

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Courtroom
Fluvanna Courts Building
October 19th, 2011
7:00 p.m.**

MEMBERS PRESENT: John Y. Gooch, Chairman
Shaun V. Kenney, Vice-Chairman
Donald W. Weaver
Mozell H. Booker
Joe Chesser
Chris Fairchild

ALSO PRESENT: Jay Scudder, County Administrator
Fred Payne, County Attorney
Jacqueline A. Meyers, CSA Program Manager
Betty Scholl, Administrative Assistant

CALL TO ORDER/PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

Chairman Gooch called the meeting of October 19th, 2011, 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 Gooch called for a moment of silence.

REPORTS

Mr. Jay Scudder, County Administrator, reported on the following topics:

- *Employee Picnic* – Thanked Board members, employees and Ashlawn Grill for a great employee picnic, special thanks to the treasurer's office for the wonderful door prizes.
- *Reassessment Kickoff Meeting* – first kickoff meeting held at Antioch Baptist Church, went well. Next meeting will be held October 24, 2011, at Beaver Dam Baptist Church.
- *Defoliation* – received a letter from the Department of Forestry stating there is no indication of Gypsy Moth defoliation in our area.
- *Walnut Trees* – individual is interested in harvesting the walnut trees on the property received in the Land Swap from Lake Monticello Owners Association.

PUBLIC COMMENTS #1

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

- Adrian Miller, Rivanna District – addressed the Board in opposition to high density growth.
- Walter Salanova, Owner of Villa Nova's Pizza, Columbia District – addressed the Board in regards to rumors of a potential business tax.
- Jerry Patchen, Columbia District – addressed the Board in regards to the Economic Development Director position.
- Steve Brownell, Owner of Brownell Studios, Palmyra District – addressed the Board in regards to rumors of a potential business tax.

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

CONSENT AGENDA

The following items were pulled from the consent agenda:

- Budget Transfer for County Attorney Services
- Resolution Regarding the creation of the central Virginia Regional Jail Authority, Approving the Amended and Restated Regional Jail Agreement, the Issuance of the Authority's Revenue Obligations and Other Matters in Connection therewith.
- Authorize Execution of Agreement with the VA Department of Health for FY12 Appropriation.

Minutes of October 5, 2011

The minutes were deferred to the November 2, 2011 meeting for clarification of statement that Mr. Fairchild made during the discussion of the Economic Development Director Position.

Budget Transfer for County Attorney Services

Mr. Scudder clarified that this transfer is to cover costs of litigation and fees for the County Attorney's outside council.

MOTION:

Mr. Chesser moved to approve a budget transfer of \$5,598.45 from the BOS Contingency Fund (10086000-405870) to the County Attorney Services (10012500-403100), to cover legal services, in reference to Davenport & Company Litigation. Mr. Weaver seconded. The motion carried with a vote of 6-0. AYES: Gooch, Weaver, Booker, Kenney, Fairchild and Chesser. NAYS: None. ABSENT: None

Resolution Regarding the Creation of the Central Virginia Regional Jail Authority and Approving the Amended and Restated Regional Jail Agreement, the Issuance of the Authority's Revenue Obligations and Other Matters in Connection therewith.

Mr. Scudder addressed the Board in regards to this request.

MOTION:

Mr. Kenney moved to adopt the "Resolution of the Board of Supervisors of Fluvanna County, Virginia, regarding the Expansion Central Virginia Regional Jail", as attached. Mr. Weaver seconded. The motion carried with a vote of 6-0. AYES: Gooch, Weaver, Booker, Kenney, Fairchild and Chesser. NAYS: None. ABSENT: None

Authorize Execution of Agreement with the VA Department of Health for FY12 Appropriation.

Mr. Scudder explained this request is a technical amendment to the original request from the April BOS meeting. This is just a shifting of funds within the allocations; it doesn't change the amount of money that was approved previously.

MOTION:

Mr. Kenney moved to authorize the County Administrator to execute the Statement of Agreement between the VA Dept of Health and the County of Fluvanna for the FY12 appropriation of \$250,441. Mrs. Booker seconded. The motion carried with a vote of 6-0. AYES: Gooch, Weaver, Booker, Kenney, Fairchild and Chesser. NAYS: None. ABSENT: None

PUBLIC HEARING

None

PRESENTATIONS

CSA Fiscal Year 2011 Report – Dr. Jacqueline A. Meyers, CSA Program Manager, presented an overview of the budget, service distribution and the five year trend for CSA in FY 2011.

ACTION MATTERS

Economic Development Director Position – Mr. Jay Scudder, County Administrator, reviewed with the Board the Economic Development Director position description. The Board discussed the need for this position and what the focus would be.

MOTION:

Mr. Chesser moved to create an Economic Development Director position and transfer the funds, necessary for the implementation, from the Board's Contingency fund, in the amount of \$54,000, for the six months expense. Mr. Kenney seconded. The motion carried with a vote of 4-2. AYES: Gooch, Booker, Kenney, and Chesser. NAYS: Weaver and Fairchild. ABSENT: None

OLD BUSINESS

The Board discussed the following issues:

- Economic Development Commission Business and Strategic Plan

MOTION:

Mr. Kenney moved to adopt the Economic Development Commission Business and Strategic Plan. Mr. Chesser seconded. After some discussion, Mr. Kenney rescinded his motion to allow all Board members to read the plan and requested staff to have it on the agenda for the next meeting.

- Noise complaint on Central Virginia Sporting Clays [this matter was thoroughly investigated by the Zoning Administrator and there was no violation found].
- Scheduling a Budget Retreat [Chairman Gooch asked the Board members to write down what items they feel need to be looked and send them to him by close of business on Friday, October 28, 2011].

NEW BUSINESS

The Board discussed the following issues:

- Consent Agenda [definition – items that appear to be uncontroversial and do not require extensive discussion].
- Performance Evaluation for Mr. Scudder [what the process is].
- Dedication for the flag pole at the Sheriff's office [donated by Woodmen of the World].

PUBLIC COMMENTS #2

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

- Bill Hughes, Cunningham District – addressed the Board in regards to the Economic Development Director position and offered a place to have the retreat.

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

ADJOURN

MOTION:

At 9:21 p.m., Mr. Chesser moved to adjourn the meeting of Wednesday, October 19th, 2011. Mrs. Booker seconded. The motion carried, with a vote of 6-0. AYES: Chesser, Gooch, Kenney, Booker, Weaver and Fairchild. NAYS: None.
ABSENT: None

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

Mary L. Weaver, Clerk

John Y. Gooch, Chairman

RESOLUTION OF THE BOARD OF SUPERVISORS OF FLUVANNA COUNTY, VIRGINIA REGARDING THE EXPANSION OF THE CENTRAL VIRGINIA REGIONAL JAIL

WHEREAS, The Counties of Orange, Greene, Madison, Fluvanna and Louisa, Virginia (collectively, the “Participating Jurisdictions”), operate the Central Virginia Regional Jail (the “Regional Jail”) through a Regional Jail Authority, formed pursuant to Chapter 3, Article 5 of Title 53.1 of the Code of Virginia, 1950 as amended, and pursuant to an agreement dated February 12, 1988 and amended on November 19, 2008;

WHEREAS, by Resolution dated November 19, 2008, the Board of Supervisors of Fluvanna County considered plans by the Participating Jurisdictions to make improvements to the existing Regional Jail facilities, including the construction of an expansion thereto to provide 200 additional beds, and any necessary improvements to the existing facility to accommodate the additional bed space (the “Project”);

WHEREAS, by Resolution dated November 19, 2008, the preliminary estimate of the capital costs of the Project was Ten Million Dollars (\$10,000,000.00), and the Project is to be financed as provided in Chapter 3, Article 3.1 of Title 53.1 of the Code of Virginia, 1950, as amended (the “Act”).

WHEREAS, by Resolution dated November 19, 2008, to the extent there were other capital costs, including financing proposal costs, the County found that inclusion of such information was impractical;

WHEREAS, after consideration of the actual, approved planning study by the Virginia Board of Corrections on July 10, 2011, it has become apparent that the estimate of the capital costs of the Project are Sixteen Million, Nine Hundred and Twenty-Eight Thousand, Three Hundred and Eighty Two Dollars (\$16,928,382.00);

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF FLUVANNA COUNTY, VIRGINIA

That the revised preliminary estimate of the capital costs of the Project is Sixteen Million, Nine Hundred and Twenty-Eight Thousand, Three Hundred and Eighty Two Dollars (\$16,928,382.00), instead of Ten Million Dollars (\$10,000,000.00) as set forth in paragraph 5 of the Resolution dated November 19, 2008; and, the remaining provisions of that Resolution remain in effect and unchanged.

This Resolution shall take effect immediately.

The members of the Board of Supervisors of Fluvanna County, Virginia, voted as follows on the adoption of this Resolution on this 19th day of October, 2011.

<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstentions</u>
Booker			
Chesser			
Fairchild			
Gooch			
Kenney			
Weaver			

John Y. Gooch, Chairman

ATTEST:

Mary L. Weaver,
Clerk to the Board of Supervisors

APPROVED