



## FLUVANNA COUNTY BOARD OF SUPERVISORS

### REGULAR MEETING AGENDA

Circuit Courtroom, Fluvanna Courts Building

June 3, 2015,

Regular Meeting at 4:00 pm

Work Session at 7:00 pm

TAB	AGENDA ITEMS
<b>1 – CALL TO ORDER, PLEDGE OF ALLEGIANCE, MOMENT OF SILENCE</b>	
<b>2 – ADOPTION OF AGENDA</b>	
<b>3 – COUNTY ADMINISTRATOR’S REPORT</b>	
<b>4 – BOARD OF SUPERVISORS’ UPDATES</b>	
<b>5 – PUBLIC COMMENTS #1</b> (5 minutes each)	
<b>6 – PUBLIC HEARINGS</b>	
B	SUP 15:03 Nick Smith Commercial Amusements—Steve Tugwell, Senior Planner
<b>7 – ACTION MATTERS</b>	
C	Appointment/Reappointment to the Fluvanna Partnership for Aging Committee—Kelly Belanger Harris, Clerk to the Board
D	Appointment/Reappointment to the JABA Board—Kelly Belanger Harris, Clerk to the Board
E	Appointment/Reappointment to Social Services Board—Kelly Belanger Harris, Clerk to the Board
F	Amendment to Fluvanna Partnership for Aging (FPA) Committee Bylaws – Steve Nichols, County Administrator
<b>8 – PRESENTATIONS</b> (normally not to exceed 10 minutes each)	
G	Cooperative Extension: Kitchen Equipment Requirements—John Thompson, Extension Agent
<b>9 – CONSENT AGENDA</b>	
H	Minutes of May 20, 2015 Meeting—Kelly Belanger Harris, Clerk to the Board
I	FCPS CRM Funding Request – Bus AC—Chuck Winkler, Assistant School Superintendent
J	FCPS CRM Funding Request: High School Gymnasium Floor—Chuck Winkler, FCPS Assistant Superintendent
K	FY15 Supplemental Appropriation Request for Early Childhood Special Education Program Federal Grant Funds—Ed Breslauer, FCPS Director of Finance
L	FY15 Supplemental Appropriation Request for Families Learning Together (FLT) Program—Ed Breslauer, FCPS Director of Finance
M	FY15 Supplemental Appropriation Request for Families Learning Together (FLT) Program 2—Ed Breslauer, Schools Director of Finance
N	FY15 Supplemental Appropriation Request for Middle School Teacher Corps Program State Grant Funds—Ed Breslauer, FCPS Director of Finance
O	FY15 Supplemental Appropriation Request for the State Alternative Assessment Assistance Incentive Grant Program—Ed Breslauer, FCPS Director of Finance

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**10 – UNFINISHED BUSINESS**

TBD

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**11 – NEW BUSINESS**

TBD

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**12 – PUBLIC COMMENTS #2 (5 minutes each)**

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**RECESS FOR DINNER & CLOSED SESSION**

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**CLOSED MEETING**

Real Estate, Investment of Funds, and Legal Matters

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**CALL TO ORDER, PLEDGE OF ALLEGIANCE, MOMENT OF SILENCE**

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**WORK SESSION**

FRA Services Update—Cheryl Elliott, Emergency Services Coordinator

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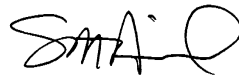
**CLOSED MEETING**

TBD

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**13 – ADJOURN**

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County Administrator Review

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## **PLEDGE OF ALLEGIANCE**

I pledge allegiance to the flag  
of the United States of America  
and to the Republic for which it stands,  
one nation, under God, indivisible,  
with liberty and justice for all.

\*\*\*\*\*

### **ORDER**

1. It shall be the duty of the Chairman to maintain order and decorum at meetings. The Chairman shall speak to points of order in preference to all other members.
2. In maintaining decorum and propriety of conduct, the Chairman shall not be challenged and no debate shall be allowed until after the Chairman declares that order has been restored. In the event the Board wishes to debate the matter of the disorder or the bringing of order; the regular business may be suspended by vote of the Board to discuss the matter.
3. No member or citizen shall be allowed to use abusive language, excessive noise, or in any way incite persons to use such tactics. The Chairman and/or the County Administrator shall be the judge of such breaches, however, the Board may vote to overrule both.
4. When a person engages in such breaches, the Chairman shall order the person's removal from the building, or may order the person to stand silent, or may, if necessary, order the person removed from the County property.

### **PUBLIC HEARING RULES OF PROCEDURE**

1. PURPOSE
  - The purpose of a public hearing is to receive testimony from the public on certain resolutions, ordinances or amendments prior to taking action.
  - A hearing is not a dialogue or debate. Its express purpose is to receive additional facts, comments and opinion on subject items.
2. SPEAKERS
  - Speakers should approach the lectern so they may be visible and audible to the Board.
  - Each speaker should clearly state his/her name and address.
  - All comments should be directed to the Board.
  - All questions should be directed to the Chairman. Members of the Board are not expected to respond to questions, and response to questions shall be made at the Chairman's discretion.
  - Speakers are encouraged to contact staff regarding unresolved concerns or to receive additional information.
  - Speakers with questions are encouraged to call County staff prior to the public hearing.
  - Speakers should be brief and avoid repetition of previously presented comments.
3. ACTION
  - At the conclusion of the public hearing on each item, the Chairman will close the public hearing.
  - The Board will proceed with its deliberation and will act on or formally postpone action on such item prior to proceeding to other agenda items.
  - Further public comment after the public hearing has been closed generally will not be permitted.



## FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM

**Meeting Date:** June 3, 2015

<b>AGENDA TITLE:</b>	SUP 15:03 – Anthony N. Smith				
<b>MOTION(s):</b>	I move that the Board of Supervisors [ <b>approve/deny/defer</b> ] SUP 15:03, a special use permit request to allow for a commercial amusement with respect to 2.43 acres of Tax Map 22, Section 4, Parcel A, [if approved] subject to the fifteen (15) conditions listed in the staff report.				
<b>CATEGORY</b>	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
	<b>X</b>				
<b>STAFF CONTACT(S):</b>	Steve Tugwell, Senior Planner				
<b>PRESENTER(S):</b>	Steve Tugwell, Senior Planner				
<b>RECOMMENDATION:</b>	At its meeting on May 27, 2015, the Planning Commission recommended approval (5-0); Mr. Zimmer moved to approve; Mrs. Eager seconded; Ayes: Bibb, Eager, Gaines, Johnson, and Zimmer.				
<b>TIMING:</b>	Immediate decision requested at current meeting.				
<b>DISCUSSION:</b>	Request for a special use permit to allow for a commercial amusement with respect to 2.43 acres of Tax Map 22, Section 4, Parcel A.				
<b>FISCAL IMPACT:</b>	-				
<b>POLICY IMPACT:</b>	<p>The Board of Supervisors may:</p> <ul style="list-style-type: none"> <li>• Approve this request, allowing the commercial amusement; OR</li> <li>• Deny this request, preventing the commercial amusement; OR</li> <li>• Defer this request and make a final decision at a later date.</li> </ul>				
<b>LEGISLATIVE HISTORY:</b>	<p>Review of a commercial amusement in accordance with Chapter 22, Article 4 of the Fluvanna County Code (Zoning Ordinance: Uses permitted by special use permit only).</p> <p>Application was received on May 1, 2015.</p> <p>Planning Commission reviewed the request on May 27, 2015.</p>				
<b>ENCLOSURES:</b>	Staff Report (with accompanying attachments)				
<b>REVIEWS</b>	Legal	Finance	Purchasing	HR	Other
					<b>X</b>





# COUNTY OF FLUVANNA

"Responsive & Responsible Government"

P.O. Box 540 Palmyra, VA 22963 (434) 591-1910 FAX (434) 591-1911 www.co.fluvanna.va.us

## STAFF REPORT

**To:** Fluvanna County Board of Supervisors  
**Case Number:** SUP 15:03  
**Tax Map:** Tax Map 22, Section 4, Parcel A

**From:** Steve Tugwell  
**District:** Columbia  
**Date:** June 3, 2015

**General Information:** This request is to be heard by the Board of Supervisors on Wednesday, June 3, 2015 at 4:00 pm in the Circuit Court Room in the Courts Building.

**Owner/Applicant:** Anthony N. Smith

**Representative:** Nick Smith

**Requested Action:** Request for a special use permit to allow for a commercial amusement with respect to 2.43 acres of Tax Map 22, Section 4, Parcel A. The applicant is proposing to operate a commercial amusement. (Attachment A)

**Location:** The affected property is located on the north side of Route 601 (Venable Road), at its intersection with Route 659 (Kents Store Way). (Attachment B)

**Existing Zoning:** A-1, Agricultural, General (Attachment C)

**Planning Area:** Rural Preservation Planning Area

**Existing Land Use:** Single-family dwelling

**Adjacent Land Use:** The surrounding parcels are zoned A-1

**Zoning History:** None

## **Comprehensive Plan:**

### **LAND USE**

Under the Rural Areas section of the Land Use Chapter it states that maintaining the rural character of the county is the primary principal and vision that drives this plan, as expressed by Fluvanna citizens throughout the planning process (see appendix A in the Comprehensive Plan under the “2006 Planning Issues Survey”).

Under the Rural Preservation section in the Land Use Chapter is states that the rural preservation areas are intended to be the least developed areas of the county. They are directly correlated with the rural preservation community element. Large parks, agricultural and forestal districts, working farms, and passive open space should comprise most of the land use, with very low-density residential development (e.g. less than one unit every five acres).

### **ECONOMIC DEVELOPMENT**

Goal number two under the Course of Action section in the Economic Development chapter states that the county wants to utilize the county’s natural resources, culture, and historic and recreational sites to capitalize on heritage, ecological, and recreational tourism, as well as attracting visitors.

Goal number three says to support the development of local economies, locally owned businesses, and entrepreneurial opportunities; particularly those that are of rural character and will require little provision of infrastructure.

The Rural Preservation Planning Area may be an appropriate place for a commercial amusement, which could include an event such as “The Bonfire Concert”. A concert event could draw in patrons from all over the region, which could have a positive impact on Fluvanna County’s local economy. An outdoor concert event is typically considered to generate higher noise levels and it should be held in a remote place where residents of the county will be minimally disturbed. If this event is successful, the applicant may want to schedule it at the Pleasant Grove facility next year.

### **Analysis:**

The applicant is proposing to have an outdoor “bonfire concert” event which will charge ticket admission. This event would be held beginning on Saturday, June 6, 2015, and into early Sunday, June 7, 2015. The event will include live entertainment, and written permission has been granted from the adjoining property owner for their property to be used as the designated parking area. There will also be proper signage for parking and for entering and exiting the site, as suggested by the Virginia Department of Transportation. There will be a stage area for this event, but no permanent structures are planned. The applicant has secured insurance for this event to cover injuries and inclement weather.

With an approved permit from the Virginia Alcoholic Beverage Control Agent, this event will serve alcohol in designated areas only, and event attendees will be required to wear a wristband indicating they are of legal age to consume alcohol. Alcohol sales will be managed by the



Fluvanna S.P.C.A., and they will handle and facilitate the beer sales. As of 5/28/2015, a permit is pending from the Virginia ABC agent. Physical barriers will be placed around the designated drinking areas. Not less than one (1) portable toilet per every one-hundred people, one (1) handicap accessible unit, and a hand-wash unit, as required by the Health Dept. The applicant is securing all required permits from the Health Department. Food vendors are also planned, and they will secure the necessary permits through the Health Department.

(Attachment D)

The County's definition of a *commercial amusement* is "*the provision of entertainment or games of skill to the general public for a fee, as permitted by general law*". Per Sec. 22-4-2.2 of the zoning ordinance, *commercial amusements* are allowed with a special use permit in the A-1 (Agricultural, General) zoning district.

When evaluating proposed uses for a special use permit, in addition to analyzing the potential adverse impacts of the use, staff utilizes two (2) general guidelines for evaluation as set forth in the zoning ordinance.

**First, the proposed use should not tend to change the character and established pattern of the area or community.**

The proposed location for the commercial amusement is a 2.43 acre parcel situated on the north side of Route 601 (Venable Road), at its intersection with Route 659 (Kents Store Way). There are no permanent structures planned with this event, and all trash, vehicles, and otherwise temporary set-up items will be removed from the site within 48 hours of the end of the event.

**Second, the proposed use should be compatible with the uses permitted by-right in that zoning district and shall not adversely affect the use/or value of neighboring property.**

Commercial amusements are allowed by special use permit in the A-1 zoning district. The adjoining property owner has consented to allow concert goers for this event to park on her property, and there did not appear to be any opposition from the neighbors who appeared at the neighborhood meeting on Wednesday, May 13<sup>th</sup>. The closest dwelling is just a little more than 200 feet away from the proposed stage area. If permitted, this event would take place not more than one (1) time per year, between the months of May and August only.

### **Neighborhood Meeting:**

There were approximately six (6) attendees at the May 13, 2015 Neighborhood meeting. None of them appeared to object to the proposed event. Their questions were as follows:

- What date is the permit for?
- Where will parking be located?
- Will alcohol be served?
- Will security officers be on duty?
- Will you have insurance?
- Will there be any county or state security provided?
- Will you keep people out of the nearby fields?

### **Technical Review Committee:**

At the May 14, 2015 Technical Review Committee meeting, the following comments were generated:

1. VDOT stated the following:
  - Coordinate the event with the Fluvanna County Sheriff's Office (LCSO) and provide traffic control on state roads as recommended by FCSP;
  - Provide personnel at entry/exit points during peak arrival/departure times to reduce potential backups and delays on state roads and to ensure that internal circulation on the site is operating efficiently;
  - Coordinate the event with Fire & Rescue
  - Coordinate the event with local media;
  - Provide directional signage for entry/exit of site and for parking area;
  - All entry/exit off Route 601 through either existing hard surface entrances or temporary hard surfaces entrances (VDOT Land Use Permit required for a new entrance or a temporary entrance).
2. The Fire Chief asked how many people are expected to attend the event, and that he echoes the comments that were submitted from the Virginia Department of Forestry.
3. Virginia Department of Forestry. (attached)
4. Health Dept. (attached)

(Attachment E)

### **Planning Commission:**

The Planning Commission discussed this SUP request at their May 27, 2015 meeting. There were no speakers during the public hearing portion. The applicant, Mr. Nick Smith spoke with regard to his request.

Mr. Bibb asked Mr. Smith if he understood the Department of Forestry's comments about having the bonfire, and Mr. Smith replied that he did understand. The Planning Commission added a condition of approval that "the site must be in compliance with Dept. of Forestry requirements". The condition to allow not more than two (2) events per years was also changed to allow not more than one (1) event per year. The date of the event, as well as the hours of operation was also discussed.

The Planning Commission then voted to recommend approval of SUP 15:03 by a vote of 5-0.

## **Conclusion:**

The Board of Supervisors should consider any potential adverse impacts, such as traffic entering and exiting the property, noise, or dust.

## **Recommended Conditions:**

If approved Staff recommends the following conditions:

1. No more than one (1) concert event will be held per year during the months of May and August.
2. Event will serve alcohol with an approved permit as regulated and issued by the Virginia Alcohol Beverage Control Agent. Physical barriers will be placed around designated drinking areas.
3. No less than one (1) portable toilet per every one-hundred (100) people, one (1) handicap accessible unit, and a hand-wash unit, as required by the Health Department.
4. One (1) licensed security officer per every one-hundred (100) people is required, as well as one (1) EMT or off-duty fire and rescue personnel dedicated to the event, and shall be on the premises at all times during the event. An E911 address shall be clearly identified for this property to ensure that all emergency services can locate the property.
5. Event time shall be from 4:30 p.m. until 2 a.m.
6. Event parking shall be located on adjacent parcel (Tax Map 22-4-C), with the owner's written permission, and also on the A.R.C. club property (Tax Map 22-A-60), with the owner's written permission.
7. Proper signage for parking and for entering and exiting the site, along with traffic control measures are required. At least two (2) 24"x36" brown or green signs with white text that are professionally made shall be displayed at the site entrance.
8. All food vendors working at the event must be certified by the Virginia Dept. of Health.
9. The property owner shall remove all trash created by the event from the property within 48 hours.
10. The site must meet all VDOT requirements.
11. The site must be in compliance with all Department of Forestry requirements.
12. This Special Use Permit shall remain in effect for the period of time that Mr. Smith owns the property known as Tax Map parcel 22-4-A provided that all required conditions are adhered to; any amendment to this Special Use Permit or subsequent Special Use Permit regarding the same or similar commercial amusement events on Tax Map parcel 22-4-A shall take precedence when there shall be any conflicting conditions; at any time that Mr. Smith shall no longer retain ownership of this property, this Special Use Permit shall be considered invalid and all commercial amusement events allowed by this permit shall immediately cease.
13. 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.
14. 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.

15. The Board of Supervisors, or its representative, reserves the right to inspect the business for compliance with these conditions at any time.

**Suggested Motion:**

I move that the Board of Supervisors [**approve/deny/defer**] SUP 15:03, a special use permit request to allow for a commercial amusement with respect to 2.43 acres of Tax Map 22, Section 4, Parcel A, [if approved] subject to the fifteen (15) conditions listed in the staff report.

**Attachments:**

A – Application & APO Letter

B – Aerial Map

C - Zoning Map

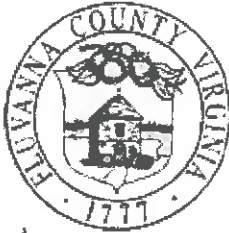
D – Applicant’s sketch and written permission from neighbor to allow parking

E – TRC comment letter and emails

Copy:

Owner/Applicant – Anthony N. Smith, 5171 Venable Road, Kents Store, VA 23084 - nicksmithcountry@gmail.com

File



COMMONWEALTH OF VIRGINIA  
COUNTY OF FLUVANNA

Received

MAY 01 2015

Application for Special Use Permit (SUP)

Planning Dept.

Owner of Record: Anthony N Smith Applicant of Record: \_\_\_\_\_  
E911 Address: 5171 Venable Rd Kents Store VA Address: \_\_\_\_\_  
Phone: 804-314-2038 Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email: Nick Smith country@gmail.com Email: \_\_\_\_\_

Representative: Anthony N. Smith  
E911 Address: 5171 Venable Rd Kents Store, VA 23084  
Phone: 804-314-2038 Fax: \_\_\_\_\_  
Email: Nick Smith country@gmail.com

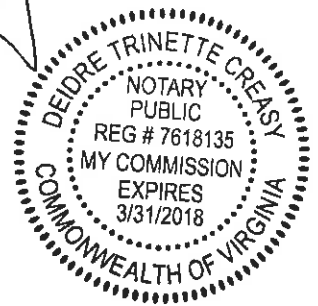
Note: If applicant is anyone other than the owner of record, written authorization by the owner designating the applicant as the authorized agent for all matters concerning the request shall be filed with this application.

Tax Map and Parcel(s): 22(4)A Deed Book Reference: \_\_\_\_\_  
Acreage: 2.43 Zoning: A-1 Deed Restrictions?  No  Yes (Attach copy)  
Request for a SUP in order to: \_\_\_\_\_ Proposed use of Property: \_\_\_\_\_

\*Two copies of a plan must be submitted, showing size and location of the lot, dimensions and location of the proposed building, structure or proposed use, and the dimensions and location of the existing structures on the lot.

By signing this application, the undersigned owner/applicant authorizes entry onto the property by County Employees, the Planning Commission, and the board of Supervisors during the normal discharge of their duties in regard to this request and acknowledges that county employees will make regular inspections of the site.

Date: 5/1/15 Signature of Owner/Applicant: [Signature]  
Subscribed and sworn to before me this 1st day of MAY, 2015  
Notary Public: Deidre Creasy Register # 7618135  
My commission expires: 03/31/2018



Certification: Date: \_\_\_\_\_  
Zoning Administrator: \_\_\_\_\_

All plats must be folded prior to submission to the Planning Department for review. Rolled plats will not be accepted.

OFFICE USE ONLY	
Date Received: <u>05/01/15</u>	Pre-Application Meeting: _____ PH Sign Deposit Received: <u>Cash</u> Application #: SUP <u>15</u> : <u>003</u>
\$800.00 fee plus mailing costs paid:	Mailing Costs: \$20.00 Adjacent Property Owner (APO) after 1st 15, Certified Mail
Amendment of Condition: \$400.00 fee plus mailing costs paid:	
Telecommunications Tower \$1,500.00 fee plus mailing costs paid:	\$5,500 w/Consultant Review paid:
Election District: <u>Columbia</u>	Planning Area: <u>Rural preservation</u>
Public Hearings	
Planning Commission	Board of Supervisors
Advertisement Dates: <u>May 4th (May 14th &amp; 21st)</u>	Advertisement Dates: <u>May (14th) (May 21st &amp; 28th)</u>
APO Notification: <u>May 11th</u>	APO Notification: <u>May 18th</u>
Date of Hearing: <u>May 27th</u>	Date of Hearing: <u>June 3rd</u>
Decision: _____	Decision: _____

Describe briefly the improvements proposed. State whether new buildings are to be constructed, existing buildings are to be used, or additions made to existing buildings.

No building will be used.

**NECESSITY OF USE:** Describe the reason for the requested change.

To provide a temporary community event in which includes, live entertainment, etc. Permission from personal property owners was granted pertaining to the event in which everyone involved and not involved sees a positive outcome.

**PROTECTION OF ADJOINING PROPERTY:** Describe the effects of the proposed use on adjacent property and the surrounding neighborhood. What protection will be offered adjoining property owners?

Minor usage upon permission that will have limited to nearly zero impact since the event would occur 2x or less per year. We will have proper usage and direction signs at all times.

**ENHANCEMENT OF COUNTY:** Why does the applicant believe that this requested change would be advantageous to the County of Fluvanna? (Please substantiate with facts.)

This event will garner social entertainment, possible expansion is a future outcome that would involve profit gain for the county of Fluvanna. Fluvanna Spca, volunteer fire dept., etc

**PLAN:** Furnish plot plan showing boundaries and dimensions of property, width of abutting right-of-ways, location and size of buildings on the site, roadways, walks, off-street parking and loading space, landscaping, etc. Architect's sketches showing elevations of proposed buildings and complete plans are desirable and may be required with the application. Remarks:

Received

MAY 01 2015

Planning Dept.

Received

MAY 01 2015



COMMONWEALTH OF VIRGINIA  
COUNTY OF FLUVANNA  
Public Hearing Sign Deposit

Planning Dept.

Name: Anthony N. Smith  
Address: 5171 Venable Rd.  
City: Kents Store,  
State: VA Zip Code: 23084

I hereby certify that the sign issued to me is my responsibility while in my possession. Incidents which cause damage, theft, or destruction of these signs will cause a partial or full forfeiture of this deposit.

[Signature]  
Applicant Signature

4/30/15  
Date

\*Number of signs depends on number of roadways property adjoins.

OFFICE USE ONLY	
Application #: <b>BZA</b> _____ : _____ <b>CPA</b> _____ : _____ <b>SUP 15</b> : <b>003</b> <b>ZMP</b> _____ : _____ <b>ZTA</b> _____ :	
\$90 deposit paid per sign*: <input checked="" type="checkbox"/> Cash	Approximate date to be returned: <u>06/04/15</u>

# Memorandum

DATE: May 18, 2015  
RE: Board of Supervisors APO Letter  
TO: Jason Stewart  
FROM: Deidre Creasy

Please be advised the attached letter went out to the attached list of Adjacent Property Owners for the June 3, 2015 Board of Supervisors Meeting.





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## COUNTY OF FLUVANNA

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“Responsive & Responsible Government”

P.O. Box 540 Palmyra, VA 22963 (434) 591-1910 FAX (434) 591-1911 [www.fluvannacounty.org](http://www.fluvannacounty.org)

### NOTICE OF PUBLIC HEARING

May 18, 2015

«Owner»

«Address»

«City\_State» «Zip\_Code»

TMP# «TMP»

#### Re: Public Hearing on SUP 15:03

Dear «Owner»:

This letter is to notify you that the Fluvanna County Board of Supervisors will hold a public hearing on the above referenced item on **Wednesday, June 3, 2015** at **4:00 PM** in the Circuit Court Room at the Fluvanna County Courts Building in Palmyra, VA. The request is described as follows:

**SUP 15:03 – Anthony N. Smith** – *A request for a Special Use Permit (SUP) to operate a commercial amusement with respect to 2.43 acres of Tax Map 22, Section 4, Parcel A, and 6.728 acres of Tax Map 22, Section 4, Parcel C. The property is zoned A-1 (Agricultural, General), and is located on the north side of Route 601 (Venable Road), at its intersection with Route 659 (Kents Store Way). The property is located in the Columbia Election District and is within the Rural Preservation Community Planning Area.*

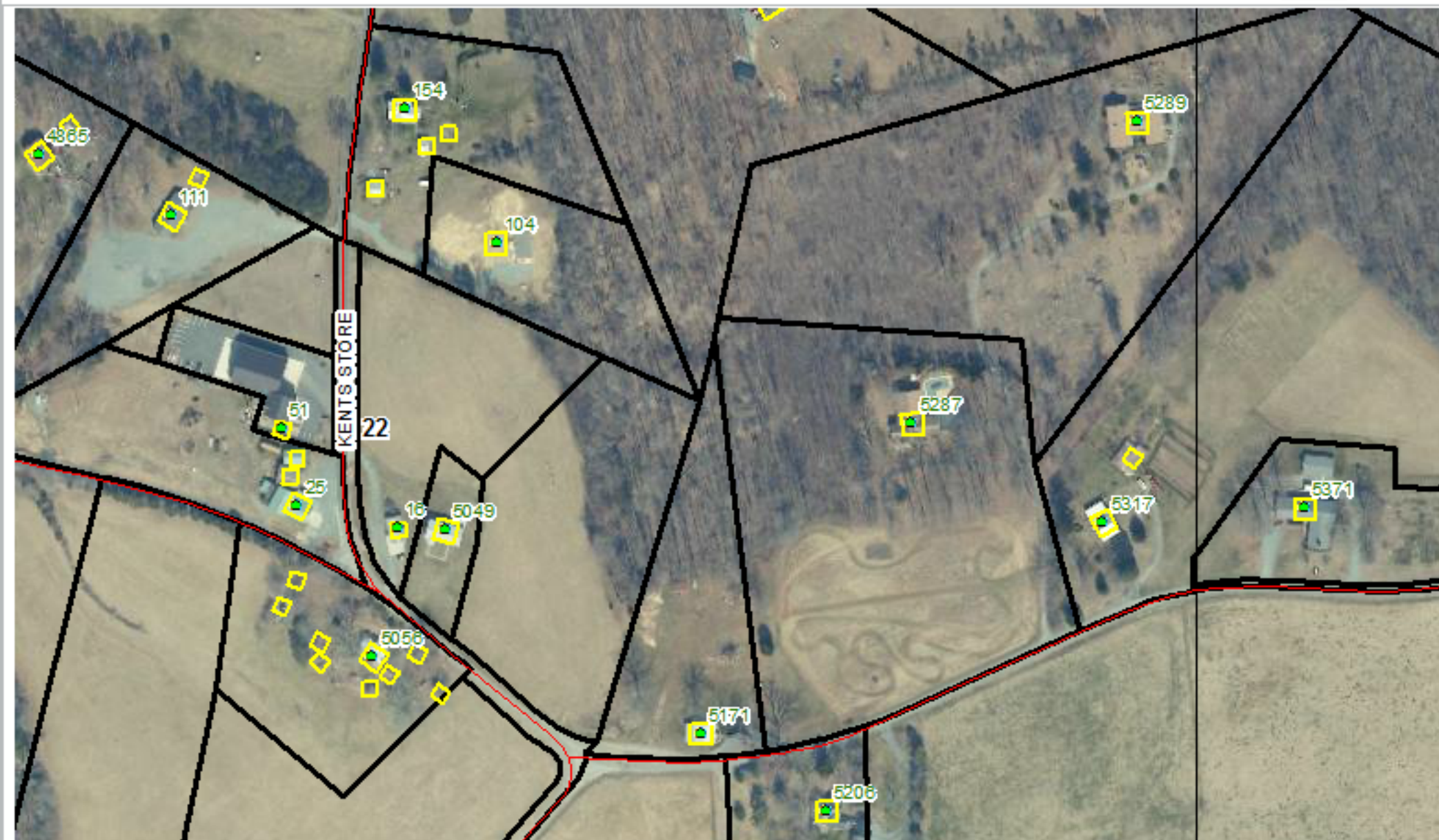
The applicant or applicant’s representative must be present at the Board of Supervisors meeting. The tentative agenda and staff report will also be available for review by the public in the Fluvanna County Planning and Community Development Department during working hours (8:00 a.m. – 5:00 p.m., Monday through Friday). If you have any questions, please feel free to contact me at 434-591-1910.

Sincerely,

Steven Tugwell  
Senior Planner

SUP 1503 Nick Smith

TMP	Name	Address	City, State	Zip
22 4 A	Anthony N. Smith	5171 VENABLE RD	Kents Store, Va	23084
22 A 65	Patricia P. Kunard Trust	5206 VENABLE RD	Kents Store, Va	23084
22 A 66	G.L. Howard Inc.	P.O. Box 9	Rockville, Va	23146
22 4 C	Edward Vasquez	P.O. Box 2485	Spotsylvania, Va	22553
22 9 2	Trenton Paul & Megan Marie Hardee	76 HILLSBOROUGH RD	Kents Store, Va	23084
22 A 68AA	Helen M. & Thomas W. Fleming	P.O. Box 55	Kents Store, Va	23084
22 9 1A	Christine A. Bantz	104 KENTS STORE WAY	Kents Store, Va	23084
22 4 B	Shawn V. & Melissa G Kenney	5289 Venable Rd	Kents Store, Va	23084
23 A 28	Granville & Mary Westermann	5317 Venable Rd	Kents Store, Va	23084



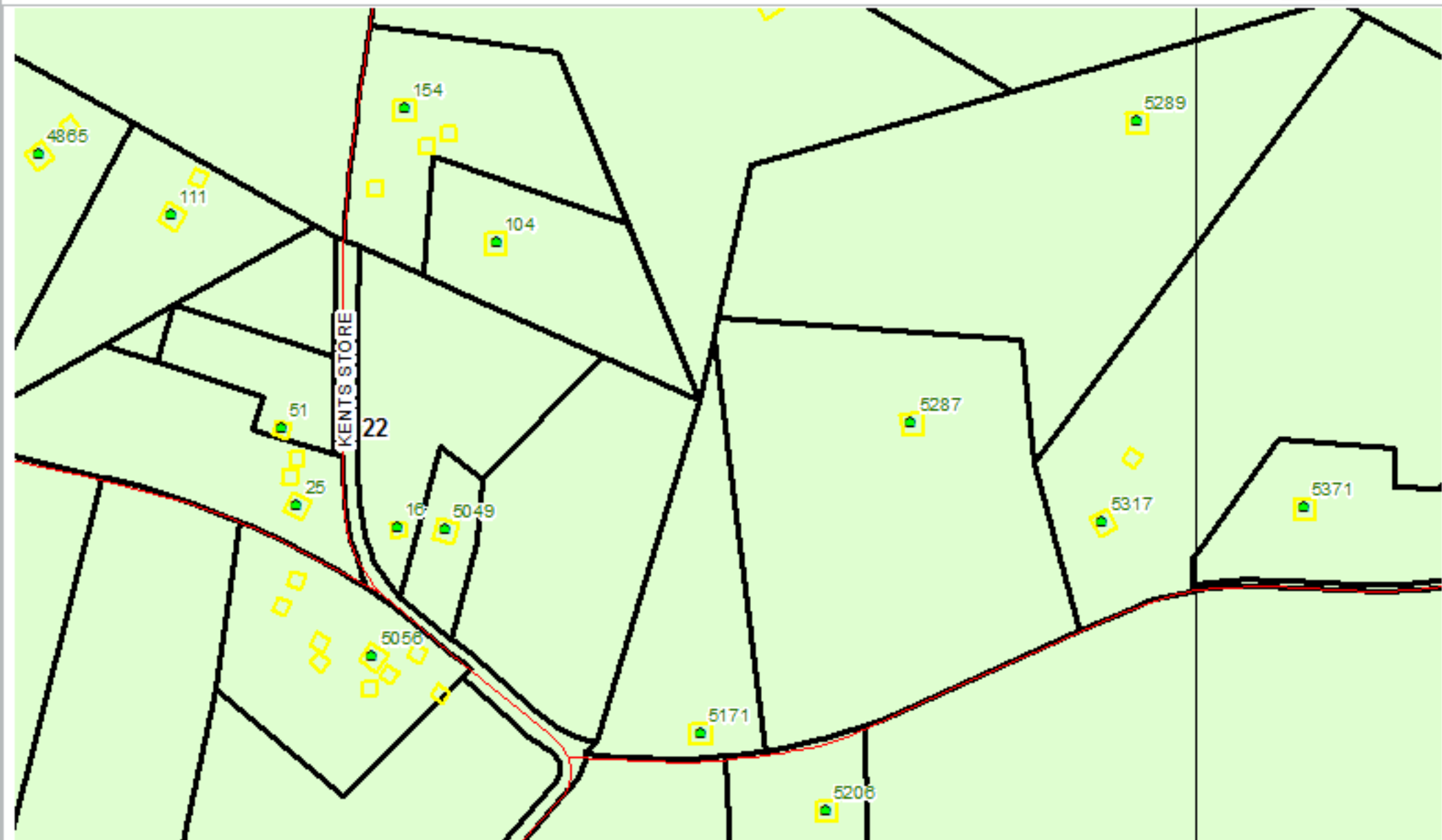
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Date: 05/21/2015

Printed By:



SUP 15:03 Commercial Amusement



Scale: 1:4513.988705

Date: 05/21/2015

Printed By:



Scale: 1:2256.994353

Date: 04/30/2015

Printed By:

Under Virginia State Law, these real estate assessment records are public information. Display of this property information on the internet is specifically authorized by the Code of Virginia §58.1-3122.2(as amended).

- = Full physical perimeter fencing (temporary)
- E = Event space, alcohol perimeter area
- S = Stage
- SLA = Stage loading area
- P = Parking
- G1 = Entry gate (vehicles) 30'
- G2 = Exit gate (vehicles) 30'
- G3 = Walk in gate (ticket, ID area)

Received

MAY 01 2015

Planning Dept.

BOS2015-06-03 p.21/73

# NS Productions

## Letter of Request for Permission To Use and Enter Private Property

Dear property owner's:

Donna and Eddie Vasquez

I Nick Smith hereby ask your approval on the following information provided below.

All liability for any incident or damage that may occur from our use on your property from "The Bonfire Concert Event" will be held responsible to Nick Smith.

1. We would enter your property several weeks before for surveying purposes to properly set up the landscape several weeks before.
2. The day before and the day of we will start to use property to set up adjustments such as fencing barriers for control the day of the event.
3. We would be using your property mainly for parking purposes in which some guest may remain through the night of June 6, 2015.
4. Main use of the property will take place between June 5, 2015 at 7 am on through June 7, 2015 by 9pm.
5. There will be proper sign display's, barriers, and security patrolling your front field property at all times of the event.
6. We agree to make sure the property, after the event and use, is restored to it's exact physical state as the way it was before our initial use.

If you have any problems or questions before, during, or after the event you can directly speak with Nick Smith 804-314-2038, our head of event management Eric Napier 434-996-3706, or our head of security Tim Vassi 434-282-4329. We look forward to working with you again this year and thank you so much for your support. We couldn't do it with out your help. Thanks again.

If you agree to the above stated uses of your property for our event please sign and date: Owner of Property: \_\_\_\_\_ Date: 5/1/15

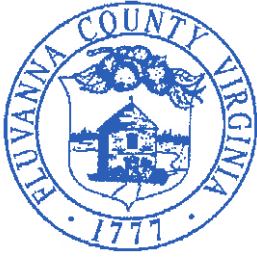
Person of Request: \_\_\_\_\_ Date: 5/1/15

EDWARD VAZQUEZ  
540-379-7940

Received

MAY 01 2015

Planning Dept.



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## COUNTY OF FLUVANNA

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*"Responsive & Responsible Government"*

P.O. Box 540 Palmyra, VA 22963 (434) 591-1910 FAX (434) 591-1911 [www.co.fluvanna.va.us](http://www.co.fluvanna.va.us)

May 21, 2015

Nick Smith  
5171 Venable Road  
Kents Store, VA 23084

Delivered via email

**Re: SUP 15:03 Anthony N. Smith special use permit request for a commercial amusement  
Tax Map: 22, Section 4, Parcel A**

Dear Mr. Smith:

The following comments are the result of the Technical Review Committee meeting that was held on Thursday, May 14, 2015.

1. VDOT stated the following:
  - Coordinate the event with the Fluvanna County Sheriff's Office (LCSO) and provide traffic control on state roads as recommended by FCSP;
  - Provide personnel at entry/exit points during peak arrival/departure times to reduce potential backups and delays on state roads and to ensure that internal circulation on the site is operating efficiently;
  - Coordinate the event with Fire & Rescue
  - Coordinate the event with local media;
  - Provide directional signage for entry/exit of site and for parking area;
  - All entry/exit off Route 601 through either existing hard surface entrances or temporary hard surfaces entrances (VDOT Land Use Permit required for a new entrance or a temporary entrance).
  
2. The Virginia Department of Forestry's (VDof) only concern with this request is in regards to the bonfire and the possibility of the fire escaping to the surrounding fields and woods. The months which the events are planned (May & August) are generally stable in regards to fire danger/weather. However, on occasion we do experience a long dry spell during this time that enhances the fire danger.  
The Department of Forestry would like to suggest the following parameters be attached to this permit when considering whether the bonfire should be lighted on a given day:
  - \*The fire not be lighted if on a class 3 or above day.
  - \*\*The fire not be lighted if the cumulative severity index (CSI) is equal to or exceeds 500.

The fire not be lighted if the forecasted weather includes any fire danger advisories (such as a red flag day).

\*There are five class fire days with Class 1 being the safest and Class 5 being very extreme. Class 3 represents a moderately high fire danger.

\*\*CSI is a measure of the cumulative effects of the weather over time as it relates to fire danger.

These weather indicators should be derived from the predicted weather for the Charlottesville, Virginia area. I will forward today's fire weather forecast in a separate e-mail so you may see what this looks like. I feel it would be rare for the fire weather to exceed these parameters at the stated time of year, but it is not unheard of to experience a drought that time of year.

The Fluvanna County Emergency Services Coordinator (ESC) should be the contact person for the applicant and such individual will have the final say on whether the conditions permit the bonfire. The final decision should be available at least 24 hours prior to the start of the event.

These comments only pertain to whether the bonfire is lighted, not whether the event itself takes place.

If you have any questions or comments please feel free to contact me at any time.

3. The Health Dept. stated that no less than one (1) port-a-johns for every 100 persons. There should also be one handicap accessible unit and a hand-wash unit. (generally we like to see 1 port-a-john for every 75 persons).
4. The Fire Chief asked how many people are expected to attend the event, and that he echoes the comments that were submitted from the Virginia Department of Forestry.

The Planning Commission will have a meeting to discuss this item at their Wednesday, May 27, 2015 meeting. Your attendance is required at this meeting.

If you have any questions or need additional information, please contact me at 434-591-1910.

Sincerely,



Steve Tugwell  
Senior Planner  
Dept. of Planning & Community Development

cc: Nick Smith - nicksmithcountry@gmail.com  
File



Bettina K. Ring  
State Forester



# COMMONWEALTH of VIRGINIA

**DEPARTMENT OF FORESTRY**  
900 Natural Resources Drive, Suite 800  
Charlottesville, VA 22903  
www.dof.virginia.gov  
(434) 977-6555  
Fax: (434) 296-2369

May 21, 2015

Fluvanna County, VA  
Dept. of Planning & Community Development  
Attn: Mr. Steve Tugwell

Dear: Steve:

As a follow up to the TRC meeting of May 14<sup>th</sup> I wanted to put my comments in writing. These comments are in regards to SUP 15:03 – Anthony N. Smith.

The Virginia Department of Forestry's (VDOP) only concern with this request is in regards to the bonfire and the possibility of the fire escaping to the surrounding fields and woods. The months which the events are planned (May & August) are generally stable in regards to fire danger/weather. However, on occasion we do experience a long dry spell during this time that enhances the fire danger.

The Department of Forestry would like to suggest the following parameters be attached to this permit when considering whether the bonfire should be lighted on a given day:

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The Fluvanna County Emergency Services Coordinator (ESC) should be the contact person for the applicant and such individual will have the final say on whether the conditions permit the bonfire. The final decision should be available at least 24 hours prior to the start of the event.

These comments only pertain to whether the bonfire is lighted, not whether the event itself takes place.

If you have any questions or comments please feel free to contact me at any time.

Sincerely,

Chuck Wright, Forester  
Virginia Department of Forestry  
P.O. Box 218  
Louisa, VA 23093  
804-912-0248  
[Chuck.wright@dof.virginia.gov](mailto:Chuck.wright@dof.virginia.gov)

## Steven Tugwell

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**From:** Wood, Mark, P.E., L.S (VDOT) <James.Wood@VDOT.virginia.gov>  
**Sent:** Friday, May 22, 2015 8:38 AM  
**To:** Steven Tugwell  
**Cc:** Reed, James M. (VDOT); Wolfrey, Sharon A. (VDOT)  
**Subject:** RE: May 14, 2015 TRC VDOT comments

**Importance:** High

Steve,

I will respond to the Nick Smith SUP now and try to officially respond to the others this afternoon:

**SUP 15:03 – Anthony N. Smith (Tax Map 22, Section 4, Parcel A and Tax Map 22, Section 4, Parcel C), Fluvanna County (Rte. 601, Venable Road Road)**

VDOT made a site visit to 5171 Venable Road in Kents Store and reviewed the two (2) adjoining parcels proposed for the proposed concert event and recommend the following:

- Coordinate the event with the Fluvanna County Sherriff's Office (LCSO) and provide traffic control on state roads as recommended by FCSSO
- Provide personnel at entry/exit points during peak arrival/departure times to reduce potential backups and delays on state roads and to ensure that internal circulation on the site is operating efficiently
- Coordinate the event with Fire & Rescue
- Coordinate event with local media
- Provide directional signage for entry/exit of site and for parking area
- All entry/exit off Rte. 601 through either existing hard surface entrances or temporary hard surface entrances (VDOT Land Use Permit required for a new entrance or a temporary entrance).

J. Mark Wood, P.E., L.S.  
Area Land Use Engineer  
Virginia Department of Transportation  
Land Development – South  
P.O. Box 2194  
Louisa, VA 23093  
Phone: (540) 967-3708  
Cell: (540) 223-5240  
Email: [Mark.Wood@VDOT.Virginia.gov](mailto:Mark.Wood@VDOT.Virginia.gov)

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**From:** Steven Tugwell [<mailto:stugwell@fluvannacounty.org>]  
**Sent:** Thursday, May 21, 2015 6:06 PM  
**To:** Wood, Mark, P.E., L.S (VDOT)  
**Subject:** May 14, 2015 TRC VDOT comments  
**Importance:** High

## Steven Tugwell

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**From:** Aldridge, Paula (VDH) <Paula.Aldridge@vdh.virginia.gov>  
**Sent:** Thursday, April 30, 2015 10:00 AM  
**To:** Steven Tugwell; Miller, Charles (VDH)  
**Subject:** FW: port-a-pots

Some other points to consider.

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**From:** Rice, Gary (VDH)  
**Sent:** Thursday, April 30, 2015 9:51 AM  
**To:** Aldridge, Paula (VDH)  
**Subject:** RE: port-a-pots

No less than 1 port-a-john for every 100 persons. There should also be one handicap accessible unit and a hand wash unit. (Generally we like to see 1 port-a-john for every 75 persons.)

Is he going to file the proper applications as an event coordinator? Will there be any camping? What kind of water supply will he plan on using? Trash disposal / waste containers?

Just a few issues he will need to address.

*Gary*

---

**From:** Aldridge, Paula (VDH)  
**Sent:** Thursday, April 30, 2015 9:45 AM  
**To:** Rice, Gary (VDH)  
**Subject:** port-a-pots

Gary, how many portable toilets required per number of people?

Nick Smith is planning a concert at his home, possibly a 1000 people. There will also be food vendors. This concert is planned for 6/6/15.

Thanks,  
Paula

## FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM

**Meeting Date:** June 3, 2015

<b>AGENDA TITLE:</b>	Appointment/Reappointment to the Fluvanna Partnership for Aging Committee				
<b>MOTION(s):</b>	<p><b>I move to appoint to the Fluvanna Partnership for Aging Committee (FPA):</b></p> <p><b>Deborrah Foreman to the At Large position replacing Stephanie Fick, with a term to begin May 1, 2015, and to terminate December 31, 2017.</b></p> <p><b>Stephanie Fick to the Cunningham District position replacing Deborrah Foreman, with a term to begin May 1, 2015, and to terminate December 31, 2017.</b></p>				
<b>AGENDA CATEGORY:</b>	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
		<b>XX</b>			
<b>STAFF CONTACT(S):</b>	Kelly Belanger Harris, Clerk to the Board				
<b>PRESENTER(S):</b>	Steven M. Nichols, County Administrator				
<b>RECOMMENDATION:</b>	Approve				
<b>TIMING:</b>	Current				
<b>DISCUSSION:</b>	<p>Ms. Deborrah Foreman, FPA Chair, is currently the FPAs Cunningham District representative, but has recently moved to the Palmyra District.</p> <p>Ms. Stephanie Fick, is currently an FPA At Large representative, but lives in the Cunningham District.</p> <p>By agreement with both members, Ms. Foreman will assume the At Large position, and Ms. Fick will assume the Cunningham District position.</p> <p>Other member positions will remain unchanged.</p> <p style="text-align: center;">Columbia – Vacant Fork Union – Dorothy Payne Palmyra – Bobbie Gallo Rivanna – Diane Everline At Large – Amy Kirchner</p>				
<b>FISCAL IMPACT:</b>	N/A				
<b>POLICY IMPACT:</b>	N/A				

<b>LEGISLATIVE HISTORY:</b>	N/A				
<b>ENCLOSURES:</b>	None				
<b>REVIEWS COMPLETED:</b>	Legal	Finance	Purchasing	HR	Other

## FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM

**Meeting Date:** June 3, 2015

<b>AGENDA TITLE:</b>	Appointment/Reappointment to the Jefferson Area Board for Ageing (JABA) Board of Directors				
<b>MOTION(s):</b>	I move to appoint/reappoint _____ to the Jefferson Area Board for Aging (JABA) Board of Directors, with a term to begin July 1, 2015 and to terminate June 30, (JABA) 2017.				
<b>AGENDA CATEGORY:</b>	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
		<b>XX</b>			
<b>STAFF CONTACT(S):</b>	Kelly Belanger Harris, Clerk to the Board				
<b>PRESENTER(S):</b>	Steven M. Nichols, County Administrator				
<b>RECOMMENDATION:</b>	Approve				
<b>TIMING:</b>	Normal				
<b>DISCUSSION:</b>	Applicants who have shown an interest in this position are: William Hughes, current member David Feisner, currently serving on the JAUNT Board				
<b>FISCAL IMPACT:</b>	None				
<b>POLICY IMPACT:</b>	None				
<b>LEGISLATIVE HISTORY:</b>	None				
<b>ENCLOSURES:</b>	Boards and Commissions Applications				
<b>REVIEWS COMPLETED:</b>	Legal	Finance	Purchasing	HR	Other





**Interest in Jefferson Area Board for Aging (JABA) Board**

**Fork Union**

**Last Name** Feisner **First Name** David C. **Date Recieved** 5/18/2009  
**Mailing Address** P.O. Box 66 **City** Palmyra **State** VA **Postal Code** 22963-  
**Home Phone** (434) 591-0126 **Work Phone** **Cell Phone/Other**  
**Fax** **Email Address** anfeis@firstva.com  
**Physical Address** 282 Little Pond Lane **City** Palmyra **State** VA **Postal Code** 22963

**Education and Experience:**

NJIT 1961 BSME, MGT; 50+ years in paper industry

**Civic Activities and Committee Memberships:**

Jaunt Friends; Former Rotary, Scout Leader Trainer; Jaunt Friends President; Leadership Course 2008

**Interest in Committee:**

Enjoy this type of work and wish to continue with Jaunt

**Comments:**

Interest in Jefferson Area Board for Aging (JABA) Board

Cunningham

**Last Name**  **First Name**  **Date Recieved**

**Mailing Address**  **City**  **State**  **Postal Code**

**Home Phone**  **Work Phone**  **Cell Phone/Other**

**Fax**  **Email Address**

**Physical Address**  **City**  **State**  **Postal Code**

**Education and Experience:**

Empire College, Champlain College

**Civic Activities and Committee Memberships:**

Trustee Village of Hempstead, NY . President coord. Council of Civic Associations (13)

**Interest in Committee:**

Would like to use my experience and professional expertise in assisting the residence of Fluvanna county

**Comments:** See resume YAC, filled unexpired term CPMT Filled unexpired term 10/07/09 - 12/31/12 also filled unexpired term 05/07/14 - 12/31/14 for Gene Ott.

## FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM

**Meeting Date:** June 3, 2015

<b>AGENDA TITLE:</b>	Appointment/Reappointment to the Social Services Board, Palmyra District				
<b>MOTION(s):</b>	I move to appoint/reappoint _____ to the Social Services Board, Palmyra District, with a term to begin July 1, 2015 and to terminate June 30, 2019.				
<b>AGENDA CATEGORY:</b>	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
		<b>XX</b>			
<b>STAFF CONTACT(S):</b>	Kelly Belanger Harris, Clerk to the Board				
<b>PRESENTER(S):</b>	Steven M. Nichols, County Administrator				
<b>RECOMMENDATION:</b>	Approve				
<b>TIMING:</b>	Normal				
<b>DISCUSSION:</b>	Applicants who have shown an interest in this position are: Tom Payne, current member, who would like to be reappointed.				
<b>FISCAL IMPACT:</b>	None				
<b>POLICY IMPACT:</b>	None				
<b>LEGISLATIVE HISTORY:</b>	None				
<b>ENCLOSURES:</b>	Boards and Commissions Applications				
<b>REVIEWS COMPLETED:</b>	Legal	Finance	Purchasing	HR	Other



Interest in Social Services Board

Palmyra

**Last Name** Payne **First Name** Thomas E. **Date Recieved** 3/8/2011  
**Mailing Address** 345 Paynes Lane **City** Troy **State** VA **Postal Code** 22974-  
**Home Phone** (434) 296-5243 **Work Phone** **Cell Phone/Other**  
**Fax** **Email Address**  
**Physical Address** 345 Paynes Lane **City** Troy **State** VA **Postal Code** 22974

***Education and Experience:***

Graduate Fluvanna Co. High School, credits UVA, Pied. Comm. College, 40 years in telephone industry with 37 years in engineering/construction management.

***Civic Activities and Committee Memberships:***

21 years - Fluvanna Co. Board of Supervisors, Social Services Board, Thomas Jefferson Planning Dist. Commission, Planning Commission, MACAA Board, Economic Development Authority, Industrial Development Authority, James River Water Authority, School Study Committee, Member Beaver Dam Baptist Church.

***Interest in Committee:***

To continue to serve the citizens of Fluvanna County. Social Services Board.

***Comments:*** Tom was the Citizen Representative on the James River Water Authority. His term expired on April 19, 2013.

Thursday, May 28, 2015

Page 2 of 2



## FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM

**Meeting Date:** June 3, 2015

<b>AGENDA TITLE:</b>	Amendment to the Bylaws for Fluvanna Partnership for Aging (FPA) Committee				
<b>MOTION(s):</b>	<b>I move to approve the Bylaws of the Fluvanna Partnership for Aging Committee, as amended.</b>				
<b>AGENDA CATEGORY:</b>	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
		<b>XX</b>			
<b>STAFF CONTACT(S):</b>	Kelly Belanger Harris, Clerk to the Board				
<b>PRESENTER(S):</b>	Steve Nichols, County Administrator				
<b>RECOMMENDATION:</b>	Approve				
<b>TIMING:</b>	Current				
<b>DISCUSSION:</b>	<p>The proposed bylaws amendment recommends changing the FPA Voting Membership to be limited to the seven BOS appointees, with other organizations to provide non-voting representatives.</p> <p>The FPA Meeting Schedule is also revised to hold regular meetings on the first Monday of January, March, May, July, September, and November each year.</p> <p>A number of other minor administrative changes are included in the attached bylaws revision.</p>				
<b>FISCAL IMPACT:</b>	N/A				
<b>POLICY IMPACT:</b>	N/A				
<b>LEGISLATIVE HISTORY:</b>	N/A				
<b>ENCLOSURES:</b>	Proposed FPA Bylaws				
<b>REVIEWS COMPLETED:</b>	Legal	Finance	Purchasing	HR	Other





# Fluvanna Partnership for Aging (FPA) Committee Bylaws

Amended: April 2, 2014

Amended June 3, 2015 PROPOSED

## Article I - NAME

The name of this group shall be the Fluvanna ~~County~~ Partnership for Aging Committee, hereinafter referred to as "FPA" or the "Partnership."

## Article II - PURPOSE

The purpose of the Partnership shall ~~is be to accept responsibility to~~ study the needs and ~~or~~ desires of persons 55 years of age or older in Fluvanna County, to recommend/~~initiate~~ support services as indicated in keeping with total county planning, and seek the overall improvement in quality of life for those citizens and their families.

## Article III - RESPONSIBILITY/AUTHORITY

The Partnership shall ~~provide make full and complete~~ reports to the Fluvanna Board of Supervisors, hereinafter referred to as the "Board"-, at such times as may be requested and at such other times as may be deemed proper. The Partnership serves at the pleasure of the Board.

## Article IV - MEMBERSHIP

Section 1: The Partnership members shall carry out the purpose and responsibility as stated in II and III.

Section 2: The Partnership shall consist of:

- a) One (1) voting member appointed by the Board from each of the five (5) Fluvanna election districts, and two (2) at large voting members, hereinafter referred to as Appointees.
- b) ~~One (1) voting member, hereinafter referred to as Non-voting~~ Representatives, from:
  - Fluvanna Department of Social Services
  - Fluvanna Parks and Recreation Department
  - Jefferson Area Board for Aging (JABA)
  - Monticello Area Community Action Agency (MACAA)
  - Virginia Cooperative Extension Services
  - Health Department
  - Region Ten
  - Representatives from other agencies, organizations or businesses serving Fluvanna seniors as may from time to time be requested to attend by the Partnership.
- c) The County Administrator or designated representative shall also participate as a permanent, non-voting member.

~~d) Representatives from any other agency, organization or business serving Fluvanna seniors may also participate as non-voting members.~~

~~Section 3: Appointees for the Partnership shall be open to all adult persons, regardless of sex, race, creed, religion, or national origin who are citizens of Fluvanna County and who are in support of the purpose of the Partnership. Each Appointee shall follow the prescribed advertised process for his/her respective district, or the process for at large Appointees.~~

Section 34:

- a) Appointees shall serve four (4) years with their term beginning January 1 of each year of their service. Appointees may serve no more than two (2) consecutive terms.
- b) Representatives from departments or agencies, organizations or businesses shall serve at the direction of their respective director or administrator.

Section 45: Vacancies of Appointees shall be filled in like manner as the original member except that the term of office is restricted to the unexpired term of office.

Section 56: A quorum shall consist of a majority of the Partnership's voting membership.

Section 67: The Board may remove any member of the Partnership for misconduct or neglect of duties. Absences by an Appointee from three (3) or more meetings in a calendar year consecutive meetings can may be cause for dismissal.

Section 78: No member shall receive financial compensation for his services. Appointees may be reimbursed for travel and subsistence to conferences and workshops related to the purpose of the Committee in accordance with the general policies of Fluvanna County, when such travel is authorized in advance by the County Administrator.

## **Article V - OFFICERS**

Section 1: The Partnership shall elect three (3) officers, a Chairperson, Vice-Chairperson and Secretary. The officers Chairperson and Vice-Chairperson shall be elected by the Partnership from among the Appointees, ~~and the Secretary shall be elected by the Partnership from among Appointees or Representatives~~ to serve two (2) year terms. Officers may be elected to serve a maximum of two (2) consecutive terms in the same position.

Section 2: The Chairperson shall preside at all meetings, sign official papers, appoint committees, call special meetings as deemed advisable, and perform all such duties as are properly delegated.

Section 3: The Vice-Chairperson, in the absence of the Chairperson, shall perform all duties of the Chairperson. The Vice-Chairperson shall accept the responsibility to see that all committees function as planned.

Section 4: The Secretary shall be present at all meetings and keep a written record of meeting

minutes. Copies of the minutes will be provided to all members of the Partnership. In the event of absence from a meeting, the Chairperson shall appoint a member to record the minutes and provide the Secretary a written copy. Electronic copies of the minutes shall also be provided to the County Administrator or designee for posting on the County website.

## **Article VI - MEETINGS**

Section 1: Regular meetings of the Partnership appointees shall be held every other month in odd numbered months meet quarterly. The meetings shall be held at a regular time and location to be determined by the Partnership. Designated agency Representatives are requested to attend the January, May, and September meetings. All meetings are open to the public.

Section 2: Special meetings may be called by the Chairperson or upon written or electronic request of at least two (2) regular Appointee ~~or Representative~~ members. Notice of special meeting shall be given to all members by telephone or writing at least 24 hours prior to meeting.

Section 3: Elections of officers shall be held the first regular meeting of the Partnership each year, as needed. ~~Elections will be held every two (2) years thereafter.~~

Section 4: The Order of Business shall be as follows:

- 1) Call to Order
- 2) Consideration of Minutes
- 3) Reports of Committees
- 4) Reports of Special Meetings
- 5) New Business
- 6) Old Business
- 7) Adjournment

Section 5: Meetings shall be conducted in accordance with rules that are not in conflict with State law or the provisions of the purpose of the Partnership.

## **Article VII - AMENDMENTS**

These ~~Bylaws By-Laws~~ may be amended by the membership of the Partnership at a meeting at which there is a quorum, held after reasonable notice to the members, and with formal concurrence of the Board of Supervisors.

APPROVED BY:

(SIGNED)

\_\_\_\_\_  
Chair, Fluvanna County Board of Supervisors

\_\_\_\_\_  
Date

(SIGNED)

\_\_\_\_\_

\_\_\_\_\_

Chair, Fluvanna Partnership for Aging Committee

Date

Adopted December 21, 1993

Amended June 7, 2006

Amended June 16, 2010

Amended April 2, 2014

Amended June 3, 2015 PROPOSED

## FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM

**Meeting Date:** June 3, 2015

<b>AGENDA TITLE:</b>	Cooperative Extension Kitchen Requirements				
<b>MOTION(s):</b>	N/A				
<b>AGENDA CATEGORY:</b>	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
			<b>XX</b>		
<b>STAFF CONTACT(S):</b>	John Thompson, Extension Agent				
<b>PRESENTER(S):</b>	John Thompson, Extension Agent				
<b>RECOMMENDATION:</b>					
<b>TIMING:</b>					
<b>DISCUSSION:</b>					
<b>FISCAL IMPACT:</b>					
<b>POLICY IMPACT:</b>					
<b>LEGISLATIVE HISTORY:</b>					
<b>ENCLOSURES:</b>					
<b>REVIEWS COMPLETED:</b>	Legal	Finance	Purchasing	HR	Other



## FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM

**Meeting Date:** June 3, 2015

<b>AGENDA TITLE:</b>	Adoption of the Fluvanna County Board of Supervisors Regular Meeting Minutes.				
<b>MOTION(s):</b>	<b>I move the meeting minutes of the Fluvanna County Board of Supervisors for Wednesday, May 20, 2015 Adjourned Meeting and Regular Meeting, be adopted.</b>				
<b>CATEGORY</b>	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				<b>XX</b>	
<b>STAFF CONTACT(S):</b>	Kelly Belanger Harris, Clerk to the Board				
<b>PRESENTER(S):</b>	Steven M. Nichols, County Administrator				
<b>RECOMMENDATION:</b>	Approve				
<b>TIMING:</b>	Routine				
<b>DISCUSSION:</b>	None				
<b>FISCAL IMPACT:</b>	N/A				
<b>POLICY IMPACT:</b>	N/A				
<b>LEGISLATIVE HISTORY:</b>	None				
<b>ENCLOSURES:</b>	Draft minutes for May 20, 2015				
<b>REVIEWS</b>	Legal	Finance	Purchasing	HR	Other





**FLUVANNA COUNTY BOARD OF SUPERVISORS**  
**REGULAR MEETING MINUTES**  
**Circuit Court Room**  
**May 20, 2015**  
**Work Session 4:00pm**  
**Regular Meeting 7:00pm**

**WORK SESSION**

**MEMBERS PRESENT:** Mozell Booker, Fork Union District, Chairperson  
Bob Ullenbruch, Palmyra District, Vice-Chairperson  
Mike Sheridan, Columbia District (*Arrived 4:53pm*)  
Donald W. Weaver, Cunningham District

**MEMBERS ABSENT:** Tony O'Brien, Rivanna District

**ALSO PRESENT:** Steven M. Nichols, County Administrator  
Wayne Stephens, Public Works Director & County Engineer  
Kelly Belanger Harris, Clerk to the Board of Supervisors

**CALL TO ORDER**

At 4:00 pm, Chairperson Booker called the Work Session of May 20, 2015 to order.

*FUSD Finances and Structural Updates / County Infrastructure Updates* - Wayne Stephens, Public Works Director & County Engineer, presented a comprehensive overview of current water and sewer projects, as well as planned projects. Mr. Stephens provided in-depth information regarding the Fork Union Sanitary District (FUSD,) including current financial standing, infrastructure repair and maintenance opportunities, long-term financing options, and future rate increases. Mr. Stephens then presented a plan for insuring financial viability and implementation of infrastructure repair and maintenance.

**CLOSED SESSION**

**MOTION TO ENTER INTO A CLOSED MEETING**

At 5:27pm Mr. Weaver moved the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.1, A.3, & A.7 of the Code of Virginia, 1950, as amended, for the purpose of discussing Personnel, Real Estate, and Legal Matters. Mr. Ullenbruch seconded and the motion carried, with a vote of 4-0. AYES: Booker, Ullenbruch, Sheridan, and Weaver. NAYS: None. ABSENT: O'Brien.

**Recess for Dinner and Closed Session**

**Reconvene**

**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 3-0. AYES: Booker, O'Brien, Weaver. NAYS: None. ABSENT: Ullenbruch, Sheridan.

**REGULAR MEETING**

**MEMBERS PRESENT:** Mozell Booker, Fork Union District, Chairperson  
Bob Ullenbruch, Palmyra District, Vice-Chairperson (*Arrived at 7:01pm*)  
Tony O'Brien, Rivanna District  
Donald W. Weaver, Cunningham District

**MEMBERS ABSENT:** Mike Sheridan, Columbia District

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

**CALL TO ORDER**

At 7:00 pm, Chairperson Booker called the Regular Meeting of May 20, 2015 to order. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

**ADOPTION OF AGENDA**

**MOTION**

Mr. Weaver moved to accept the Agenda for the May 20, 2015, Regular Meeting of the Board of Supervisors. Mr. O'Brien seconded and the Agenda was adopted by a vote of 3-0. AYES: Booker, O'Brien, Weaver. NAYS: None. Absent: Ullenbruch, Sheridan.

## **COUNTY ADMINISTRATOR'S REPORT**

Mr. Nichols reported on the following topics:

- Staff Wellness Fair held on May 6th
  - Special Recognition to Gail Parrish and Aaron Spitzer for coordinating the event, with support from Carolyn Richardson, Jonathan Pace, Claire Lowande, and Joe Palmer
  - Big winners of the Raffle were:
    - Shannon Redmond - \$50 gift card, Debra Wood - Mini Stepper, Gwen Davis - \$25 gift card
- van der Linde Recycling
  - Donated ~\$3,400 in services to the county by processing the e-waste
    - Andrea Johnson from van der Linde
    - Will Shaw, Public Works
    - Jonathan McMahan, IT
- Terrific Tuesdays - after school program for middle school students
  - Held bi-weekly during February, March, and April, over 140 students signed up to participate.
  - Kudos to:
    - Kim Mayo of Virginia Cooperative Extension, Claire Lowande of Fluvanna Parks & Recreation, Jackie Meyers, CSA Coordinator, and members of the Fluvanna County Youth Advisory Council
    - Many teachers helped lead groups after their normal work day
    - Dedicated and enthusiastic volunteers also played a major role in making this new program a success
    - Fluvanna County Public Schools provided transportation
  - Terrific Tuesdays student evaluations reveal that 89% attended 83% or more of the sessions
    - 70-84% agreed that they learned a new skill and to work as a team, made new friends, felt accepted by other participants, felt good about something they accomplished, and felt that they could talk to their program leaders.
    - 84% described Terrific Tuesdays as excellent
    - 94% indicated that they would attend Terrific Tuesdays again
    - 100% of volunteers rated Terrific Tuesdays as either very good or excellent, and all would be willing to volunteer for future after school enrichment programs.
    - 96% of parents surveyed rated the program good to excellent and would send their child to Terrific Tuesdays again.
    - 100% would recommend Terrific Tuesdays to other parents
    - Most parents described the program's impact on their child as being improved communication skills, teamwork, and critical thinking, among other skill building areas.
    - Plans in motion to repeat program during next school year
- Business Highlight: Lake Emporium (near Food Lion)
  - Need Graduation Party supplies? Stop in for great deals on all your party needs.
- Letter of Interest for the Virginia Telecommunication Planning Initiative
  - Objective of VATPI - ensure community sustainability and competitiveness via planning for broadband deployment, possibility of \$75,000 planning grant
  - After Comprehensive Plan update is completed, recommend County Broadband Task Force
    - Review current resources
    - Identify needs
    - Recommend solutions
- Pillowcase Project, Sponsored by the Red Cross and Disney
  - Cheryl Wilkins, assisted by the Red Cross
  - Classes at Carysbrook Elementary, over 300 families in Fluvanna will be better prepared for emergencies. Helps children learn emergency preparedness skills for themselves and their families and practice helpful coping skills for stressful situations.
  - Each child will receive and decorate a pillowcase (designed to become a personal emergency supplies kit).
  - Asst. Principal Jen Valentine hopes to have this become an annual event
  - Third and Fourth grade classes are scheduled for May 14, 19, 21
- Next Meeting
  - Wednesday, June 3
  - 4:00 pm – Regular Meeting
  - 7:00 pm – Work Session with FRA

## **BOARD OF SUPERVISORS' UPDATES**

*Sheridan*— Absent.

*Weaver*— Earth Day.

*Ullenbruch*— Regional Jail Board Meeting 5/21/15.

*O'Brien*— Groundbreaking at Houchens Place, Habitat for Humanity neighborhood on South Boston Rd; TJPDC.

*Booker*— JABA 40<sup>th</sup> Anniversary Celebration 05/20/2015 in Fluvanna; JABA staffing meeting (Aging in Place), Vice Chair of the JABA Board; Columbia Task Force; Carysbrook Elementary with Superintendent Keller; 7<sup>th</sup> Grade Career Day at Fluvanna Middle School; Finance Board, Kite Day; Palmyra Fire Department Yard Sale.

## **PUBLIC COMMENTS #1**

Chairperson Booker opened the first round of Public Comments.

- Lyle Plitt, 25 Piedmont Lane, Lake Monticello, expressed concern and opposition to the proposed EMS Billing Services
- Patricia Burkett, 14 Wisteria Way, reiterated her belief that the Board of Supervisors meeting is the appropriate forum for the Citizens United resolution that failed for want of a second at the April 1, 2015 meeting.

With no one else wishing to speak, Chairperson Booker closed the first round of Public Comments.

## **PUBLIC HEARINGS**

*VDOT Six Year Plan*—Joel DeNunzio, VDOT Charlottesville Residency Administrator, reviewed the Secondary Six Year Plan as previously presented by Mr. Greg Banks at the May 6, 2015 Regular Meeting.

Following the presentation, Chair Booker opened the Public Hearing. There being no one wanting to speak, Chair Booker closed the Public Hearing.

### **MOTION**

Mr. Ullenbruch moved to accept the Resolution for the VDOT Secondary Six-Year Plan (2015/16 through 2020/21) and VDOT Construction Priority List (2015/16) as required by sections 33.1-23 and 33.1-23.4 of the 1950 Code of Virginia. Mr. O'Brien seconded and the motion passed on a vote of 4-0. AYE: Booker, Ullenbruch, O'Brien, Weaver. NAY: None.

*SUP 15:01 – Stubben North America, Inc.*—Steve Tugwell, Senior Planner, presented a request to amend a special use permit, SUP 15:01-Stubben North America, Inc., to allow for specialty retail sales by appointment only with respect to 34.501 acres of Tax Map 10, Section A, Parcel 54A. The applicant is requesting to delete the 2nd sentence of condition #4 and replace it to allow specialty retail sales by appointment only. Condition #4 of the original SUP 04-25 currently reads as follows: "Regular (daily or weekly) influx of vendor or meeting traffic on the access road shall not be permitted. The warehouse shall not be used as a display center that is open to regular (daily or weekly) visitors". This amendment proposes to delete the 2nd sentence, and replace it with the following: "Specialty retail sales by appointment only, with hours of operation to be 7 a.m. to 9 p.m. Monday through Sunday. Additionally, "All retail sales traffic shall enter and exit via Wounded Knee Lane only", is added as a condition. Specialty retail stores is a use permitted by special permit in the A-1 zoning district, and Stubben North America, Inc. is a distributor of equestrian-related products including horse saddles.

Following the presentation, Mr. Ullenbruch noted a discrepancy in the hours of operation as listed in the application.

Chair Booker opened the public hearing.

- Mr. Jim Ehrmann, applicant, addressed the Board to clarify the intent of the request, and gave a brief history of the business and previous business models and the necessity of seeking this amendment to maintain relevancy in the equine industry;
- Sam Patterson, Palmyra District, adjoining property owner, addressed the Board with concerns about safety, and access.
- David Ordell, adjoining property owner, asked the Board to allow no changes to SUP.
- Peter Manson, 233 Iron Hound Dr., echoed the previous sentiments.

Chair Booker closed the Public Hearing and asked the applicant to return to the podium.

- Mr. O'Brien questioned the number of area landowners notified of this Public Hearing. Mr. Payne noted that the legal requirement of notifying all adjacent landowners was accomplished.
- Mr. Ullenbruch noted concerns with the length of hours of operation.
- Mr. Ehrmann suggested conditioning the hours of operation as "to dusk" and indicated that it was by statute that his request is for "specialty retail."
- Mr. Payne noted that sunrise and sunset are well-documented times and suggested adding the language "local sunrise and local sunset."
- Mr. Ullenbruch asked whether the nature of the retail sales should be further defined. Mr. Payne noted that the original SUP limits the nature of the business.
- A further concern regarding containing horses on the property to limit the potential for harm was considered; Mr. Ehrmann stated he has a plan to build a riding ring at some future point, pending the outcome of this request) and noted that the horses he would be fitting for saddles can cost over \$100,000 and their safety is well attended.

### **MOTION**

Mr. Ullenbruch moved that the Board of Supervisors approve SUP 15:01, a request to amend SUP 04:25, with respect to 34.501 acres of Tax Map 10, Section A, Parcel 54A, to amend condition # 4 by deleting the 2nd sentence which reads, "The warehouse shall not be used as a display center that is open to regular (daily or weekly) visitors", and replace it with "specialty retail sales by appointment only, with hours of operation to be local sunrise to ½ hour after local sunset, Monday through Saturday, and from local sunrise to 6:00 pm on Sunday," subject to the conditions listed in the staff report. Mr. Weaver seconded and the motion passed 4-0. AYE: Booker, Ullenbruch, O'Brien, Weaver. NAY: None.

SUP 15-01: Stubben North America, Inc. Conditions:

1. Total amount of floor area for all structures constructed on the parcel identified on County Tax Map 10, Section A, Parcel 54A that are used for the warehousing and distribution of equine related products shall not exceed fifteen thousand five hundred ten (15,510) square feet of interior floor area. No business related structure may be constructed on the parcel identified as Tax Map 10, Section A, Parcel 68;
2. At any one time, no more than fifteen (15) employees shall be permitted to work in the building or buildings constructed on County Tax Map 10 as Parcel 54A for the warehousing and distribution of equine related products;
3. At any one time, no more than fifteen (15) employees who work in the building or buildings constructed on County Tax Map 10 as Parcel 54A or Parcel 68 shall be permitted to use private access road that connects Parcel 54A to state Route 631;
4. Regular (daily or weekly) influx of vendor or meeting traffic on the access road shall not be permitted. The warehouse shall not be used as a display center that is open to regular (daily or weekly) visitors. Specialty retail sales by appointment only, not to exceed fourteen appointments per week or four per day, with hours of operation to be from local sunrise to ½ hour after local sunset Monday through Saturday and from local sunrise to 6 p.m. on Sunday;

5. Any septic system and drain field will be constructed to commercial standards for up to fifteen (15) persons and must be approved by the Fluvanna County Health Department;
6. All structures on the parcel identified on County Tax Map 10 as Parcel 54A that are utilized for the warehousing and distribution of equine related products shall reflect the architectural style of the existing barn on the parcel;
7. No nighttime internal or external lighting of any kind shall be permitted to remain on between the hours of 8 p.m. and 6:00 a.m. unless employees are present on the premises or emergency conditions exist. There will be no 24-hour security lights of any kind installed on the building and may only be used during the hours otherwise permitted by this condition or during emergency situations, provided that such lights are not directed upward or toward adjacent property owners;
8. All parking for employees and visitors to the existing barn on the parcel identified on County Tax Map 10 as Parcel 54A shall be confined to the northern side of the existing barn;
9. No exterior security system that emits light or noise that can be detected on adjacent properties shall be installed;
10. No more than a total of ten (10) trucks per week shall be permitted to travel to and from the parcel identified on County Tax Map 10 as Parcel 54A to deliver inventory or to pick up shipment of product;
11. Deliveries to and pick-ups of products from the warehousing and distribution operation shall be permitted only between the hours of 8:00 a.m. and 6:00 p.m.;
12. The rights granted under the special use permit may only be exercised by one or more of the following persons or entities; Stubben North America, Inc., CTD A.G., Stubben GmbH, a business entity wholly owned by Stubben family, or James J. Ehrmann (the "Potential Owners"). The special use permit may not be transferred, assigned, or otherwise conveyed to a person or entity that is not one of the Potential Owners;
13. 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;
14. 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.
15. The Board of Supervisors, or its representative, reserves the right to inspect the business for compliance with these conditions at any time;
16. All retail sales traffic shall enter and exit via Wounded Knee Lane only;
17. With property owner's permission, a warning sign is to be placed at the entrance and end of Ghost Dance Lane stating "Private Drive, No Trespassing, No Entrance for Stubben;"
18. Stubben to install a business sign as allowed in the A-1 zoning district at the driveway entrance to their existing building;
19. Stubben to install a warning sign at the existing gate on Wounded Knee Lane, 100 yards in from the Troy Road entrance stating "Private Drive, No Trespassing, By Appointment Only;"
20. All sign costs shall be borne by Stubben;

After the request, was approved Mr. Payne asked that the Board address the issue of signage.

Mr. Ullenbruch requested amending the motion to modify condition #17 to include a warning sign to be placed at the entrance and end of Ghost Dance Lane; Mr. Weaver seconded the amendment and the amended motion passed 4-0. AYE: Booker, Ullenbruch, O'Brien, Weaver. NAY: None.

*VACo/VML Virginia Investment Pool (VIP) Ordinance*—Eric Dahl, Finance Director, presented an option for the County to enter into the VACo/VML investment Pool. Mr. Dahl noted that the County's current Investment Policy disallows the County from investing in mortgage-backed securities. Approximately 3% of the VACo/VML VIP contains government-sponsored entities such as Freddie Mac and Fannie Mae, amounting to approximately \$5.9 million.

Mr. Payne stated that participation in the VACo/VML VIP does require action by adoption of ordinance; however, the ordinance will become an appendix to the County Code and will not be set out as an addition to the County Code.

Chairperson Booker opened the Public Hearing.

With no one wishing to speak, Chair Booker closed the Public Hearing.

Mr. Weaver asked about the return on this money. Mr. Nichols noted that a presentation later in the evening would address the current return on invested funds. Mr. Nichols noted that this ordinance merely allows the County to invest in the VACo/VML VIP. Mr. Dahl advised that this investment opportunity will also allow the County to make withdrawals twice monthly, if necessary.

#### MOTION

Mr. Weaver moved the Fluvanna County Board of Supervisors approve an "Ordinance to authorize participation by the County of Fluvanna in the VACo/VML Virginia Investment Pool Trust Fund for the purpose of investing in accordance with section 2.2-4501 of the Virginia Code" and in the event that any investments related thereto violate the County's Investment Policy Statement adopted October 15, 2008 such shall be deemed authorized exemptions to the Investment Policy Statement. Mr. Ullenbruch seconded and the motion passed 4-0. AYE: Booker, Ullenbruch, O'Brien, Weaver. NAY: None.

## **ACTION MATTERS**

*Waste Water Treatment Plant (WWTP) Agreement with Fluvanna County Public Schools - Wayne Stephens, Public Works Director & County Engineer, came before the Board to seek approval of a Memorandum of Agreement with Fluvanna County Public Schools to take over operation and maintenance of the Carysbrook and Middle School Waste Water Treatment Plants.*

*(At approximately 8:53pm, Mr. Ullenbruch excused himself briefly. In his absence, Tabs L and M were deferred until his return.)*

*Appointment to the JAUNT Board—Kelly Belanger Harris, Clerk to the Board,*

### **MOTION**

*Mr. O'Brien moved to reappoint David Feisner to the JAUNT Board, with a term to begin July 1, 2015 and to terminate June 30, 2018. Mr. Weaver seconded and the motion passed 3-0. AYE: Booker, O'Brien, Weaver. NAY: None.*

*(Mr. Ullenbruch returned to the meeting at approximately 8:57pm)*

*Appointment to the Economic Development Authority (EDA), At Large—Kelly Belanger Harris, Clerk to the Board*

### **MOTION**

*Mr. Weaver moved to reappoint Everett Hannah to the Economic Development Authority (EDA), At Large Position, with a term to begin June 1, 2015, and to terminate May 31, 2018. Mr. O'Brien seconded and the motion passed 4-0. AYE: Booker, Ullenbruch, O'Brien, Weaver. NAY: None.*

*Appointment/Reappointment to the Piedmont Workforce Investment Board—Kelly Belanger Harris, Clerk to the Board*

### **MOTION**

*Mr. O'Brien moved to reappoint Chadwick R. Taberner to the Piedmont Workforce Investment Board, Business Member Position, with a term to begin July 1, 2015 and to terminate June 30, 2018. Mr. Ullenbruch seconded and the motion passed 4-0. AYE: Booker, Ullenbruch, O'Brien, Weaver. NAY: None.*

*Appointment to the Parks and Recreation Advisory Board—Kelly Belanger Harris, Clerk to the Board*

### **MOTION**

*Mr. Weaver moved to appoint Abigail Lintecum to the Parks and Recreation Advisory Board, Student Representative Position, with a term to begin immediately and to terminate June 30, 2016. Mr. Ullenbruch seconded and the motion passed 4-0. AYE: Booker, Ullenbruch, O'Brien, Weaver. NAY: None.*

*Waste Water Treatment Plant (WWTP) Agreement with Fluvanna County Public Schools - Wayne Stephens, Public Works Director & County Engineer,*

### **MOTION**

*Mr. O'Brien moved that the Board of Supervisors approve the Memorandum of Agreement with the Fluvanna County Public Schools for the operation and maintenance of the Carysbrook and Fluvanna Middle School Waste Water Treatment Plants (WWTPs), subject to the County Attorney's approval as to form. Mr. Ullenbruch seconded and the motion passed 4-0. AYE: Booker, Ullenbruch, O'Brien, Weaver. NAY: None.*

*Cost Recovery Billing Company Contract—Cheryl Elliott, Emergency Services Coordinator, presented the candidate for Cost Recovery Program billing services, chosen from a pool of three. EMS Management & Consultants, Inc., is focused exclusively on EMS billing and comes highly recommended by other counties currently using their services. With a fee-for-service of 4.75% of net collections, EMS-MC has estimated cost recovery, at full implementation, to be approximately \$732,000-\$770,000 per year. Ms. Elliott reiterated that those are not first-year predictions, but the possible result of a robust program several years into practice.*

### **MOTION**

*Mr. Weaver moved that the Board of Supervisors approve the contract for Emergency Medical Cost Recovery Billing Services and authorize the County Administrator to execute the contract between the County and EMS Management & Consultants, Inc., subject to the County Attorney's approval as to form. Mr. O'Brien seconded and the motion passed 4-0. AYE: Booker, Ullenbruch, O'Brien, Weaver. NAY: None.*

## **PRESENTATIONS**

*Cash Flow and Investment Brief—Eric Dahl, Finance Director, briefed the Board about County funds, including bank account balances, investment, the return on these investments, and the opportunities available with the VACo/VML. Supervisors expressed support for moving forward with a more assertive investment strategy.*

*Columbia Task Force Update—Pat Groot, TJPDC, returned to the Board to offer a brief overview of the most recent Task Force meeting and recommendations. Ms. Groot gave an update on the TJPDC Hazard Mitigation Grant through FEMA, noting that the environmental review is nearing completion which will move the application process forward. The Task Force recommends that the group continue to meet to discuss ways to revitalize the community. Ms. Groot will step down and Mr. Steven M. Nichols will assume Chairmanship of the Task Force.*

*Barking Dogs Ordinance - Jay Lindsey, Planner, asked by the Board to return with an update on the process of the Ordinance and a recommendation for areas of the County in which such an ordinance might be most applicable, Mr. Lindsey presented a several clear options for implementing a Barking Dogs Ordinance. Mr. Lindsey showed the Board the location of all existing subdivisions within the County, noting that though it was not the intention of the Board to enforce an ordinance in all subdivisions, Planning Staff did not choose in which locations the ordinance would apply. The Board authorized Mr. Ullenbruch to coordinate with Animal Control and Planning Staff to determine the specifications of the ordinance.*

*Public Boat Ramps*—Jason Smith, Director Parks and Recreation, presented an overview of the current public boat ramps and the possibilities for future public ramps. Partnering with the Department of Game and Inland Fisheries, County staff has plans for improving and increasing public access to County waterways, as well as maintaining the area leading up to and around the boat ramps.

**CONSENT AGENDA**

The following were approved under the Consent Agenda:

- Minutes May 6, 2015 Meeting—Kelly Belanger Harris, Clerk to the Board of Supervisors
- Adoption of Road Name - Erreston Farm Lane-Steve Nichols, County Administrator
- Resolution Recognizing Derek Maxwell Windingland – Kelly Belanger Harris, Clerk to the Board of Supervisors
- CRMF Request for PG House Well - Wayne Stephens, Public Works Director & County Engineer
- Accounts Payable Report, May 2015—Eric Dahl, Finance Director

**MOTION**

Mr. Weaver moved to the items on the Consent Agenda for May 20, 2015 and ratified Accounts Payable and Payroll for April 2015 in the amount of \$1,766,416.45. Mr. Ullenbruch seconded and the motion passed 3-0-1. AYES: Booker, Ullenbruch, O’Brien. NAYS: None. ABSTAIN: Weaver.

**UNFINISHED BUSINESS**

Mr. O’Brien brought up the question raised earlier in the evening by Ms. Burkett regarding the appropriateness of bringing citizen concerns to the Board. Mr. Payne noted that citizens can bring any and all concerns to the Board; the Board however, does not have responsibility or authority to act on each of these concerns.

**NEW BUSINESS**

*Proclamation for Virginia Organizing’s 20<sup>th</sup> Anniversary* - Mozell Booker, Chair, Board of Supervisors,

**MOTION**

Mr. O’Brien moved the Board of Supervisors approve the Proclamation recognizing Virginia Organizing’s 20th anniversary. With no second, the motion did not advance.

**PUBLIC COMMENTS #2**

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

**ADJOURN**

**MOTION:**

At 10:29pm Mr. Weaver moved to adjourn the meeting of Wednesday, May 6, 2015. Mr. Ullenbruch seconded and the motion carried with a vote of 4-0. AYES: Booker, Ullenbruch, O’Brien, Weaver. NAYS: None.

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_

Kelly Belanger Harris  
Clerk to the Board

\_\_\_\_\_

Mozell H. Booker  
Chairperson



# Capital Reserve Maintenance Fund Request

**MOTION: I move that the Board of Supervisors approve a Capital Reserve Maintenance Fund Request to:** purchase and install a 106K BTU A/C System into a 2009 IC Bus, 6.4L engine for special needs students' transportation. The system will include 2 evaporators, two condensers, and 2 engine driven compressors. System will utilize R134A refrigerant.

## Section 1 - REQUEST

Requesting Department/Agency	Dept/Agency Contact	Date of Request
Transportation	Chuck Winkler	2015/05/18
Phone	Fax	Fiscal Year
434-589-8208	434-589-2248	FY15

Reserve Fund Purpose Category:

Description of Project/Repair	Qty	Unit Price	Total Price
2009 IC Bus, 6.4L engine Provide and install a 106K BTU A/C System. System	1	\$9,500.00	\$9,500.00
Total Request:			\$9,500.00

### Description and justification for proposed use.

2009 Special needs bus that requires frequent stops and needs AC for children with limited mobility. The 2009 IC bus has a 6.4L engine. Sonny Merryman will provide and install a 106K BTU A/C System. System will include 2 evaporators, two condensers, and 2 engine driven compressors. System will utilize R134A refrigerant.

Department/Agency Head Name	Signature	Date
FCPS	Chuck Winkler <small>Digitally signed by Chuck Winkler DN: cn=Chuck Winkler, ou=FCPS, email=chwinkler@apps.flcco.org, c=US Date: 2015.05.18 14:51:49 -0400</small>	2015/05/18

## Section 2 - REVIEW

Recommended?	County Finance Director	Date
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	 <small>Digitally signed by Eric Dahl DN: cn=Eric Dahl, o=County of Fluvanna, ou=Finance Department, email=edahl@fluvannacounty.org, c=US Date: 2015.05.27 11:40:19 -0400</small>	
Recommended?	County Administrator	Date
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	 Steven M. Nichols 2015.05.27 11:47:27 -0400	

## Section 3 - BOARD OF SUPERVISORS

Approved?	Decision Date	Comments
<input type="checkbox"/> Yes <input type="checkbox"/> No		







# Capital Reserve Maintenance Fund Request

**MOTION: I move that the Board of Supervisors approve a Capital Reserve Maintenance Fund Request to:** refinish the gymnasium floor at Fluvanna County High School.

## Section 1 - REQUEST

Requesting Department/Agency	Dept/Agency Contact	Date of Request
FCPS Operations	Chuck Winkler	2015/05/27
Phone	Fax	Fiscal Year
434-589-8208	434-589-2248	FY15

Reserve Fund Purpose Category: Other one-time, minor capital projects less than \$20,000

Description of Project/Repair	Qty	Unit Price	Total Price
Sand and reseal FCHS's gymnasium floor	1	\$5,000.00	\$5,000.00
Total Request:			\$5,000.00

**Description and justification for proposed use.**  
 The floor at FCHS is need of cosmetic repair that will be obtained by sanding and resealing the surface for overall tack needs and aesthetics. It will help with sporting events and daily student safety.

Department/Agency Head Name	Signature	Date
Chuck Winkler	Chuck Winkler <small>Digitally signed by Chuck Winkler DN: cn=Chuck Winkler, ou=FCPS, email=chwinkler@apps.fluco.org, c=US Date: 2015.05.27 11:22:34 -0400'</small>	2015/05/27

## Section 2 - REVIEW

Recommended?	County Finance Director	Date
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<i>EDahl</i> <small>Digitally signed by Eric Dahl DN: cn=Eric Dahl, o=County of Fluvanna, ou=Finance Department, email=redahl@fluvannacounty.org, c=US Date: 2015.05.27 11:43:19 -0400'</small>	
Recommended?	County Administrator	Date
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<i>SMN</i> Steven M. Nichols 2015.05.27 11:48:23 -04'00'	

## Section 3 - BOARD OF SUPERVISORS

Approved?	Decision Date	Comments
<input type="checkbox"/> Yes <input type="checkbox"/> No		



## FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM

**Meeting Date:** June 3, 2015

<b>AGENDA TITLE:</b>	FY15 Supplemental Appropriation Request for Early Childhood Special Education Program Federal Grant Funds.				
<b>MOTION(s):</b>	<b>I move the Board of Supervisors approve the supplemental appropriation of \$11,000 in the FY15 Fluvanna County Public Schools budget for additional Early Childhood Special Education Federal Grant Funds.</b>				
<b>AGENDA CATEGORY:</b>	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				<b>X</b>	
<b>STAFF CONTACT(S):</b>	Mary Anna Twisdale, Management Analyst				
<b>PRESENTER(S):</b>	Ed Breslauer, Schools Director of Finance				
<b>RECOMMENDATION:</b>	I recommend approval of the following action.				
<b>TIMING:</b>	Routine.				
<b>DISCUSSION:</b>	<p>Fluvanna County Public Schools has received \$11,000 in additional Federal Early Childhood Special Education Program Grant Funds.</p> <p>This will increase the schools Federal funding from \$1,042,286 to \$1,053,286.</p> <p>These funds are used to support the use of inclusive practices in all early childhood programs to support the needs of children with disabilities in those settings.</p> <p>This supplemental appropriation would authorize staff to appropriate the additional revenue and expense.</p>				
<b>FISCAL IMPACT:</b>	There is no local match required.				
<b>POLICY IMPACT:</b>	N/A				
<b>LEGISLATIVE HISTORY:</b>	N/A				
<b>ENCLOSURES:</b>	None.				
<b>REVIEWS COMPLETED:</b>	Legal	Finance	Purchasing	HR	Other
		<b>X</b>			



**FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM**

**Meeting Date:** June 3, 2015

<b>AGENDA TITLE:</b>	FY15 Supplemental Appropriation Request for Families Learning Together (FLT) Program.				
<b>MOTION(s):</b>	<p><b>I move the Board of Supervisors approve the supplemental appropriation of \$23,500 in the FY15 Fluvanna County Public Schools budget for additional Families Learning Together (FLT) Grant Funds from other local sources.</b></p> <p><b>Funds are from:</b></p> <ul style="list-style-type: none"> <li>• <b>\$5,000 Community Endowment Fund of the Charlottesville Area Community Foundation</b></li> <li>• <b>\$15,000 Dollar General</b></li> <li>• <b>\$2,500 The Junior League of Charlottesville</b></li> <li>• <b>\$1,000 Wells Fargo</b></li> </ul>				
<b>AGENDA CATEGORY:</b>	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				<b>X</b>	
<b>STAFF CONTACT(S):</b>	Mary Anna Twisdale, Management Analyst				
<b>PRESENTER(S):</b>	Ed Breslauer, Schools Director of Finance				
<b>RECOMMENDATION:</b>	I recommend approval of the following action.				
<b>TIMING:</b>	Routine.				
<b>DISCUSSION:</b>	<p>Fluvanna County Public Schools has received \$23,500 in additional Other Local grant funds for the Families Learning Together Program.</p> <p>This will increase the schools Other Local sources funding from \$760,500 to \$784,000.</p> <p>These funds are used to support the operation of Fluvanna’s adult education program.</p> <p>This supplemental appropriation would authorize staff to appropriate the additional revenue and expense.</p>				
<b>FISCAL IMPACT:</b>	There is no local match required.				
<b>POLICY IMPACT:</b>	N/A				
<b>LEGISLATIVE HISTORY:</b>	N/A				
<b>ENCLOSURES:</b>	None.				
<b>REVIEWS COMPLETED:</b>	Legal	Finance	Purchasing	HR	Other
		<b>X</b>			



## FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM

**Meeting Date:** June 03, 2015

<b>AGENDA TITLE:</b>	FY15 Supplemental Appropriation Request for Families Learning Together (FLT) Program.				
<b>MOTION(s):</b>	<p><b>I move the Board of Supervisors approve the supplemental appropriation of \$2,000 in the FY15 Fluvanna County Public Schools budget for additional Families Learning Together (FLT) Grant Funds from other local sources.</b></p> <p><b>Funds are from:</b></p> <ul style="list-style-type: none"> <li>• <b>\$2,000 Dominion Foundation/Dominion Resources</b></li> </ul>				
<b>AGENDA CATEGORY:</b>	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				<b>X</b>	
<b>STAFF CONTACT(S):</b>	Mary Anna Twisdale, Management Analyst				
<b>PRESENTER(S):</b>	Ed Breslauer, Schools Director of Finance				
<b>RECOMMENDATION:</b>	I recommend approval of the following action.				
<b>TIMING:</b>	Routine.				
<b>DISCUSSION:</b>	<p>Fluvanna County Public Schools has received \$2,000 in additional Other Local grant funds for the Families Learning Together Program.</p> <p>This will increase the schools Other Local sources funding from \$784,000 to \$786,000.</p> <p>These funds are used to support the operation of Fluvanna's adult education program.</p> <p>This supplemental appropriation would authorize staff to appropriate the additional revenue and expense.</p>				
<b>FISCAL IMPACT:</b>	There is no local match required.				
<b>POLICY IMPACT:</b>	N/A				
<b>LEGISLATIVE HISTORY:</b>	N/A				
<b>ENCLOSURES:</b>	None.				
<b>REVIEWS COMPLETED:</b>	Legal	Finance	Purchasing	HR	Other
		<b>X</b>			





## FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM

**Meeting Date:** June 3, 2015

<b>AGENDA TITLE:</b>	FY15 Supplemental Appropriation Request for Middle School Teacher Corps Program State Grant Funds.				
<b>MOTION(s):</b>	<b>I move the Board of Supervisors approve the supplemental appropriation of \$5,000 in the FY15 Fluvanna County Public Schools budget for additional Middle School Teacher Corps State Grant Funds.</b>				
<b>AGENDA CATEGORY:</b>	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				<b>X</b>	
<b>STAFF CONTACT(S):</b>	Mary Anna Twisdale, Management Analyst				
<b>PRESENTER(S):</b>	Ed Breslauer, Schools Director of Finance				
<b>RECOMMENDATION:</b>	I recommend approval of the following action.				
<b>TIMING:</b>	Routine.				
<b>DISCUSSION:</b>	<p>Fluvanna County Public Schools has received \$5,000 in additional Middle School Teacher Corps State Grant Funds.</p> <p>This will increase the schools state funding from \$19,472,102 to \$19,477,102.</p> <p>These funds will be used to pay qualifying Middle School mathematics staff as part of a State initiative.</p> <p>This supplemental appropriation would authorize staff to appropriate the additional revenue and expense.</p>				
<b>FISCAL IMPACT:</b>	There is no local match required.				
<b>POLICY IMPACT:</b>	N/A				
<b>LEGISLATIVE HISTORY:</b>	N/A				
<b>ENCLOSURES:</b>	None.				
<b>REVIEWS COMPLETED:</b>	Legal	Finance	Purchasing	HR	Other
		<b>X</b>			



## FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM

**Meeting Date:** June 3, 2015

<b>AGENDA TITLE:</b>	FY15 Supplemental Appropriation Request for the State Alternative Assessment Assistance Incentive Grant Program.				
<b>MOTION(s):</b>	<b>I move the Board of Supervisors approve the supplemental appropriation of \$14,000 in the FY15 Fluvanna County Public Schools budget for additional VSUP flow through funds from the State Alternative Assessment Assistance Incentive Grant Program.</b>				
<b>AGENDA CATEGORY:</b>	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				<b>X</b>	
<b>STAFF CONTACT(S):</b>	Mary Anna Twisdale, Management Analyst				
<b>PRESENTER(S):</b>	Ed Breslauer, Schools Director of Finance				
<b>RECOMMENDATION:</b>	I recommend approval of the following action.				
<b>TIMING:</b>	Routine.				
<b>DISCUSSION:</b>	<p>Fluvanna County Public Schools has received \$14,000 in additional State Alternative Assessment Assistance Incentive Grant Funds.</p> <p>This will increase the schools state funding from \$19,477,102 to \$19,491,102.</p> <p>Fluvanna County Public Schools serves as the fiscal agent for the Virginia School University Partnership (VSUP) and accounts for grant funds the VSUP receives.</p> <p>This supplemental appropriation would authorize staff to appropriate the additional revenue and expense.</p>				
<b>FISCAL IMPACT:</b>	There is no local match required.				
<b>POLICY IMPACT:</b>	N/A				
<b>LEGISLATIVE HISTORY:</b>	N/A				
<b>ENCLOSURES:</b>	None.				
<b>REVIEWS COMPLETED:</b>	Legal	Finance	Purchasing	HR	Other
		<b>X</b>			





## BOS Directives and Tasks Status Report

Updated: May 11, 2015

Status	Date	Directive/Task	Action By	Comments
Pending	6-May-15	Move forward with Business License Fee, Vehicle License Fee, Business Equip Tax	Finance/COR/Comm Dev	July/Aug Agenda
Pending	15-Apr-15	Review existing Sign Ordinance and return with recommendations.	Planning/County Attorney	
Pending	1-Apr-15	Draft a proposed policy regarding Cellphone Usage while driving County vehicles.	PW/HR	
Pending	1-Apr-15	Return with an Employee Recognition program that relies less on a large financial bonus.	Tiger Team	
Pending	18-Feb-15	In consultation with the Sheriff and the County Attorney, to develop a draft ordinance for Nuisance Barking.	Planning	Pending
Pending	21-Jan-15	Return to the Board with a final billing policy and fee schedule on March 18, 2015	ESC	Pending
Pending	21-Jan-15	Present a proposal for a revised Rescue Service structure for the County.	FRA Leadership	June 3, 2015 Work Session
Pending	17-Dec-14	Leash Policy for Dogs in County Parks	P&R/County Attorney	Under review: three
Pending	3-Dec-14	Compile a comprehensive list of financial policies and agreements with FRA	ESC	
Pending	19-Nov-14	Research possible methodologies to restructure the County's Business Personal Property Tax for presentation to the Board in Feb/Mar 2015.	Comm Dev COR	Delayed until after Budget Season
Pending	19-Nov-14	Research Business License Fee options and costs for presentation to the Board at the	Comm Dev	Delayed until after Budget
Pending	17-Jul-13	Prepare cash proffer guidance for consideration by the Board	Planning	
Pending	15-May-13	Request a speed study be done between the Town of Columbia and the Rivanna Bridge on Route 6.	Comm Dev	Request submitted to VDOT
Pending	2-Jan-13	Review collection options for personal property taxes	Treasurer	
Ongoing	1-Aug-12	Investigate Carysbrook wells ("Thomasville") and the County's existing unused James	PW	
Complete	21-Jan-15	Proceed with procuring a billing provider for EMS cost recovery	ESC	May 20, 2015 BOS
Complete	15-Oct-14	Review FUSD debt refinancing opportunities and alternatives	Finance	May 20, 2015 Work Session
Complete	15-Oct-14	Present a FUSD revenue forecast update in January 2015	PW	May 20, 2015 Work Session
Complete	4-Feb-15	Return with a proposal for future Task Force efforts after the March 17, 2015 special election for the Repeal and Annulment of the Town Charter of Columbia.	Columbia Task Force	May 20, 2015
Complete	4-Feb-15	Pursue a venue change, from the Circuit Court Room to the High School Auditorium, for the March 16, 2015 State Corporation Commission hearing on the proposed Aqua Virginia rate increase.	COAD/Clerk	SCC can not change venues.
Complete	21-Jan-15	Move forward with EMS Cost Recovery Program	ESC	2015
Complete	21-Jan-15	Advertise and hold a Public Hearing on February 18, 2015 to approve an ordinance to allow for EMS Cost Recovery	ESC	March 18, 2015



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# COUNTY OF FLUVANNA

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Palmyra, VA 22963  
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Fax (434) 591-1911  
www.fluvannacounty.org

## MEMORANDUM

**Date:** June 3, 2015  
**From:** Mary Anna Twisdale/ Management Analyst  
**To:** Board of Supervisors  
**Subject:** FY15 Capital Reserve Balances

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The FY15 Capital Reserve account balances are as follows:

### County Capital Reserve:

FY14 Carryover	\$2,470.00
<b>FY15 Beginning Budget:</b>	<b>\$200,000.00</b>
Less: Permanent Pleasant Grove Sign at Entrance to Pleasant Grove 9.3.14	-\$15,000.00
Less: Correct Health & Safety Code Violations at Various County Bldgs 9.3.14	-\$35,000.00
Less: Mold Remediation & Related Work at Community Center & Performing Arts Building 12.3.14	-\$21,000.00
Less: Installation of Restroom Fans, Treasurer's Building 12.3.14	-\$3,000.00
Less: Correction to Mold Remediation & Related Work at Community Center & Performing Arts Building 12.17.14	-\$2,100.00
Less: Plaster Repairs and Painting of Water Damaged Ceiling at Performing Arts Center 12.17.14	-\$2,400.00
Less: Specified Repairs to Exterior of the Administration Building 12.17.14	-\$22,500.00
Less: Replace Gutters and Downspouts on Administration Building 1.7.15	-\$12,900.00
Less: Correction to Plaster Repairs and Painting of Water Damaged Ceiling at Performing Arts Center 1.7.15	-\$600.00
Less: Unforeseen work on Work Space Renovation and Space Utilization Project (formerly MACAA) 3.4.15	-\$25,000.00

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Less: Heavy Duty Equipment Trailer 3.4.15	-\$10,000.00
Less: Pleasant Grove House Well 5.20.15	-24,500.00
<b>Available:</b>	<b>\$28,470.00</b>

## Schools Capital Reserve:

FY14 Carryover	\$122,693.00
<b>FY15 Beginning Budget:</b>	<b>\$200,000.00</b>
Less: Carysbrook Elementary Music Room Carpet Replacement 7.2.14	-\$3,520.00
Less: Central Elementary Asbestos Abatement and Air Tests 7.2.14	-\$3,100.00
Less: Central/West Central Flooring 9.3.14	-\$76,600.00
Less: Materials and Service to Migrate the FCPS Bus Radio System to the Base of the Communication Towers as directed by the LOA Agreement 1.7.15	-\$5,750.00
Less: Fluvanna Middle School Track Repairs 3.4.15	-\$7,490.00
Less: Carysbrook Elementary School Roof Repair 4.1.15	-8,000.00
<b>Available:</b>	<b>\$218,233.00</b>



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## MEMORANDUM

**Date:** June 3, 2015  
**From:** Mary Anna Twisdale/ Management Analyst  
**To:** Board of Supervisors  
**Subject:** FY15 BOS Contingency Balance

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The FY15 BOS Contingency line balance is as follows:

<b>Beginning Budget:</b>	<b>\$150,000.00</b>
Less: Sheriff's Office Unclaimed Body Charges 10.1.14	-\$1,712.00
Less: Info Tech MUNIS Tax Project Training 10.1.14	-\$16,000.00
Less: Parks & Recreation Earth Day Funding 12.3.14	-\$13,500.00
Less: Facilities / Commonwealth Attorney's Office Inspection 5.6.15	-2,800.00
<b>Available:</b>	<b>\$115,988.00</b>