

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Court Room
July 16, 2014, 7:00 pm**

MEMBERS PRESENT: Mozell Booker, Chairperson
Bob Ullenbruch, Vice-Chairperson
Donald W. Weaver
Mike Sheridan
Tony O'Brien

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

CALL TO ORDER/PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

Chairperson Booker called the meeting of Wednesday, July 16, 2014, to order at 7:00 p.m., in the Circuit Courtroom in Palmyra, Virginia; and the Pledge of Allegiance was recited, after which, Chairperson Booker called for a moment of silence.

COUNTY ADMINISTRATOR'S REPORT

Mr. Nichols reported on the following topics:

- Appointment on tonight's agenda for the Agricultural/Forestral Advisory Committee has been deferred to the August 6, 2014, no current candidates.
- Suggested to consider deferring SUP 14-02 & ZMP 14-01/Hotel Street Capital, LLC to the August 6, 2014 meeting.
- New Senior Service Program opened on July 14, 2014 hosted at the Scottsville VFW.
- Kudos to Gail Parrish and Malinda Payne for training and assistance in implementation of the MUNIS Employee Self-Service (ESS) Program
- Library has had great participation with summer events such as; Mike Klee's Magic Show, Chesapeake Bay's critters and more.
- Kudos to Cheryl Wilkins and Bobby Popowicz for creating an Infrastructure and Economic Development Road Map for the county.
- Congratulations to Kenney Mills, president of Sav-On Cleaning Services, LLC, for 47 years in business.
- New state laws on hunting on Sundays and maximum 35 MPH speed limit on all gravel and nonsurface-treated roads.
- Preparing Pleasant Grove for Grand Opening and Wine Festival with tree work, mowing & trimming and adding an additional electrical service box.
- Working on a new Pleasant Grove sign to possibly include an LED Announcements Roller, cost estimate pending.
- Virginia Cooperative Extension is celebrating their 100th Year Anniversary and will hold their annual dinner for the Board of Supervisors on September 17, 2014 at 5:30 pm, in the Morris Room.
- Schools no longer have an end of the year shortfall. Have approximately \$70,000 remaining balance.
- VACo Conference in November 9-11, 2014, Supervisors please let Mary Weaver know ASAP if attending.
- New Management Analyst on board, Mary Anna Twisdale, great addition to the team.
- County Administrator on vacation July 24 – August 1, 2014. Bobby Popowicz, Director of Community Development. will be acting administrator.
- Upcoming meetings
 - o Wednesday, August 6, 2014 – 4 & 7:00 pm, Regular Meeting

Chairperson Booker moved agenda item – SUP 14-02 & ZMP 14-01/Hotel Street Capital, LLC up to beginning of meeting.

SUP 14-02 & ZMP 14-01/Hotel Street Capital, LLC – Chairperson Booker informed the Board of additional information that has come to their attention on this request and inquired about having additional time to review. The Board discussed.

MOTION:

Mr. O'Brien moved that the Board of Supervisors defer SUP 14:02 & ZMP 14:01 to the August 6, 2014 Board meeting at 7:00 pm. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Booker, Ullenbruch, Sheridan, O'Brien and Weaver. NAYS: None. ABSENT: None.

BOARD OF SUPERVISORS UPDATE

Mr. Sheridan was unable to attend the Recreation Advisory Board.
Mr. Weaver's committees have not met.
Mr. O'Brien was on vacation.
Mrs. Booker attended the extension agency meeting, other committees did not meet.

PUBLIC COMMENTS #1

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

PUBLIC HEARING

SUP 14-03/Jeff & Gayle Stoneman, Commercial Kennel – Mr. Steve Tugwell, Senior Planner, addressed the Board in regards to this request to operate a commercial kennel. Mr. Jeff Stoneman, applicant, was present and spoke in regards to the number of dogs that will be housed at one time and the requirements for vaccinations.

Chairperson Booker reviewed the rules and process for Public Hearings.

Chairperson Booker opened the floor for the Public Hearing.

- Frank Gallo, Palmyra District – addressed the Board in regards to additional conditions for this request for waste pick up and vaccination requirements.
- Carol Parson, Cunningham District – addressed the Board in regards to concern about noise of a gun club as an adjoining property owner.
- Marvin Moss, Columbia District – addressed the Board in regards to this property being A-1 zoning, doesn't feel this parcel shouldn't be A-1.
- Robert Earl, Cunningham District – addressed the Board in regards to planning process of Special Use Permits.

With no one else wishing to speak Chairperson Booker closed the Public Hearing.

Board discussed adding conditions for vaccination requirements and maximum limit of dogs housed at one time.

MOTION:

Mr. Weaver moved that the Board of Supervisors approve SUP 14:03, with respect to 2.631 acres of Tax Map 30, Section A, Parcel 84B, with the following nine conditions:

1. Prior to development of the site, a site development plan that meets the requirements of the Fluvanna County Zoning Ordinance, must be submitted for review and approval.
2. The site must meet all Virginia Department of Transportation requirements.
3. The site must meet the requirements set forth by the Virginia Department of Health.
4. 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.
5. The Board of Supervisors, or its representative, reserves the right to inspect the business for compliance with these conditions at any time.
6. 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.
7. Dogs shall be housed indoors between the hours of 7pm and 7am.
8. There shall not be more than 60 dogs housed onsite at any given time, with not more than 8 dogs allowed outside at any given time.
9. Dog excrement to be removed from the premises not less than weekly, and to be stored in closed containers until disposal.

Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Booker, Ullenbruch, Sheridan, O'Brien and Weaver. NAYS: None. ABSENT: None.

SUP 14-04/Joyce Parr, The Light Academy – Mr. Jay Lindsey, Planner, addressed the Board in regards to this request to allow for an educational facility. Applicant was present and spoke in regards to hours of operation and activities being offered.

Chairperson Booker opened the floor for the Public Hearing.

- Robert Earl, Cunningham District – addressed the Board in regards to lighting and no crosswalks in the area.

With no one else wishing to speak Chairperson Booker closed the Public Hearing.

Board discussed lack of lighting and crosswalks in that area. Staff will get with VDOT and ask them to consider adding lighting to the parking lot along with crosswalks. Board decided to remove the hours of operation condition recommended by the Planning Commission.

MOTION:

Mr. Ullenbruch moved that the Board of Supervisors approve SUP 14:04, with respect to 6.343 acres of Tax Map 18A, Section 4, Parcel 13A, with the following three conditions:

1. The maximum number of students on-site at any time during the academic year shall be fifty (50);
2. The Board of Supervisors, or representative, reserves the right to inspect the business for compliance with these conditions at any time; and
3. Under Sec. 22-17-4 F (2) of the Fluvanna County Code, the Board of Supervisors has the authority to revoke a Special Use Permit if the property owner has substantially breached the conditions of the Special Use Permit.

Mr. O'Brien seconded. The motion carried, with a vote of 5-0. AYES: Booker, Ullenbruch, Sheridan, O'Brien and Weaver. NAYS: None. ABSENT: None.

ACTION MATTERS

Appointment/Agricultural Forestal Advisory Committee, At-Large Position – This item was deferred, no interested candidates at this time.

PRESENTATIONS

Additional School Resource Officer (SRO) – Sheriff Eric Hess, reviewed with the Board the history of and need for additional School Resource Officer for the Fluvanna Public Schools. SROs key role is to be a positive role model for students. Currently the schools have only one SRO for county schools. The current SRO is assigned in the high school spending most of his time reacting to incidents where it should be proactive. Response time is usually delayed to diffuse incidents because he is tied up with a previous incident. The Board discussed the importance of

this position. Ms. Gena Keller, School Superintendent, spoke on the increased need for an additional SRO. We need to teach young children the police are there to help them. Mrs. Susan Muir, Social Services, agreed with the need, concerned that one isn't enough. The Board **directed staff** to compile financial figures for an SRO and return with a request.

Fluvanna County Fair Update – Mr. Jason Smith, Parks & Recreation Director, reviewed with the Board continuing progress and program information for the upcoming County Fair. The slogan for this year is “Down on the Farm;” each year there will be a contest for a new slogan each year. Several community groups are involved in putting together several events: Fun Zone, Home Arts and Crafts competition, Talent Showcase, music, horse show, dunk tank and many more).

Capital Improvements Plan (CIP) Schedule Change – Mr. Steve Nichols, County Administrator, reviewed with the Board a proposed schedule change for the FY16/21 Capital Improvements Plan process. Proposed moving kick off date to August 1, 2014, increasing the CIP Item threshold \$20k to a higher amount, move lower dollar value items back to departmental budgets, move lower dollar value items into Capital Reserve Maintenance Fund process and remove Maintenance & Repair items from the CIP to the operational budget. Mr. Nichols asked for direction from the Board. The Board **directed staff** to return to the Board with specific dollar value recommendations for the Capital Improvements Plan process.

CONSENT AGENDA

The following items were approved under the consent agenda:

MOTION:

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

- Minutes of July 02, 2014.
- VPPA Amendments
- FY14 Voluntary Contributions – 2nd Half,
 - \$50.00 – Transfer to DSS: Special Welfare Fund
 - \$230.00 – County Library: Books/Publications
 - \$360.00 – Sheriff's Office: Other Operating Supplies
 - \$220.00 – General Fund: BOS Contingency
 - \$748.92 – Transfer to Schools: Instruction
- FY14 Fluvanna County Public Schools Budget Supplement – 2nd half Voluntary Contributions, \$748.92.
- Letter of Support for Seven Islands Conservation Easement Application.
- FY14 Cell Tower Budget Supplement, \$16,000.00.

Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Booker, Ullenbruch, Sheridan, O'Brien and Weaver. NAYS: None. ABSENT: None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

PUBLIC COMMENTS #2

Chairperson Booker opened the floor for the second round of public comments.

- Robert Earl, Cunningham District – addressed the Board in regards to the Real Estate market and house sales prices increasing.

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

CLOSED MEETING

MOTION TO ENTER INTO A CLOSED MEETING:

At 9:23 p.m., Mr. Weaver moved the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the Virginia Code Section 2.2-3711A.1, 2.2-3711A.3 and 2.2-3711A.7 for discussion of Personnel Matters, Real Estate and Legal Matters. Mr. O'Brien seconded. The motion carried, with a vote of 5-0. AYES: Booker, Ullenbruch, Sheridan, O'Brien and Weaver. NAYS: None. ABSENT: None.

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

At 10:36 p.m., Mr. Weaver moved the closed meeting be adjourned and the Fluvanna County Board of Supervisors reconvene again in open session and **“BE IT RESOLVED** to the best of my knowledge (i) only public business matters lawfully exempted from open meeting requirements under Section 2.2-3711-A of the Code of Virginia, 1950, as amended, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting.” Mr. Ullenbruch seconded. The motion carried, with a roll call vote of 5-0. AYES: Booker, Ullenbruch, Sheridan, O'Brien and Weaver. NAYS: None. ABSENT: None.

ADJOURN

MOTION:

At 10:37 p.m., Mr. Sheridan moved to adjourn the meeting of Wednesday, July 16, 2014. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Booker, Ullenbruch,

Sheridan, O’Brien and Weaver. NAYS: None. ABSENT: None.

ATTEST: FLUVANNA COUNTY BOARD OF SUPERVISORS

Mary L. Weaver, Clerk

Mozell H. Booker, Chairperson

APPROVED