly Belanger Harris, Clerk to the Board

*Minutes of February 3, 2016*—Kelly Belanger Harris, Clerk to the Board--**DEFERRED**

*Release of County Matching Funds for Rt. 53/Rt.15 Intersection Improvement*—Bobby Popowicz, Community Development Director

*AP Report, January 2016*—Eric Dahl, Finance Director

*Resolution Honoring the Town of Columbia and Town Council Members*—Steven M. Nichols, County Administrator

**MOTION**

Mr. Weaver moved to approve the items on the Consent Agenda for February 17, 2016, deferring Tab P: Minutes of February 3, 2016, and ratifying Accounts Payable and Payroll for January 2016, in the amount of \$2,987,370.47. Mrs. Booker seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O’Brien, and Weaver. NAY: None. ABSENT: None.

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

None.

**PUBLIC COMMENTS #2**

At 9:45 pm Chair Sheridan opened the second round of Public Comments.

With no one wishing to speak, Chair Sheridan closed the first round of Public Comments at 9:46pm.

**ADJOURN**

**MOTION:**

At 9:46pm Mr. O’Brien moved to adjourn the Work Session meeting of Wednesday, February 17, 2016. Mrs. Booker seconded and the motion carried with a vote of 5-0. AYES: Sheridan, Booker, Eager, O’Brien, and Weaver. NAYS: None. ABSENT: None.

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_  
Kelly Belanger Harris  
Clerk to the Board

\_\_\_\_\_  
John M. Sheridan  
Chair



**BOARD OF SUPERVISORS**

County of Fluvanna  
Palmyra, Virginia

**RESOLUTION No. 05-2016**

**A RESOLUTION RECOGNIZING THE HISTORIC STANDING OF THE TOWN OF COLUMBIA AND THE DEDICATION OF TOWN COUNCIL MEMBERS**

*The Fluvanna County Board of Supervisors adopted the following resolution on Wednesday, February 17, 2016:*

**WHEREAS**, this area of Fluvanna County now known as Columbia, was thriving long before European exploration and was known as Rassawek by the Monacan Nation; and

**WHEREAS**, the Town of Columbia was established by an Act of the Virginia General Assembly on the 25<sup>th</sup> Day of November in 1788; and

**WHEREAS**, this Town, at its incorporation was home to white settlers and free people of color, as well as those who were still enslaved; and

**WHEREAS**, the Town sits near the confluence of the James River and the Rivanna River, the Town was an important port during its early years of incorporation; and

**WHEREAS**, the Point of Fork Arsenal, the only post-Revolutionary arsenal in Virginia, was instrumental in the security of the Commonwealth when it housed the State Arsenal until 1801; and

**WHEREAS**, the Town is the home of the Shrine of Saint Katherine Drexel, a Catholic saint who during her life was dedicated to helping those of African-American and Native American ancestry; and

**WHEREAS**, this same confluence of rivers, as a result of flooding of the James River, did initiate the decline of this venerable Town; and

**WHEREAS**, the People of Columbia, with thoughtful discernment and democratic process, did vote on the 17<sup>th</sup> of March, 2015, to repeal the Town Charter;

**NOW, THEREFORE BE IT RESOLVED**, that the Fluvanna County Board of Supervisors does hereby recognize on this day the Importance of the Town of Columbia and its rightful place in the History of Fluvanna County.

**BE IT FURTHER RESOLVED**, that the Fluvanna County Board of Supervisors also honors the leadership, commitment, and dedication of the most recent Mayor and the Town Council members of Columbia, and their many predecessors, who over more than 200 years served the citizens of the Town of Columbia well and faithfully.

**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 17th day of February, 2016, 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					
John M. Sheridan, Columbia District	X					
Donald W. Weaver, Cunningham District	X					

A Copy, teste:

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Kelly Belanger Harris, Clerk to the Board of Supervisors