

FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Courtroom
Fluvanna Courts Building
June 3rd 2009
2:00 p.m.

MEMBERS PRESENT: Marvin F. Moss, Chairman
Mozell H. Booker
John Y. Gooch
Donald W. Weaver

MEMBER ABSENT: Charles W. Allbaugh
Gene F. Ott

ALSO PRESENT: G. Cabell Lawton, IV, County Administrator
Frederick W. Payne, County Attorney
Shelly H. Wright, Assistant County Administrator
James Glass, VDOT Residency Administrator
Renee Hoover, Finance Director
Darren Coffey, Planning & Community Development Director
Jackie Meyers, Fluvanna County Animal Response Team
John Robins, Public Works Director
Alice F. Jones, Clerk to the Board of Supervisors

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Chairman Moss called the regular meeting of June 3rd 2009 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.

REPORTS

Mr. James Glass, VDOT Residency Administrator, reported on the following topics:

- Maintenance Work Completed
- Maintenance Work Planned
- Construction
- Traffic Engineering
- Land Development and Permits
- Other Topics for Discussion [Rt. 53 studies; Transportation Safety Commission Report 5/13/09]

G. Cabell Lawton, IV, County Administrator, reported on the following topics:

- **CAFR** – announced that for the second year in a row Fluvanna County has been awarded the Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association

- ***FY2010 Budget*** – apprised the Board the FY 2010 budgets are being distributed to the Board; staff will be submitting the document to the Government Finance Officers Association for consideration of an award of Excellence in Budgeting
- ***DCR Review of Erosion and Sediment Control Program*** – apprised the Board that earlier this year the Department of Conservation and Recreation reviewed the County's program and discovered some minor deficiencies and requested the County make several changes; the program was reviewed again by DCR on May 18th 2009 and it was found to be in full compliance; DCR staff will be reporting this to the DCR Board in July who will make the final determination
- ***Economic Development Coordinator*** – introduced the Board to Vicki Karabinus who has started in the position of Economic Development Coordinator as of June 1st 2009
- ***Item for New Business*** – apprised staff it has been requested to discuss the hiring of an interim financial advisor on an hourly basis to advise the board about refinancing the 2008 School Bonds

PUBLIC COMMENTS #1

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

The following citizen addressed the Board with their concerns:

- Ms. Faith Stewart, Cunningham District, addressed the Board regarding invocations at the beginning of meetings

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

CONSENT AGENDA

The following items were approved under the consent agenda:

MOTION:

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

- Minutes, May 20th 2009
- Renewal of Southern Health Insurance Contract [effective October 1st 2009 thru September 30th 2010]
- JAUNT Proxy [naming G. Cabell Lawton, IV as proxy for the stockholders' meeting Wednesday, July 8th 2009]
- Permission to Expand the Community garden into Phase 2 and Phase 3

Mr. Weaver seconded. The motion carried with a vote of 4-0. AYES: Booker, Weaver and Moss NAYS: None ABSENT: Allbaugh and Ott

ACCOUNTS PAYABLE

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

MOTION:

Mr. Weaver moved the Accounts Payable from April 22nd 2009 through May 25th 2009 and Payroll for the month of April in the amount of \$688,954.49 be ratified. Mrs. Booker seconded. The motion carried

with a vote of 4-0. AYES: Booker, Gooch, Weaver and Moss NAYS:
None ABSENT: Allbaugh and Ott

| | | |
|----------------|----------------------------------|------------------|
| Fund 100 | General Fund | \$ 219,787.84 |
| Fund 120 | Community Programs (Parks & Rec) | 1,957.64 |
| Fund 130 | Landfill | 3,917.67 |
| Fund 202 | Federal Grants | 15,853.00 |
| | | |
| Fund 302 | Capital Improvements | 64,820.41 |
| Fund 502 | Utility Fund | 1,808.40 |
| Fund 505 | Fork Union Sanitary District | 824.24 |
| <u>Payroll</u> | | <u>79,985.29</u> |
| Total | | \$ 688,954.49 |

PUBLIC HEARING

None

PRESENTATIONS:

Virginia Employment Services

This presentation was postponed due to a conflict in meetings. This will be presented at the June 17th 2009 Board of Supervisors meeting.

FSPCA Presentation

Dr. Jacqueline A. Meyers and Mr. Gareth Hunt presented the Board with a PowerPoint presentation regarding the Fluvanna SPCA. The following topics were discussed: operations and management; public relations; funding activities; planning for the future; and a new problem reporting/escalation procedure that has been adopted. Shelter operations and planning was also discussed.

Other Post-Employment Benefits (OPEB)

Ms. Renee Hoover, Finance Director, presented the Board with a PowerPoint presentation on a Financial Reporting Standard issued by the Governmental Accounting Standards Board (referred to as GASB 45); OPEB (Other Post-Employment Benefits); the Impact on Fluvanna – Retiree Insurance; the County and Schools health plan design; liabilities and expenses created based upon employees active service rather than when benefits are paid; actuarial study performed by Wachovia Retirement Service; calculated the present value of the future commitments that the County and Schools have made to their employees; unfunded liability is \$408,726 and the funded liability is \$286,561. She indicated the next steps were to recommend to fund OPEB for \$287,000; adopt a resolution for trust; amend the County Finance Board Ordinance for subcommittee and conform to VA Code for OPEB; execute a Trust Joinder Agreement for participating in the VML/VACo OPEB Trust Program; approve an agreement between the County and the School Board for school participation in OPEB trust; and send in the contribution amount.

ACTION MATTERS

Renewal of the Memorandum of Understanding with the Fluvanna County Flying Club

The Fluvanna County Flying Club, Inc. has requested to continue to use a portion of unused land at the landfill for a landing strip area for their club. The landfill committee has reviewed this issue.

Mr. John Robins, Public Works Director, addressed the Board regarding this issue. Several members of the flying club were present to answer any questions.

MOTION:

Mrs. Booker moved to authorize the County Administrator to execute the memorandum of understanding between the County and the Fluvanna County Flying Club, Inc. for use of a portion of the landfill property as a landing strip, after the County Attorney has approved it. Mr. Gooch seconded. The motion carried with a vote of 4-0. AYES: Booker, Gooch, Weaver and Moss NAYS: None ABSENT: Allbaugh and Ott

Plaque for Library

This action will approve the wording on a plaque for the Fluvanna County Library; cost is dependent on the selected wording for the sign and be taken from the remaining budget for the library construction which has a balance of approximately \$7,900. There will also be a statement on the plaque which states that the building includes energy saving systems such as a geothermal heating and air conditioning using the earth to heat and cool the building reducing the energy needs for this building and consequently saving Fluvanna County money. It is also the first Fluvanna County building built by the Board of Supervisors that followed the energy policy adopted by them in October 2004.

Mr. John Robins, Public Works Director, addressed the Board regarding this issue.

MOTION:

Mr. Weaver moved to **direct** staff to order and place a plaque on the Fluvanna County Library Building recently built on Pleasant Grove following the layout of Option "A" and as modified. Mr. Gooch seconded. The motion carried with a vote of 4-0. AYES: Booker, Gooch, Weaver and Moss NAYS: None ABSENT: Allbaugh and Ott

Pleasant Grove House

This is a request for approval to advertise for construction bids for the renovation and addition of the Pleasant Grove House.

Mr. John Robins, Public Works Director, addressed the Board regarding this issue.

MOTION:

Mr. Gooch moved to authorize staff to advertise for construction bids for the renovation and addition of the Pleasant Grove House once the Virginia Department of Transportation receives final approval from the Federal highway Administration. Mrs. Booker seconded. The motion carried with a vote of 4-0. AYES: Booker, Gooch, Weaver and Moss NAYS: None ABSENT: Allbaugh and Ott

Resolution/Byrd Creek AFD Renewal

The Byrd Creek Agricultural and Forestal District (AFD) expires on July 21st 2009 without further Board of Supervisors action to either review or renew the district. This action would renew the AFD for an additional ten (10) year period to expire on July 21st 2019.

Mr. Darren Coffey, Director of Planning and Community Development, addressed the Board regarding this issue.

MOTION:

Mr. Gooch moved to renew the Byrd Creek Agricultural and Forestal District for an additional ten (10) year period [resolution attached hereto], removing Tax Map Parcels 32(2)1, 32(A)5, 32(A)36A, 33(A)33, 33(A)40, 33(A)39, 33(4)B, and 33(A)40C containing a total of 400.050 acres, resulting in a total district acreage of 1,517.053 acres. Mr. Weaver seconded. The motion carried with a vote of 4-0. AYES: Booker, Gooch, Weaver and Moss NAYS: None ABSENT: Allbaugh and Ott

Resolution/Carysbrook AFD Renewal

The Carysbrook Agricultural and Forestal District (AFD) expires on July 21st 2009 without further Board of Supervisors action to either review or renew the district. This action would renew the AFD for an additional ten (10) year period to expire on July 21st 2019.

Mr. Darren Coffey, Director of Planning and Community Development, addressed the Board regarding this issue.

MOTION:

Mr. Weaver moved to renew the Carysbrook Agricultural and Forestal District for an additional ten (10) year period [resolution attached hereto], removing Tax Map Parcels 41(A)45, 41(A)45B, 41(A)61A, and 41(A)62 containing a total of 47.785 acres, resulting in a total district acreage of approximately 1,600 acres. Mrs. Booker seconded. The motion carried with a vote of 4-0. AYES: Booker, Gooch, Weaver and Moss NAYS: None ABSENT: Allbaugh and Ott

County Attorney Contract

The County Attorney has noted that with the depressed economy which is causing significant hardships for the County and its citizens, he [the county attorney] is willing to accept a reduction in their hourly rates for non-routine services of approximately 5% across the board, the “flat” monthly fee would not increase from the existing figure, and all other terms of the agreement would remain the same from the current year.

Mr. G. Cabell Lawton, IV, County Administrator, addressed the Board regarding this issue.

Mr. Frederick W. Payne, County Attorney, addressed the Board on his behalf.

MOTION:

Mr. Weaver moved to extend the County Attorney’s contract for services for one year [at the reduced rate] commencing July 1st 2009 and

ending June 30th 2010 with a flat fee of \$5,000 per month and an hourly rate for non-routine services as follows, effective July 1st 2009:

| | |
|------------------------------|-------|
| Frederick W. Payne | \$280 |
| Robert P. Hodous | \$280 |
| Donna R. DeLoria | \$235 |
| William W. Tanner | \$210 |
| Jessica F. Smith | \$180 |
| Kristina M. Hoffman | \$150 |
| Paralegals | \$85 |
| Assistants [when applicable] | \$65 |

Mrs. Booker seconded. The motion carried with a vote of 4-0. AYES: Booker, Gooch, Weaver and Moss NAYS: None ABSENT: Allbaugh and Ott

OLD/NEW BUSINESS

The following old/new business was discussed:

- Goals Review [the Board needs to review their goals and place in order so as to know what their status is]
- asked staff to place the Virginia Employment Services information on the County's website
- the James River Water Authority minutes [asked staff to provide a report to the Board each month and to place the minutes into the Board's Friday-mail packets]
- Community Garden Expansion [Home Source in Fork Union will be providing a community garden and invite the needy in to receive the food offerings]

Interim Financial Advisor

It was the consensus of the Board of Supervisors to follow the County Administrator's recommendation in the hiring of an interim financial advisor on an hourly basis to advise the board about refinancing the 2008 School Bonds. The recommendation was for Davenport, Inc. The Board asked staff to contact Davenport and to move the process along.

PUBLIC COMMENTS #2

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

- Ms. Faith Stuart, Cunningham District addressed the Board regarding invocations at the beginning of meetings; conditions at the FSPCA; the School Board and the Board of Supervisors working together
- Sheriff Washington apprised the Board that on June 9th 2009, the Partnership for Aging would conduct their second annual senior safety day at the Public Safety Building
- Mr. Leonard Gardner, Rivanna District, reminded the Board that the 3rd day of June was the 67th anniversary of the Battle of Midway [which was the turning point in the war in the Pacific] and June 6th was the 65th anniversary of D-Day [there is a program scheduled in Bedford, VA]

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

CLOSED MEETING

None

ADJOURN

MOTION:

At 3:45 p.m., Mr. Weaver moved to adjourn the meeting of Wednesday, June 3rd 2009. Mr. Gooch seconded. The motion carried with a vote of 4-0. AYES: Booker, Gooch, Weaver and Moss NAYS: None ABSENT: Allbaugh and Ott

**BOARD OF SUPERVISORS
COUNTY OF FLUVANNA
RESOLUTION**

At a regular meeting of the Board of Supervisors of the County of Fluvanna held in the Fluvanna County Courts Building at 2:00 p.m. on the 3rd day of June 2009, at which the following members were present, the following resolution was adopted by a majority of all members of the Board of Supervisors, the vote being recorded in the minutes of the meeting as shown below:

| <u>PRESENT</u> | <u>VOTE</u> |
|--|---------------|
| <i>Marvin Moss, Chairman</i> | <i>YEA</i> |
| <i>Charles Allbaugh, Vice-Chairman</i> | <i>ABSENT</i> |
| <i>Mozell Booker</i> | <i>YEA</i> |
| <i>Donald Weaver</i> | <i>YEA</i> |
| <i>Gene Ott</i> | <i>ABSENT</i> |
| <i>John Gooch</i> | <i>YEA</i> |

On the motion of Mr. Gooch, seconded by Mr. Weaver, which carried by a vote of 4-0, the following resolution was adopted:

**A RESOLUTION TO AUTHORIZE RENEWAL OF THE BYRD CREEK
AGRICULTURAL AND FORESTAL DISTRICT FOR AN ADDITIONAL TEN-
YEAR PERIOD TO EXPIRE July 21, 2019**

WHEREAS, the Fluvanna County Board of Supervisors approved the creation of the Byrd Creek Agricultural and Forestal District on July 21, 1999 for a ten year period; and

WHEREAS, the district is set to expire on July 21, 2009; and

WHEREAS, in accordance with Section 15.2-4311 of the State Code of Virginia, the Fluvanna County Planning & Community Development Department contacted the current property owners of parcels identified in the Byrd Creek Agricultural and Forestal District and advised them that the approved district would expire on July 21, 2009 and inquired whether the owners desired that the property remain in or be removed from the district.

NOW, THEREFORE BE IT RESOLVED, on this 3rd day of June 2009, that the Fluvanna County Board of Supervisors hereby renews the Byrd Creek Agricultural and Forestal District for an additional ten-year period to expire on July 21, 2019, with the removal of tax map parcels 32(2)1, 32(A)5, 32(A)36A, 33(A)33, 33(4)B, 33(A)40, 33(A)39, and 33(A)40C.

Alice Jones, Clerk
Board of Supervisors
Fluvanna County, Virginia

**BOARD OF SUPERVISORS
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| <u>PRESENT</u> | <u>VOTE</u> |
|--|---------------|
| <i>Marvin Moss, Chairman</i> | <i>YEA</i> |
| <i>Charles Allbaugh, Vice-Chairman</i> | <i>ABSENT</i> |
| <i>Mozell Booker</i> | <i>YEA</i> |
| <i>Donald Weaver</i> | <i>YEA</i> |
| <i>Gene Ott</i> | <i>ABSENT</i> |
| <i>John Gooch</i> | <i>YEA</i> |

On the motion of Mr. Weaver, seconded by Mrs. Booker, which carried by a vote of 4-0, the following resolution was adopted:

**A RESOLUTION TO AUTHORIZE RENEWAL OF THE CARYSBROOK
AGRICULTURAL AND FORESTAL DISTRICT FOR AN ADDITIONAL TEN-
YEAR PERIOD TO EXPIRE July 21, 2019**

WHEREAS, the Fluvanna County Board of Supervisors approved the creation of the Carysbrook Agricultural and Forestal District on July 21, 1999 for a ten year period; and

WHEREAS, the district is set to expire on July 21, 2009; and

WHEREAS, in accordance with Section 15.2-4311 of the State Code of Virginia, the Fluvanna County Planning & Community Development Department contacted the current property owners of parcels identified in the Carysbrook Agricultural and Forestal District and advised them that the approved district would expire on July 21, 2009 and inquired whether the owners desired that the property remain in or be removed from the district.

NOW, THEREFORE BE IT RESOLVED, on this 3rd day of June 2009 that the Fluvanna County Board of Supervisors hereby renews the Carysbrook Agricultural and Forestal District for an additional ten-year period to expire on July 21, 2019, with the removal of tax map parcels 41(A)45, 41(A)45B, 41(A)61A, and 41(A)62.

Alice Jones, Clerk
Board of Supervisors
Fluvanna County, Virginia

