

**FLUVANNA COUNTY BOARD OF SUPERVISORS**  
**REGULAR MEETING MINUTES**  
**Circuit Courtroom**  
**Fluvanna Courts Building**  
**April 21<sup>st</sup> 2010**  
**7:00 p.m.**

**MEMBERS PRESENT:** Gene F. Ott, Chairman  
Shaun V. Kenney, Vice-Chair  
Mozell H. Booker  
Joe Chesser  
John Y. Gooch  
Donald W. Weaver

**ALSO PRESENT:** Shelly H. Wright, Interim County Administrator  
Frederick W. Payne, County Attorney  
Jamie Glass, VDOT Residency Administrator  
Darren Coffey, Planning Director  
Renee Hoover, Finance Director  
Crystal Besecker, Budget Analyst  
Dwight Godwin, Parks and Recreation Director  
John Robins, Public Works Engineer  
Alice F. Jones, Clerk to the Board of Supervisors

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

Chairman Ott called the regular meeting of April 21<sup>st</sup> 2010 to order at 7:00 p.m. in the Circuit Courtroom of the New Courts Building in Palmyra, Virginia and the Pledge of Allegiance was recited after which, Chairman Ott called for a moment of silence.

**REPORTS**

Mrs. Shelly H. Wright, Interim County Administrator, reported on the following topics:

- provided an update on the County Administrator search
- apprised the Board VDOT is holding a hearing on April 28<sup>th</sup> 2010 at 5:00 p.m. at the Library regarding the intersection of Rt. 53 and Rt. 600

**PUBLIC COMMENTS #1**

Chairman Ott opened the floor for the first round of public comments.

The following citizens addressed the Board with their concerns:

- Dr. Thomas Smith, School Superintendent, provided the Board information on the number of employees that will be impacted by the budget cuts to the schools
- Mr. Sam Patterson, Palmyra District, addressed the Board and indicated he was opposed to a tax increase; would like to see across the Board budget cuts; and fiscal insolvency
- Mr. Minor Eager, Palmyra District, addressed the Board regarding a zero (0) based budget and is opposed to a tax rate increase

- Ms. Linda Fletcher, Cunningham District, addressed the Board and indicated she supports a tax increase

With no one else wishing to speak, Chairman Ott closed the first round of public comments.

### **CONSENT AGENDA**

The following item was pulled from the consent agenda:

- Minutes, April 7<sup>th</sup> 2010

The following items were approved under the consent agenda:

#### **MOTION:**

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

- Sheriff's Department FY10 Supplement [a supplemental appropriation to the Sheriff's budget to accommodate revenues and expenses related to an insurance claim filed in December; increased #-3-100-041010-0001 and #4-100-031200-8205 by \$9,250]
- Four for Life FY10 Supplement [a supplemental appropriation to accommodate the additional funding received from the Office of Emergency Services for the Fiscal Year 2010 Four-For-Life program; increased #3-100-24040-0018 and #4-100-32200-6022 by \$1,028.95]
- Bell AFD Withdrawal Request [referral to the Ag/Forestral Advisory Committee and the Planning Commission for consideration and recommendation]

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

### **Minutes, April 7<sup>th</sup> 2010**

#### **MOTION:**

Mr. Chesser moved the regular meeting minutes of the Fluvanna County Board of Supervisors for Wednesday, April 7<sup>th</sup> 2010 be adopted. Mr. Weaver seconded. The motion carried with a vote of 6-0. AYES: Booker, Chesser, Gooch, Kenney, Weaver and Ott. NAYS: None.

### **ACCOUNTS PAYABLE**

None

### **PUBLIC HEARING**

VDOT Secondary Six-Year Plan for Fiscal Years 2010/11 through 2015/16 and the Secondary System Construction Budget for Fiscal Year 2010/11

Mr. James Glass, VDOT Residency Administrator, addressed the Board regarding this item.

Chairman Ott opened the public hearing.

With no one wishing to speak, Chairman Ott closed the public hearing.

**MOTION:**

Mrs. Booker moved to adopt the resolution [attached hereto] entitled “VDOT Secondary Six-Year Plan (2010/11 through 2015/16) and the VDOT Construction Priority List (2010/11) as presented. Mr. Gooch seconded. The motion carried with a vote of 6-0. AYES: Booker, Chesser, Gooch, Kenney, Weaver and Ott. NAYS: None.

**Easement for Utilities to Kents Store Firehouse**

The Board will need to approve the contract and grant the utility easement to Central Virginia Electric Cooperative (CVEC) in order to provide electric service to the Kents Store Firehouse. The cost for installation of the power line and transformers will be \$10,816 and of this amount, \$4,911 will be refunded to the County in the future as has happened on other projects that use CVEC power. The money is budgeted in the Kents Store Firehouse project.

Mr. John Robins, Public Works Director, addressed the Board regarding this item.

Chairman Ott opened the public hearing.

With no one wishing to speak, Chairman Ott closed the public hearing.

**MOTION:**

Mr. Kenney moved to authorize the County Administrator to sign the contract with Central Virginia Electric Cooperative and grant them an easement for utilities for the electric service at the Kents Store Firehouse. Mr. Weaver seconded. The motion carried with a vote of 6-0. AYES: Booker, Chesser, Gooch, Kenney, Weaver and Ott. NAYS: None.

**PRESENTATIONS:**

**Water Committee Objectives Update**

Mr. John Robins, Public Works Director, provided the Board with a PowerPoint presentation which consisted of an update on the purpose of the Citizens’ Water Committee; the list of Committee Members; the objectives, alternative approaches and alternatives for water supply; the timeline to be followed; the communications plan and what the objectives are.

**ACTION MATTERS**

**Financial Advisor Service Contract**

At the Board’s February 17<sup>th</sup> 2010 BOS meeting, the Board approved to issue a Request for Proposal for Financial Advisor Services. The committee interviewed two firms [Morgan Keegan and Springsted] and recommended Morgan Keegan for Financial Advisor Services.

Ms. Renee Hoover, Finance Director, addressed the Board regarding this issue.

**MOTION:**

Mr. Weaver moved to approve the engagement of Morgan Keegan as the County’s financial advisor and authorize the Interim County Administrator to execute the contract subject to the approval of the County Attorney as to form. Mr. Chesser seconded. The motion carried

with a vote of 6-0. AYES: Booker, Chesser, Gooch, Kenney, Weaver and Ott. NAYS: None.

Special Entertainment Permit [music festival]

The County will not incur any financial expenses associated with the approval of this Special Entertainment Permit. The Parks and Recreation Department will charge the Fluvanna Business Roundtable group a \$100 rental charge for each monthly concert held at Pleasant Grove Park. The events will benefit a different charity organization each month. The organization to be benefited will be able to collect donations and distribute information about their programs on site. The events are family oriented and alcohol free.

Mr. Dwight Godwin, Parks and Recreation Director, addressed the Board regarding this issue.

Mr. George Rosario, President of the Fluvanna Business Roundtable, addressed the Board on his behalf.

MOTION:

Mr. Gooch moved that the Fluvanna County Board of Supervisors approve the Special Entertainment Permit request for the Fluvanna Business Roundtable group to sponsor a monthly concert at Pleasant Grove Park to raise funds to aid charitable organizations in Fluvanna County. Mr. Kenney seconded. The motion carried with a vote of 6-0. AYES: Booker, Chesser, Gooch, Kenney, Weaver and Ott. NAYS: None.

Amend the County's Ag/Forestral Application Fee

This is a proposed fee increase for AFD applications from \$100 to \$500 and is intended to more adequately cover the costs incurred to process an application. The state has amended the Code to allow for a fee up to \$500 or the cost of processing an application, whichever is less. A fee increase to \$500 would allow for more of the processing costs to be recovered.

Mr. Darren Coffey, Director of Planning and Community Development, addressed the Board regarding this issue.

MOTION:

Mr. Kenney moved that the Fluvanna County Board of Supervisors schedule a public hearing on May 19<sup>th</sup> 2010 to consider a fee increase for Agricultural and Forestral District applications from \$100 to the state's allowable maximum of \$500 to more adequately cover the application processing costs. Mr. Gooch seconded. The motion carried with a vote of 6-0. AYES: Booker, Chesser, Gooch, Kenney, Weaver and Ott. NAYS: None.

Appointment/Jefferson Area Board of Aging (JABA) Advisory Council

MOTION:

Mrs. Booker moved to reappoint Josina Bakker to the Jefferson Area Board of Aging Advisory Council, with a term to begin May 1<sup>st</sup> 2010

and to terminate on April 30<sup>th</sup> 2012. Mr. Chesser seconded. The motion carried with a vote of 6-0. AYES: Booker, Chesser, Gooch, Kenney, Weaver and Ott. NAYS: None.

Resolution/FY11 Budget Adoption, Set Tax Rates and Appropriate Funds

This action will set the real property tax rate at \$0.54 per \$100 value, a personal property tax rate of \$3.85 per \$100 value and adopt the FY11 operations and capital improvement budgets.

Mrs. Shelly H. Wright, Interim County Administrator, addressed the Board regarding this issue.

Extensive discussions ensued between the Board of Supervisors.

Supervisor Weaver offered the following motion regarding the convenience center:

MOTION:

Mr. Weaver moved that the Convenience Center stay open under the following conditions, starting July 1<sup>st</sup> 2010:

1. Days of operation will be reduced from four (4) days to three (3) days
2. Waste tonnage cost to be increased
3. Minimum Rate be increased

Mrs. Booker seconded. The motion carried with a vote of 6-0. AYES: Booker, Chesser, Gooch, Kenney, Weaver and Ott. NAYS: None.

Board discussion resumed regarding a proposed tax rate for fiscal year 2011. A “straw poll” was taken.

RECESS

The Board recessed at 9:16 p.m.

RECONVENE

The Board reconvened at 9:34 p.m.

The following motions were offered as a way of conducting a “straw poll”:

MOTION:

Mr. Weaver moved the Real Estate tax rate be set at \$.53. There was no second.

MOTION:

Mr. Chesser moved the Real Estate tax rate be considered at \$.56. Mr. Gooch seconded. The motion carried with a vote of 4-2.

- Mr. Weaver – NO
- Mr. Kenney – NO
- Mr. Ott – YES [conditionally agreed to consider and look at where the money would be allocated]
- Mr. Gooch – YES
- Mr. Chesser – YES

➤ Mrs. Booker - YES

Upon further discussion, Chairman Ott returned to a \$.53 tax rate.  
After continued discussions, the following motion was offered:

MOTION:

Mr. Kenney moved to re-advertise the tax rate and increase it to \$.65.  
There was no second.

Supervisor Gooch requested a breakdown of cuts in the administration side of the budget. This information was provided by Interim County Administrator, Shelly Wright. At this time, Supervisor Gooch proposed a \$.54 tax rate.

RECESS:

The Board recessed at 10:19 p.m.

RECONVENE:

The Board reconvened at 10:36 p.m.

EXTEND MEETING

MOTION:

Mr. Chesser moved to extend the Board of Supervisors meeting to 12:00 midnight. Mrs. Booker seconded. The motion carried with a vote of 6-0. AYES: Booker, Chesser, Gooch, Kenney, Weaver and Ott. NAYS: None.

Further discussion ensued and the following motion was offered:

MOTION:

Mr. Chesser moved to adopt the FY11 Budget Resolution [as amended] and the Tax Rate set at \$.54 [attached hereto]. Mr. Gooch seconded. The motion carried with a vote of 4-2. AYES: Booker, Chesser, Gooch and Ott. NAYS: Kenney and Weaver.

Resolution/Capital Improvements Plan

This action will allow administration and staff to plan projects and resources accordingly.

Mrs. Shelly H. Wright, Interim County Administrator, addressed the Board regarding this issue.

MOTION:

Mr. Chesser moved the resolution [attached hereto] entitled "Adoption of FY2011-2015 capital Improvements Plan" be adopted. Mrs. Booker seconded. The motion carried with a vote of 5-1. AYES: Booker, Chesser, Gooch, Kenney and Ott. NAYS: Weaver.

**OLD/NEW BUSINESS**

Items discussed:

- memo received in the Board's Friday-mail regarding the Juvenile Detention Center budget shortfall for FY10
- whether there are any spay and neuter clinics provided by local veterinarians

**CLOSED MEETING**

None

**PUBLIC COMMENTS #2**

Chairman Ott opened the floor for the second round of public comments.

The following citizens addressed the Board:

- Mr. Thomas Fick, Cunningham District, addressed the Board regarding the school system and opposed to a tax rate increase

With no one else wishing to speak, Chairman Ott closed the second segment of public comments.

**ADJOURN**

MOTION:

At 11:25 p.m., Mr. Weaver moved to adjourn the meeting of Wednesday, April 21<sup>st</sup> 2010. Mr. Kenney seconded. The motion carried with a vote of 6-0. AYES: Booker, Chesser, Gooch, Kenney, Weaver and Ott. NAYS: None.



**BOARD OF SUPERVISORS**  
**County of Fluvanna**  
**Palmyra, Virginia**

**RESOLUTION**

At a regular monthly meeting of the Fluvanna County Board of Supervisors held at 7:00 p.m. on Wednesday, April 21<sup>st</sup> 2010 in Palmyra, Virginia, the following action was taken:

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<b><u>Present</u></b>	<b><u>Vote</u></b>
Gene F. Ott, Chairman	YEA
Shaun V. Kenney, Vice Chairman	YEA
Mozell H. Booker	YEA
Joe Chesser	YEA
John Y. Gooch	YEA
Donald W. Weaver	YEA

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

**RESOLUTION**  
**VDOT Secondary Six-Year Plan (2010/11 through 2015/16)**  
**and**  
**VDOT Construction Priority List (2010/11)**

**WHEREAS**, Sections 33.1-23 and 33.1-23.4 of the 1950 Code of Virginia as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan; and

**WHEREAS**, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2010/11 through 2015/16) as well as the Construction Priority List (2010/11) on April 21<sup>st</sup> 2010 after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List; and

**WHEREAS**, James R. Glass, Residency Administrator, Virginia Department of Transportation, appeared before the Board and recommended approval of the Six-Year Plan for Secondary Roads (2010/11 through 2015/16) AND Construction Priority List (2010/11) for Fluvanna County.

**NOW, THEREFORE, BE IT RESOLVED** that since said Plan appears to be in the best interest of the Secondary Road System in Fluvanna County and of the citizens residing on the Secondary System, said Secondary Six-Year Plan (2010/11 through 2015/16) and Construction Priority List (2010/11) are hereby approved as presented at the public hearing.

Adopted this 21<sup>st</sup> day of April 2010  
by the Fluvanna County Board of Supervisors

ATTEST:

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Shelly H. Wright, Interim County Administrator

**RESOLUTION**  
**A RESOLUTION TO ADOPT THE FY11 OPERATIONS BUDGET,**  
**SET THE TAX RATES AND APPROPRIATE FUNDS**

**WHEREAS**, it is the responsibility of the Fluvanna County Board of Supervisors to approve and control the County’s fiscal plan for FY11; and,

**WHEREAS**, the Board of Supervisors has received numerous staff reports; received comments from residents at a duly advertised public hearing on April 14, 2010; and has reviewed each request for funding;

**NOW, THEREFORE, BE IT RESOLVED** by the Fluvanna County Board of Supervisors this 21st day of April 2010, that the Fluvanna County budget totaling \$60,618,604 is adopted and the tax rates for FY11 or July 1<sup>st</sup> 2010– June 30<sup>th</sup> 2011 set as given below:

**2010 COUNTY TAX RATES**

Real Estate	\$0.54 /\$100 of assessed value
Public Service Corps.	\$0.54 /\$100 of assessed value
Mobile Homes	\$0.54 /\$100 of assessed value
Personal Property	\$3.85/\$100 of assessed value
Machinery & Tools	\$2.00/\$100 of assessed value

**BE IT FURTHER RESOLVED** that the Board of Supervisors does hereby budget and appropriate to the COUNTY OPERATING BUDGET the following revenues and expenditures; this appropriation includes \$1,600,000 in the Debt Service Reserve category for future debt service on the new high school currently in the design phase; this appropriation is also conditioned on the understanding that, with regard to the operating budget for the School system, revenues received from the Commonwealth will be expended prior to local dollars:

**GOVERNMENTAL REVENUES**

Local (not including contributions to the CIP)	\$ 27,116,663
State	\$ 24,872,280
Federal	\$ 3,308,962
Use of HS Debt Reserve Savings	<u>\$ 2,761,681</u>
<b>TOTAL</b>	<b>\$58,059,586</b>

**GOVERNMENTAL EXPENDITURES**

General Government Administration	\$ 1,978,313
Judicial Administration	\$ 957,940
Public Safety	\$ 4,507,049

Public Works	\$ 1,467,315
Health and Welfare	\$ 4,759,446
Education	\$34,469,046
Parks and Recreation	\$ 602,683
Community Development	\$ 448,838
Non-Departmental	\$ 1,072,220
Debt Service	<u>\$ 7,746,574</u>
<b>TOTAL</b>	<b><u>\$58,009,024</u></b>

**BE IT FURTHER RESOLVED** that for budgeting and accounting purposes the adopted budget revenues and expenditures for the capital improvements fund are set as follows:

Capital Fund Revenues	
Local	<u>\$ 200,000</u>
<b>TOTAL</b>	<b><u>\$ 200,000</u></b>

Capital Fund Expenditure	
Capital Reserve	<u>\$ 200,000</u>
<b>TOTAL</b>	<b><u>\$ 200,000</u></b>

**FINALLY BE IT RESOLVED** that for budgeting and accounting purposes the adopted budget revenues and expenditures for the enterprise funds are set as follows:

	Expenditure	Revenue
School Food Service	\$1,734,994	\$1,734,994
Fork Union Sanitary District	\$ 416,283	\$ 416,283
Recreation Programs Fund	\$ 45,000	\$ 45,000
Utility*	<u>\$ 213,303</u>	<u>\$ 162,741</u>
<b>TOTAL</b>	<b>\$2,409,580</b>	<b>\$2,359,018</b>

\*Utility fund revenues are supplemented by a transfer from the General Fund.

Adopted this 21st day of April 2010 by the  
Fluvanna County Board of Supervisors

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Gene Ott, Chairman

**RESOLUTION**  
**Fluvanna County Board of Supervisors**  
**April 21, 2010**

**Adoption of FY 2011 – FY 2015 Capital Improvements Plan**

At a regular monthly meeting of the Fluvanna County Board of Supervisors held on Wednesday, April 21, 2010, in Palmyra, Virginia, the following action was taken:

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<b><u>Present</u></b>	<b><u>Vote</u></b>
Gene Ott, Chairman	YEA
Shaun Kenney, Vice-Chairman	YEA
Mozell Booker	YEA
Joe Chesser	YEA
John Gooch	YEA
Donald W. Weaver	NAY

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On a motion by Mr. Chesser seconded by Mrs. Booker and voted in the affirmative, the following resolution was adopted:

**WHEREAS**, it is the responsibility of the Fluvanna County Board of Supervisors to approve the County's Capital Improvements Program; and,

**WHEREAS**, the Capital Improvements Plan recommends the initiation and completion of numerous capital projects based upon staff recommendations and citizen input; and,

**WHEREAS**, the Board of Supervisors held a public hearing on the proposed Capital Improvements Plan on April 14, 2010; and,

**WHEREAS**, the Board of Supervisors has approved the FY2011 Capital Improvements Budget as part of the overall Fluvanna County Budget;

**NOW THEREFORE, BE IT RESOLVED** by the Board of Supervisors that the FY 2011-2015 Capital Improvements Plan hereby be approved.

A True Copy Teste:

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Gene Ott, Chairman, Chairman