

**FLUVANNA COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
Circuit Court Room  
November 7, 2012, 2:00 p.m.**

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

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

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

Chairman Kenney called the meeting of November 7, 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:

- Happy Birthday to Mrs. Booker (tomorrow)
- Parks and Recreation Family Halloween event was very successful, 250 family members attended.
- Pleasant Grove Trail Clean Up Day was Saturday, October 20<sup>th</sup>, 2012. Volunteers saved County \$675 in staffing costs.
- Compliance Update for Omohundro Well and WTP Consent Order, completion expected well before the December 15, 2012 due date.
- Update on Staff Survey Tiger Team. Team identified four primary categories of concerns: Safety, Communication, Job Resources and Recognition & Performance.
- Columbia Visioning Session on Saturday, November 17, 2012 from 9:00 am to Noon at Parish Hall of Saint Joseph Church.
- Update on status of ongoing projects and supervisor requests.

**PUBLIC COMMENTS #1**

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

- Elizabeth Franklin, Columbia District – speaking on behalf of the Fluvanna Taxpayers Association, addressed the Board in regards to the long voting lines in the Rivanna District.
- W.A Pace, Palmyra District - addressed the Board in regards to the proposed reassessment of land. Suggests the Board to do future reassessments in-house with employees reporting to the County Administrator.

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

**PUBLIC HEARING**

None

**ACTION MATTERS**

**Adoption of the Draft 2013 Thomas Jefferson Planning District Legislative Program** – Mr. David Blount, TJPDC Legislative Liaison, reviewed with the Board the six priority positions; State Mandates & Funding Obligations, Transportation Funding & Devolution, Public Education Funding, Chesapeake TMDL, Land Use & Growth Management and Comprehensive Services Act along with other changes to the program. Reminded the Board of the Legislative Forum that will be held on Thursday, November 29, 2012 at the Water Center focusing on cost shifting and mandates.

**MOTION:**

Mr. Chesser moved to adopt the 2013 Draft Thomas Jefferson Planning District (TJPD) Legislative Program with amendments, understanding that additional, suggested revisions to the draft may be incorporated into the final version. Mr.

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

Authorization of the Issuance of Not to Exceed \$70,000,000 General Obligation School Refunding Bonds of the County of Fluvanna, Virginia, to be sold to the Virginia Public School Authority / Contribution and/or use of FY13 debt service savings from the refunding of the 2008A General Obligation School Bonds – Ms. Barbara Horlacher, Director of Finance, reviewed with the Board what has been accomplished since the finance work session on September 5, 2012.

MOTION:

Mr. Chesser moved to approve the resolution entitled "AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$70,000,000 GENERAL OBLIGATION SCHOOL REFUNDING BONDS OF THE COUNTY OF FLUVANNA VIRGINIA, SERIES 2012B, TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY AND PROVIDING FOR THE FORM AND DETAILS THEREOF". Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Ullenbruch, Chesser and Weaver. NAYS: None. ABSENT: None.

MOTION:

Mrs. Booker moved to reserve all debt service savings on refinancing issues for future County use. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Ullenbruch, Chesser and Weaver. NAYS: None. ABSENT: None.

Elimination / Retention of Various Boards, Commissions, and Committees – Mr. Steven Nichols reviewed with the Board his recommendations of which Boards, Commissions, and Committees to Eliminate and Terminate representation. The Board discussed which Boards, Commissions, and Committees to eliminate. The following motion was made:

MOTION:

Mr. Ullenbruch moved to eliminate the following Boards, Commissions, and Committees since they are no longer active or have served their intended purpose, with such elimination to be effective immediately.

- Court Green Committee
- Economic Development Commission (EDC)
- Finance Board
- Fluvanna County Transportation Safety Commission
- Landfill Advisory Committee
- Palmyra Wastewater Committee

With no second this motion failed. After more discussion the following motions were made:

MOTION:

Mr. Chesser moved to terminate representation on the following Boards, Commissions, and Committees since they are no longer active, have served their intended purpose, or our representation is no longer necessary, with such elimination to be effective immediately.

- Affordable Housing Task Force
- Piedmont Workforce Investment Board
- Thomas Jefferson Water Resources Protection Foundation

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

MOTION:

Mr. Chesser moved to eliminate the following Boards, Commissions, and Committees since they are no longer active or have served their intended purpose, with such elimination to be effective immediately.

- Court Green Committee
- Finance Board
- Fluvanna County Transportation Safety Commission
- Palmyra Wastewater Committee

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

The Board **directed staff** to meet with the Economic Development Commission (EDC) and the Economic Development Authority (EDA) to discuss absorbing EDC.

The Board discussed if there was a need for the Landfill Advisory Committee. After discussion the following motion was made:

**MOTION:**

Mr. Ullenbruch moved to eliminate the following Boards, Commissions, and Committees since it is no longer active or has served their intended purpose, with such elimination to be effective immediately.

- Landfill Advisory Committee

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

FY13 Fluvanna County Salary Band Adjustments – Mr. Steven Nichols, County Administrator, reviewed with the Board the reasoning behind this adjustment request to reflect the VRS increase.

**MOTION:**

Mr. Ullenbruch moved to approve a revision to the FY13 Fluvanna County Salary Table to increase the maximum salary ranges by 5.28% and to recalculate the mid-point salary ranges, retroactive to July 1, 2012. Mr. Weaver seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Ullenbruch, Chesser and Weaver. NAYS: None. ABSENT: None.

Appointment / Thomas Jefferson Emergency Medical Services Council – Mr. Steven Nichols, County Administrator addressed this request.

**MOTION:**

Mr. Ullenbruch moved to appoint Andrea Gaines to the Thomas Jefferson Emergency Medical Services Council, with a term to begin immediately and to terminate on June 30, 2014. Mr. Chesser seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Ullenbruch, Chesser and Weaver. NAYS: None. ABSENT: None.

VDOT FY14 Revenue Sharing Application – Ms. Patricia Groot, Grants Administrator, addressed the Board with this request in regards to the VDOT Roundabout at the intersection of Route 53 and Route 15. The Board discussed and the following motion was made:

**MOTION:**

Mr. Chesser moved the Board of Supervisors approve the application and resolution to apply for Virginia Department of Transportation (VDOT) Revenue Sharing funds for the design and construction of a roundabout at the Route 15 and Route 53 intersection. Mrs. Booker seconded. The motion carried, with a vote of 4-1. AYES: Kenney, Booker, Ullenbruch and Chesser. NAYS: Weaver. ABSENT: None.

**PRESENTATIONS**

Reassessment Lessons Learned, Options, and Recommendations – Utilities Revenue Outlook – Land Use Update and Options – Mr. Mel Sheridan, Commissioner of Revenue reviewed with the Board the following items:

Reassessment Lessons Learned, Options and Recommendations – Assessor meetings were completed on October 26, 2012. 435 meetings were held, 208 parcels were changed and 227 stayed the same. Average change in assessed value is 25.9% less than current. Recommend scheduled cycle for reassessments on a 2 year cycle In-House vs Out Source. Recommend the Board of Equalization members be appointed in January 2013.

Utilities Revenue Outlook – There was a \$71, 587 net loss in utilities for FY2012 because General Assembly implemented a tax exemption.

Land Use Options - \$2,296,145.23 deferred total tax for open land. Land Use rate can only be changed during a reassessment year.

Rural Zoning Policies – Ms. Allyson Finchum, Director of Planning and Mr. Andrew Pompei reviewed with the Board the current development trends in rural areas; history of rural preservation issues in Fluvanna County; and tools used by Virginia localities to manage growth in rural areas. The Board discussed how to proceed with Rural Preservation.

The Board **directed staff** to review recommendations of Rural Land Use Committee, prepare cash proffers policy and draft zoning and subdivision ordinances that provide cohesive solutions to rural land use issues.

County Vehicle Assessment – Mr. Wayne Stephens, Public Works Director reviewed with the Board the current county vehicles, which vehicles need to be surplus, replaced and the plan to maintain them. The Board concurred with the plan to dispose of eleven excess vehicles.

### **CONSENT AGENDA**

Mr. Nichols explained the questions the Board had on the following items:

- Capital Reserve Maintenance Fund request to replace the Roof on the Carysbrook Performing Arts Center
- Capital Reserve Maintenance Fund request for Installation of a Handicapped Ramp at Abram School

The following items were approved under the consent agenda:

#### **MOTION:**

Mrs. Booker moved to approve the consent agenda, which consisted of:

- Minutes from October 17, 2012
- Resolution Recognizing Kevin Alexander Hogan as an Eagle Scout
- Capital Reserve Maintenance Fund request to replace the Roof on the Carysbrook Performing Arts Center
- Capital Reserve Maintenance Fund request for Installation of a Handicapped Ramp at Abram School
- 2012 Thomas Jefferson Regional Brownfields Assessment & Planning Grant

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

Mr. Chesser recognized Kevin Alexander Hogan's accomplishments as an Eagle Scout.

### **ACCOUNTS PAYABLE AND BUDGET REPORT**

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 September 22, 2012 through October 19, 2012 in the amount of \$2,321,199.53.

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

General Fund	\$ 964,630.27
Capital Improvements	\$ 375,370.46
Debt Service	\$ 321,276.54
Sewer	\$ 1,806.62
Fork Union Sanitary District	<u>\$ 7,600.60</u>
<b>Total Expenditures by Fund</b>	<b>\$1,670,684.49</b>
Payroll – September	\$ 650,515.04

**Total Payables & Payroll** **\$2,321,199.53**

### **UNFINISHED BUSINESS**

None

**NEW BUSINESS**

**Monthly BOS Work Sessions** – Mr. Steven Nichols, County Administrator, requested the Board add a monthly BOS Work Session on the first Wednesday of each month at 6:00 p.m. following the regular 2:00 p.m. Board meeting. The work session would generally be focused on a single topic discussion based on the interest and needs of the Board. Board discussed and will change by-laws to reflect the added work sessions at the organizational meeting in January 2013.

**Electronic Employee Pay Statements** – Mr. Steven Nichols, County Administrator, reviewed with the Board the ability to send pay statements out electronically and the savings to the County. Mr. Nichols plans to review the system features, inform staff, and convert all personnel on the payroll to this format in the near future.

**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.

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

At 4:50p.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-3, 2.2-3711-A-6 and 2.23711-A-7 for discussion of Real Estate, Investment of Funds and Legal Matters. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Ullenbruch, Weaver, Booker and Chessser. NAYS: None. ABSENT: None.

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

At 5:58p.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, Weaver, Booker and Chessser. NAYS: None. ABSENT: None.

**MOTION:**

At 5:59 p.m., the following resolution was adopted by the Fluvanna County Board of Supervisors, following a closed meeting held Wednesday, November 7, 2012, on motion of Mr. Weaver, seconded by Mr. Ullenbruch, and carried by the following vote of 5-0. AYES: Kenney, Ullenbruch, Weaver, Booker and Chessser. 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.”

**ADJOURN****MOTION:**

At 6:00 p.m., Mr. Chessser moved to adjourn the meeting of Wednesday, November 7, 2012. Mr. Weaver seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Ullenbruch, Chessser and Weaver. NAYS: None. ABSENT: None.

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

---

 Mary L. Weaver, Clerk

---

 Shaun V. Kenney, Chairman

## Resolution No. 27-2012

**RESOLUTION  
AUTHORIZING THE ISSUANCE OF NOT TO EXCEED  
\$70,000,000 GENERAL OBLIGATION SCHOOL REFUNDING BONDS  
OF THE COUNTY OF FLUVANNA VIRGINIA, SERIES 2012B,  
TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY  
AND PROVIDING FOR THE FORM AND DETAILS THEREOF**

**WHEREAS**, the Board of Supervisors (the "Board") of the County of Fluvanna, Virginia (the "County"), has been informed of the advice of Morgan Keegan & Company, Inc., the County's financial advisor, that the County may be able to effect substantial debt service savings by (a) refunding all or a portion of the County's \$67,525,000 General Obligation School Bonds, Series 2008A (the "2008 County Bonds"), which were sold to the Virginia Public School Authority ("VPSA") on December 22, 2008, to finance the construction and equipping of a high school in the County, and (b) thereby causing the refunding of VPSA's corresponding \$67,525,000 Special Obligation School Financing Bonds, Fluvanna County Series 2008 (the "2008 VPSA Bonds") (collectively, the "Plan of Refinancing"); and

**WHEREAS**, the Board has determined that it is necessary and expedient to issue its general obligation school refunding bonds in a principal amount not to exceed \$70,000,000 (the "Bonds") in order to effect the Plan of Refinancing; and

**WHEREAS**, the School Board of the County has, by resolution, requested the Board to authorize the issuance of the Bonds and has consented to the issuance of the Bonds;

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

1. **Authorization of Bonds; Request of VPSA.** The Board hereby determines that it is advisable to contract a debt and issue and sell the Bonds for the purpose of paying the principal of, and premium, if any, and interest on, all or a portion of the 2008 County Bonds (such refunded portion herein referred to as the "Refunded Bonds") and paying the issuance costs incurred in connection with the Plan of Refinancing. The Board hereby authorizes the issuance and sale of the Bonds in the form and upon the terms established pursuant to this Resolution, and requests VPSA to purchase the Bonds and to effect a refunding of the corresponding maturities of the 2008 VPSA Bonds through the issuance by VPSA of its own refunding bonds (the "VPSA Bonds").

2. **Details of the Bonds.** (a) The Bonds shall be issued in fully registered form, shall be dated the date of their issuance and delivery, and shall be designated "General Obligation School Refunding Bonds, Series 2012B," or such other designation as the County Administrator shall determine. The Board authorizes the issuance and sale of the Bonds to VPSA on terms as the County Administrator shall determine to be satisfactory and in the best interests of the County; provided, however, that the Bonds (i) shall be issued in an aggregate principal amount not to exceed \$70,000,000; (ii) shall mature no later than December 31, 2035; (iii) **shall have a true interest cost not to exceed 4.00%**; (iv) shall be sold to VPSA at a price not less than 99% of the aggregate principal amount of the Bonds (without regard to any original issue discount allocable to the Bonds); and (v) shall be subject to optional prepayment or redemption at a price not greater than 102% of the aggregate principal amount thereof; and provided, further, that the refunding of the Refunded Bonds shall result in **net present value debt service savings to the County of not less than 4.75%** of the amount of such Refunded Bonds.

(b) Subject to the preceding terms, the Board further authorizes the County Administrator to conform the terms of the Bonds in necessary respects to the terms of the corresponding VPSA Bonds, including (i) the aggregate principal amount of the Bonds, (ii) the interest rates of the Bonds and (iii) the amortization schedule (including principal installment dates and amounts) for the Bonds, all in such manner as the County Administrator shall determine to be in the best interests of the County.

(c) Following the pricing of the corresponding VPSA Bonds, the County Administrator shall evidence approval of the final terms and purchase price of the Bonds by executing and delivering to VPSA a Bond Sale Agreement (the "Bond Sale Agreement") setting forth the terms and conditions of VPSA's purchase of the Bonds. The Bond Sale Agreement shall be in

substantially the form presented to this meeting, with such completions, omissions, insertions and changes not inconsistent with this Resolution as may be approved by the County Administrator.

(d) The actions of the County Administrator in determining the final terms and the purchase price of the Bonds shall be conclusive, and no further action shall be necessary on the part of the Board.

3. **Form of the Bonds.** For as long as VPSA is the registered owner of the Bonds, the Bonds shall be in the form of a single, temporary typewritten bond substantially in the form attached hereto as Exhibit A, with such completions, omissions, insertions and changes not inconsistent with this Resolution as may be approved by the officers signing the Bonds, whose approval shall be evidenced conclusively by the execution and delivery of the Bonds. On twenty (20) days written notice from VPSA, the County shall deliver, at its expense, the Bonds in marketable form in denominations of \$5,000 and whole multiples thereof, as requested by VPSA, in exchange for the temporary typewritten bond.

4. **Payment; Paying Agent and Bond Registrar.** The following provisions shall apply to the Bonds:

(a) For as long as VPSA is the registered owner of the Bonds, all payments of principal of, and premium, if any, and interest on, the Bonds shall be made in immediately available funds to VPSA at or before 11:00 a.m. on the applicable interest payment date, principal payment date or date fixed for prepayment or redemption, or if such date is not a business day for Virginia banks or for the Commonwealth of Virginia, then at or before 11:00 a.m. on the business day next succeeding such interest payment date, principal payment date or date fixed for prepayment or redemption.

(b) All overdue payments of principal and, to the extent permitted by law, interest shall bear interest at the applicable interest rate or rates on the Bonds.

(c) Regions Bank, Richmond, Virginia, or its successor, is designated as bond registrar and paying agent for the Bonds (the "Bond Registrar"). The County may replace at any time, in its sole discretion, but with written notice to VPSA, the Bond Registrar with another qualified bank or trust company as successor Bond Registrar.

5. **Prepayment or Redemption.** Subject to the provisions of Section 2, the Bonds shall be subject to prepayment or optional redemption prior to their respective maturities as a whole or in part and at such times and prices as shall be determined by the County Administrator and set forth in the Bond Sale Agreement; provided, however, that the Bonds shall not be subject to prepayment or redemption prior to their stated maturities as described above without first obtaining the written consent of VPSA or the registered owner of the Bonds. Notice of any such prepayment or redemption shall be given by the Bond Registrar to the registered owner by registered mail not more than ninety (90) and not less than sixty (60) days before the date fixed for prepayment or redemption.

6. **Execution of the Bonds.** The Chairman or Vice Chairman of the Board, either of whom may act, and the Clerk of the Board or any Deputy Clerk, any of whom may act, are authorized and directed to execute and deliver the Bonds and to affix the seal of the County thereto.

7. **Pledge of Full Faith and Credit.** For the prompt payment of the principal of, and premium, if any, and interest on, the Bonds as the same shall become due, the full faith and credit of the County are hereby irrevocably pledged. In each year while any of the Bonds shall be outstanding there shall be levied and collected in accordance with law an annual ad valorem tax upon all taxable property in the County subject to local taxation sufficient in amount to provide for the payment of the principal of, and premium, if any, and the interest on, the Bonds as such principal, premium, if any, and interest shall become due, which tax shall be without limitation as to rate or amount and in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

8. **Use of Proceeds Certificate and Non-Arbitrage Certificate.** The Chairman of the Board, the County Administrator and such other officer or officers of the County as either may designate, any of whom may act, are hereby authorized and directed to execute a Non-Arbitrage Certificate and a Use of Proceeds Certificate each setting forth the expected use and investment of the proceeds of the Bonds and containing such covenants as may be necessary in order to show

compliance with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and applicable regulations relating to the exclusion from gross income of interest on the Bonds and on the VPSA Bonds. The Board covenants on behalf of the County that (i) the proceeds from the issuance and sale of the Bonds will be invested and expended as set forth in such Non-Arbitrage Certificate and such Use of Proceeds Certificate and that the County shall comply with the other covenants and representations contained therein and (ii) the County shall comply with the provisions of the Code so that interest on the Bonds and on the VPSA Bonds will remain excludable from gross income for Federal income tax purposes.

9. **Limitation on Private Use.** The County covenants that it shall not permit the proceeds of the Bonds or the facilities refinanced with the proceeds of the Bonds to be used in any manner that would result in (a) 5% or more of such proceeds or the facilities refinanced with such proceeds being used in a trade or business carried on by any person other than a governmental unit, as provided in Section 141(b) of the Code, (b) 5% or more of such proceeds or the facilities refinanced with such proceeds being used with respect to any output facility (other than a facility for the furnishing of water), within the meaning of Section 141(b)(4) of the Code, or (c) 5% or more of such proceeds being used directly or indirectly to make or finance loans to any persons other than a governmental unit, as provided in Section 141(c) of the Code; provided, however, that if the County receives an opinion of nationally recognized bond counsel that any such covenants need not be complied with to prevent the interest on the Bonds from being includable in the gross income for federal income tax purposes of the registered owners thereof under existing law, the County need not comply with such covenants.

10. **Redemption of Refunded Bonds.** The County Administrator is authorized and directed to determine which maturities (or portions thereof) of the 2008 County Bonds, if any, shall be refunded and constitute the Refunded Bonds. The County Administrator is further authorized to provide the appropriate redemption notices to VPSA in accordance with the resolution and documents providing for the issuance of the 2008 County Bonds.

11. **Escrow Deposit Agreement.** The County Administrator is authorized to enter into an escrow agreement or refunding trust agreement (referred to herein as an "Escrow Agreement") with VPSA, or with a bank or trust company if desired by the County Administrator and permitted by VPSA, to provide for the redemption of the Refunded Bonds and to enable VPSA to effect a redemption of the corresponding maturities of the 2008 VPSA Bonds. The Escrow Agreement shall be in the form approved by the County Administrator, in collaboration with the County Attorney and the County's bond counsel, his execution to constitute conclusive evidence of the County Administrator's approval of the Escrow Agreement. If the County determines not to utilize SNAP as permitted by Section 12 below and if permitted by VPSA, the County Administrator is authorized to select a verification agent to verify that the amounts deposited or invested pursuant to the Escrow Agreement will be sufficient to pay the principal of, and premium and accrued interest on, the Refunded Bonds on their optional redemption date.

12. **State Non-Arbitrage Program.** The Board has previously received and reviewed the Information Statement (the "Information Statement") describing the State Non-Arbitrage Program of the Commonwealth of Virginia ("SNAP") and the Contract Creating the State Non-Arbitrage Program Pool I (the "Contract"), and the Board has determined to authorize the County Treasurer to utilize SNAP in connection with the investment of the proceeds of the Bonds, if the County Administrator determines that the utilization of SNAP is in the best interest of the County. The Board acknowledges that the Treasury Board of the Commonwealth of Virginia is not, and shall not be, in any way liable to the County in connection with SNAP, except as otherwise provided in the Contract.

13. **Continuing Disclosure Agreement.** If requested by VPSA at any time while the Bonds remain outstanding, the Chairman of the Board, the County Administrator and such other officer or officers of the County as either may designate, any of whom may act, are hereby authorized and directed to execute a Continuing Disclosure Agreement setting forth the reports and notices to be filed by the County and containing such covenants as may be necessary in order to show compliance with the provisions of the Securities and Exchange Commission Rule 15c2-12, under the Securities Exchange Act of 1934, as amended, and directed to make all filings required by the Continuing Disclosure Agreement. The Continuing Disclosure Agreement shall be substantially in the form presented to this meeting, with such completions, omissions, insertions and changes as are not inconsistent with this Resolution.

14. **Post-Issuance Compliance Policy.** The County Administrator, and such other officer or officers of the County as he may designate, are authorized and directed to adopt a Post-Issuance Tax-Exempt Bonds Compliance Policy, in a form approved by the County Attorney and the County's bond counsel, relating to compliance by the County with federal income tax regulations governing the use and investment of bond proceeds by the County generally, and with securities regulations governing the offering and sale of bonds by the County. Such Policy shall be substantially in the form presented at this meeting, with such completions, omissions, insertions and changes as may be approved by the County Administrator, the County Attorney and the County's bond counsel.

15. **Filing of Resolution.** The appropriate officers or agents of the County are hereby authorized and directed to cause a certified copy of this Resolution to be filed with the Circuit Court of the County.

16. **Further Actions.** The members of the Board and all officers, employees and agents of the County are hereby authorized to take such action as they or any one of them may consider necessary or desirable in connection with the issuance and sale of the Bonds and any such action previously taken is hereby ratified and confirmed.

17. **Effective Date.** This Resolution shall take effect immediately.

\* \* \*

APPROVED

**CERTIFICATE**

The undersigned Clerk of the Board of Supervisors (the "Board") of the County of Fluvanna, Virginia (the "County") hereby certifies that:

1. A meeting of the Board was duly called and held on November 7, 2012 (the "Meeting").

2. Attached hereto is a true, correct and complete copy of a resolution (the "Resolution") of the Board entitled "**RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$70,000,000 GENERAL OBLIGATION SCHOOL REFUNDING BONDS OF THE COUNTY OF FLUVANNA VIRGINIA, SERIES 2012B, TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY AND PROVIDING FOR THE FORM AND DETAILS THEREOF**" as recorded in full in the minutes of the Meeting and duly adopted by a majority of the members of the Board present and voting during the Meeting.

3. A summary of the members of the Board present or absent at the Meeting, and the recorded vote with respect to the Resolution, is set forth below:

<u>Member Name</u>	<u>Voting</u>				
	<u>Present</u>	<u>Absent</u>	<u>Yes</u>	<u>No</u>	<u>Abstaining</u>
Shaun V. Kenney, Chairman	X		X		
Bob Ullenbruch, Vice Chairman	X		X		
Joe Chesser	X		X		
Mozell H. Booker	X		X		
Donald W. Weaver	X			X	

4. The Resolution has not been repealed, revoked, rescinded or amended, and is in full force and effect on the date hereof.

Dated: November 7, 2012

**WITNESS** my signature and the seal of the Board of Supervisors of Fluvanna County, Virginia this 7th day of November, 2012.

\_\_\_\_\_  
 Mary L. Weaver, Clerk  
 Board of Supervisors of the County of  
 Fluvanna, Virginia



**BOARD OF SUPERVISORS**

County of Fluvanna  
Palmyra, Virginia

**RESOLUTION**

At a regular monthly meeting of the Fluvanna County Board of Supervisors held on November 7, 2012 in Palmyra, Virginia, the following action was taken:

---

<u>Present</u>	<u>Vote</u>
Shaun V. Kenney, Chairman	YEA
Robert "Bob" Ullenbruch, Vice-Chairman	YEA
Donald W. Weaver	NAY
Mozell H. Booker	YEA
Joe Chesser	YEA

---

On a motion by Mr. Chesser seconded by Mrs. Booker, and carried by a vote of 4-1, the following resolution was adopted:

A RESOLUTION OF THE  
FLUVANNA COUNTY BOARD OF SUPERVISORS  
IN SUPPORT OF THE  
Construction of the Roundabout at Rt. 15 and Rt. 53

WHEREAS, the intersection at Rt. 15 and Rt. 53 is reaching a critical point in terms of functional level of service; and,

WHEREAS, construction of a roundabout at the Rt. 15 and Rt. 53 intersection for a cost currently estimated at \$1.7 million is the necessary solution for relieving anticipated traffic congestion and avoiding any adverse impact on local economic development options; and,

WHEREAS, the Fluvanna County Board of Supervisors desires to participate in the VDOT cost sharing program to fund this project as an equitable means to achieving the County's goals of economic development and transportation improvement; and,

WHEREAS, the Fluvanna County Board of Supervisors desires to submit another application for a total allocation of funds of up to \$550,000 through the Virginia Department of Transportation Fiscal Year 2013-14 Revenue Sharing Program; and,

NOW, THEREFORE, BE IT RESOLVED THAT: The Fluvanna County Board of Supervisors hereby supports this application for a total allocation of \$550,000 through the Virginia Department of Transportation Revenue Sharing Program.

BE IT FURTHER RESOLVED THAT: the Fluvanna Board of Supervisors hereby authorizes the County Administrator to execute any agreements, certificates and other documents required on behalf of the County of Fluvanna to carry out the terms of the Project .

ADOPTED this 7th day of November,

---

Shaun V. Kenney,  
Chairman of the Board of Supervisors

**A COPY ATTEST:**

---

Mary Weaver, Clerk to the Board



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

RESOLUTION

At a regular monthly meeting of the Fluvanna County Board of Supervisors held on Wednesday, November 7, 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 Mrs. Booker, seconded by Mr. Chesser, and carried by a vote of 5-0, the following resolution was adopted.

**RESOLUTION**

**Recognizing Kevin Alexander Hogan Award of Eagle Scout Status**

**WHEREAS**, Kevin Alexander Hogan has completed all the requirements for becoming an Eagle Scout; and

**WHEREAS**, Kevin 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 December 30, 2012 at 2:30 p.m. at Saints Peter and Paul Catholic Church, Palmyra, Virginia;

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

Adopted this 7<sup>th</sup>, day of November 2012  
 by the Fluvanna County Board of Supervisors

ATTEST:

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