

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Courtroom
Fluvanna Courts Building
December 7th, 2011
2:00 p.m.**

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

MEMBERS ABSENT: Donald W. Weaver

ALSO PRESENT: Fred Payne, County Attorney
Darren Coffey, Interim County Administrator
Steven Tugwell, Planner
Andrew Pompei, Planner
Renee Hoover, Finance Director
Amy Helfrich, Building Inspections Permit Clerk
Jonathan McMahon, Director of Information Technology
Garland Nuckols, Facilities Director
Mary Weaver, Clerk, Board of Supervisors

CALL TO ORDER/PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

Chairman Gooch called the meeting of December 7th, 2011, to order at 2:00 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

Darren Coffey, Interim County Administrator reported on the following topics:

- Met with Department Heads, Constitutional Officers, School Superintendent and her staff, and as many of the Agency Heads as possible to open communications.
- Planning Commission will begin review of the Capital Improvements Plan (CIP), Wednesday, December 14th, 2011 in the Morris Room at 7:00pm.
- Earthquake Update – Currently 80 reports of damage, mostly minor. FEMA and VDEM are trying to determine if we have enough damage for assistance.
- Compost workshop was held on November 19th, 2011, with approximately 100 participants. Fluvanna County Public Works, Fluvanna Extension and the Master Gardeners were co-sponsors. This was a very successful workshop, thanks to those who helped put it together.
- VRS local contributions are going to increase by an average of 2.6%.
- Will be attending the Governor's Transportation Conference in discussion of the devolution of the secondary road system.
- Governor Task Force – Mr. Kenney reviewed the progress they made at their last meeting on November 19, 2011.
- IAC hosted a very informative luncheon for the Board today before the meeting.
- Rivanna River Basin Commission would like to host a luncheon on February 1, 2012, for the Board and Planning Commission, to present an update on the pollution standards for water quality.
- Board of Supervisors is having a retreat on January 6, 2012, at the Thomas Jefferson Water Street Center starting with breakfast at 8am.
- Elected Officials Conference from January 6 – 8, 2012, in Richmond.
- Leonard Gardner, former Board member, is a Pearl Harbor veteran survivor and is in Pearl Harbor today with other veterans to commemorate that event. Thank you for their service.

PUBLIC COMMENTS #1

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

- Lyle Plitt, Rivanna District – addressed the Board in opposition of hiring contract services for EMS coverage.

- Adrian Miller, Rivanna District – appropriate to remember the Pearl Harbor survivors and thank Mr. Jay Scudder, Mr. John Gooch and Mr. Chris Fairchild for their service to this county. Also addressed the Board regarding spending less money.

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

CONSENT AGENDA

The following items were approved under the consent agenda:

MOTION:

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

- Minutes of November 2nd, 2011
- Minutes of November 16th, 2011
- Resolution Recognizing Gregory Edward Kenneth Palmer as an Eagle Scout
- FY12 Budget Supplement for Fork Union Sanitary District Insurance Claim
- FY12 Budget Supplement for Sheriff’s Department Insurance Claim
- FY12 Budget Supplement for Review of Telecommunication Tower Applications
- Budget Transfer for County Attorney Services
- Resolution to Adopt a Road Name: Palmer Farm Lane

Mrs. Booker seconded. The motion carried with a vote of 5-0. AYES: Gooch, Booker, Kenney, Fairchild and Chesser. NAYS: None. ABSENT: Weaver

ACCOUNTS PAYABLE

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

MOTION:

Mr. Kenney moved that the Accounts Payable from October 26th, 2011, through November 28th, 2011, and payroll for the month of October, 2011, in the amount of \$5,790,028.28, be ratified. Mr. Chesser seconded. The motion carried with a vote of 5-0. AYES: Gooch, Booker, Fairchild, Chesser and Kenney. NAYS: None. ABSENT: Weaver.

General	\$ 552,467.99
Community Programs	270.00
Federal Grants	5,950.00
Capital Improvements	1,934,988.73
Debt Service	2,657,100.00
Sewer	7,806.02
Fork Union Sanitary District	13,368.80
Total Expenditures by Fund	\$5,171,951.54
Payroll - September	618,076.74
Total Payables & Payroll	\$5,790,028.28

PUBLIC HEARING

None

PRESENTATIONS

LMOA Property Exchange – Mr. Fred Payne, County Attorney, gave the Board a status update on the exchange of property with Lake Monticello Owners’ Association. Mr. Payne discussed several matters affecting the property that are believed not to have any practical impact on the County’s intended use of the property for a greenway trail, but needed to be brought to the Board’s attention.

Tyler Munis Financial Software Project Update – Mr. Jonathan McMahon, Information Technology Director, gave the Board a progress update of the time-line for completion and a budget summary for converting to the new Munis software.

ACTION MATTERS

EST 11:02 Palmyra Associates, LLC/Conservation Easement – This request was deferred.

EST 11:03 Helen E. Maben/Conservation Easement – Mr. Andrew Pompei, Planner, addressed the Board regarding this request to establish a conservation easement, to be held by Fluvanna County, in connection with 94.558 acres of Tax Map 17(A)22.

The Board discussed the long-term intention of the owner to donate this property to the County. Mr. Fred Payne, County expressed his concerns with this request.

MOTION:

Mr. Chesser moved to deny request to establish a conservation easement, to be held by Fluvanna County, in connection with 94.558 acres of Tax Map 17(A)22. Mr. Kenney seconded. The motion carried with a vote of 5-0. AYES: Gooch, Booker, Fairchild, Chesser and Kenney. NAYS: None. ABSENT: Weaver.

Hiring of contract services for rescue coverage (corrected from "Hiring of additional staff)

Mr. Len Bozza, President of the Lake Monticello Rescue Squad, addressed the Board with this request to consider contracting services with the University of Virginia to provide an Advanced Life Support (ALS) crew for an initial period of six months.

The Board directed staff to request from the Commonwealth Virginia Fire Safety Board to conduct an audit on the Fluvanna County Fire and Rescue needs. A suggestion to start gathering data when this service begins to show progress or lack of, in order to support it in numbers was made. Mr. Fairchild mentioned on behalf of Mr. Weaver's absence, that he would like to see progressive efforts on the side of revenue recovery.

MOTION:

Mr. Chesser moved to direct staff to negotiate and return a proposed contract with the University of Virginia (UVA) to hire a weekday Advanced Life Support (ALS) crew and a full weekend ALS crew for an initial period not to extend past June 30th, 2012 subject to extensions. Mrs. Booker seconded. The motion carried with a vote of 5-0. AYES: Gooch, Booker, Fairchild, Chesser and Kenney. NAYS: None. ABSENT: Weaver.

Budget Appropriation to Carry-Over the School FY 11 Local Appropriation – Ms. Renee Hoover, Finance Director, addressed the Board regarding this item.

MOTION:

Mr. Kenney moved to approve carry-over of the FY11 Schools unexpended local funds of \$246,102 to increase the FY12 School's Local Appropriation from \$13,950,000 to \$14,196,102 for a total amended School Budget of \$35,966,987.24. Mrs. Booker seconded. The motion carried with a vote of 5-0. AYES: Gooch, Booker, Fairchild, Chesser and Kenney. NAYS: None. ABSENT: Weaver.

Reimbursement for SPCA Maintenance – Mr. Garland Nuckols, Facilities Director, addressed the Board regarding this item.

MOTION:

Mr. Kenney moved to approve the transfer of \$10,000 to the Facilities Department for the repairs to the Shelter at Carysbrook and the FSPCA that was agreed on in the County Contract with the FSPCA. The funding will be transferred from Board of Supervisor's contingency fund to the facilities budget line 10041500 403310. Mr. Chesser seconded. The motion carried with a vote of 5-0. AYES: Gooch, Booker, Fairchild, Chesser and Kenney. NAYS: None. ABSENT: Weaver.

Appointment/Board of Zoning Appeals(two positions)

MOTION:

Mr. Chesser moved to recommend appointment of Mr. Steve Nichols to the Board of Zoning Appeals, at large Position, filling the vacancy left by Bill Anderson, with a term to begin immediately, and to terminate on December 31, 2014. Mrs. Booker seconded. The motion carried with a vote of 5-0. AYES: Gooch, Booker, Fairchild, Chesser and Kenney. NAYS: None. ABSENT: Weaver.

MOTION:

Mr. Chesser moved to recommend appointment of Mr. Easton Loving to the Board of Zoning Appeals, at large Position, with a term to begin January 1, 2012, and to terminate on December 31, 2016. Mr. Kenney seconded. The motion carried with a vote of 5-0. AYES: Gooch, Booker, Fairchild, Chesser and Kenney. NAYS: None. ABSENT: Weaver.

Reappointment/Economic Development Authority(EDA)

MOTION:

Mr. Chesser moved to reappoint Mr. Robert Flood to the Economic Development Authority (EDA), with a term to begin January 1, 2012, and to terminate on December 31, 2015. Mr. Kenney seconded. The motion carried with a vote of 5-0. AYES: Gooch, Booker, Fairchild, Chesser and Kenney. NAYS: None. ABSENT: Weaver.

Reappointment-Appointment/Fork Union Sanitary District Advisory Committee(two positions)

MOTION:

Mrs. Booker moved to reappoint Ms. Lillian Dabney Taylor to the Fork Union Sanitary District Advisory Committee, with a term to begin January 1, 2012, and to terminate on December 31, 2015. Mr. Kenney seconded. The motion carried with a vote of 5-0. AYES: Gooch, Booker, Fairchild, Chesser and Kenney. NAYS: None. ABSENT: Weaver.

Second position was left vacant due to the lack of an interested applicant that resides in Fork Union District.

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

MOTION:

Mrs. Booker moved to appoint Mr. Richard Bucci to the Jefferson Area Board for Aging Advisory Council (JABA), with a term to begin immediately, and to terminate on April 30th, 2012. Mr. Kenney seconded. The motion carried with a vote of 5-0. AYES: Gooch, Booker, Fairchild, Chesser and Kenney. NAYS: None. ABSENT: Weaver.

Appointment/Thomas Jefferson Emergency Medical Services Council

MOTION:

Mr. Chesser moved to appoint Mr. John Robins to the Thomas Jefferson Emergency Medical Services Council, with a term to begin immediately, and to terminate June 30, 2012. Mr. Kenney seconded. The motion carried with a vote of 5-0. AYES: Gooch, Booker, Fairchild, Chesser and Kenney. NAYS: None. ABSENT: Weaver.

Reappointment/Thomas Jefferson Planning district commission (TJPDC)

MOTION:

Mr. Kenney moved to reappoint Mr. Keith Smith to the Thomas Jefferson Planning District Commission (TJPDC), with a term to begin January 1, 2012, and to terminate on December 31, 2013. Mrs. Booker seconded. The motion carried with a vote of 5-0. AYES: Gooch, Booker, Fairchild, Chesser and Kenney. NAYS: None. ABSENT: Weaver.

UNFINISHED BUSINESS

The following items were discussed:

- EMS funding source.
- Recruiting Advertisement for Fluvanna Rescue Volunteers.

The Board directed staff to look into advertising needs for recruiting Fluvanna Rescue Volunteers.

NEW BUSINESS

None

PUBLIC COMMENTS #2

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

- Elizabeth Franklin, Kents Store – Addressed the Board in regards to the outstanding service of Mr. Bouson Peterson, Jr. Clerk of the Circuit Court and his staff.
- Adrian Miller, Rivanna District – Addressed the Board in regards to the funding of EMS services and improvement of the audio in meetings and on the website.
- Angus Murdock, Kents Store – Addressed the Board in regards to the land swap with the Lake Monticello Owner's Association.

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

Mr. Fairchild asked about the status of harvesting the walnut trees on the property received in the Land Swap from Lake Monticello Owner's Association.

CLOSED MEETING

MOTION TO ENTER INTO A CLOSED MEETING:

At 4:14 p.m., Mr. Chesser moved the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 of the Code of Virginia, 1950, as amended, for the purpose of discussing Legal Matters – Consultation with legal counsel and briefings by staff members regarding specific legal matters requiring provision of the legal advice by such counsel and Acquisition of Real Property – Discussions or considerations of the acquisition of real property for a public purpose. Mr. Kenney seconded. The motion carried with a vote of 5-0. AYES: Gooch, Booker, Kenney, Fairchild and Chesser. NAYS: None. ABSENT: Weaver.

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

At 5:53 p.m., Mr. Chesser moved the closed meeting be adjourned and the Fluvanna County Board of Supervisors convene again in open session. Mr. Kenney seconded. The motion carried with a vote of 6-0. AYES: Gooch, Booker, Kenney, Fairchild and Chesser. NAYS: None. ABSENT: Weaver.

MOTION:

At 5:54 p.m., the following resolution was adopted by the Fluvanna County Board of Supervisors, following a closed meeting held Wednesday, December 7th, 2011, on motion of Mr. Chesser, seconded by Mr. Kenney and carried by the following vote: AYES: Gooch, Kenney, Booker, Chesser, and Fairchild. NAYS: None. ABSENT: Weaver.

“**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.”

The Board directed staff to pursue an agreement with the TJPDC to do a market based study, return on investment for Zion Crossroads, associated with possible improvements to be made, mainly water line and return to the Board possibly on December 21st, 2011 with a proposal.

The Board directed staff to pursue discussions with the Department of Corrections to see the viability of possible partnering with them on utilities, water and sewer.

ADJOURN

MOTION:

At 5:55 p.m., Mr. Kenney moved to adjourn the meeting of Wednesday, December 7th, 2011. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYES: Chesser, Gooch, Kenney, Booker and Fairchild. NAYS: None. ABSENT: Weaver

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

Mary L. Weaver, Clerk

John Y. Gooch, 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, December 7th, 2011, in Palmyra, Virginia, the following action was taken:

<u>Present</u>	<u>Vote</u>
John Y. Gooch, Chairman	YEA
Shaun V. Kenney, Vice Chairman	YEA
Mozell H. Booker	YEA
Joseph Chesser	YEA
Chris S. Fairchild	YEA
Donald W. Weaver	ABSENT

On a motion by Mr. Kenney, seconded by Mrs. Booker, and carried by a vote of 5-0, the following resolution was adopted.

RESOLUTION

Recognizing Gregory Edward Kenneth Palmer Award of Eagle Scout Status

WHEREAS, Gregory Edward Kenneth Palmer has completed all the requirements for becoming an Eagle Scout; and

WHEREAS, Gregory has been examined by an Eagle Scout Board of Review and deemed worthy of the Eagle Scout award; and

WHEREAS, Boy Scout Troop 138 will be convening a Eagle Scout Court of Honor on January 8th, 2012 at 2:00 p.m. at Saints Peter and Paul Catholic Church, Palmyra, Virginia;

NOW, THEREFORE BE IT RESOLVED that the Fluvanna County Board of Supervisors joins Gregory's family and friends in congratulating him on his achievements and the award of Eagle Scout status.

Adopted this 7th, day of December 2011
by the Fluvanna County Board of Supervisors

ATTEST:

John Y. Gooch, Chairman

**RESOLUTION TO ADOPT A ROAD NAME:
PALMER FARM LANE**

WHEREAS, the establishment of an Enhanced 9-1-1 emergency telephone system in Fluvanna County has become effective; and

WHEREAS, such system requires the assignment of names to all streets and roads in the County, the assignment of building numbers to all buildings having telephones and /or occupancies, and the erection of appropriate street signs at intersections; and

WHEREAS, County staff has recommended this road name for consideration; and

WHEREAS, the Board of Supervisors is empowered to name streets, roads and alleys within the County in accordance with Section 18-2 of the Fluvanna County code that the road located off of Little Creek Road be named Palmer Farm Lane.

Adopted this 7th day of December, 2011

Mary Weaver
Clerk to the Board of Supervisors

APPROVED