

FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Courtroom
Fluvanna Courts Building
January 7th 2009
2:00 p.m.

Adopted January 21, 2009 by
the Board of Supervisors

MEMBERS PRESENT: Marvin F. Moss, Chairman
Charles W. Allbaugh, Vice Chairman
Mozell H. Booker
John Y. Gooch
Gene F. Ott
Donald W. Weaver

ALSO PRESENT: G. Cabell Lawton, IV, County Administrator
Frederick W. Payne, County Attorney
Shelly H. Wright, Assistant County Administrator
Renee Hoover, Finance Director
Pat Groot, Grants Administrator
John Robins, Public Works Director
Alice F. Jones, Clerk, Board of Supervisors

CALL TO ORDER/PLEDGE OF ALLEGIANCE

G. Cabell Lawton, IV, County Administrator, called the organizational meeting of January 7th 2009 to order at 2:00 p.m. in the Circuit Courtroom of the New Courts Building in Palmyra, Virginia.

2009 Organizational Meeting of the Fluvanna County Board of Supervisors
Election of Chairman and Vice Chairman

Mr. G. Cabell Lawton, IV, County Administrator, asked for nomination and election of the Chairman.

MOTION:

Mr. Allbaugh nominated Marvin Moss as Chairman of the Fluvanna County Board of Supervisors for the calendar year of 2009. Mr. Gooch moved the nominations be closed. Mrs. Booker seconded. The motion carried with a vote of 6-0. AYES: Allbaugh, Booker, Gooch, Ott, Weaver and Moss. NAYS: None.

Chairman Moss called for nominations from the Board for the selection of Vice Chairman for the year 2009.

MOTION:

Mr. Gooch nominated Charles Allbaugh as Vice Chairman of the Fluvanna County Board of Supervisors for the calendar year of 2009. Mrs. Booker seconded. No other nominations were suggested and the Chair closed the floor to nominations and called for a vote. The motion carried with a vote of 6-0. AYES: Allbaugh, Booker, Gooch, Ott, Weaver and Moss. NAYS: None.

Selection of Dates for the Board Meetings

MOTION:

Mr. Weaver moved the Fluvanna County Board of Supervisors adopt the Board of Supervisors 2009 regular Meeting Calendar as presented [which does not include any joint meetings or work sessions]. Mr. Ott seconded. The motion carried with a vote of 6-0. AYES: Allbaugh, Booker, Gooch, Ott, Weaver and Moss. NAYS: None.

Resolution entitled "Organizational Meeting of the Fluvanna County Board of Supervisors 2009"

The Code of Virginia requires an annual organizational meeting of the Board of Supervisors for the election of officers and the conduct of such other business as to meeting times and dates.

MOTION:

Mr. Ott moved to adopt the resolution [attached hereto] entitled “Organizational Meeting of the Fluvanna County Board of Supervisors 2009” which solidifies the meeting place and the day and time of the meetings. Mr. Gooch seconded. The motion carried with a vote of 6-0. AYES: Allbaugh, Booker, Gooch, Ott, Weaver and Moss. NAYS: None.

Adoption of Board By-Laws and Rules of Procedures

MOTION:

Mr. Weaver moved to adopt the Fluvanna County Board of Supervisors By-Laws & Rules of Practice & Procedures as amended. Mr. Gooch seconded. The motion carried with a vote of 6-0. AYES: Allbaugh, Booker, Gooch, Ott, Weaver and Moss. NAYS: None.

Board of Supervisors Regular Meeting

Chairman Moss proceeded with the regular meeting of the Board of Supervisors for Wednesday, January 7th 2009 and the Pledge of Allegiance was recited.

REPORTS

VDOT – Mr. James Glass was unable to attend the meeting.

G. Cabell Lawton, IV, County Administrator, reported on the following topics:

- ***Joint Meeting with Louisa County*** – apprised the Board the meeting on January 12th 2009 with Louisa had to be postponed due to scheduling conflicts; staff proposed to reschedule the meeting for Monday, January 26th 2009 at 2:00 p.m. or later; to be held at the Best Western at Zion Crossroads
- ***Office Closed*** – apprised the Board that offices would be closed on Friday, January 16th 2009 for Lee/Jackson Day and Monday, January 19th 2009 for Martin Luther King Day; board packets for the January 21st 2009 meeting should be delivered on Thursday, January 15th 2009
- ***Comprehensive Plan Public Hearing*** – apprised the Board the Planning Commission will be holding their public hearing on the 2009 Comprehensive Plan on Wednesday, January 14th 2009 at 7:00 p.m. in the Circuit Courtroom
- ***FY 10 Budget*** – apprised the Board that staff is continuing to work on the FY 10 budget and the challenges it presents this coming year; provided highlights on revenues; school funding and the Central Virginia Regional Jail (CVRJ)
- ***Zion Crossroads Trailer Park*** – apprised the Board that no response has been received from a letter sent to Mr. Glass on December 18th 2008 asking him to respond regarding a possible code violation; the letter set forth a 30-day appeal timeframe which will expire on January 17th 2009; apprised the Board that if the County wished to pursue the violation, staff will need for the Board to consider taking action per section 10-1-1 of the Code; this issue can be placed as an agenda item or brought up by a Board member
- ***Library – Final Numbers*** – apprised the Board the Library is anticipated to finish under budget by approximately \$10,000; staff is holding some money on the contractor on a handful of small items that are outstanding; therefore, the final payment number will not occur until the spring; however, including this outstanding payment staff anticipates approximately \$10,000 under budget
- ***Congressman Perriello*** – apprised the Board that Congressman Perriello was assigned to the Transportation and Infrastructure Committee and has hired Ridge Schuyler to be his district director who is very familiar with Fluvanna County and staff will be discussing with him some of the projects now being developed and seeking his assistance

PUBLIC COMMENTS #1

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

CONSENT AGENDA

The following item was pulled from the consent agenda:

- Minutes of December 17th 2008

The following items were approved under the consent agenda:

MOTION:

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

- Regional Criminal Records Network Grant Application [approved submission of a grant application administered by the Department of Criminal Justice Services (DCJS) under the Law Enforcement Terrorism Prevention Program Grant for Regional Crime Information Sharing Networks for up to \$250,000; further moved that the Board of Supervisors authorize acceptance of this grant and authorize the County Administrator to execute any contracts associated with the grant, and authorize a supplemental appropriation not to exceed \$250,000 to revenue and expenditure lines as assigned by the Finance Department]
- SUP 04:19/Genetta Washington [approved renewal of a special use permit for a mobile home for medical hardship]

Mr. Ott seconded. The motion carried with a vote of 6-0. AYES: Allbaugh, Booker, Gooch, Ott, Weaver and Moss. NAYS: None.

Minutes of December 17th 2008

MOTION:

Mr. Weaver moved the Board of Supervisors regular meeting minutes of Wednesday, December 17th 2008 be adopted. Mr. Ott seconded. The motion carried with a vote of 5-0-1. AYES: Allbaugh, Booker, Gooch, Ott and Weaver. NAYS: None. ABSTAIN: Moss [was absent due to illness at the meeting in question]

ACCOUNTS PAYABLE

Renee Hoover, Finance Director, addressed the Board regarding the accounts payable.

MOTION:

Mr. Weaver moved the Accounts Payable from November 15th 2008 through December 29th 2008 and Payroll for the month of November 2008 in the amount of \$1,688,099.34 be ratified. Mrs. Booker seconded. The motion carried with a vote of 6-0. AYES: Allbaugh, Booker, Gooch, Ott, Weaver and Moss. NAYS: None.

Fund 100	General Fund	\$ 747,382.06
Fund 105	Social Services	815.34
Fund 120	Recreation	2,109.11
Fund 130	Landfill	14,309.59
Fund 202	Federal Grants	1,933.53
Fund 302	Capital Improvements	271,438.70
Fund 502	Utility Fund	28,686.57
Fund 505	Fork Union Sanitary District	17,555.75
<u>Payroll</u>		<u>569,841.98</u>
Total		\$ 1,688,099.34

PUBLIC HEARING

None

PRESENTATIONS:

Capital Improvements Plan (CIP)

Mr. G. Cabell Lawton, IV, County Administrator, provided a PowerPoint presentation to the Board of Supervisors regarding the draft Capital Improvements Plan (CIP) for FY10-14. This was the initial briefing on the draft. Mr. Lawton explained the process followed in order to reach this point. He provided the Board with information on the FY10 Projects, which include: Information Technology [management and accounting software]; Parks and Recreation [Carysbrook fitness equipment]; Public Works [new vehicle, Carysbrook Campus improvements and Administrative Building improvements]; Public Safety [E-911 upgrade of computer equipment, Fire & Rescue new buildings; Sheriff vehicle lease; and School Board [school busses]. Mr. Lawton provided the project impacts along with recommendations on funding. He also provided information for FY11-14 projects and recommendations. Mr. Lawton explained that the James River Water Project was not currently incorporated into the CIP but may change depending upon how the Board decides to structure the utility operations.

AquaVirginia

Mr. Chris Luning, Vice President Corporate Development, Aqua Virginia, addressed the Board with a proposal for the James River Water Project. Mr. Luning provided the Board with various alternative concepts for the construction of a regional water plant and distribution system centrally located at Aqua's existing water treatment plant. He further elaborated on the ideas originally presented at the November 19th 2008 BOS meeting.

Discussion ensued among the Board and Mr. Luning with the anticipation that the proposal will be coming back to the Board in the form of a written proposal.

Analysis of Bond Sale

Mr. David Rose, Davenport and Company, provided the Board with a PowerPoint presentation regarding the results of the 2008 High School Funding. Mr. Rose indicated that on December 9th 2008 Fluvanna County successfully priced \$67,525,000 of General Obligation Bonds for the New High School Project through a Negotiated Sale Process. The County originally authorized a not-to-exceed size of \$75 million for the Bond Issue. Due to the County's strong investment grade credit ratings, no Debt Service Reserve Fund or Bond Insurance was required; thus the size of the issue was well below the \$75 million authorized by the Board. Mr. Rose indicated the 2008 bonds were issued through the Virginia Public School Authority's Stand-Alone Program and indicated the final interest cost for the bond is 5.95% which translates into an average annual payment of approximately \$5.2 million. Mr. Rose also provided information on potential savings from refinancing at a future date and other considerations.

RECESS

The Board recessed at 4:15 p.m.

RECONVENE

The Board reconvened at 4:27 p.m.

ACTION MATTERS

Fluvanna County's Stimulus Package Letters

Ms. Pat Groot, Grants Administrator, addressed this issue with the Board of Supervisors.

MOTION:

Mr. Allbaugh moved the Board of Supervisors approve submitting letters [copy attached hereto] addressed to the Virginia Congressional Delegation and the Governor of Virginia requesting the projects enumerated therein be included in any recommendations for funding

stemming from President Obama's Economic Stimulus Plan. Mr. Weaver seconded. The motion carried with a vote of 6-0. AYES: Allbaugh, Booker, Gooch, Ott, Weaver and Moss. NAYS: None.

US Department of Homeland Security Communications Grant Application

Ms. Pat Groot, Grants Administrator, introduced this issue to the Board of Supervisors.

MOTION:

Mr. Gooch moved that the Board of Supervisors approve submission of a project proposal to the Virginia Department of Emergency Management (VDEM) requesting the following projects be listed as priorities for funding: radio equipment and paging system; and a citizen emergency notification system for up to \$6 million dollars. Mrs. Booker seconded. The motion carried with a vote of 6-0. AYES: Allbaugh, Booker, Gooch, Ott, Weaver and Moss. NAYS: None.

Award of Financing RFP for Kents Store Fire Truck

Mrs. Shelly H. Wright, Assistant County Administrator, introduced this issue to the Board of Supervisors.

MOTION:

Mr. Weaver moved to adopt the "Resolution for Financing of a 2008 Pierce Triple Combination Pumping Engine" [attached hereto] hereby awarding the financing contract to SunTrust Bank at an interest rate of 3.98% for ten (10) years which includes Kents Store annual payment of \$9,960 with the County paying \$45,000 annually and the total financed cost of \$450,000. Mr. Allbaugh seconded. The motion carried with a vote of 6-0. AYES: Allbaugh, Booker, Gooch, Ott, Weaver and Moss. NAYS: None.

OLD/NEW BUSINESS

Preparation for Joint Water Meeting

Mr. John Robins, Public Works Director, presented the Board with a PowerPoint presentation regarding the joint meeting with Louisa County on the James River Water Project. Mr. Robins indicated discussion topics could include such items as: ownership alternatives; pipeline routes and treatment plant location; cost of construction; financing of the project; methods of payback of the debt; and selection of the operator of the system. He provided pros and cons for each issue and suggestions for wholesale rates and retail rates.

PUBLIC COMMENTS #2

Chairman Moss opened the floor for the second round of public comments. With no one wishing to speak, Chairman Moss closed the second segment of public comments.

CLOSED MEETING

None.

ADJOURN

MOTION:

At 5:23 p.m., Mr. Allbaugh moved to adjourn the meeting of Wednesday, January 7th 2009. Mr. Weaver seconded. The motion carried with a vote of 6-0. AYES: Allbaugh, Booker, Gooch, Ott, Weaver and Moss. NAYS: None.

Marvin F. Moss, Chairman



BOARD OF SUPERVISORS
County of Fluvanna
Palmyra, Virginia

RESOLUTION

At a regular monthly meeting of the Fluvanna County Board of Supervisors held on Wednesday, January 7th 2009, in Palmyra, Virginia, the following action was taken:

<u>Present</u>	<u>Vote</u>
Marvin F. Moss, Chairman	Yea
Charles W. Allbaugh, Vice-Chairman	Yea
Mozell Booker	Yea
John Gooch	Yea
Gene F. Ott	Yea
Donald W. Weaver	Yea

On a motion by Mr. Ott seconded by Mr. Gooch and carried by a vote of 6-0 the following resolution was adopted:

Organizational Meeting of the Fluvanna County Board of Supervisors 2009

WHEREAS, the Code of Virginia requires an annual organizational meeting for the Board of Supervisors for the election of officers and the conduct of such other business as to meeting times and dates and,

WHEREAS, the Board of Supervisors does now conduct such an organizational meeting.

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors that it does hereby designate the Circuit Courtroom in the Fluvanna Courts Building as its meeting place for regular meetings to be held on the first Wednesday of each month at 2:00 p.m. and the third Wednesday of each month at 7:00 p.m. Except in the month of August when the only meeting shall be on the first Wednesday starting at 2:00 p.m., breaking for dinner, then reconvening at 7:00 p.m. for public hearings.

FURTHER BE IT RESOLVED by the Board of Supervisors that it does hereby designate the fourth Wednesday at 7:00 p.m. as the meeting date for any such regular meeting that is postponed due to weather or such other circumstances.

Adopted this 7th day of January 2009
by the Fluvanna County Board of Supervisors

ATTEST:

G. Cabell Lawton, IV, County Administrator



County of Fluvanna

"Responsive & Responsible Government"

P. O. Box 540
Palmyra, Virginia 22963

(434) 591-1910
Fax: (434) 591-1911
www.co.fluvanna.va.us

BOARD OF SUPERVISORS

Marvin F. Moss, Chairman
Columbia District

Charles W. Allbaugh, Vice-Chair
Rivanna District

Donald W. Weaver
Cunningham District

Gene F. Ott
Rivanna District

Mozell H. Booker
Fork Union District

John Y. Gooch
Palmyra District

STAFF

G. Cabell Lawton, IV
County Administrator
clawton@co.fluvanna.va.us

Shelly H. Wright
Assistant County Administrator
swright@co.fluvanna.va.us

Alice F. Jones
Clerk to the Board
ajones@co.fluvanna.va.us

January 7, 2009

The Honorable Timothy M. Kaine
Attention: Cintra J. Davis
Special Assistant, Office of the Secretary of Finance
Patrick Henry Building
1111 E. Broad Street, Suite 3082
Richmond, VA 23219

Dear Governor Kaine:

As you enter this New Year and the enormous challenges facing the people of America and the Commonwealth, Fluvanna County wishes to respond to your request for information on "shovel ready" projects that may be eligible for the new federal stimulus package. We have been actively planning and preparing for the possibility of utilizing the programs made available under the new stimulus package to be authorized by the Congress under President Obama's leadership. We are now asking for your full support for funding of several capital programs we already have in place, which will not only meet the long range goals of our county but put American workers on the job quickly and efficiently.

The first and most important of these projects is the new Fluvanna County High School. This project is very close to going out to bid after years of planning and preparation by both the Fluvanna County School Board and the Fluvanna County Board of Supervisors. The 276,116 square foot school will be a state-of-the-art educational facility designed to meet not only the current student population but also the projected growth over the next 25 years. Plans call for energy efficient applications throughout the building with emphasis on water conservation and flow controls. The estimated cost of this project is \$71 million.

The second most important project is the James River Water Line, the kind of effort we believe you will enthusiastically support since it is a joint effort between two adjoining counties – Fluvanna and Louisa. Both counties signed a Memo of Understanding in 2003 committing them to a joint planning process for extending water from the James River to the Zion Crossroads area as part of a well planned economic development program of mutual benefit to both jurisdictions. Both counties agreed to share the cost of the water line on an equal basis. The joint authority to manage the project is now being formed. The project's planning is such that it could be bid relatively quickly if fully funded. The current estimated cost of the water line, the water treatment plant and related facilities is \$48.8 million, with Fluvanna's cost estimated at \$26.3 million.

The third project that is ready to roll is the conversion of our old high school building now used partially as a library and for the Department of Social Services to a central facility providing the human services needs of the county. This opportunity is made possible by another recently completed capital project, the new Fluvanna County public library thus freeing up space for a consolidated human services facility in the old

MAILED
1/8/09 *gj*

library location. The project includes construction of a new Department of Health building on the same campus within walking distance of the old high school. Planning for this project started over two years ago and is now virtually complete. The cost of retrofitting the old high school for the Department of Social Services and constructing the new Department of Health building with energy efficient systems such as geothermal heating and cooling is estimated to be \$3.5 million. Again, this project could easily go out to bid in a fairly short period of time, with construction slated for late winter.

Another important project is the expansion of the newly constructed Palmyra Sewer System. Phase one construction of the Palmyra Sewer system was completed this year. Already the collection system and treatment facility must be expanded to accommodate the addition of the new high school, other county facilities now served by septic systems or "pump and haul" and the under construction Rivanna Resort and Golf Club. To complete the final phase of this project an additional \$900,000 is needed.

The Board of Supervisors has been actively raising money from state and federal sources and private non-profits for the renovation of its Pleasant Grove House, an historic home owned by the county on its 969 acre Pleasant Grove site. Plans are complete for conversion of this National Register property to a visitors' center, a museum of local history and transportation and office space for the county's Department of Parks and Recreation. This project is ready to go to bid and is estimated to cost \$700,000-\$800,000.

We are also in the process of planning two new fire stations to serve Fluvanna's rapidly expanding population. Fluvanna remains in the top tier of the fastest growing jurisdictions in Virginia thus the need for these new facilities. These two stations, each estimated at 9,000 square feet, are being designed as one project in order to save money on architectural and engineering costs. Although these two projects are just at the outset of the planning process, a commitment of funding would make it possible for us to expedite their construction. Current estimates of the cost for the Kents Store and Fork Union fire stations is \$3.2 million.

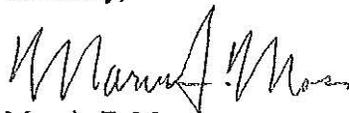
The Fluvanna County School Board and the Board of Supervisors have endorsed a long range plan for modernizing and expanding our public school system by adopting the "Domino Plan," a multi-year construction and rehabilitation program. Once our new high school is completed, we will continue implementing the Domino Plan, which calls for the conversion of our existing high school into a middle school. The cost of that project is anticipated to be \$16.5 million

Finally, implementation of an affordable broadband system in the county is key to ensuring county wide communications that are in keeping with the twenty-first century. Existing service is provided by satellite providers, but the service is inconsistent and expensive. Implementation of a WiMAX wireless type technology will deliver service at an affordable cost to low-density portions of the County where roughly half the county population resides. The cost of this project is estimated at \$650,000.

We are asking for your strong support of our funding requests and seek your guidance and direction in ensuring that we participate fully in the new stimulus program in all its manifestations.

With best regards,

Sincerely,



Marvin F. Moss
Chairman, Board of Supervisors



----- **FLUVANNA COUNTY CAPITAL PROJECTS**

- **NEW FLUVANNA COUNTY HIGH SCHOOL ----- \$71 MILLION**
 - 276,116 square foot school state-of-the-art educational facility
 - Energy efficient design with emphasis on water conservation and flow controls
 - Meeting current and projected growth for next 25 years
 - OUT TO BID _____ FEBRUARY 2009
 - CONSTRUCTION BEGINS _____ APRIL 2009
 - CONSTRUCTION COMPLETED _____ APRIL 2011

- **JAMES RIVER WATER LINE -- FLUVANNA AND LOUISA ----- \$48.8 MILLION**
 - LOUISA COUNTY ----- \$22,500,000
 - FLUVANNA COUNTY ----- \$22,500,000
 - FLUVANNA COUNTY INTRA-COUNTY FORK UNION WATERLINE ---- \$3,800,000
 - TOTAL PROJECT ----- \$48,800,000
 - \$45,000,000 to construct intake, raw water pipeline, treatment plant, distribution lines for treated water, water tanks and associated pumps.
 - Cost is split with Louisa County in accordance with MOU between counties
 - \$3,800,000 to construct a waterline supplying the Fluvanna County communities of Palmyra, Carysbrook and Fork Union. Fluvanna pays cost to this in-county service.
 - OUT TO BID _____ FALL 2009
 - CONSTRUCTION BEGINS _____ OCTOBER 2009
 - CONSTRUCTION COMPLETED _____ JANUARY 2011

- **HUMAN SERVICES CAMPUS ----- \$3.5 MILLION**
 - Continued adaptive reuse of historic high school buildings.
 - Geothermal heating and cooling will replace conventional systems and service new building.
 - First County high school converted to office space for Department of Social Services and Fluvanna County Public Library. Library now relocated to newly constructed building.
 - Space vacated by Library will be renovated for use by Department of Social Services
 - New Department of Health building constructed
 - OUT TO BID _____ FALL 2009
 - CONSTRUCTION BEGINS _____ EARLY WINTER 2009
 - CONSTRUCTION COMPLETED _____ LATE FALL 2010

- **PALMYRA SEWER SYSTEM PHASE II ----- \$1.2 MILLION**
 - Phase I construction of the Palmyra Sewer system completed this year. Expansion needed to accommodate addition of the new high school, other county facilities, residential use, and new Rivanna Resort and Golf Club.
 - \$2.7 million dollar project; \$1.5 million identified, \$1.2 million needed for completion.
 - Plans at 98% completion
 - Minimizes number of discharge points on the Rivanna River and eliminates risk of septic systems failure and "pump and haul" waste removal now in use.
 - OUT TO BID -- CONTINGENT UPON DEQ APPROVAL _____ JANUARY 2009
 - CONSTRUCTION BEGINS _____ MAY 2009
 - CONSTRUCTION COMPLETED _____ NOVEMBER 2010

- **PLEASANT GROVE HOUSE ----- \$200,000**
 - Adaptive reuse of Pleasant Grove House (c.1854), a National Register property, as a visitors' center and museum exhibit for the Rivanna River Canal Navigation system, boasting the most preserved network of boat/bateaux locks and canals in the Commonwealth.
 - Project cost \$700,000-\$800,000; Successful fund raising campaign; Design 95% complete. Bid package under development.
 - OUT TO BID _____ FEBRUARY 2009
 - CONSTRUCTION BEGINS _____ APRIL 2009
 - CONSTRUCTION COMPLETED _____ JUNE 2010

- **FIRE STATIONS – KENTS STORE & FORK UNION ----- \$3.2 MILLION**
 - Needed to respond to 25% increase in population (20,047 CY 2000; 25,058 est. CY 2006) placing Fluvanna in the top tier of the fastest growing jurisdictions in Virginia.
 - Saving architectural and engineering costs by designing two 9,000 sq. ft. structures as one project
 - Outset of planning process; commitment to funding would expedite construction.
 - OUT TO BID _____ FALL 2009
 - CONSTRUCTION BEGINS _____ EARLY WINTER 2009
 - CONSTRUCTION COMPLETED _____ FALL 2010

- **PUBLIC SCHOOL EXPANSION – “DOMINO PLAN” ----- \$16.5 MILLION**
 - Construction will occur in “domino” fashion as one school building renovation is completed and the next begins.
 - Existing High School will be renovated as a Middle School; existing Middle School will be renovated as an upper Elementary; the historic Abrams Annex (former school for African American students) will be renovated.
 - OUT TO BID _____ MARCH 2011
 - CONSTRUCTION BEGINS _____ MAY 2011
 - CONSTRUCTION COMPLETED _____ MAY 2012

- **RURAL BROADBAND IMPLEMENTATION ----- \$650,000**
 - Many areas of the County without service.
 - Implementation of WiMAX wireless will deliver affordable, reliable, low cost service to low-density portions of the County where roughly half the county population resides
 - OUT TO BID _____ MAY 2009
 - CONSTRUCTION BEGINS _____ APRIL 2009
 - CONSTRUCTION COMPLETED _____ APRIL 2010



BOARD OF SUPERVISORS
County of Fluvanna
Palmyra, Virginia

RESOLUTION
for Financing of a 2008 Pierce Triple Combination Pumping Engine

At a regular monthly meeting of the Fluvanna County Board of Supervisors held on Wednesday, January 7, 2009, in Palmyra, Virginia, the following action was taken:

<u>Present</u>	<u>Vote</u>
Marvin F. Moss, Chairman	Yes
Charles W. Allbaugh, Vice-Chairman	Yes
Mozell H. Booker	Yes
John Y. Gooch	Yes
Gene F. Ott	Yes
Donald W. Weaver	Yes

On a motion by Mr. Weaver, seconded by Mr. Allbaugh, and voted in the affirmative, the following resolution was adopted:

RESOLUTION

County: Fluvanna County

Principal Amount To Be Financed: \$ 450,000.00

WHEREAS, the County is a political subdivision of the Commonwealth of Virginia (the "State") and is duly organized and existing pursuant to the Constitution and laws of the State;

WHEREAS, the Fluvanna County Board of Supervisors (the "Governing Body") has on November 5, 2008, authorized the purchase of a 2008 Pierce Triple Combination Pumping Engine (the "Equipment") for use by the Kents Store Company of the Fluvanna Volunteer Fire Department, subject to the County securing financing;

WHEREAS, the Governing Body desires to accept the bank qualified financing terms offered by SunTrust Bank, as presented to the Governing Body, subject to approval of the form of the Equipment Lease Purchase Agreement and other financing documents by the County Attorney;

WHEREAS, the Governing Body hereby finds and determines that the execution of an Equipment Lease Purchase Agreement in the principal amount not exceeding \$450,000.00 for the purpose of acquiring the Equipment is appropriate and necessary to the functions and operations of the County; and

WHEREAS, SunTrust Bank shall act as lender under said Equipment Lease Purchase Agreement.

NOW, THEREFORE, Be it Resolved by the Governing Body of the County:

Section 1. Either one of the Chairman of the Governing Body or the County Administrator of the County (each an "Authorized Representative") acting on behalf of the County, is hereby authorized to negotiate, enter into, execute, and deliver an Equipment Lease Purchase Agreement in form approved by the County Attorney and such other certificates and documents, all in form approved by the County Attorney, relating to the Equipment Lease Purchase Agreement as the Authorized Representative

deems necessary and appropriate. All other related contracts and agreements necessary and incidental to the Equipment Lease Purchase Agreement are hereby authorized.

Section 2. By a written instrument signed by any Authorized Representative, said Authorized Representative may designate specifically identified officers or employees of the County to execute and deliver agreements and documents relating to the Equipment Lease Purchase Agreement on behalf of the County.

Section 3. The aggregate original principal amount of the Equipment Lease Purchase Agreement shall not exceed \$450,000.00; the closing of the Equipment Lease Purchase Agreement shall take place on or about February 1, 2009, with final maturity on or about October 15, 2018; the interest rate shall be 3.98%, the annual payment amount shall not exceed \$54,961.00, and the rental payments shall fully amortize the principal and interest over the term of the Equipment Lease Purchase Agreement. The Equipment Lease Purchase Agreement shall permit prepayment by the County without premium or penalty upon not more than 60 days notice.

Section 4. The County's obligations under the Equipment Lease Purchase Agreement shall be subject to annual appropriation or renewal by the Governing Body, which shall be set forth in the Equipment Lease Purchase Agreement and the County's obligations under the Equipment Lease Purchase Agreement shall not constitute general obligations of the County or indebtedness under the Constitution or laws of the State.

Section 5. As to the Equipment Lease Purchase Agreement, the County reasonably anticipates to issue not more than \$10,000,000.00 of tax-exempt obligations (other than "private activity bonds" which are not "qualified 501(c)(3) bonds") during the fiscal year in which each such Equipment Lease Purchase Agreement is issued and hereby designates the Equipment Lease Purchase Agreement as a qualified tax-exempt obligation for purposes of Section 265(b) of the Internal Revenue Code of 1986, as amended.

Section 6. This resolution shall take effect immediately upon its adoption and approval.

ADOPTED AND APPROVED on this January 7, 2009.

The undersigned Clerk of the Board of Supervisors of the above-named County hereby certifies and attests that the undersigned has access to the official records of the Governing Body of the County, that the foregoing resolutions were duly adopted by said Governing Body of the County at a meeting of said Governing Body and that such resolutions have not been amended or altered and are in full force and effect on the date stated below.

COUNTY: Fluvanna County

Signature of Clerk of the Board of Supervisors
of Fluvanna County

[SEAL]

Alice F. Jones
Print Name

Clerk to the Board of Supervisors
Official Title

January 9, 2009
Date