

**FLUVANNA COUNTY BOARD OF SUPERVISORS**  
**REGULAR MEETING MINUTES**  
**Circuit Courtroom**  
**Fluvanna Courts Building**  
**July 1<sup>st</sup> 2009**  
**2:00 p.m.**

**MEMBERS PRESENT:** Marvin F. Moss, Chairman  
Charles W. Allbaugh  
Mozell H. Booker  
John Y. Gooch  
Gene F. Ott  
Donald W. Weaver

**ALSO PRESENT:** G. Cabell Lawton, IV, County Administrator  
Frederick W. Payne, County Attorney  
Shelly H. Wright, Assistant County Administrator  
Renee Hoover, Finance Director  
Darren Coffey, Planning & Community Development Director  
John Robins, Public Works Director  
Manny Rodriguez, IT Director  
Joann Rawls, Clerk

**CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Chairman Moss called the regular meeting of July 1<sup>st</sup> 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**

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

- ***Sign Unveiling*** – apprised the Board that the Fluvanna Ruritan Club will unveil the latest Welcome to Fluvanna Sign on July 10<sup>th</sup> 2009 at 9:30 a.m.
- ***Offices Closed*** – apprised the Board that the offices would be closed on Friday July 3<sup>rd</sup> 2009 in observance of Independence Day
- ***Fluvanna Carnival*** – apprised the Board that Parks and Recreation will be hosting the 3<sup>rd</sup> annual carnival on Pleasant Grove on July 8<sup>th</sup> – 11<sup>th</sup> 2009; there will be fireworks on Pleasant Grove on Saturday evening, July 11<sup>th</sup> 2009
- ***Economic Development Recovery Bonds*** – apprised the Board that on June 12<sup>th</sup> 2009, Congress announced that Fluvanna County was eligible to issue economic development recovery bonds as part of the overall stimulus strategy; in response to that announcement, staff met with representatives of Congressman Perriello's office to discuss these stimulus related bonds that assist the County or private businesses in designated recovery zones
- ***Cost Allocation Funds*** – apprised the Board staff has met with Mrs. Muir and our finance staff concerning the cost allocation funds and will be making recommendations concerning the use of these funds going forward; staff is developing options to send the funding for last fiscal year to the Special Welfare Fund based upon unspent local funds or other sources; these funds are reimbursement for local dollars spent in providing services to the Social Services Department
- ***SCC Clerk Response*** – apprised the Board on the substance of the response from the SCC: (a) the documents filed on behalf of the counties complied with the applicable law; (b) the certificate was lawfully issued; and (c) to the extent that there is any authority in the Commission to review the issuance of this certificate (which the clerk denies), the complainant lacks standing to challenge it
- ***Rural Broadband*** – apprised the Board staff has received two (2) competing proposals to provide mobile broadband in response to the solicitation the County advertised in response to the unsolicited proposal by DigitalBridge; there are now three (3) proposals staff is evaluating and should be making recommendations to the Board this fall

- **Monish Gate Improvements** – apprised staff that the Transportation Safety Commission has been working on improving the site distance at the Monish Gate; VDOT has agreed to regrade the bank on the western side of the road if the utility pole is moved; Dominion has estimated that the cost of moving the pole is between \$5,000 and \$10,000; it is likely the Transportation Safety Commission will be requesting the Board to fund the expense of moving the pole

**PUBLIC COMMENTS #1**

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

The following citizens addressed the Board with their concerns:

- Mr. Doug Johnson, Cunningham District, addressed the Board regarding the May 15<sup>th</sup> 2009 hearing on the JRWA petition
- Ms. Carrie Wigal, Cunningham District, addressed the Board regarding the May 15<sup>th</sup> 2009 hearing on the JRWA petition

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

**CONSENT AGENDA**

The following item was pulled from the consent agenda:

- Resolution to Adopt the Pay and Classification Plan for FY 2010

The following items were approved under the consent agenda:

**MOTION:**

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

- Minutes of June 17, 2009
- Budget Supplement for Registrar [in the amount of \$2, 241 for the reimbursement from VEC for the purchase of equipment per the following accounts: Revenue: 3-100-0-33010-0100 – Expenditure 4-100-013100-8101]

Mrs. Booker seconded. The motion carried with a vote of 6-0. AYES: Allbaugh, Booker, Gooch, Ott, Weaver and Moss NAYS: None

**Resolution to Adopt the Pay and Classification Plan for FY 2010**

There was discussion among the Board regarding whether this was necessary in light of the fact that there were no changes from FY09. It was decided that adoption of an FY10 resolution would be prudent.

Mr. G. Cabell Lawton, IV, County Administrator introduced this issue to the Board.

**MOTION:**

Mr. Allbaugh moved the adoption of the “Resolution Updating the Fluvanna County Pay and Classification Plan” effective July 1, 2009.

Mr. Gooch seconded. The motion carried with a vote of 6-0. AYES: Allbaugh, Booker, Gooch, Ott, Weaver and Moss NAYS: None

**ACCOUNTS PAYABLE**

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

**MOTION:**

Mr. Weaver moved the Accounts Payable from May 26<sup>th</sup> 2009 through June 23<sup>rd</sup> 2009 and Payroll for the month of May 2009 in the amount of \$1,265,240 be ratified. Mr. Ott seconded. The motion carried with a vote of 6-0. AYES: Allbaugh, Booker, Gooch, Ott, Weaver and Moss NAYS: None

Fund 100	General Fund	\$ 562,374.50
Fund 120	Community Programs (Parks & Rec)	361.80
Fund 130	Landfill	10,984.81
Fund 302	Capital Improvements	91,245.49
Fund 401	Debt Service	350.00
Fund 502	Utility Fund	5,600.49
Fund 505	Fork Union Sanitary District	23,195.82
Payroll		7 71,127.09
Total		\$ 1,465,240.00

**PUBLIC HEARING**

None

**PRESENTATIONS:**

**High School Debt**

Mr. David Rose, Davenport & Company, provided the Board with a PowerPoint presentation on refinancing strategies for Fluvanna County. Mr. Rose indicated that in the calendar years 2007 and 2008, Fluvanna County borrowed roughly \$71 million for the construction of a new high school via a two phase borrowing plan. He discussed Davenport's refunding strategies; the structure of the 2008 high school bonds; the mechanics of an advance refunding; public market refunding; a ten (10) year U.S. Treasury vs. long term tax exempt yields; refunding via a bank qualified private placement; the current private placement market; a cash defeasance strategy; qualified school construction bonds and key considerations; several scenarios and the next steps [which are to formally engage Davenport and Hunton & Williams to work with the County and the School Board staff in preparing the Qualified School Construction Bonds (QSCB) questionnaire to put the County in the best possible position to obtain an allocation; entertain a discussion with the VRA and/or VPSA about the possibility of refinancing all or a portion of the 2008 high school bonds; Davenport and Hunton & Williams is to develop an RFP to effect a potential bank qualified refunding of a portion of the 2008 bonds]

**RECESS**

The Board recessed for a short break.

**RECONVENE**

The Board reconvened.

**Information Technology**

Mr. Manny Rodriguez, IT Director, provided the Board with a PowerPoint presentation on ongoing and upcoming projects which included a municipal software replacement, podcasting, rural broadband initiative, and information technology strategic plan.

**Fork Union Enhancement Project Update**

Mr. Darren Coffey, Planning Director, provided the Board with an update on the Fork Union Village Project. He indicated that a meeting had been hosted by the project group which included County and VDOT officials to show profiles and visual representations to the public and solicit additional input on the project's proposed scope and details. Mr. Coffey indicated that staff will be meeting with the Fork Union Village Project group in the near future to discuss any proposed changes in scope that may result from the public input received at this meeting. He also stated that the Board's approval to proceed with the project will be the next step in the process.

**ACTION MATTERS**

**Authorize Release of RFP for Delinquent Tax Collection**

Since the conclusion of the County's contract with Mr. Crowther in November, the County has not had an attorney to perform delinquent tax collection services. Due to the decline in timely payment of taxes, it is necessary to contract for this function again.

Mrs. Shelly Wright, Assistant County Administrator addressed the Board regarding this issue.

**MOTION:**

Mr. Ott moved to authorize the issuance of the "Request for Proposals to Perform the Services of a Delinquent Tax Attorney" subject to approval as to form by the County Attorney. Mr. Gooch seconded. The motion carried with a vote of 6-0. AYES: Allbaugh, Booker, Gooch, Ott, Weaver and Moss NAYS: None

**Review and Renewal of the Carysbrook Agricultural and Forestal District**

This action would renew the AFD for an additional 10 year period to expire on July 21, 2019.

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

MOTION:

Mr. Gooch moved to renew the Carysbrook Agricultural and Forestal District for an additional ten year period, removing tax map parcels 41(A) 45B, 51(A) 128A, 41(A)61A and 41(A)62 containing a total of 102.235 acres, resulting in a total district acreage of 1,634.736 acres. Mr. Weaver seconded. The motion carried with a vote of 6-0. AYES: Allbaugh, Booker, Gooch, Ott, Weaver and Moss NAYS: None

Review and Renewal of the Granite Hills Agricultural and Forestal District

This action would renew the AFD for an additional 10 year period to expire on July 21, 2019.

Mrs. Kate Cooper, Senior Planner addressed the Board regarding this issue.

MOTION:

Mr. Ott moved to renew the Carysbrook Agricultural and Forestal District for an additional ten year period, containing a total of 911.035 acres. Mr. Gooch seconded. The motion carried with a vote of 6-0. AYES: Allbaugh, Booker, Gooch, Ott, Weaver and Moss NAYS: None

Request for the Establishment of a County Utility Committee

The selection of a Utility Committee to recommend a comprehensive approach for the County-wide retail service for water and sewer.

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

MOTION:

Mr. Ott moved that a Utility Committee be established and to appoint the following individuals: Mr. Cabell Lawton, Ms. Shelly Wright, Ms. Renee Hoover, Mr. Darren Coffey, Mr. John Robins and Mr. John Gooch Furthermore the intended purpose of this Utility Committee is to develop a comprehensive approach for the County-wide retail service for water and sewer and to make recommendations to the Board of Supervisors. Ms. Booker seconded. The motion carried with a vote of 6-0. AYES: Allbaugh, Booker, Gooch, Ott, Weaver and Moss NAYS: None

US Department of Homeland Security Grant Application

Under the American Recovery and Reinvestment Act (ARRA) Assistance, this grant would provide assistance in the funding for the construction of the Fork Union Fire Station. No match is required, however the County's contribution (land, design, etc.) will add points to the scoring of the proposal.

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

MOTION 1:

Mrs. Booker moved the submission of a grant application to the US Department of Homeland Security requesting funding to construct the new Fork Union Firehouse for up to \$1.8 million dollars. Further to exempt the Fork Union Firehouse from all site plan and zoning requirements. Mr. Gooch seconded. The motion carried with a vote of 5-1 AYES: Allbaugh, Booker, Gooch, Ott and Moss NAYS: Weaver

MOTION 2:

Mrs. Booker moved that the Board of Supervisors direct staff to obtain financing for the Kents Store Firehouse and authorize the advertisement for construction bids for the Kents Store Firehouse. Further to exempt the Kents Store Firehouse from all site plan and zoning requirements. Mr. Gooch seconded. The motion carried with a vote of 5-1 AYES: Allbaugh, Booker, Gooch, Ott and Moss NAYS: Weaver

Proposed Work Session – BOS Goals

During the past several meetings, the Board has discussed holding a work session to review and establish its goals as well as a review and prioritization of the work plan being developed to implement the recently adopted Comprehensive Plan. Ms. Jennifer

Till has indicated she is able to meet with the Board the week of July 20<sup>th</sup> and administration staff is available as well.

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

It was agreed that the Board will meet on July 22<sup>nd</sup> 2009, 7:00 p.m., at a place to be determined.

#### Appointment to the Economic Development Authority

The vacancy is a replacement for Dr. Warren Brown, who passed away recently.

##### MOTION:

Mrs. Booker moved to appoint Elizabeth A. Newton to the Economic Development Authority for a term to begin July 1<sup>st</sup> 2009 and to expire on June 30<sup>th</sup> 2013. Mr. Allbaugh seconded. The motion carried with a vote of 6-0. AYES: Allbaugh, Booker, Gooch, Ott, Weaver and Moss  
NAYS: None

#### Appointment to the Economic Development Commission

This action is to fill a vacancy on the Economic Development Commission (EDC) left by Mr. Grant Tate.

##### MOTION:

Mrs. Booker moved to appoint Robert Adams to the Economic Development Commission, Fork Union district, with a term to begin immediately and to expire on December 31<sup>st</sup> 2014, replacing Mr. Grant Tate. Mr. Gooch seconded. The motion carried with a vote of 6-0. AYES: Allbaugh, Booker, Gooch, Ott, Weaver and Moss NAYS: None

#### OLD/NEW BUSINESS

The following old/new business was discussed:

- the new Dollar General Store being built in Fork Union
- no center line on Rt. 637 [Antioch Road]
- gate at Lake Monticello in the CIP
- update on the meeting with volunteers regarding the women's prison which included Senator Ruff
- an update on the Hardware Bridge [has been placed in the budget at the state level and will be expedited]
- vandalism at Ironhound and Mountain Meadows

#### PUBLIC COMMENTS #2

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

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

#### CLOSED MEETING

None

#### ADJOURN

##### MOTION:

At 5:45 p.m., Mr. Weaver moved to adjourn the meeting of Wednesday, July 1<sup>st</sup> 2009. Mr. Gooch seconded. The motion carried with a vote of 6-0. AYES: Allbaugh, Booker, Gooch, Ott, Weaver and Moss. NAYS: None.

---

Marvin F. Moss, Chairman



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

RESOLUTION  
UPDATING THE FLUVANNA COUNTY PAY AND CLASSIFICATION PLAN

At a regular monthly meeting of the Fluvanna County Board of Supervisors held on Wednesday, July 1, 2009, in Palmyra, Virginia, the following action was taken:

---

<u>Present</u>	<u>Vote</u>
Marvin F. Moss, Chairman	Yea
Charles W. Allbaugh, Vice-Chairman	Yea
Mozell H. Booker	Yea
John Y. Gooch	Yea
Gene F. Ott	Yea
Donald W. Weaver	Yea

---

On a motion by Mr. Allbaugh seconded by Mr. Gooch and voted in the affirmative, the following resolution was adopted:

**WHEREAS**, the Fluvanna County Board of Supervisors maintains a pay and classification plan for employees of the County Administrator, Constitutional Officers, and Registrar; and,

**WHEREAS**, staff has followed standard procedures for maintenance of the pay and classification plan involving annual performance appraisals, periodic public and private wage comparisons, and an annual review of the position classifications; and,

**WHEREAS**, the County Budget has been adopted providing for the FY 2010 Pay and Classification Plan to be identical to the FY 2009 Pay and Classification Plan and with no Merit Increases or Cost of Living Adjustments for FY 2010;

**NOW, THEREFORE, BE IT RESOLVED** that the Fluvanna County Board of Supervisors hereby adopts the Pay and Classification Plan effective July 1, 2009.

---

Marvin F. Moss, Chairman