

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Historic Courthouse
March 7th, 2012
2:00 p.m.**

MEMBERS PRESENT: Shaun V. Kenney, Chairman
Bob Ullenbruch, Vice-Chairman
Mozell H. Booker
Donald W. Weaver
Joe Chesser

ALSO PRESENT: Fred Payne, County Attorney
Darren Coffey, Interim County Administrator/Planning Director
Renee Hoover, Finance Director
Patricia A. Groot, Grant Administrator
Dwight Godwin, Director of Parks and Recreation
Andrew Pompei, Planner
Mary Weaver, Clerk, Board of Supervisors

CALL TO ORDER/PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

Chairman Kenney called the meeting of March 7th, 2012, to order at 2:00 p.m., in the Circuit Courtroom in Palmyra, Virginia; and the Pledge of Allegiance was recited, after which, Chairman Kenney called for a moment of silence.

CLOSED MEETING

MOTION TO ENTER INTO A CLOSED MEETING:

At 2:03 p.m., Mr. Ullenbruch 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 Personnel Matters. Mr. Chesser seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Ullenbruch, Booker, Weaver and Chesser. NAYS: None. ABSENT: None.

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

At 3:22 p.m., Mr. Weaver moved the closed meeting be adjourned and the Fluvanna County Board of Supervisors reconvene again in open session. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Ullenbruch, Booker, Weaver and Chesser. NAYS: None. ABSENT: None.

MOTION:

At 3:23 p.m., the following resolution was adopted by the Fluvanna County Board of Supervisors, following a closed meeting held Wednesday, March 7th, 2012, on motion of Mr. Weaver, seconded by Mr. Ullenbruch, and carried by the following vote of 5-0. AYES: Kenney, Ullenbruch, Booker, Weaver, and Chesser. NAYS: None. ABSENT: None.

“**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.”

PUBLIC COMMENTS #1

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

- Mr. Tom Payne, Palmyra District – spoke in reference to the proposed 68 cent budget, supports a sustainable budget.

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

REPORTS

County Report

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

- Introduced Mr. Robert “Bobby” Popowicz, the new Economic Development Director.
- Earthquake Update – 575 residents registered damage, \$586,000.00 has been paid out.
- VDOT Secondary Six Year Plan – Board members received a Secondary Six Year Plan report. Primary Road Plans are coming up in the near future, would like a Board member to attend to express the county’s priorities.

CONSENT AGENDA

Mr. Weaver addressed a correction in the February 22nd, 2012, Budget Work Session Minutes, specified the item, “Ratify and accept the Virginia E-911 Service Board Wireless Education Program for FY13 was for \$200,000, the item “Ratify and accept the Virginia E-911 Service Board PSAP Grant Program for FY13” was for \$150,000; and explained where the money was coming from for the FY12 Budget Supplement for Schools.

The following items were approved under the consent agenda:

MOTION:

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

- Budget Work Session Minutes from February 8th, 2012.
- Minutes from February 15th, 2012.
- Budget Work Session Minutes from February 22nd, 2012 as amended.
- Ratify and accept the Virginia E-911 Service Board Wireless Education Program for FY13.
- Ratify and accept the Virginia E-911 Service Board PSAP Grant Program for FY13.
- FY12 Budget Supplement for Schools.

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

ACCOUNTS PAYABLE

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

MOTION:

Mr. Weaver moved the Accounts Payable from January 25, 2012, through February 28, 2012, and Payroll for the month of January, 2012, in the amount of \$2,843,910.77, be ratified. Mr. Chesser seconded. The motion carried, with a vote of 5-0. AYES: Chesser, Booker, Ullenbruch, Kenney and Weaver. NAYS: None. ABSENT: None.

General Fund	\$1,431,173.42
Community Programs	80.00
Federal Grants	5,319.00
State/Local Grants	5,228.00
Capital Improvements	700,890.97
Debt Service	500.00
Sewer	6,959.37
Fork Union Sanitary District	<u>15,320.90</u>
Total Expenditures by Fund	\$ 2,195,471.66
Payroll – January	648,439.11
Total Payables & Payroll	<u>\$ 2,843,910.77</u>

PUBLIC HEARING

None

ACTION MATTERS

Community Wellness Program at the Carysbrook Fitness Center – Mr. Dwight Godwin, Director of Parks and Recreation, addressed this request to reopen the Carysbrook Fitness Center for public use.

After some Board discussion, staff was directed to e-mail Board with a historical comparison of the Carysbrook Fitness Center and this request will be considered with the budget process.

Reappointment/Fluvanna Partnership for Aging

MOTION:

Mrs. Booker moved to reappoint Ms. Linda Layne to the Fluvanna Partnership for Aging, with a term to begin immediately, and to terminate on December 31, 2016. Mr. Weaver seconded. The motion carried with a vote of 5-0. AYES: Chesser, Booker, Ullenbruch, Kenney and Weaver. NAYS: None. ABSENT: None.

PRESENTATIONS

Regional Hazard Mitigation Plan Update – Mr. Will Cockrell, Thomas Jefferson Planning District Commission, reviewed with the Board the purpose of this plan and its requirement by VDEM. Mr. Cockrell asked the Board to review the list of hazard mitigation action items prepared for the county, and offer any revisions or additional material to improve the plan. A resolution supporting this plan will be sought in the summer of 2012, after state and federal review has been completed.

Development Activity Report – Mr. Andrew Pompei, Planner, presented the Board with an overview of development activity during 2011.

BUDGET WORK SESSIONS – AGENCY PRESENTATIONS

The following agencies provided a quick presentation to the board regarding each of their respective agencies and their budget requests:

- Shelter for Help in Emergency by Sarah Ellis
- JAUNT, by Donna Shaunesey
- TJPED, by Helen Cauthen
- Piedmont Workforce Network, by Heather Foor
- Jefferson Area CHIP, by Judy Smith
- CV Small Business Development Center, by Nora Gillespie
- Piedmont Housing Alliance, by Shelley Murphy
- Fluvanna Arts Council, by Adele Schaefer
- JABA, by Cheryl Cooper
- Legal Aid Justice Center, by Kathleen Caldwell
- TJEMS, by Stephen Rea
- TJ Soil & Water Conservation, by Alyson Sappington
- MACAA, by Bertha Armstrong

UNFINISHED BUSINESS

Budget Discussion – No discussion desired at this time.

NEW BUSINESS

None.

PUBLIC COMMENTS #2

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

- Mr. Tom Payne, Palmyra District, spoke in reference to budget increases.

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

CLOSED MEETING

MOTION TO ENTER INTO A CLOSED MEETING:

At 5:34 p.m., Mr. Weaver 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 Personnel and Legal Matters, regarding consultation with legal counsel about specific legal matters, requiring the provision of legal advice by such counsel and pending/current litigation. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Ullenbruch, Booker, Weaver and Chesser. NAYS: None. ABSENT: None.

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

At 8:24 p.m., Mr. Weaver moved the closed meeting be adjourned and the Fluvanna County Board of Supervisors reconvene again in open session. Mr. Chesser seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Ullenbruch, Booker, Weaver and Chesser. NAYS: None. ABSENT: None.

MOTION:

At 8:25 p.m., the following resolution was adopted by the Fluvanna County Board of Supervisors, following a closed meeting held Wednesday, March 7th, 2012, on motion of Mr. Weaver, seconded by Mr. Chesser, and carried by the following vote of 5-0. AYES: Kenney, Ullenbruch, Booker, Weaver, and Chesser. NAYS: None. ABSENT: None.

“**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.”

MOTION:

Mr. Ullenbruch moved to terminate Mr. Darren Coffey’s appointment as Interim County Administrator. Mr. Chesser seconded. The motion carried with a vote of 5-0. AYES: Chesser, Booker, Ullenbruch, Kenney and Weaver. NAYS: None. ABSENT: None.

MOTION:

Mr. Ullenbruch moved to rescind salary adjustments, effective immediately, not to include specific promotions. Mr. Chesser seconded. The motion carried, with a vote of 5-0. AYES: Chesser, Booker, Ullenbruch, Kenney and Weaver. NAYS: None. ABSENT: None.

MOTION:

Mr. Ullenbruch moved letters of reprimand be entered into the folders of all Department Heads that were involved in implementation of salary adjustments. Mr. Chesser seconded. The motion carried with a vote of 5-0. AYES: Chesser, Booker, Ullenbruch, Kenney and Weaver. NAYS: None. ABSENT: None.

MOTION:

Mrs. Booker moved to authorize county’s counsel to appeal the decision of the Circuit Court on 2-23-12, in the case of *Fluvanna County vs. Davenport and Company LLC*. Mr. Chesser seconded. The motion carried with a vote of 5-0. AYES: Chesser, Booker, Ullenbruch, Kenney and Weaver. NAYS: None. ABSENT: None.

ADJOURN

MOTION:

At 8:28 p.m., Mr. Chesser moved to adjourn the meeting of Wednesday, March 7th, 2012. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Ullenbruch, Booker, Weaver and Chesser. NAYS: None. ABSENT: None.

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

Mary L. Weaver, Clerk

Shaun V. Kenney, Chairman