

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Courtroom
Fluvanna Courts Building
April 6th, 2011
2:00 p.m.**

MEMBERS PRESENT: John Y. Gooch, Chairman
Shaun V. Kenney, Vice-Chairman
Joe Chesser
Donald W. Weaver
Mozell H. Booker
Chris S. Fairchild – *arrived at 7:00pm*

ALSO PRESENT: Jay Scudder, County Administrator
Fred Payne, County Attorney
Renee Hoover, Finance Director
Darren K. Coffey, Planning Director
John Robins, Director of Public Works
Mary L. Weaver, Clerk, Board of Supervisors

CALL TO ORDER/PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

Chairman Gooch called the meeting of April 6th, 2011, 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, after which, Chairman Gooch called for a moment of silence.

REPORTS

Mr. Jay Scudder, County Administrator, reported on the following topics:

- *Dooms/Bremo Transmission Line* – current right-of-way is 150ft., currently 100ft is cleared. Dominion will be clearing the additional 50ft. Owners can timber their portion of the right-of-way, if they desire. Mr. Payne commented regarding to this request, that in absence of an exemption, the Board has a role in reviewing this project.
- *County Health Rankings* – Virginia is ranked in the top 20 for health outcomes and ranks 13th for health factors.
- *Pet Shelter Grant* – awarded grant for \$7,500 to equip the Emergency Pet Sheltering Trailer.
- *Virginia Energy Purchasing Governmental Association* – new contract rates will save members approximately \$16 million on an annual basis.

PUBLIC COMMENTS #1

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

The following citizens addressed the Board:

- Phyllis Montellese, Fork Union District – addressed the Board in reference to bringing in a winery to the Farmers Market at Pleasant Grove.

Board directed staff to look into this request and bring it back before the Board at the next meeting.

- Bob Peake, Cunningham District – addressed the Board in reference to the budget and promoting Economic Development.

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

CONSENT AGENDA

Mr. Weaver noted he was not present at the March 9th, 2011, work session meeting.

The following items were approved under the consent agenda:

MOTION:

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

- Minutes of February 23rd, 2011.
- Minutes of March 9th, 2011.
- Minutes of March 16th, 2011.
- Execution of Agreement with the VA Dept of Health for FY 11 Appropriations.
- FY11 Library supplement for Federal Reimbursement Funding.
- Approval of Payment to the James River Water Authority for Legal Services.
- Ag/Forestral District Renewal/AFD 01-002 Adams Creek.

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

ACCOUNTS PAYABLE

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

MOTION:

Mr. Weaver moved that the Accounts Payable from February 23, 2011, through March 25th, 2011, and payroll for the month of February, 2011, in the amount of \$1,968,241.55, be ratified. Mr. Kenney seconded. The motion carried, with a vote of 5-0. AYES: Gooch, Weaver, Booker, Kenney, and Chesser. NAYS: None. ABSENT: Fairchild.

Fund 100	General Fund	\$ 1,149,459.76
Fund 120	Recreation	325.00
Fund 202	Federal Grants	5,712.34
Fund 302	Capital	216,038.20
Fund 401	Debt Service	45,871.65
Fund 502	Utility (Sewer)	7,166.45
Fund 505	Fork Union Sanitary District	21,701.15
<u>Payroll</u>		<u>521,967.00</u>
Total		\$ 1,968,241.55

PUBLIC HEARING

None

PRESENTATIONS:

None

ACTION MATTERS

Proclamation/April 2011 Celebrating Children's Month

Ms. Nicole Shipp, Ms. Shannon Wilson, Mr. Jamie Vest, Ms. Kelly Bowen, and Ms. Karen Hebert addressed the Board with a short presentation of what Child Protective Services offers the residents in Fluvanna County and requested proclaiming April Celebrating Children's Month, in recognition of Child Abuse Prevention Month and the work done in Fluvanna County.

MOTION:

Ms. Booker moved to approve the proclamation [attached hereto] proclaiming the month of April 2011, as Celebrating Children Month in Fluvanna County, in observation of Child Abuse Prevention Month. Mr. Chesser seconded. The motion carried, with a vote of 5-0. AYES: Gooch, Weaver, Chesser, Booker and Kenney. NAYS: None. ABSENT: Fairchild.

Resolution/National Crime Victims' Rights Week

Ms. Sherri Stader, Director, Victim/Witness Assistance Program, addressed the Board regarding bringing awareness to victim's rights.

MOTION:

Mr. Kenney moved to approve the resolution entitled "National Crime Victims' Rights Week, proclaiming the week of April 10-16, 2011, as Crime Victims' rights Week, and reaffirm the County's commitment to respect and enforce victims' rights and address their needs during Crime Victims' Rights Week and through the year. Mr. Chesser seconded. The motion carried, with a vote of 5-0. AYES: Gooch, Weaver, Chesser, Booker and Kenney. NAYS: None. ABSENT: Fairchild.

Proclamation National Telecommunicator's Week, April 10-16, 2011

Lieutenant Aaron Hurd, Sheriff's Department, addressed the Board, honoring the men and women whose diligence and professionalism keep our county and citizens safe.

MOTION:

Mr. Chesser moved to approve the proclamation proclaiming the week of April 10-16, 2011, as "National Telecommunicator's Week", and honor the men and women whose diligence and professionalism keep our county and citizens safe. Mr. Kenney seconded. The motion carried, with a vote of 5-0. AYES: Gooch, Weaver, Chesser, Booker and Kenney. NAYS: None. ABSENT: Fairchild.

Audit Services Contract

Ms. Renee Hoover addressed the Board with an Audit Services Contract from Robinson Farmer Cox Associates.

MOTION:

Mr. Kenney moved to approve the contract with Robinson Farmer Cox Associates for audit services, and authorizes the County Administrator to execute contract pending

review by County Attorney. Ms. Booker seconded. The motion carried, with a vote of 5-0. AYES: Gooch, Weaver, Chesser, Booker and Kenney. NAYS: None. ABSENT: Fairchild.

Fork Union Firehouse Schematic Design

Mr. John Robins, Director of Public Works, and Mr. Donald Booth, Project Manager for DJG, presented the board with the schematic design of the Fork Union Firehouse for review and approval.

MOTION:

Ms. Booker moved to approve the schematic design drawings (with the discussed modifications) for the Fork Union Firehouse, and authorize the Architect, DJG, Inc, of Williamsburg, Virginia to proceed with the Design Development Phase of the Project, that is budgeted for \$76,217. Mr. Chesser seconded. The motion carried, with a vote of 5-0. AYES: Gooch, Weaver, Chesser, Booker and Kenney. NAYS: None. ABSENT: Fairchild.

Appointment/Economic Development Commission (EDC)

MOTION:

Ms. Chesser moved to appoint Ms. Shelley Murphy to the Economic Development Commission, Rivanna position, with a term to begin immediately and to terminate on December 31st, 2013. Mr. Weaver seconded. The motion carried, with a vote of 5-0. AYES: Gooch, Weaver, Chesser, Booker and Kenney. NAYS: None. ABSENT: Fairchild.

OLD BUSINESS

Legal Matters

Mr. Weaver questioned when the Board would receive updated information on legal matters in which the Board is involved. Mr. Payne stated that he was prepared to update them today. Chairman said they could do a closed meeting today.

Sign Ordinance

Mr. Chesser addressed concerns with the current sign ordinance. Mr. Coffey addressed the concerns.

Town of Columbia Task Force

Mr. Kenney asked what the current status is and when was the first meeting of the Town of Columbia Task Force. Mr. Scudder replied that the first meeting was months ago, and Ms. Pat Groot was working on a grant through DHCD with the TJPDC. Mr. Kenney would like to see the Task Force meetings on a more regular basis.

NEW BUSINESS

Ms. Booker mentioned problems with the heating in Social Services Department.

PUBLIC COMMENTS #2

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

The following citizens addressed the Board:

- Claudia Thomas, Columbia District – addressed the Board in reference to the Fork Union Firehouse.

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

CLOSED MEETING

MOTION TO ENTER INTO A CLOSED MEETING:

At 3:45 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 legal matters. Mr. Kenney seconded. The motion carried by a vote of 5-0. AYES: Chesser, Gooch, Kenney, Booker and Weaver. NAYS: None. ABSENT: Fairchild

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

At 4:08 p.m., Mr. Weaver moved the closed meeting be adjourned and the Fluvanna County Board of Supervisors convene again in open session. Mr. Kenney seconded. The motion carried by a vote of 5-0. AYES: Chesser, Gooch, Kenney, Booker and Weaver. NAYS: None. ABSENT: Fairchild

MOTION:

At 4:09 p.m., the following resolution was adopted by the Fluvanna County Board of Supervisors, following a closed meeting held Wednesday, April 6th 2011 on motion of Mr. Weaver, seconded by Mr. Kenney and carried by the following vote: AYES: Chesser, Gooch, Kenney, Booker and Weaver. NAYS: None. ABSENT: Fairchild

“**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.”

RECESS

The Board recessed at 4:10 p.m., to reconvene at 7:00 p.m., for the FY12 Budget Public Hearing.

RECONVENE

The Board reconvened at 7:00 p.m.

PRESENTATION

Proposed FY 2012 – 2016 Capital Improvement Plan

Ms. Crystal Besecker, Budget Analyst, provided a PowerPoint presentation on the FY 2012 – 2016 Capital Improvement Plan.

PUBLIC HEARING

FY 2012 – 2016 Capital Improvements Plan

Chairman Gooch opened the public hearing.

The following citizens addressed the Board:

- Sam Patterson, Palmyra District – addressed the Board in opposition to the CIP.
- Elizabeth Franklin, Columbia District – addressed the Board regarding maintaining the fund balance.

With no one else wishing to speak, Chairman Gooch closed the public hearing.

PRESENTATION

Proposed FY 2012 Real Estate Tax Rate Increase

Ms. Crystal Besecker, Budget Analyst, provided a PowerPoint presentation on the FY 2012 Real Estate Tax Rate. Information was provided on the collection rate and what the proposed increase in the Real Property Tax Rate from \$.54 to \$.57 per \$100 of assessed value would entail.

PUBLIC HEARING

Proposed FY 2012 Real Estate Tax Rate Increase

Chairman Gooch opened the public hearing.

The following citizens addressed the Board:

- Mr. Brian Thomas, Columbia District – opposed the tax rate increase.
- Mr. Sam Richardson, Rivanna District – opposed the tax rate increase.
- Mr. Sam Patterson, Palmyra District – opposed the tax rate increase.
- Ms. Linda Fletcher, Cunningham District – supports the tax rate increase for the children’s future.
- Mr. Jacques Ruch, Rivanna District – supports the tax rate increase.
- Mr. Jerome Patchen, Palmyra District, representing Fluvanna Taxpayers Association – wanted to clarify that the FTA was in support of the \$.54 budget that Mr. Weaver proposed.
- Ms. Norma Hutner, Rivanna District – opposed the tax rate increase.
- Mr. Minor Eager, Palmyra District – spoke in reference to delinquent taxes and opposed the tax rate increase.
- Ms. Lori Hoffman, Rivanna District – spoke in reference to what the new school will offer the County.
- Ms. Susan Morris, Cunningham District – spoke in reference to the new school, saying “think outside the box”.

With no one else wishing to speak, Chairman Gooch closed the public hearing.

PRESENTATION

Proposed FY 2012 Personal Property Tax Rate Increase

Ms. Crystal Besecker, Budget Analyst, provided a PowerPoint presentation on the FY 2012 Personal Property Tax Rate. Information was provided on what the proposed increase in the personal property tax rate from \$ 3.85 to \$ 4.15 per \$100 of assessed value would entail.

PUBLIC HEARING

Proposed FY 2012 Personal Property Tax Rate Increase

Chairman Gooch opened the public hearing.

- Mr. Sam Richardson, Rivanna District – spoke in opposition to the tax rate increase.
- Mr. Dennis Holder, Kents Store – spoke in opposition to the tax rate increase.
- Mr. Bob Ullenbruch, Palmyra District – spoke in opposition to the tax rate increase.
- Mr. Sam Patterson, Palmyra District – spoke in opposition to the tax rate increase.
- Ms. Claudia Thomas, Columbia District – spoke in opposition to the tax rate increase.
- Mr. Thomas Payne, Palmyra District – spoke in reference to comparing Fluvanna to Louisa, and the difference between Flex Plan A vs. Flex Plan B, for the new high school.

With no one else wishing to speak, Chairman Gooch closed the public hearing.

PRESENTATION

Proposed FY 2012 Personal Property Administrative Fee Increase

Ms. Crystal Besecker, Budget Analyst, provided a PowerPoint presentation on the FY 2012 Personal Property Administrative Fee Increase. Information was provided on what the proposed increase in the Personal Property Administrative Fee, from \$ 6.00 to \$ 18.00 for motorcycles and from \$20.00 to \$33.00 for all other motor vehicles would entail.

PUBLIC HEARING

Proposed FY 2012 Personal Property Administrative Fee Increase

Chairman Gooch opened the public hearing.

The following citizens addressed the Board:

- Mr. Sam Richardson, Columbia District – spoke in opposition to the fee increase.

With no one else wishing to speak, Chairman Gooch closed the public hearing.

PRESENTATION

Proposed FY 2012 County Budget

Ms. Crystal Besecker, Budget Analyst, provided a PowerPoint presentation on the proposed FY 2012 County Budget. Ms. Besecker provided information on the advertised operating expenses; significant increases and decreases; total schools funding; local funding for schools; the enterprise funds; the advertised operating revenues; and local revenue sources.

PUBLIC HEARING

Proposed FY 2012 County Budget

Chairman Gooch opened the public hearing.

The following citizens addressed the Board:

- Mr. Jerome Patchen, Palmyra District, representing Fluvanna Taxpayers Association – supports \$.45 tax rate, and would like to see a resolution adopted to put all future capital improvements to referendum.
- Mr. Sam Edwards, Cunningham District – opposed to a tax increase.
- Mr. Fred Harris, Fork Union District – opposed to a tax increase.
- Ms. Perrie Johnson, Fork Union District – supports full funding of schools.
- Ms. Norma Hunter, Rivanna District – opposed to a tax increase.
- Ms. Lori Hoffman, Rivanna District – supports \$.57 tax rate, to fully fund schools.
- Linda Fletcher, Cunningham District – supports full funding of schools.
- Mr. Tom Payne, Palmyra District – spoke in reference to missed opportunities, supports full funding of schools.
- Mr. Sam Richardson, Columbia District – spoke in reference to his use of democracy.
- Ms. Janice O'Malley, Fork Union District – opposed to a tax increase.
- Mr. Emerson Farley, Fork Union District – spoke in reference to privatizing education
- Mr. Brian Phillips, Rivanna District – supports full funding of schools.
- Ms. Tammy Grigg, Fork Union District – supports full funding of schools.
- Mr. Adrian Miller, Rivanna District – opposed to a tax increase.
- Ms. Berth Armstrong, Fork Union District – spoke in reference to paying taxes and the need for Economic Development.

- Mr. Bob Ullenbruch, Palmyra District – spoke in reference to coming together with one idea.
- Ms. Shirley Roundtree, Fork Union District – spoke in reference to the need for Economic Development.

With no one else wishing to speak, Chairman Gooch closed the public hearing.

COMMENTS AND DISCUSSION

Mr. Fred Payne, County Attorney, reviewed with the board the procedure for discussing the budget.

RECESS

At 9:49 p.m., the Board recessed.

RECONVENE

At 10:00 p.m., the Board reconvened.

ADJOURN

MOTION:

At 10:03 p.m., Mr. Kenney moved to adjourn the meeting of Wednesday, April 6th, 2011. Mr. Weaver seconded. The motion carried, with a vote of 6-0. AYES: Chesser, Gooch, Kenney, Booker, Weaver and Fairchild. NAYS: None. ABSENT: None

John Y. Gooch, Chairman

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 6th day of April 2011, 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>John Gooch, Chairman</i>	<i>YEA</i>
<i>Shaun Kenney, Vice-Chairman</i>	<i>YEA</i>
<i>Mozell Booker</i>	<i>YEA</i>
<i>Donald Weaver</i>	<i>YEA</i>
<i>Joe Chesser</i>	<i>YEA</i>
<i>Chris Fairchild</i>	<i>ABSENT</i>

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

**A RESOLUTION TO AUTHORIZE RENEWAL OF THE ADAMS CREEK
AGRICULTURAL/FORESTAL DISTRICT FOR AN ADDITIONAL TEN-YEAR PERIOD TO
EXPIRE MAY 16, 2021**

WHEREAS, the Fluvanna County Board of Supervisors approved the creation of the Adams Creek Agricultural/Forestal District on May 16, 2001, for a ten year period; and

WHEREAS, the district is set to expire on May 16, 2011; 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 Adams Creek Agricultural/Forestal District, and advised them that the approved district would expire on May 16, 2011, and inquired whether the owners desired that the property remain in or be removed from the district.

NOW, THEREFORE BE IT RESOLVED, on this 6th day of April 2011, that the Fluvanna County Board of Supervisors hereby renews the Adams Creek Agricultural/Forestal District for an additional ten-year period, to expire on May 16, 2021

Mary Weaver, Clerk
Board of Supervisors
Fluvanna County, Virginia

**RESOLUTION
PROCLAMATION**

By virtue of the authority vested in us, we hereby proclaim the month of April as **CELEBRATING CHILDREN MONTH** in **FLUVANNA COUNTY**, in observation of **CHILD ABUSE PREVENTION MONTH**.

WHEREAS, every child in our great county is a precious gift, full of promises and potential; and

WHEREAS, child abuse and neglect is a serious problem in Virginia and across the nation; and

WHEREAS, the prevention of child abuse is crucial to the preservation of the health and well-being of Fluvanna's families and can be accomplished by providing support and information to families, as well as through increased community awareness; and

WHEREAS, all children learn from role models at home, at church, at school, and in their communities and all children benefit from the love and leadership displayed by caring and responsible adults; and

WHEREAS, children are our most precious resource, and we are committed to keeping the children of our community safe and happy

NOW, THEREFORE WE, THE FLUVANNA COUNTY BOARD OF SUPERVISORS, do hereby recognize **APRIL 2011** as **CELEBRATING CHILDREN MONTH** in observation of **CHILD ABUSE PREVENTION MONTH** in **FLUVANNA COUNTY**, and we call this observance to the attention of all our citizens.

Signed and sealed this 6th day of April, 2011

John Y. Gooch
Chair, County of Fluvanna Board of Supervisors

National Crime Victims' Rights Week

At a regular monthly meeting of the Fluvanna County Board of Supervisors held on Wednesday, April 6, 2011, in Palmyra, Virginia, the following resolution was adopted on a motion by Mr. Kenney, seconded by Mr. Chesser and voted in the affirmative:

WHEREAS, over 20 million Americans are victims of crime each year, suffering emotional, physical, psychological and financial toll as they have lost loved ones, life savings, physical and mental health, and often their sense of security that has the potential to irrevocably change the course of their lives forever; and

WHEREAS, more than 30 years of progress for crime victims stands on the shoulders of dedicated advocates and brave victims who overcame shame, isolation, and indifference to gain a voice, rights, and respect; and

WHEREAS, while victim assistance programs across the country are reaching more victims, public understanding of victims' rights remains minimal, and our nation's victim services system remains fragmented, underfunded, and uncoordinated; and

WHEREAS, history teaches us that, by working together, we can help victims of crime reshape their destinies and ensure that they receive the support they need, the respect they deserve, and the rights they have earned; and

WHEREAS, National Crime Victims' Rights Week, April 10-16, 2011, provides an opportunity for us to reshape the future for victims by honoring the past and reflecting on hard-won victories, and to recommit to working together to insist on better treatment for victims to help them overcome the harm caused by crime; and

WHEREAS, the **Fluvanna Victim/Witness Assistance Program** is joining forces with victim service programs, criminal justice officials, and concerned citizens throughout Fluvanna County and the Commonwealth of Virginia to raise awareness of victims' rights and observe National Crime Victims' Rights Week; and

NOW, THEREFORE, BE IT RESOLVED that the Fluvanna County Board of Supervisors does hereby proclaim the week of April 10-16, 2011 as Crime Victims' Rights Week and reaffirm our commitment to respect and enforce victims' rights and address their needs during National Crime Victims' Rights Week and throughout the year;

BE IT FURTHER RESOLVED that the Board expresses its appreciation for those victims and crime survivors who have turned personal tragedy into a motivating force to improve our response to victims of crime and build a more just community.

John Y. Gooch, Chairman
Fluvanna County Board of Supervisors

April 6, 2011



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

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BOARD OF SUPERVISORS

John Y. Gooch, Chairman
Palmyra District

Sharon V. Krasny, Vice-Chair
Culpeper District

Dorald W. Weaver
Cranfordham District

Maxwell H. Becker
Four-Lanes District

Joseph C. Chesser
Fluvanna District

Chris Pruchitelli
Shenandoah District

STAFF

Jay Soudier
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Mary L. Weaver
Clerk to the Board
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Proclaiming

National Public Safety Telecommunicators Week

April 10 – 16, 2011

By the Board of Supervisors, Fluvanna County Virginia

WHEREAS, emergencies can occur at anytime requiring sheriff, police, fire or emergency medical services; and

WHEREAS, when an emergency occurs the prompt response of law enforcement, firefighters and emergency medical technicians is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our deputy sheriffs, police officers, firefighters, and emergency medical technicians is dependent upon the quality and accuracy of information obtained from citizens who telephone the Fluvanna County Sheriff's Office Emergency Communications Center; and

WHEREAS, public safety dispatchers are the first and most critical contact our citizens have with emergency services; and

WHEREAS, public safety dispatchers are the single vital link for our law enforcement, fire and EMS personnel by monitoring their activities by radio, providing them information and ensuring their safety; and

WHEREAS, our public safety dispatcher personnel daily serve the public in countless ways,

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Fluvanna hereby proclaims the week of April 10-16, 2011, as "National Telecommunicator's Week" and joins in honoring the men and women whose diligence and professionalism keep our county and citizens safe.

Signed this 6th day of April, 2011

John Y. Gooch, Chairman
Fluvanna County Board of Supervisors