

FLUVANNA COUNTY BOARD OF SUPERVISORS
Regular Meeting Minutes
Circuit Courtroom
Fluvanna Courts Building
May 6, 2009
2:00 p.m.

MEMBERS PRESENT: Marvin F. Moss, Chairman
Charles W. Allbaugh, Vice Chairman
John Y. Gooch
Gene F. Ott
Donald W. Weaver

MEMBER ABSENT: Mozell Booker (attending a conference)

ALSO PRESENT: G. Cabell Lawton, IV, County Administrator
Shelly Wright, Assistant County Administrator
Frederick W. Payne, County Attorney
Darren Coffey, Director of Planning & Community Development
Renee Hoover, Finance Director
Manny Rodriguez, Director of Information Technology
Linda Lenherr, County of Fluvanna Treasurer
Garland Nuckols, Facilities Administrator
Ryant Washington, Fluvanna County Sheriff
Susan Muir, Social Services Director
Barbara Wall-Magee, Human Resources Manager
Pat Groot, Grants Administrator
Joann Rawls, Program Support Assistant

CALL TO ORDER

Chairman Moss, Board of Supervisors, called the meeting of May 6th 2009 to order at 2:00 p.m. in the Circuit Courtroom of the Fluvanna Courts Building in Palmyra, Virginia.

REPORTS

Mr. James Glass, VDOT Resident Administrator, updated the Board on changes to VDOT's secondary road grass cutting and presented the Six-Year Secondary Road Plan.

The Board **directed** staff to contact Dominion for an estimate on relocating the poles at Monish gate.

The County Administrator, G. Cabell Lawton, IV, reported to the Board on the following matters:

- **Shores Community Meeting:** Fluvanna County Community Center, 5725 James Madison Highway (Rt. 15); May 14, 2009, 7:00 p.m.

- **Tenaska Sound Report Meeting:** Representatives from the Community and Tenaska met with county officials yesterday to discuss the sound study completed by Wyle laboratories last year. The conclusions of county officials were that there was not enough evidence to suggest that Tenaska was violating its special use permit. There were readings in excess of permitted limits, however, the consultant suggested that other environmental noises (crickets etc.) were likely the cause. Staff informed both parties it intends to do additional monitoring during those hours in which the readings were over permit limits this summer in order to determine if that is the cause for the high readings.
- **Parks and Recreation Director:** Dwight Godwin has been hired as Director of Parks and Recreation. He was previously the Recreation Programs Manager for Fluvanna Co.
- **Court Hearing on petition for referendum:** The court hearing on the referendum for the James River Water Authority will be held on May 15, 2009 at 9:30 in the Fluvanna Circuit Courtroom. The James River Water Authority is holding its organizational meeting tomorrow afternoon at 2p.m. in the former Board Room in the Administration Building.
- **H1N1 Flu:** Staff has been following the developments related to the H1N1 Flu, formerly known as Swine Flu. We are taking steps within our buildings to disinfect common areas, distribute hand sanitizer to staff, and distribute information about this virus on a routine basis. Employees have been instructed not to come to work if they, or a member of their household, have flu-like symptoms.
- **Ruritan Week Proclamation Resolution:** Yesterday, the Ruritans requested the Board to act on a Resolution declaring the Week of May 17th Ruritan Week. It was suggested this item be taken up under New Business.
- **PPEA Proposal:** Staff has accepted a preliminary proposal from Digital Bridge that would, in concept, deliver wireless broadband internet service to underserved populations in Fluvanna County. According to policy, we advertised that we had received an unsolicited proposal.

The Board **directed** staff to review the thresholds in the noise ordinance for industrial properties.

PUBLIC COMMENTS #1

Chairman Moss opened the floor for the first public comment section.

The following citizens addressed the Board:

- Mr. Doug Johnson, Cunningham District, addressed the Board regarding the James River Water Authority, Rivanna District
- Mr. Adrian Miller, addressed the Board and indicated he was not against the water line but was opposed to the water authority
- Faith Stuart, Cunningham District, addressed the Board in support of the upcoming Shores Community Meeting and expressed her desire to help in any way.

With no one else wishing to speak, Chairman Moss closed the first public comment section.

CONSENT AGENDA

The following items were pulled from the consent agenda:

- Supplemental Appropriation for Four-for-Life Funding
- Supplemental Appropriation for Clerk's Office

The following items were approved under the consent agenda:

MOTION:

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

- Minutes, April 8th 2009 [Budget public hearing]
- Minutes, April 15th 2009 [Regular meeting]
- Appointment/ Rivanna River Basin Commission - approval to appoint Andrew A. Wilson to the Rivanna River Basin Commission, with a term to begin immediately and the termination date to be determined at a later date by the RRBC
- Budget Supplement to Litter Control - approval of a supplemental appropriation to the FY09 Litter Control budget to account for funding received from Waste Management Services. The following general ledger lines will increase by \$23,100: 3-100-019020-0015 and 4-100-402300-3100.
- Budget Supplement to General Fund for Insurance Claims Received - approval of a supplemental appropriation to accommodate funds recovered from multiple insurance claims due to damage and loss to property. The following general ledger lines will increase by \$10,916.64: 3-100-041010 (Insurance Recovery) and 4-100-091070-5300 (Infrequent and Unusual Losses)

Mr. Gooch seconded. The motion carried with a vote of 5-0. AYES: Allbaugh, Gooch, Ott, Weaver and Moss. NAYS: None. ABSENT: Booker.

Supplemental Appropriation for Four-for-Life Funding

MOTION:

Mr. Weaver moved to budget and appropriate \$2,888.24 to revenue line 3-100-24040-0018 and expenditure line 4-100-32200-6022 for the purpose of accepting supplemental Four For Life funds from the Commonwealth. Mr. Gooch seconded. The motion carried with a vote of 5-0. AYES: Allbaugh, Gooch, Ott, Weaver and Moss. NAYS: None. ABSENT: Booker.

Supplemental Appropriation for Clerk's Office

Supplemental appropriation to the Circuit Court Clerk's Office for funds to and install a Closed Circuit TV Monitoring and Digital Recording System in the Public Records Room of the Clerk's Office. Bouson E. Peterson, Jr. Clerk of the Circuit Court prepared this item.

MOTION:

Mr. Ott moved that the Board approve the supplemental appropriation to the Circuit Court Clerk's Office for funds to pay Vector Security for the purpose of purchase and installation of a Closed Circuit TV Monitoring and Digital Recording System in the Public Records Room of the Clerk's Office of this Court. Funds from grant money received from the Library of Virginia for

Mrs. Wright provided some background information on public safety radio system upgrades done about eight years ago, and then introduced Mr. Steve Garner from Motorola. Mr. Garner explained what the cost would be as well as what infrastructure would be necessary. After an extensive amount of discussion, the Board decided to confer later on how to proceed with tackling this issue.

RECESS

The Board recessed at approximately 4:38 p.m.

RECONVENE

The Board reconvened at 4:47 p.m.

ACTION MATTERS

Carysbrook Improvement Project [budget approval]

Mr. Dwight Godwin, Parks and Recreation Director, introduced this item. Mr. Godwin explained the scope of the project which includes shower installation, gymnasium floor refurbishing, new gymnasium lighting, new tip and roll bleachers, painting, and other small items.

MOTION:

Mr. Allbaugh moved the Board of Supervisors approve the project budget of \$70,000 for the Carysbrook Recreation Center and authorize the County Administrator to execute the following contracts after the County Attorney has approved them:

- 1) B&T Builders & Remodeling, Arvonion, VA – \$24,844.
- 2) Scott Floor Company, Salem, VA – \$7,199.
- 3) Rafaly Electrical Construction, Troy, VA - \$5,990.
- 4) Gymnasium Equipment Co., Charlottesville, VA - \$10,050.
- 5) MCL Construction, Palmyra, VA - \$7,485.

Mr. Gooch seconded. The motion carried with a vote of 5-0. AYES: Allbaugh, Gooch, Ott, Moss and Weaver. NAYS: None. ABSENT: Booker.

Smart Beginnings RFP

This item was presented by Ms. Pat Groot, Grants Administrator. In February, the County received a \$50,000 grant from the Virginia Early Childhood Foundation for development of a Smart Beginnings Model and Strategic Plan. This action would release an RFP for procurement of those services.

MOTION 1:

Mr. Gooch moved that, in the case of the “Request for Proposal for Professional Services to Develop Smart Beginnings Model”, competitive sealed bidding is neither practicable nor fiscally advantageous to the public due to the fact that demonstrated relevant experience, knowledge, skills, and ability are key components to choosing the most appropriate vendor. Mr. Ott seconded. The motion carried with a vote of 5-0. AYES: Allbaugh, Gooch, Ott, Moss and Weaver. NAYS: None. ABSENT: Booker.

MOTION 2:

Mr. Gooch moved to authorize the issuance of the “Request for Proposal for Professional Services to Develop Smart Beginnings Model” subject to approval as to form by the County Attorney. Mr. Ott seconded. The motion carried with a vote of 5-0. AYES: Allbaugh, Gooch, Ott, Moss and Weaver. NAYS: None. ABSENT: Booker.

Podcasting

Mr. Manuel Rodriguez, IT Director, introduced this item by providing an illustration of how podcasting works in general. Mr. Rodriguez explained that podcasting would be another way for the Board to communicate more detailed information with the citizens. The system will podcast audio and will be capable of being upgraded for video.

MOTION:

Mr. Ott moved to authorize an expenditure of up to \$7,000.00 for a new meeting recording system capable of posting downloadable audio and video to the County website. Funds will be transferred from the Board of Supervisors Contingency Fund (4-100-91070-5850) to the IT budget (4-100-12510). Mr. Weaver seconded. The motion carried with a vote of 5-0. AYES: Allbaugh, Gooch, Ott, Moss and Weaver. NAYS: None. ABSENT: Booker.

The Board **directed** staff to make a presentation on the new internet connection.

OLD/NEW BUSINESS

The Board discussed the County newsletter topics: James River Water Project, Convenience Center hours, and the FY10 Budget.

The Board **directed** staff to explore options for regaining access to the boat landing at Collinswood.

PUBLIC COMMENT #2

Chairman Moss opened the floor for the second public comment section.

With no one wishing to speak, Chairman Moss closed the second public comment section.

CLOSED MEETING

Personnel

Pending Litigation

MOTION TO ENTER INTO A CLOSED MEETING:

At 5:06 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 pending litigation. Mr. Gooch seconded. The motion carried by a vote of 5-0. AYES: Allbaugh, Gooch, Ott, Weaver and Moss. NAYS: None. ABSENT: Booker.

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

At 5:37 p.m., Mr. Weaver moved the closed meeting be adjourned and the Fluvanna County Board of Supervisors convene again in open session. Mr. Gooch seconded. The motion carried by a vote of 5-0. AYES: Allbaugh, Gooch, Ott, Weaver and Moss. NAYS: None. ABSENT: Booker.

MOTION:

At 5:39 p.m. the following resolution was adopted by the Fluvanna County Board of Supervisors following a closed meeting held Wednesday, May 6th 2009 on motion of Mr. Weaver, seconded by Mr. Ott and carried by the following vote: AYES: Allbaugh, Gooch, Ott, Weaver and Moss. NAYS: None. ABSENT: Booker.

“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 5:40 p.m. Mr. Allbaugh moved to adjourn the regular Board of Supervisors meeting of Wednesday, May 6th 2009. Mr. Gooch seconded. The motion carried by a vote of 5-0. AYES: Allbaugh, Gooch, Ott, Weaver and Moss. NAYS: None. ABSENT: Booker.

Marvin F. Moss, Chairman