

**FLUVANNA COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
Circuit Court Room  
September 5, 2012, 2:00 p.m.**

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

**ALSO PRESENT:** Steven M. Nichols, County Administrator  
Fred Payne, County Attorney  
Mary L. Weaver, Clerk to the Board of Supervisors

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

Chairman Kenney called the meeting of September 5, 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.

**COUNTY ADMINISTRATOR'S REPORT**

Mr. Nichols reported on the following topics:

- Announced Mr. Joe Rodish was hired as the new Purchasing Officer.
- Safe Deposit Box was secured for storage of IT systems info and backups.
- Parks and Recreation Office have a new look.
- Fire/Rescue Team will brief the board of the Fire and EMS study results at the September 19, 2012 meeting.
- Requested VDOT traffic reviews for: Rolling Road, Cunningham Meadows entrance off Hwy. 53, Wright Court and Hwy 53, and Academy Road adjacent to FUMA.
- Federal Authorization Approval for construction of Fluvanna Heritage trail – Western Trailhead Facility and Pleasant Grove Manor House Visitor Center in one contract.
- Property Reassessment is near completion, Blue Ridge Mass Appraisal will brief the Board at the September 19, 2012 meeting.
- E-911 Services Board Funding will decrease by \$22,878.84.
- Courthouse Security System requires replacement; intend to use \$65K from insurance reimbursement.
- Courthouse Metal Detector requires replacement; approx. cost is \$3,000.
- E-911 Project update will be presented by Sheriff Washington at the September 19, 2012 meeting.
- DEQ FUSD fine pending will present a full update on Consent Order at the September 19, 2012 meeting. Permits in question have been renewed.
- Plan to have an evening Parks and Recreation public meeting October/November to invite community together for feedback on what they would like to see parks and recreation offer.
- Looking at putting together a Formal Awards program for County staff.
- Need direction on meeting with citizens at Zion Crossroads in reference to impacts of development.
- Discussed the FY14 Budget Cycle process.
- County Administrator will be out of office September 6-15, 2012. Mr. Popowicz will serve as Acting County Administrator.
- Fork Union Firehouse groundbreaking September 8, 2012 at 10:00 am.

**PUBLIC COMMENTS #1**

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

**PUBLIC HEARING**

None

**ACTION MATTERS**

Town of Columbia Resolution pertaining to County Zoning Ordinance – deferred to September 19, 2012 meeting.

Voting District Poling Place Options and Seeking a Bailout Under the Voting Rights Act –

- Mr. Cole Hunter, Chairman, Electoral Board, reviewed with the Board the 2012 proposed high election turnout, new voter ID Law, need for an additional polling place in Cunningham, future equipment plans, and bailout initiative.
- Mr. Bob Leipold, Secretary, Electoral board, reviewed in detail the bailout procedures and requested the Board to authorize the electoral board to purse bailout from the oversight provisions of the Voting Rights Act.

The Board discussed and deferred for further investigation of these matters.

FY12 to FY13 Carryover Requests – Mr. Eric Dahl, Budget Analyst, presented this request to carryover \$67,987 to Misc Non-Dept/Medical Insurance, \$10,212 to Registrar/Machinery & Equipment and \$30,000 to Social Service Administration/Part-Time Salaries & Wages.

**MOTION:**

Mrs. Booker moved to approve the budget carryover requests totaling \$108,199 reappropriating the FY12 remaining budgets to the FY13 adopted budget.

\$67,987 from FY12 10086000-405870 to FY13 10086000-402300

\$10,212 from FY12 10017000-408101 to FY13 10017000-408101

\$20,000 from FY12 10553000-401100 to FY13 10553000-401300

Mr. Chesser seconded. The motion carried, with a vote of 3-2. AYES: Chesser, Kenney and Booker. NAYS: Ullenbruch and Weaver. ABSENT: None.

**PRESENTATIONS**

Legislative Update – Mr. David Blount, TJPDC Legislative Liaison, reviewed with the Board the 2012 Legislative Priorities and explained the process for developing the Thomas Jefferson Planning District Legislative Program. Mr. Blount indicated he would like to receive input from the Board concerning items they would like to see in the program. He will circulate a copy of the draft program in early October and request to come before the Board again in November to seek concurrence with the program.

Chairman Kenney expressed his concern with too many mandates from the state. Localities need a louder voice.

RFC Schools Review Update – Mr. Steve Jacobs, Managing Director, Robinson, Farmer and Cox, reviewed with the Board the progress of the study on the schools. Study should be complete in approximately one month.

VDOT Report – Mr. Joel DeNunzio, Acting Residency Administrator, reviewed with the Board traffic requests for Rolling Road, Cunningham Meadows entrance, Wright Court and Hwy 53, and Academy Road adjacent to FUMA. Discussed completed construction items and asked the board if they had any concerns for review.

The Board requested Mr. DeNunzio to look into safety concerns at the intersection of Rt 53 and Rt 600 where they are constructing the roundabout.

Columbia Task Force Update – deferred to September 19, 2012 meeting.

**CONSENT AGENDA**

The following items were approved under the consent agenda:

**MOTION:**

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

- Minutes of August 1, 2012 as amended.
- Resolution Supporting Restoration of State Funding for Aid to Localities.
- Ratify and accept DMV DOT Highway Safety Funds grant award.

- FY13 Budget Transfer for GIS Services.

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

### **ACCOUNTS PAYABLE**

Ms. Barbara Horlacher, Finance Director addressed the Board regarding the accounts payable.

#### **MOTION:**

Mr. Weaver moved the Accounts Payable and Payroll be ratified for the period July 26, 2012 through August 27, 2012 in the amount of \$3,015,247.17. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Ullenbruch, Kenney, Chesser, Booker and Weaver. NAYS: None. ABSENT: None.

General Fund	\$1,106,411.45
Federal Grants	\$ 198.89
Capital Improvements	\$1,404,032.86
Sewer	\$ 2,559.67
Fork Union Sanitary District	\$ 14,002.38
<b>Total Expenditures by Fund</b>	<b>\$ 2,527,205.25</b>
Payroll – July	\$ 488,041.92

**Total Payables & Payroll** **\$3,015,247.17**

### **UNFINISHED BUSINESS**

None

### **NEW BUSINESS**

Mrs. Booker passed out a hand written letter from a county resident in reference to JAUNT.

Mr. Weaver mentioned to keep in mind during the budget process that enough money was funded to the Library to ensure that state funding would be received.

Mr. Nichols requested the Board to clarify the reason for the NAY votes on the carryover Requests. Mr. Weaver wants more details for Social Services. Mr. Ullenbruch feels we are in a hurry to spend overrun money.

The Board **directed staff** to investigate and report back on the impact of sequestration, specifically as it pertains to education and social services after January 1, 2013.

### **CLOSED MEETING**

#### **MOTION TO ENTER INTO A CLOSED MEETING:**

At 4:40 p.m., Mr. Weaver moved the Fluvanna County board of Supervisors enter into a closed session, pursuant to the Virginia Code Section 2.2-3711-A-1, 2.2-3711-A.3 and 2.2-3711A.7 for discussion of Personnel Matters, Acquisition of Real Estate and Consultation with Legal Counsel. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYES: Ullenbruch, Kenney, Chesser, Booker and Weaver. NAYS: None. ABSENT: None.

### **EXITED CLOSED MEETING, RECONVENED IN OPEN SESSION AND RECESSED AT 5:00p.m. for DINNER**

### **BOARD RECONVENED AT 7:00p.m. for a Debt and Project Financing Review**

#### **MOTION:**

At 7:00p.m., the following resolution was adopted by the Fluvanna County Board of Supervisors, following a closed meeting held Wednesday September 5, 2012, on motion of Mr. Weaver, seconded by Mr. Ullenbruch, and carried by the following vote of 5-0. AYES: Ullenbruch, Kenney, Chesser, Booker and Weaver. 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.”

**PRESENTATION**

Debt and Project Financing Review – Ms. Barbara Horlacher, Finance Director, addressed the Board in regards to interest rates being at an all-time low and introduced the Morgan Keegan and Financial Advisors, Dianne Klaiss and Jim Johnson, and Bond Counsel, Richard Hurlbret. Ms. Klaiss reviewed with the Board an overview of the counties debt and the savings opportunities that are available.

The Board **directed staff** to move forward with refinancing options.

**PUBLIC COMMENTS #2**

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

**ADJOURN**

MOTION:

At 7:50 p.m., Mr. Weaver moved to adjourn the meeting of Wednesday, September 19, 2012. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Ullenbruch, Weaver, Booker and Chesser. NAYS: None. ABSENT: None.

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_  
Mary L. Weaver, Clerk

\_\_\_\_\_  
Shaun V. Kenney, Chairman



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

At a regular monthly meeting of the Fluvanna County Board of Supervisors held on Wednesday, September 5, 2012, in Palmyra, Virginia, the following action was taken:

---

<u>Present</u>	<u>Vote</u>
Shaun V. Kenney, Chairman	YEA
Robert Ullenbruch, Vice Chairman	YEA
Mozell H. Booker	YEA
Joseph Chesser	YEA
Donald W. Weaver	YEA

---

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

**RESOLUTION**

**SUPPORTING RESTORATION OF STATE FUNDING FOR AID TO LOCALITIES**

**Whereas**, state financial assistance for mandated and high priority programs, including public education, health and human services, public safety and constitutional officers, was \$800 million less in FY12 than in FY09 and almost \$500 million less in FY13 than in FY09; and  
**Whereas**, cities and counties must balance their budgets during a time in which future state assistance is unreliable, federal stimulus dollars are depleted, and real estate assessments are either stagnant or in decline; and

**Whereas**, the Appropriation Act contains \$50 million in across-the-board cuts to cities and counties for FY13 and \$45 million in FY14, under which localities are required to either elect to take reductions in particular state aid programs, or to send the State a check for the amounts determined by the Department of Planning and Budget ("Local Aid to the Commonwealth"); and

**Whereas**, the reductions are applied to essential services, including law enforcement, jail administration, foster care and child protection services, election administration and social services; and

**Whereas**, the County of Fluvanna does not have the authority to unilaterally decide to discontinue providing services such as election administration or to refuse to house and care for state prisoners in local and regional jails; and

**Whereas**, the state budget cuts are not accompanied by any reductions in state-imposed mandates, standards and service requirements, nor do they provide any administrative flexibility for local agencies; and

**Whereas**, the County of Fluvanna remitted \$154,378 in FY12 and will be required to remit another \$123,277 in FY13; and

**Whereas**, cities and counties will have provided the state with \$270 million by the close of FY13 for this "Local Aid to the Commonwealth" program; and

**Whereas**, these reductions shift state costs to local taxpayers and artificially increases the amount of state surplus revenue; and

**Whereas**, state revenues have continued to recover and the state has experienced a budget surplus for the third consecutive year; and

**Whereas**, revenue collections for the County of Fluvanna continue to reflect the struggling housing market; and

**Whereas**, the state should not shift its share of the costs for mandates and responsibilities to local governments; **now, therefore, be it**

**Resolved**, that the County of Fluvanna Board of Supervisors asks Governor Bob McDonnell to submit a budget amendment to the 2013 session of the General Assembly to reverse the \$50 million-a-year reduction for the current year, FY13, and to eliminate the aid to localities reduction in FY14; and further, be it

**Resolved**, that the members of the General Assembly support a budget amendment to the 2013 session of the General Assembly to reverse the \$50 million-a-year reduction for the current year, FY13, and to eliminate the aid to localities reduction in the budget for FY14

Adopted this 5<sup>th</sup> day of September, 2012  
By the Fluvanna County Board of Supervisors

ATTEST

---

Mary L. Weaver  
Clerk to the Board of Supervisors

APPROVED