

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Court Room
October 17, 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 October 17, 2012, to order at 7:00 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:

- Old Farm Day – great success, thanks for the great overall support.
- Storage Shed – new shelving built by Dennis James and Curtis Putnam to create improved storage space for Parks and Recreation.
- J. Brad Oakley Scholarship – awarded to Joe Rodish, Purchasing Officer, from the Virginia Association of Governmental Purchasing.
- Employee Picnic - held a staff picnic on Friday October, 12, 2012. It was a lot of fun and had a great turn out. Presented Mr. Nuckols with his retirement plaque.
- JAUNT Safe Driver Awards – recognized the Safe Drivers from Fluvanna County.
- Fire and EMS Study – working with Fire and Rescue Association Leaders to review study and prepare recommendations and costs to present to the Board at a later date.
- Friends of Library Book Sale – November 1-4, 2012, great deals on books.
- 8th Annual Halloween Festival Tricks and Treats – October 26, 2012 at the Library from 6-8:30pm and October 27, 2012 at Pleasant Grove Park from 6-8:30pm.
- Water Update – initial meeting held with Aqua Virginia, also awaiting response from State Department of Corrections to set up formal meeting and discussion.
- Reassessment Process – Assessment cards mailed Friday, October 5th, 2012. One-on-one hearings ongoing in Morris Room of Administration Building.
- Board of Equalization – Members needed; please contact your Board of Supervisor representative if interested.
- Interagency Council Annual Luncheon – Wednesday November 7, 2012, 12:30pm in the Morris Room of Administration Building.

PUBLIC COMMENTS #1

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

- Susan Swales, Old Farm Day Co-Chair - addressed the Board in regards to the success of Old Farm Day.
- Adrian Miller, Rivanna District – addressed the Board in regards to school mandates funded and underfunded along with the need for Economic Development.
- Bill Sullivan, Palmyra District – addressed the Board in regards to the results of the SOQ Study and the school funding request.
- Jon Carrier, Palmyra District – addressed the Board in regards to the school funding request.
- Bridgette Madison, Fork Union District – addressed the Board in regards to community pride, please support the schools.
- Robert Thompson, Cunningham District – addressed the Board in regards to Greece striking, when are we going to stop begging for more money?

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

PUBLIC HEARING

None

ACTION MATTERS**Appointment to the Library Board of Trustees, Rivanna District****MOTION:**

Mr. Weaver moved to appoint Mr. Frits H.H. Geurtsen to the Library Board of Trustees, Rivanna District, with term to begin immediately and to terminate on June 30 2014. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Ullenbruch, Chessser, Booker and Weaver. NAYS: None. ABSENT: None.

Fluvanna County Public Schools Carryover Request – Ms. Gena C. Keller, Superintendent presented this request to the Board for FY 12 carryover funds and additional funds to cover funding gap in operations and pupil transportation.

Mrs. Booker moved to approve the budget carryover request of \$66,173 (based on unaudited numbers), reappropriating those FY12 remaining local funds to the FY13 adopted budget. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Ullenbruch, Chessser, Booker and Weaver. NAYS: None. ABSENT: None.

Mr. Weaver would like to see a ratio put on carryovers in the future.

Mrs. Booker moved to approve a supplemental appropriation to the FY13 Fluvanna County Public Schools Operating Budget in the Amount of \$308,173 to meet FY13 operating needs. No second, motion failed.

Capital Reserve Maintenance Funds – Mr. Steve Nichols, County Administrator, presented this request to establish a policy on spending the Capital Reserve Maintenance Fund. The Board discussed and requested that the maintenance requests be forwarded to the Board of Supervisors for final approval.

Mr. Weaver moved to approve the Fluvanna County Capital Reserve Maintenance Funds Policy as amended. Mr. Chessser seconded. The motion carried, with a vote of 4-1. AYES: Kenney, Ullenbruch, Chessser and Weaver. NAYS: Booker. ABSENT: None.

PRESENTATIONS

Schools Review Report – Mr. Steve Jacobs, Robinson, Farmer & Cox reviewed with the Board the results of the Fluvanna County Schools Study.

Boards, Committees, and Commissions Review – Mr. Steven M. Nichols, County Administrator, reviewed with the Board his recommendations in regards to the Boards, Committees, and Commissions List. Mr. Nichols will compose a motion and present at the November 7, 2012 meeting for action.

CONSENT AGENDA

Mr. Weaver questioned the FY14 Budget Calendar. Mr. Nichols explained the purpose of the December Budget Work Session with the School Board was to inform the BOS regarding schools budget status and format, rather than budget needs for FY14.

The following items were approved under the consent agenda:

MOTION:

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

- Minutes from October 3, 2012.
- FY12 and FY13 Aid to Localities Funding (Fire Department).
- FY12 to FY13 Carryover request for the Sheriff's Office.
- Central Virginia Health Services Letter of Support.

- FY14 Budget Calendar.
- Resolution – Fluvanna County Adoption of the regional Natural Hazard Mitigation Plan.

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

ACCOUNTS PAYABLE AND BUDGET REPORT

None

UNFINISHED BUSINESS

None

NEW BUSINESS

Land Use and Zoning – The Board **directed staff** to present Land Use and Zoning Options at an afternoon meeting in the near future.

PUBLIC COMMENTS #2

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

- Bill Sullivan, Palmyra District – addressed the Board in regards to the results of the SOQ Study, all mandates were not included and feels study was misrepresented.
- Jon Carrier, Palmyra District – addressed the Board in regards to the need of development and growth in the community.

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

CLOSED MEETING

MOTION TO ENTER INTO A CLOSED MEETING:

At 9:13 p.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-4 and 2.2-3711-A-7 for discussion of Possible Acquisition of Real Estate, Privacy of Individuals and Consultation of Legal Counsel Regarding Actual Litigation. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Ullenbruch, Weaver, Booker and Chesser. NAYS: None. ABSENT: None.

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

At 9:44 p.m., Mr. Weaver moved the closed meeting be adjourned and the Fluvanna County Board of Supervisors reconvene again in open session. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Ullenbruch, Weaver, Booker and Chesser. NAYS: None. ABSENT: None.

MOTION:

At 9:45 p.m., the following resolution was adopted by the Fluvanna County Board of Supervisors, following a closed meeting held Wednesday October 17, 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 Chesser. 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 9:46 p.m., Mr. Chesser moved to adjourn the meeting of Wednesday, October 17, 2012. Mrs. Booker seconded. The motion carried, with a vote of 4-1. AYES: Kenney, Chesser, Booker and Weaver. NAYS: Ullenbruch. ABSENT: None.

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

Mary L. Weaver, Clerk

Shaun V. Kenney, Chairman

APPROVED

**RESOLUTION
FLUVANNA COUNTY ADOPTION
OF THE
REGIONAL NATURAL HAZARD MITIGATION PLAN**

WHEREAS, the Disaster Mitigation Act of 2000, as amended, requires that local governments develop, adopt and update natural hazard mitigation plans in order to receive certain federal assistance; and,

WHEREAS, the Thomas Jefferson Planning District's Regional Natural Hazard Mitigation Plan has been prepared in accordance with FEMA requirements at 44C.F.R. 201.6; and,

WHEREAS, Fluvanna County has been involved in the preparation of the Regional Natural Hazard Mitigation Plan through participation on the Working Group, participation in two public workshops, review by the Fluvanna County Local Emergency Planning Committee (LEPC), and review by the Board of Supervisors during their March 7th, 2012 meeting; and,

WHEREAS, the Virginia Department of Emergency Management (VDEM) and the Federal Emergency Management Agency (FEMA) have deemed the submitted plan satisfactory with no changes recommended; and,

WHEREAS, hazard mitigation is essential to protect life and property by reducing the potential for future damages and economic losses resulting from natural disasters; and,

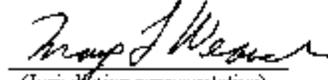
NOW THEREFORE BE IT RESOLVED, the Fluvanna County Board of Supervisors does hereby adopt the Regional Natural Hazard Mitigation Plan.

ADOPTED by the Fluvanna County Board of Supervisors on this 17th day of Oct, 2012.

APPROVED


(Head of jurisdiction's governing body)

ATTEST


(Jurisdiction representative)

