

**FLUVANNA COUNTY BOARD OF SUPERVISORS**  
**REGULAR MEETING MINUTES**  
**June 5, 2019**  
**Regular Meeting 4:00pm – Circuit Courtroom**  
**Work Session 7:00pm – Morris Room**

**MEMBERS PRESENT:** John M. (Mike) Sheridan, Columbia District, Chair  
Tony O’Brien, Rivanna District, Vice Chair (*Arrived at 4:06pm*)  
Mozell Booker, Fork Union District  
Patricia Eager, Palmyra District  
Donald W. Weaver, Cunningham District

**ABSENT:** None.

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

**1 - CALL TO ORDER, PLEDGE OF ALLEGIANCE, & MOMENT OF SILENCE**

At 4:03pm Chair Sheridan called to order the Regular Meeting of June 5, 2019.  
After the recitation of the Pledge of Allegiance, a moment of silence was observed.

**3 - ADOPTION OF AGENDA**

Mr. Nichols noted that Item J has been withdrawn.

MOTION:	Accept the Agenda for the June 5, 2019 Regular Meeting of the Board of Supervisors, as amended.				
MEMBER:	Mr. Sheridan	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Weaver
VOTE:	Yes	Yes	Yes	Absent	Yes
ACTION:		Second			Motion
RESULT:	PASSED 4-0				

**4 - COUNTY ADMINISTRATOR’S REPORT**

Mr. Nichols reported on the following topics:

- Staff and Community Recognitions
  - Two New Sheriff’s Office Deputies recently graduated from the law enforcement academy:
  - Deputy Logan Fielding, Highest academic achievement in his class
  - Deputy Chuck Hoffman
  - Both will be serving Fluvanna in the Patrol Division
- Announcements and Updates
  - Recent Emergency Training Exercises – scheduled and organized by Debbie Smith, Emergency Management Coordinator
    - Tabletop Exercise: 15 Organizations attended and 40 Individuals
    - Shelter Drill: 5 Organizations and 65 individuals participated
  - Persimmon Tree Dedication – In honor and remembrance of Seaman Dakota Kyle Rigsby
    - June 17, 2019, 6:30pm, Civil War Park
  - Fox Hollow Subdivision Update - A one year inspection of Country Creek Way finds the street remains in good condition. VDOT has released the Surety Bond issued as Resolution No.17-2017 in the amount of \$28,000.
  - New Parks and Recreation Staff member onboard - Dylan Morris - Athletics & Special Events Coordinator. Started Monday, June 3<sup>rd</sup>.
  - New Job Recruitment/Advertisement Package available
- Upcoming Meetings

Day	Date	Time	Purpose	Location
Wed	Jun 19	4:00 PM 7:00 PM	Joint BOS and Planning Commission Work Session Regular Meeting	Courtroom Courtroom
Wed	Jul 2	4:00 PM 7:00 PM	Regular Meeting	Courtroom

**5 - PUBLIC COMMENTS #1**

At 4:11pm Chair Sheridan opened the first round of Public Comments.  
With no one wishing to speak, Chair Sheridan closed the first round of Public Comments at 4:11pm.

**6 - PUBLIC HEARING**

None.

**7 - ACTION MATTERS**

*County Attorney Agreement*—Steven. M. Nichols, County Administrator presented the FY20 County Agreement. With no discussion,

<b>MOTION:</b>	Approve the County Attorney's Compensation Agreement for Fiscal Year 2020 services, effective July 1, 2019, with no change in rates from FY19.				
<b>MEMBER:</b>	Mr. Sheridan	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Weaver
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>ACTION:</b>		Second	Motion		
<b>RESULT:</b>	PASSED 5-0				

*NetMotion Addendum*—Cyndi Toler, Purchasing Officer presented an addendum to the current NetMotion Contract. Highlights of the addendum:

- The CAD System requires a VPN (Virtual Private Network) in order to communicate and transmit data over secured lines to each other and to Dispatch
- NetMotion is specifically designed for Mobile devices to account for poor signal and dropped calls/data by enhancing and optimizing network connectivity
- Allows for transparent transitions between cellular, Wi-Fi and wired networks
- Has been in use since August 2018; no issues, desire to continue with this company
- We have been offered a discount for an extended renewal of 3 years.
  - 1 year renewal is \$6,300
  - 3 year renewal is \$15,120
  - Saving the county \$3,780 over the 3 years
  - Because of cost savings with other maintenance contracts, there are enough funds available to pay the 3 year renewal without increasing the budget

Following brief discussion,

<b>MOTION:</b>	Approve the addendum to the contract between the County of Fluvanna, Virginia, and AT&T Mobility National Accounts LLC, for the NetMotion Mobility Contract for \$15,120 for 3 years of service and further authorize the County Administrator to execute the agreement subject to approval as to form by the County Attorney.				
<b>MEMBER:</b>	Mr. Sheridan	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Weaver
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>ACTION:</b>		Motion	Second		
<b>RESULT:</b>	PASSED 5-0				

*Next Generation Core Services Solution*—Cyndi Toler, Purchasing Officer brought forward a request to approve an agreement between the County and AT&T for the State-required NG9-1-1 initiative.

Mrs. Toler highlighted:

- NG9-1-1 is a state-wide initiative with no option for not deploying the new system.
- September 2018 - Board approved acceptance of the NG911 grant from VITA
- Grant funds will be used to replace the current voice logging software, and other equipment related to E-911
  - Voice logging software is used to monitor and verify communications and interactions; it allows dispatchers to rapidly and proactively listen in and instantly review any call.
- This participation agreement is for the software only; there will be additional charges against the grant for the call handling equipment that will be required
  - Reoccurring Costs
    - Current Software System Costs: approximately \$4,529 a month.
    - The grant will reimburse additional costs for 24 months.
    - Estimated Additional Cost after Deployment: \$1,034 a month; this amount will not be finalized until closer to deployment.
- State grant award of estimated \$246,000. State pays full cost of one-time installation and first 24 months of contractual cost increase.

Following brief discussion,

<b>MOTION:</b>	Approve the participation agreement between the County of Fluvanna, Virginia, and AT&T Corp, for the Next Generation Core Services Solution with the non-recurring cost to be billed directly to VITA under the NG911 Grant and further authorize the County Administrator to execute the agreement subject to approval as to form by the County Attorney.				
<b>MEMBER:</b>	Mr. Sheridan	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Weaver
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>ACTION:</b>			Second	Motion	
<b>RESULT:</b>	PASSED 5-0				

*FY19 CSA Purchase of Services Supplemental Budget Appropriation*—Bryan Moeller, CSA Coordinator requested approval of a supplemental appropriation to the FY19 CSA Purchase of Services Budget, which is projected to be over-budget. Local funds will account for approximately 38% of the total CSA Purchase of Services budget and the State pool covers the remaining 62%.

- CSA Purchase of Services is projected to be over budget by \$100,000
  - \$47,640 Local Share (Unassigned Fund Balance)
  - \$52,360 State Share
- This over-budget balance changes daily as children come into the program, and as unused funds are released for services. This supplemental appropriation would make the revised FY18 budget \$2,950,000.
- Residential/Educational Services FY17-FY19
  - Approximately over one third (37%) of our clients account over half (53.1%) of our costs.
  - Fluvanna County CSA currently has 112 open cases.
- Children in Private Day/Residential Placements
  - 20% increase in private day placements for FY19
  - Consistent with state trends
  - Sudden increase in residential placements in May/June 2019

There being no discussion,

<b>MOTION:</b>	Approve a supplemental appropriation of \$100,000 for the FY19 CSA Purchase of Services Budget, with the \$47,640 local portion of funding to come from Unassigned Fund Balance and the state portion of \$52,360 to come from the Office of Children’s Services.				
<b>MEMBER:</b>	Mr. Sheridan	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Weaver
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>ACTION:</b>			Motion		Second
<b>RESULT:</b>	PASSED 5-0				

*Columbia Area Renewal Effort (CARE) Charter and Member Extension*—Steven M. Nichols, County Administrator requested extension of the Columbia Area Renewal Effort (CARE) Charter and membership extension. With no discussion,

<b>MOTION:</b>	Approve a one-year extension of the CARE Task Force Charter until June 30, 2020 and further move to extend Task Force member appointments for terms to end June 30, 2020.				
<b>MEMBER:</b>	Mr. Sheridan	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Weaver
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>ACTION:</b>			Second	Motion	
<b>RESULT:</b>	PASSED 5-0				

*Initiation of Zoning Text Amendment – Industrial Setbacks*—Brad Robinson, Senior Planner requested adoption of a resolution to initiate a Zoning Text Amendment with regard to Chapter 22 of the Fluvanna County Code.

- Current setback requirements

Zoning	Building Setback	Parking Setback
I-1	100’ *	50’ *
I-2	200’	None specified

\* Buildings and accessory uses may be located less than one hundred feet (100’), but not less than fifty feet (50’), from a street right-of-way, provided that said street:

- is an access road within a subdivision for business or industrial uses and serves properties that contain industrial zoning district classifications only;
- is a cul-de-sac or an interior road.
- All parking lots shall be located not less than twenty-five feet (25’) from any street right of way.
- The proposed changes were brought to attention by a current Board of Zoning appeals case.
- Adoption of this resolution would start the process of the Planning Commission reviewing staff recommendations for changes to the ordinance; following review and a Public Hearing at the Planning Commission, the Board would then hold a Public Hearing.

Mr. Nichols inquired of a Joint Public Hearing with Planning Commission in order to expedite the changes. Mr. Tanner indicated there is no legal impediment, so long as the noticing requirements are met. At the direction of the Board, Staff will proceed with a Joint Public Hearing on July 9, 2019, during the regular Planning Commission.

<b>MOTION:</b>	Adopt the attached resolution to initiate a Zoning Text Amendment to amend Chapter 22 of the Fluvanna County Code for yard setback regulations of the I-1, Industrial, Limited and I-2, Industrial, General zoning districts, and to schedule a
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	future public hearing for formal Planning Commission consideration and recommendation to the Board of Supervisors.				
<b>MEMBER:</b>	Mr. Sheridan	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Weaver
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>ACTION:</b>		Second	Motion		
<b>RESULT:</b>	PASSED 5-0				

**7A – BOARDS AND COMMISSIONS**

<b>MOTION:</b>	Approve the following Board, Commission, or Committee appointment(s):				
	Jefferson Area Board for Aging (JABA) Board of Directors	Paul Bevins	July 1, 2019	June 30, 2021	
<b>MEMBER:</b>	Mr. Sheridan	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Weaver
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>ACTION:</b>		Motion		Second	
<b>RESULT:</b>	PASSED 5-0				

**8 – PRESENTATIONS**

None.

**9 - CONSENT AGENDA**WITHDRAWN - *FLSA Status Changes for Assistant PW Director Positions* – Jessica Rice, HR Manager

The following items were approved under the Consent Agenda for June 5, 2019:

*Minutes of May 15, 2019*—Kelly Belanger Harris, Clerk to the Board*New Hire Salary Ratification* – Community Development Director – Jessica Rice, HR Manager*ZXR Sargent Change Order #1*—Cyndi Toler, Purchasing Officer

<b>MOTION:</b>	Approve the consent agenda, for the June 5, 2019, Board of Supervisors meeting.				
<b>MEMBER:</b>	Mr. Sheridan	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Weaver
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>ACTION:</b>		Second			Motion
<b>RESULT:</b>	PASSED 5-0				

**10 - UNFINISHED BUSINESS**

None.

**11 - NEW BUSINESS**

None.

**12 - PUBLIC COMMENTS #2**

At 4:48pm Chair Sheridan opened the second round of Public Comments.

With no one else wishing to speak, Chair Sheridan closed the second round of Public Comments at 4:48pm.

**13 - CLOSED MEETING****ENTER INTO A CLOSED MEETING**

<b>MOTION:</b>	Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.1, A.3, A.5, A.6, & A.8 of the Code of Virginia, 1950, as amended, for the purpose of discussing Personnel, Real Estate, Prospective Industry, Investment of Funds, and Legal Matters.				
<b>MEMBER:</b>	Mr. Sheridan	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Weaver
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>ACTION:</b>		Second		Motion	
<b>RESULT:</b>	PASSED 5-0				

**EXIT A CLOSED MEETING & RECONVENE IN OPEN SESSION**

<b>MOTION:</b>	At 7:00 pm, 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
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	closed meeting was convened were heard, discussed, or considered in the meeting.”				
MEMBER:	Mr. Sheridan	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Weaver
VOTE:	Yes	Yes	Yes	Yes	Yes
ACTION:				Motion	Second
RESULT:	PASSED 5-0				

RECONVENE FOR WORK SESSION

WORK SESSION TO DISCUSS SPACE UTILIZATION

Josh Bower, from Crabtree, Rohrbaugh, & Associates Architects, presented the Space Utilization Study. Mr. Bower presented numerous options for maximizing County buildings.

14 - ADJOURN

MOTION:	At 8:18pm, adjourn the regular meeting of Wednesday, June 5, 2019.				
MEMBER:	Mr. Sheridan	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Weaver
VOTE:	Yes	Yes	Yes	Yes	Yes
ACTION:		Second		Motion	
RESULT:	PASSED 5-0				

ATTEST:

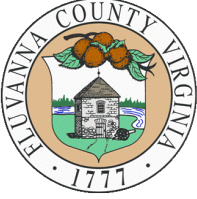
FLUVANNA COUNTY BOARD OF SUPERVISORS

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Kelly Belanger Harris  
Clerk to the Board

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John M. Sheridan  
Chair

**BOARD OF SUPERVISORS**

County of Fluvanna  
Palmyra, Virginia

**RESOLUTION No. 07-2019**

Be it resolved by the Fluvanna County Board of Supervisors, pursuant to Fluvanna County Code Sec. 22-20-1(c), that the Board intends to propose the following amendment to the Fluvanna County Code:

**ORDINANCE**

**AN ORDINANCE TO AMEND CHAPTER 22 OF THE FLUVANNA COUNTY CODE BY THE  
ADDITION OF A NEW SUBSECTION 22-11-5 AND 22-12-5 TO REDUCE THE MINIMUM BUILDING  
SETBACKS FOR PROPERTIES IN INDUSTRIAL SUBDIVISIONS**

BE IT ORDAINED BY THE FLUVANNA BOARD OF SUPERVISORS, pursuant to Virginia Code Sections 15.2-2285, that the Fluvanna County Code be, and it is hereby, amended, by the amendment of Sections 22-11-5 and 22-12-5, as follows:

Sec. 22-11-5. Setback regulations.

Buildings and accessory uses shall be located not less than one hundred feet (100') from any street right-of-way and all parking lots shall be located not less than fifty feet (50') from any street right of way except that:

(A) Buildings and accessory uses may be located less than one hundred feet (100'), but not less than fifty feet (50'), from a street right-of-way, provided that said street:

(i) is an access road within a subdivision for business or industrial uses and serves properties that contain industrial zoning district classifications only;

(ii) is a cul-de-sac or an interior road; and

(B) All parking lots shall be located not less than twenty-five feet (25') from any street right of way.

The foregoing notwithstanding, the location of buildings and accessory uses shall at all times be located so as to provide safe and efficient access to, from and within the property, including sight distance, and turning, stacking and other traffic circulation features and facilities.

This shall be known as the "building setback line."

Sec. 22-12-5. Setback regulations.

Buildings shall be located not less than two hundred feet (200') from any street right-of-way. except that:

(A) Buildings and accessory uses may be located less than two hundred feet (200'), from a street right-of-way, provided that said street:

(i) is an access road within a subdivision for business or industrial uses and serves properties that contain industrial zoning district classifications only;

(ii) is a cul-de-sac or an interior road; and

(B) All parking lots shall be located not less than twenty-five feet (25') from any street right of way.

The foregoing notwithstanding, the location of buildings and accessory uses shall at all times be located so as to provide safe and efficient access to, from and within the property, including sight distance, and turning, stacking and other traffic circulation features and facilities.

This shall be known as the "setback line."

And be it further resolved that the public purpose for the proposed amendments is to encourage economic development and orderly growth within industrial subdivisions by proving for more efficient used of industrially zoned properties.

And be it further resolved that the proposed amendment be, and it is hereby, referred to the Planning Commission.

**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** by the Fluvanna County Board of Supervisors at the annual Organizational Meeting of the Board held on the 5<sup>th</sup> day of June, 2019;

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Mozell H. Booker, Fork Union District						
Patricia B. Eager, Palmyra District						
Anthony P. O’Brien, Rivanna District						
John M. Sheridan, Columbia District						
Donald W. Weaver, Cunningham District						

Attest:

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John M. Sheridan, Chair

Fluvanna County Board of Supervisors

APPROVED