

FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Court Room
November 16, 2016
Work Session 4:00pm
Regular Meeting 7:00 pm

MEMBERS PRESENT: John M. (Mike) Sheridan, Columbia District, Chair
Mozell Booker, Fork Union District, Vice Chair
Patricia Eager, Palmyra District
Tony O'Brien, Rivanna District
Donald W. Weaver, Cunningham District

ALSO PRESENT: Steven M. Nichols, County Administrator
Fred Payne, County Attorney
Eric Dahl, Deputy County Administrator / Finance Director
Kelly Belanger Harris, Clerk to the Board of Supervisors

CALL TO ORDER WORK SESSION

At 4:02pm, Chair Sheridan called the Work Session of November 16, 2016 to order. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

WORK SESSION DISCUSSION ITEMS

Topics of the Work Session included:

- Zion Crossroads Water/Sewer System Design Review – Wayne Stephens, Public Works Director/County Engineer, introduced Dan Villhauer, PE, Project Manager, Dewberry, for the Zion Crossroads Water/Sewer System. Mr. Villhauer provided a comprehensive overview of the proposed Zion Crossroads Water/Sewer System design.
- Columbia and Cunningham Schools Update – Eric Dahl, DCA/Finance Director, and Wayne Stephens, Public Works Director/County Engineer, synopsized the current state of the two former elementary schools, history of marketing attempts, and ask for guidance from the Board on moving forward. Mr. Dan Corbin, commercial real estate agent, discussed the difficulties of selling the schools, and offered to donate his services to inspect, review, and offer feedback to the Board on his findings.

RECESS FOR DINNER

At 5:25pm, Chair Sheridan recessed for dinner.

RECONVENE IN OPEN SESSION AND CALL TO ORDER

At 7:00 pm Chair Sheridan, reconvened the November 16, 2016, Regular Meeting.

ADOPTION OF AGENDA

MOTION

Mrs. Booker moved to accept the Agenda, noting changes adding New Business: *Resolution Recognizing Matthew Christopher Kolczynski Eagle Scout*, for the November 16, 2016 Regular Meeting of the Board of Supervisors. Mr. Weaver seconded and the Agenda was adopted by a vote of 5-0. AYES: Sheridan, Booker, Eager, O'Brien, and Weaver. NAYS: None. ABSENT: None.

COUNTY ADMINISTRATOR'S REPORT

Mr. Nichols reported on the following topics:

- Staff Stars and Community Efforts
 - Nationwide Insurance presented the Sheriff's Office with jackets for their deputies. This is part of a corporate initiative working in conjunction with their "Badges" program Presented by Local Nationwide Agent Mike Arnold.
 - New County Staff Members:
 - Nancy Oglesby, Assistant Commonwealth's Attorney, Started on Monday, Nov 14th
 - Mary Anna Twisdale, CSA Coordinator, Started on Monday, Nov 14th
- Governor McAuliffe announced this on his Twitter page Nov 9, 2016: Red Rocker Candy
- Convenience Center Tower Site Work
 - Foundations for shelter, generator, and fuel tank and pillars for tower
- The CVRJ inmate program's to-do list for Fluvanna County is down to two items:
 - Litter pickup on Rolling Road, between Ruritan Lake Road and Kidds Store (Rt. 6 West River Rd).
 - Litter pickup on Route 6 East River Rd, from Dixie (US15) all the way to former "Town" of Columbia.
- Jason Smith, Acting County Administrator – Nov 24-26. Mr. Nichols out of town for Thanksgiving Holiday.
- Upcoming Meetings:
 - Wed, Dec 7, 4:00 PM, Regular Meeting, Courtroom
 - Wed, Dec 21, 7:00 PM, Regular Meeting, Courtroom

BOARD OF SUPERVISORS UPDATES

Sheridan—VACo Conference.

Booker—Thanks for the birthday card, CPMT, JABA Executive Board, Louisa Fluvanna Housing Foundation, VACo Conference.

Eager—VACo Conference.

O'Brien—VACo Conference, TJPDC.

Weaver—CVRJ, noting that improvements have been made in the parking lot regarding drainage.

PUBLIC COMMENTS #1

At 7:13pm Chair Sheridan opened the first round of Public Comments.

Sheriff Eric Hess introduced five new county deputies, including four newly graduated from the Academy: Valerie Luevano, Simon Ward, Kevin Taylor, Brandon Bryant, Sean Brennan.

With no one else wishing to speak, Chair Sheridan closed the first round of Public Comments at 7:19pm.

PUBLIC HEARING

None.

ACTION MATTERS

Appointment to the Board of Equalization— Steven M. Nichols, County Administrator, presented the slate of recommended candidates for 2017 Board of Equalization.

With no discussion,

MOTION

Mrs. Eager moved to appoint the following Regular Members:

- 1) Karen Bercaw;
- 2) Gary Ellis;
- 3) Everett Hannah;

and Alternate Member:

- 1) John Hill;

to the Board of Equalization for Real Estate Assessments, with terms to begin January 1, 2017 and to terminate December 31, 2017.

I further move to adopt the "Resolution Regarding the Board of Equalization". Mr. Weaver seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O'Brien, & Weaver. NAY: None. ABSENT: None.

Reappointment to the Board of Zoning Appeals—Steven M. Nichols, County Administrator, presented the slate of candidates for the Board of Zoning Appeals. Mrs. Eager noted that having served on the Board of Zoning Appeals with Mr. Loving, she could attest to his engagement and involvement.

With no further discussion,

MOTION

Mrs. Booker moved to recommend the Circuit Court of Fluvanna County reappoint R. Easton Loving to the Board of Zoning Appeals with a term to begin January 1, 2017 and expire December 31, 2020. Mrs. Eager seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O'Brien, & Weaver. NAY: None. ABSENT: None.

E911 Radio Project: Black & Veatch Addendum for Change Order #3—Cheryl Elliott, Emergency Services Coordinator.

With no discussion,

MOTION

Mr. O'Brien moved the Board of Supervisors approve the "Third Addendum to Agreement for Emergency Communication Radio System Project Management and System Implementation Support Services" with Black & Veatch, with \$0 price adjustment for this modification, and authorize the County Administrator to execute the Agreement, subject to approval as to form by the County Attorney. Mrs. Booker offered second and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O'Brien, & Weaver. NAY: None. ABSENT: None.

E911 Radio Project: Change Order #5—Cheryl Elliott, Emergency Services Coordinator requested a change to the contract with Motorola Solutions, as outlined in the motion. Ms. Elliott noted that this change decreases the cost of Change Order #3 (previously approved), provides a Statement of Work for Fiber Link to the Sheriff's Office, an Updated Project Performance Schedule, and a Statement of Work for Additional Engineering at Tower Site.

With little discussion,

MOTION

Mrs. Eager moved the Board of Supervisors approve the "Fifth Amendment and Modification to the Communications System Agreement for the Fluvanna Public Safety Emergency Communications Radio System" with Motorola Solutions, Inc., in the amount of \$26,319.50 and a reduction in cost to Change Order #3 in the amount of \$23,782.39, and authorize the County Administrator to execute the Agreement, subject to approval as to form by the County Attorney. Mrs. Booker seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O'Brien, & Weaver. NAY: None. ABSENT: None.

E911 Radio Project: Contract of Sale between CVEC and Fluvanna County—Cheryl Elliott, Emergency Services Coordinator, brought forward a request to enter into a contract of sale between the Central Virginia Electric Cooperative (CVEC) and Fluvanna County, in order to secure a location to build a communication tower. Because of taller towers, the radio project now features a six-site design, including two non-county owned towers (VFW and Dominion Brema), which the County leases space (VFW is \$18,000/year and Dominion Brema is free of charge). The other four towers in the design include Sheriff's Office, Columbia School, Landfill and, lastly, this CVEC site. The intention of this request is for Fluvanna County to purchasing a 100x100 parcel on CVEC property for a 300' tower. CVEC will provide electricity for the County's equipment. The County has an ingress and egress easement to the tower parcel, but CVEC will build and maintain the access road. The County will own and maintain the tower and our shelter/generator/ propane tank. In the event that this tower is no longer

needed for public safety, the property will revert to CVEC. There will be no charge to CVEC to “rent” space on the tower for their equipment. They will provide their own shelter and electrical power. The Contract of Sale outlines approximately where their equipment will be placed on the tower, but final placement will depend on intermodulation studies and their path studies. Any additional providers who co-locate on this tower will pay co-location fees to the County. The tower will be designed to host an additional three cell carriers. Purchase price for the land is \$10. Maintenance/utilities for the tower and site will be less than \$3,000/year (because CVEC will provide electricity). There is potential for three cell carriers to co-locate, which would provide ~\$72,000/year (\$2K/carrier/month) in revenue to the County.

MOTION

Mr. Weaver moved the Board of Supervisors approve the “Contract of Sale” between Central Virginia Electric Cooperative and Fluvanna County, and authorize the County Administrator to execute the Contract, subject to approval as to form by the County Attorney. Mrs. Eager seconded and the motion passed 5-0.

Fluvanna County Tourism Signage – Jason Smith, Community & Economic Development Director, came before the Board to request a funding for VDOT signage to improve visibility for County sites and attractions.

Following discussion focused on the different types of signage available, best placement, and where funding would come from,

MOTION

Mrs. Booker moved the Board of Supervisors approve a budget transfer for \$1,100 from the FY17 BOS Contingency to the FY17 Economic Development Department budget for the purpose of VDOT road signage. Mr. O’Brien seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O’Brien, & Weaver. NAY: None. ABSENT: None.

Policy D.5, Background Checks for Employees and Volunteers - Gail Parrish, HR Manager, presented an update to the Personnel Policy regarding background checks for employees and volunteers.

With no discussion,

MOTION

Mrs. Booker moved the Board of Supervisors approve the revised D.5 Background Checks for Employees and Volunteers, as presented. Mr. Weaver seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O’Brien, & Weaver. NAY: None. ABSENT: None.

Policy N.3, Court Leave - Gail Parrish, HR Manager, gave an overview to changes in Personnel Policy regarding Court Leave.

With no discussion,

MOTION

Mr. O’Brien moved the Board of Supervisors approve the revised N.3 Court Leave Policy, as presented. Mrs. Booker seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O’Brien, & Weaver. NAY: None. ABSENT: None.

Advertisement of the Proposed Fluvanna County Code Amendment and Reenactment Regarding Tax Exemptions for Certain Solar Energy Equipment, Facilities or Devices – Steve Nichols, County Administrator and Fred Payne, County Attorney, presented a request to update County Code, clarifying language and definitions.

Following general discussion,

MOTION

Mr. O’Brien moved the Board of Supervisors authorize staff to advertise a Public Hearing on December 21, 2016, entitled, “AN ORDINANCE TO AMEND AND REENACT CHAPTER 20, ARTICLE 9 OF THE FLUVANNA COUNTY CODE REGARDING TAX EXEMPTIONS FOR CERTAIN SOLAR ENERGY EQUIPMENT, FACILITIES OR DEVICES.” Mrs. Eager seconded and the motion passed 4-0-1. AYE: Sheridan, Booker, Eager, & O’Brien. NAY: None. ABSTAIN: Weaver. ABSENT: None.

Advertisement of the Proposed Fluvanna County Code Amendments and Reenactments Relating to Personal Property Tax Returns – Steve Nichols, County Administrator and Fred Payne, County Attorney, presented a request to update County Code, clarifying language and definitions.

With little discussion,

MOTION

Mrs. Booker moved the Board of Supervisors authorize staff to advertise a Public Hearing on December 21, 2016, entitled, “AN ORDINANCE TO AMEND AND REENACT CHAPTER 20, ARTICLE 1 OF THE FLUVANNA COUNTY CODE REGARDING PERSONAL PROPERTY TAX RETURNS TO CHANGE THE DATE FOR FILING AND TO DELETE AN OBSOLETE PROVISION REGARDING MOTOR VEHICLE LICENSES.” Mrs. Eager seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O’Brien, & Weaver. NAY: None. ABSENT: None.

PRESENTATIONS

JAUNT FY16 Review—Karen Davis, Assistant Executive Director, JAUNT, came before the Board to provide an Annual Report, highlighting local benefits, FY16 fiscal highlights, and projected ridership.

Reassessment Update – Jonathan Larsen, Blue Ridge Mass Appraisal, provided an update of the current real estate reassessment. Mr. Larsen reported that field work was completed in October. Assessment hearings began in early November, with call volume low. Mr. Larsen offered appreciation for the ease of completing the assessment, noting that County employees were very helpful in getting the work completed. An average increase of 3-4% in value was assessed.

Progress Report on Upgrades and Repairs at Palmyra Rescue—Wayne Stephens, Director of Public Works and County Engineer, presented updates on the Palmyra Rescue Building. Upgrades or repairs included: lighting, HVAC system, gutters and downspouts, snow guards, and flooring.

CONSENT AGENDA

The following item was pulled from consideration, for administrative errors:

Tab X: *Approval of Open Space Contract for Matthew P. Gooch* – Andrew M. Sheridan, Commissioner of the Revenue

The following items were discussed before approval:

Tab T: *Accounts Payable Report, October 2016*

The following items were approved under the Consent Agenda for November 16, 2016:

Accounts Payable Report, October 2016—Eric Dahl, Deputy County Administrator & Finance Director

CRM Fund Request – Freezer Door Central Elementary—Ed Breslauer, FCPS Director of Finance

FY17 1st Quarter Budget Report—Martin Brookhart, Management Analyst

Approval of Open Space Contract for Carole A. Bryan – Andrew M. Sheridan, Commissioner of the Revenue

Approval of Open Space Contract for Stephen P. and Felicity G. Gooch – Andrew M. Sheridan, Commissioner of the Revenue

A Resolution Supporting the Submission of a SmartScale Application Requesting Transportation Funding—Brad Robinson, Senior Planner

MOTION

Mr. Weaver moved to approve the items on the Consent Agenda for November 16, 2016, and ratified Accounts Payable and Payroll for October 2016, in the amount of \$1,529,870.30. Mr. O'Brien seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O'Brien, & Weaver. NAY: None. ABSENT: None.

UNFINISHED BUSINESS

Mrs. Booker provided an update on the Emancipation Proclamation Monument placement, noting that she has not finished her research and listening in the community.

NEW BUSINESS

Resolution Recognizing Matthew Christopher Kolczynski Eagle Scout—Steven M. Nichols, County Administrator

MOTION

Mr. Weaver moved the Fluvanna County Board of Supervisors adopt the resolution entitled “Recognizing Matthew Christopher Kolczynski for Award of Eagle Scout Status”. Mrs. Eager seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O'Brien, & Weaver.

Mr. O'Brien wished to recognize five Lake Monticello-area teens, brothers Michael and Ashton Brown, Ethian Kidd, Dillan Cobbs, Michelle Harris, Andrew Ward, and Brycen Baber, who noticed a house on fire and helped the occupants to safety.

Mrs. Booker presented a citizen request to better understand owner-requirements following timber clear cut. Mr. Nichols explained that based on prior, there are no requirements for the owner to clean up the land following a clear cut, beyond what is necessary to maintain compliance in a forestry-land use program.

PUBLIC COMMENTS #2

At 9:09pm Chair Sheridan opened the second round of Public Comments.

With no one else wishing to speak, Chair Sheridan closed the second round of Public Comments at 9:10pm.

CLOSED MEETING

MOTION TO ENTER INTO A CLOSED MEETING

At 9:10pm, Mr. Weaver moved the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.1, A.3, & A.7 of the Code of Virginia, 1950, as amended, for the purpose of discussing Personnel, Real Estate, and Legal Matters. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYE: Sheridan, Booker, Eager, O'Brien, and Weaver. NAY: None. ABSENT: None.

MOTION TO EXIT A CLOSED MEETING & RECONVENE IN OPEN SESSION

At 9:33pm, 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. O'Brien seconded. The motion carried, with a roll call vote, of 5-0. AYES: Sheridan, Booker, Eager, O'Brien, and Weaver. NAYS: None. ABSENT: None.

MOTION

Mrs. Eager moved to approve a hiring hourly rate of \$15.32 for the new Part-time Library Clerk, Carol Owen, effective November 7, 2016, with the pay and benefits to come from the existing FY17 Library Budget. Mr. O'Brien seconded and the motion passed unanimously.

ADJOURN

MOTION:

At 9:35pm Mr. O'Brien moved to adjourn the regular meeting of Wednesday, November 16, 2016. Mrs. Booker seconded and the motion carried with a vote of 5-0. AYES: Sheridan, Booker, Eager, O'Brien, and Weaver. NAYS: None. ABSENT: None.

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

Kelly Belanger Harris
Clerk to the Board

John M. Sheridan
Chair

APPROVED