

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Court Room
February 18, 2015
Work Session 4:00 pm
Regular Session 7:00 pm**

MEMBERS PRESENT:

Mozell Booker, Fork Union District, Chairperson
Bob Ullenbruch, Palmyra District, Vice-Chairperson
Tony O'Brien, Rivanna District (*arrived at 4:05pm*)
Mike Sheridan, Columbia District
Donald W. Weaver, Cunningham District

ALSO PRESENT:

Steven M. Nichols, County Administrator
Fred Payne, County Attorney
Eric Dahl, Finance Director (*Work Session*)
Jeff Kapinos, Senior Manager, Municipal Engineering, RK&K (*Work Session*)
Robert Popowicz, Director of Community Development (*Work Session*)
Wayne Stephens, Public Works Director & County Engineer (*Work Session*)
Kelly Belanger Harris, Clerk to the Board of Supervisors

WORK SESSION**CALL TO ORDER**

At 4:00 pm, Chairperson Booker called the Work Session Meeting of February 18, 2015 to order. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

RK&K Preliminary Engineering Report—Mr. Jeff Kapinos, RK&K Senior Manager, Municipal Engineering, Mr. Wayne Stephens, Director of Public Works & County Engineer, Mr. Bobby Popowicz, Director of Community Development, Mr. Eric Dahl, Finance Director. As requested at the Board meeting on December 17, 2014, Mr. Kapinos returned to the Board to discuss the Preliminary Engineering Report on the Water and Wastewater Services to Zion Crossroads Planning Area. Primary discussion focused on the options available as suggested and outlined in the Preliminary Report, expected cost and water availability.

Recess for Dinner and Closed Session**MOTION TO ENTER INTO A CLOSED MEETING**

At 6:04pm, Mr. Weaver moved the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.6 and A.7 of the Code of Virginia, 1950, as amended, for the purpose of discussing Investment of Funds and Legal Matters. Mr. Sheridan seconded. The motion carried, with a vote of 5-0. AYES: Booker, Ullenbruch, O'Brien, Sheridan, and Weaver. NAYS: None. ABSENT: None.

Reconvene in open session and Regular Meeting**MOTION TO EXIT A CLOSED MEETING & RECONVENE IN OPEN SESSION**

At 6:59pm, Mr. Weaver moved that the Closed Meeting be adjourned and the Fluvanna County Board of Supervisors convene again in open session and "BE IT RESOLVED, the Board of Supervisors does hereby certify to the best of each member's 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." Mr. Sheridan seconded. The motion carried, with a roll call vote of 5-0. AYES: Booker, Ullenbruch, O'Brien, Sheridan, and Weaver. NAYS: None. ABSENT: None.

CALL TO ORDER

At 7:00 pm, Chairperson Booker called the Regular Meeting of February 18, 2015 to order. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

ADOPTION OF AGENDA

After a brief discussion, it was moved by Mr. Weaver to adopt the agenda with the following changes: Presentations were moved ahead of Action Matters. Mr. O'Brien seconded and the motion carried 5-0. AYE: Booker, Ullenbruch, O'Brien, Sheridan, Weaver.

COUNTY ADMINISTRATOR'S REPORT

- Roxanne Carter-Johnston selected as First Community Volunteer Coordinator
 - Primary point of contact for volunteer program communications,
 - Works to raise staff and community awareness of the role and function of volunteers, and of community volunteer opportunities,
 - Promotes volunteerism (internally and externally) through recruitment and publicity strategies and campaigns,
 - Assists in maintaining volunteer opportunity postings on the County website and other relevant community volunteer recruitment sites,
 - Spearheads volunteer recruitment efforts for County programs and in support of community programs, and serve as a primary initial contact for all potential volunteers,
- Pleasant Grove Bathroom Facility

- Work completed by Roger Smith; Wayne Stephens design
- Booster pump, storage tank and associated plumbing installed 2/6/15.
- Functions exactly as designed in manual mode
- More control work left to do to allow automatic operation, on track for March 1 completion
- Recent Schools Project
 - Writing letters to our Sheriff's Deputies thanking them for their service
 - Part of a campaign to show support to our law enforcement officers
 - Cards displayed on Bulletin Board at the Sheriff's Office
- Illegal dump beside Andrew Street in Columbia
 - Cleaned up by Inmate Work Force
- Labor Sector Strategy Study
 - Conducted by Central Virginia Partnership for Economic Development
 - New tool will help Fluvanna and surrounding counties predict future labor needs of companies in the area
 - Study is broken down into market sectors that could show trends for each sector's need for new and replacement employees and/or waning sector employment trends.
- IT Staff completed migration of the AS/400 data to the new IBM Power7 server
 - Successfully tested, including Bright and CAMRA
- Columbia FEMA grant match
 - On July 2, 2014 the Board did recognize and incorporate the \$10,000 FEMA match as a debt listed under Exhibit 1, Assets of the Town of Columbia under Personal Property, and also referenced the obligation as part of the staff report.

BOARD OF SUPERVISORS UPDATE

O'Brien—Piedmont Workforce Network on 2-19-15

Ullenbruch—Jail Authority accepted the Superintendent's FY16 Budget for consideration: Chamber: BPOL Q&A scheduled for February 26, 2015, at 7:30 pm..

Weaver – None.

Sheridan—Attended Legislative Day at the General Assembly.

Booker—YAC: visited Terrific Tuesdays at the Middle School, many participants.

PUBLIC COMMENTS #1

Chair Booker opened the floor to public comments.

- Bill Sullivan, 38 Riverside Drive, offered congratulations on the Market Fluvanna campaign. Asked the Board to take a strong position on funding infrastructure and schools. Noted the low per-pupil spending Fluvanna students.

There being no one else wishing to speak, Chair Booker closed the first session of the Public Comments.

PUBLIC HEARINGS

ZMP 14-04 Green Springs Timber, LLC—Mr. Steve Tugwell, Senior Planner, addressed the Board with a request to amend the Fluvanna County Zoning Map with respect to approximately 15.986 acres of Tax Map 5, Section 11, Parcel L5A, to rezone the same from A-1, Agricultural General, to I-2, Industrial, General.

Chair Booker opened the Public Hearing.

With no one wishing to speak, Chair Booker closed the Public Hearing and opened the floor to discussion among Supervisors.

With no discussion,

MOTION:

Mr. O'Brien moved that the Board of Supervisors approve ZMP 14-04 of the attached ordinance for ZMP 14-04, a request to amend the Fluvanna County Zoning Map with respect to 15.986 acres of Tax Map 5, Section 11, Parcel L5A to rezone the same from A-1, Agricultural, General, to I-2, Industrial, General. With a second by Mr. Ullenbruch the rezoning was approved on a vote of 5-0. AYES: Booker, Ullenbruch, O'Brien, Sheridan, and Weaver. NAYS: None. ABSENT: None.

ZTA 15-01 Public Sign Ordinance, Mr. Jay Lindsey, Planner, presented a proposed Public Sign Ordinance to amend the Fluvanna County Zoning Ordinance Subsections 22-17-4, 22-20-2, and 22-20-3 (Chapter 22, Article 17-4: Special Use Permits; Chapter 22, Article 20-2: Planning Commission – Public Hearings; Chapter 22, Article 20-3: Governing Body – Public Hearing) to provide the posting of signs to give additional notice of certain proposed zoning actions.

The proposed amendment:

- Requires applicants for a special use permit to provide public notice (in addition to the written public notice already required by Section 15.2-2204), by placing a sign of a type approved by the zoning administrator on the subject property at the nearest public road or its point of access; and
- Applies to public hearings of both the Planning Commission and the Board of Supervisors (Governing Body). The amendment will affect Sec. 22-17-4, Sec. 22-20-2, and Sec. 22-20-3 of the Fluvanna County Code.

Chair Booker opened the Public hearing.

With no wishing to speak, Chair Booker closed the Public Hearing and opened discussion among Supervisors.

There being no discussion,

MOTION:

Mr. Ullenbruch moved that the Board of Supervisors approve ZTA 15:01, a request to amend the Fluvanna County Zoning Ordinance (Chapter 22, Article 17-4: Special Use Permits; Chapter 22, Article 20-2: Planning Commission – Public Hearings; Chapter 22, Article 20-3: Governing Body – Public Hearing) to provide the posting of signs to give additional notice of certain proposed zoning actions as described therein, as initiated by the Planning Commission by resolution on January 28, 2015 and written in the attached ordinance. Mr. Weaver seconded and the motion carried 5-0. AYES: Booker, Ullenbruch, O'Brien, Sheridan, and Weaver. NAYS: None. ABSENT: None.

PRESENTATIONS

Nuisance Dog Barking—Jay Lindsey, Planner, gave an overview of the how other localities approach nuisance barking. Chair Booker asked Sheriff Hess to comment. Sheriff Hess noted that Animal Control currently responds to all complaints, but has no enforcement ability as there is no policy or ordinance.

After brief discussion regarding the number of complaints and cost to enforce, and based on recommendations by Mr. Payne, the Board directed Planning Staff to return with a draft ordinance.

FY15 Q2 Budget Update—Mary Anna Twisdale, gave the second quarter FY15 Q2 report. There were no questions or discussion.

Schools FY16 Budget Presentation—Ms. Gena Keller, Superintendent, addressed the Board with regard to the FY16 Fluvanna County Public Schools Budget Request. Ms. Keller began her presentation by announcing that the school system has been awarded a \$3 million “Investing in Innovation (i3)” grant. Further budget discussion included teacher salary scales, per pupil expenditures, expanding services, and technology needs and updates.

Mr. O’Brien asked about the implications of receiving less than full funding. Ms. Keller indicated that we would see a widening gap between Fluvanna salaries and those in neighboring localities; needed additional staffing would not be hired, class sizes could be impacted, and staff professional development would have to be further curtailed.

ACTION MATTERS

Declaration of Local Emergency—Steve Nichols, County Administrator, presented a resolution for a Declaration of Local Emergency. This declaration allows the County to potentially recoup expenses attributable to the winter storm on February 16, 2015, and following efforts.

Motion:

Mr. Sheridan moved to confirm the decision to declare a local emergency on Tuesday, February 17, 2015, in response to a significant winter storm event. Mr. O’Brien seconded and the motion passed 5-0. AYES: Booker, Ullenbruch, O’Brien, Sheridan, and Weaver. NAYS: None. ABSENT: None.

Contract for Fork Union Streetscape—Eric Dahl, Finance Director, gave a brief update on the status of the Fork Union Streetscape project. The first time the project was offered for bid there were no bidders. The second offering received bids from seven contractors. The winning bid was from S. Walker Construction. Mr. Weaver noted the contract states, as a General Price Reduction, if there are items that come in under estimated cost, the County will receive a rebate. Mr. Dahl confirmed that this falls under the General Terms and Contract and is standard procedure for public contracts.

MOTION:

Mr. Weaver moved to approve the Contract between the County of Fluvanna, Virginia and S. Walker Construction for Phase I of the Fork Union Streetscape Project in the amount of \$354,730.00.

Furthermore, the Board of Supervisors authorizes the County Administrator to execute the Contract contingent upon the Contract being approved as to form by the County Attorney.

Mr. Sheridan offered a second and the motion passed 5-0. AYES: Booker, Ullenbruch, O’Brien, Sheridan, and Weaver. NAYS: None. ABSENT: None

Advertisement of the Proposed FY16 Real Property Tax Rate Increase—Eric Dahl, Finance Director, presented the Board with the advertisement for the proposed tax rate to run in the Fluvanna Review prior to the Public Hearing to set the FY16 Real Property Tax Rate on April 1, 2015. Mr. Dahl reiterated that state code requires that in any year that sees a real estate reassessment increase greater than 1%, there must be at least 30 days between advertisement and Public Hearing; and further, the Tax Rate Public Hearing cannot happen at the same time as the required Budget Public Hearing. Chair Booker asked for clarity on items that might affect the tax rate if the rate were advertised later.

Mr. Nichols stated that the items that will affect the budget are items currently in discussion in the State Legislature, including proposed pay raises for Social Services, Constitutional Officers, and Teachers.

Mr. Ullenbruch outlined his suggestions for budget adjustments.

Broad-ranging discussion included: School budget request, Social Services staffing, CSA expenditures, JAUNT, and Region Ten’s increased request.

MOTION:

Mr. Ullenbruch moved the Board of Supervisors authorize staff to advertise the FY16 proposed real property tax rate for public hearing on April 1st, 2015; the advertised proposed real property tax rate is \$0.935 per \$100, effective for tax year 2015. Mr. O’Brien seconded and the motion passed 4-1. AYE: Booker, Ullenbruch, O’Brien, Sheridan. NAY: Weaver.

ABSENT: None.

CONSENT AGENDA

The following items were approved under the Consent Agenda, with no discussion:

- Minutes of February 4, 2015 Meeting—Kelly Belanger Harris, Clerk to the Board
- E911 Radio Console and Software Upgrade Grant Application—Andrea Gaines, Director of Communications
- FY15 Voluntary Contributions 1st Half—Mary Anna Twisdale, Management Analyst
- Accounts Payable Report—Mary Anna Twisdale, Management Analyst

MOTION

Mr. Weaver moved to approve the items on the Consent Agenda for February 18, 2014, and the Accounts Payable report for January 2015 in the amount of \$3,579,997.06, be ratified. Mr. O’Brien seconded and the motion passed 5-0. AYES: Booker, Ullenbruch, O’Brien, Sheridan, and Weaver. NAYS: None. ABSENT: None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

PUBLIC COMMENTS #2

Chair Booker opened the floor to public comments.

- Mr. Overton McGehee, 924 Courthouse Rd, commended County teachers and thanked the Board for their hard work.

There being no further comments, Chair Booker closed the second session of Public Comments.

ADJOURN

MOTION:

At 10:10pm Mr. Weaver moved to adjourn the meeting of Wednesday, February 18, 2015.

Mr. Sheridan seconded and the motion carried with a vote of 5-0. AYES: Booker, Ullenbruch, O'Brien, Sheridan, and Weaver. NAYS: None. ABSENT: None.

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

Kelly Belanger Harris
Clerk to the Board

Mozell H. Booker
Chairperson

APPROVED

