

FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Court Room
October 5, 2016
Regular Meeting 4:00pm

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 (*Arrived at 4:04pm*)
Donald W. Weaver, Cunningham District

ALSO PRESENT: Steven M. Nichols, County Administrator
Fred Payne, County Attorney
Kelly Belanger Harris, Clerk to the Board of Supervisors

CALL TO ORDER

At 4:01pm Chair Sheridan, called the Regular Meeting of October 5, 2016.
After the recitation of the Pledge of Allegiance, a moment of silence was observed.

ADOPTION OF AGENDA

MOTION

Mrs. Booker moved to accept the Agenda, removing Tab N: Update of Treasurer's Office Position Descriptions and including New Business: Fluvanna Rescue Update, for the October 5, 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:

- Parks and Recreation & Public Works installing a fitness trail along the Dog Park ADA trail; Donated by the Heritage Trail Foundation; Currently 4 stations in place with new stations going up each week until all 20 stations are installed
- Annual Employee Recognition Dinner: Thursday, October 6, 2016, Cunningham Creek Winery, 4:00 - 6:00 pm with dinner served from 4:30 - 5:30 pm.. Formal Presentations of the 2016 P.R.I.D.E. In Public Service Awards and Annual Service Awards will be made at 5:00pm.
- Business Spotlight: The Golden Fish, Owner: Charlotte Broxon. Located on the upper level at Village Station
- Fluvanna County Affordable Senior Housing Project Timeline:
 - Apr 1, 2016 – DHCD application submitted for funding assistance for Affordable Senior Housing in Fluvanna
 - May 20, 2016 – Received DHCD letter reserving funds and identifying the initial tasks to be complete by July 29
 - Jun 29, 2016 – Public meeting and 1st Management Team meeting
 - Jul 2016 – Community Surveys advertised and results collected
 - Jul 26, 2016 – 2nd Management Team meeting
 - Aug 3, 2016 – Submission of initial tasks and final documentation to DHCD
 - Oct 3, 2016 – Received confirmation letter from DHCD that they have acknowledged an acceptable level of interest in need of developing plans for this proposed project
 - Future Project Timeline/Steps:
 - Nov 2016 – Facilitated Planning Strategy Session with DHCD Representative to begin work on the Planning Grant Proposal; Dec 2016 – Submission of Planning Grant Proposal; Jan 2017 – DHCD approval of Planning Grant Proposals
 - Keeping in mind...Activities under the Planning Grant are intended to position the County to apply to DHCD for a Community Improvement Grant (CIG) up to \$700,000 in March 2017 with grant awards being announced in September 2017. If awarded, funds would be used for design costs and site improvements. PHA would enter into a joint venture with JABA and could possibly break ground in 2018.
- Vehicle License Fees:
 - Based on State Code 46.2-694, our current fees are:
 - Cars/trucks: \$33.00
 - Motorcycles: \$18.00
 - Trailers: None (License Fees are not currently assessed on Trailers or Semitrailers)
 - Current DMV Rates for Trailers
 - 0 - 1,500 lbs (per year): \$18.00
 - 1,501 - 4,000 lbs (per year): \$28.50
 - 4,001 or more lbs (per year): \$40.00
 - Single weight (travel trailer for living quarters): \$29.50
 - If a Trailer base fee of \$18.00 was adopted:
 - Current Number - 4,870
 - Potential Revenue - \$87,660 (annual)
- Announcements and Updates:
 - Board Guidance: Business License Fee. Board directed Staff to place the item on the October 19, 2016 Agenda.
 - Energy Performance Contracting Status Update
- Hurricane Matthew Update

- Next BOS Meetings:
 - Wed, Oct 19, 4:00 PM, Work Session, Courtroom; 7:00 PM, Regular Meeting, Courtroom
 - Wed, Nov 2, 4:00 PM Regular Meeting Courtroom
 - Wed, Nov 16, 7:00 PM, Regular Meeting, Courtroom
 - Wed, Dec 7, 2016, 4:00PM, Regular Meeting, Courtroom

BOARD OF SUPERVISORS UPDATES

Sheridan— Presented at Leadership Development Program for Schools, Finance Committee Meeting.

Booker— JABA Board, YAC, TRIAD, Partnership for Aging, FUSD Advisory, CMPT, Carol Owen Retirement, BBQ, Bands, Brews, & Wine.

Eager— Carol Owen Retirement, BBQ, Bands, Brews, & Wine, Social Services Board, TRIAD, Chamber Breakfast.

O'Brien— BBQ, Bands, Brews, and Wine,

Weaver—Energy Savings Work Group.

PUBLIC COMMENTS #1

At 4:53pm Chair Sheridan opened the first round of Public Comments.

Mr. Nichols asked the Board if they would be open to hearing the update from Chief Mike Brent, Fluvanna Fire Chief, at this time. With Board concurrence, Chief Brent notified the Board that Fluvanna Fire Department received a citation from the Virginia Office of Emergency Medical Services regarding the processing of calls. At a fact-finding hearing on September 30, 2016, Fluvanna Fire Department has made several changes. Among these changes are: all calls since January 1, 2016 through the present have been processed; tablets have been ordered to allow for input at the scene; a contracted Continuing Education First Responder instructor has been retained, with trainings taking place 4 times a month, once at each station; ImageTrend software in CAD system; five fire fighters will be graduating from the current EMT class. In response to these changes, the OEMS will allow Fluvanna Fire to retain their license, provisionally, with monthly inspections.

With no one else wishing to speak, Chair Sheridan closed the first round of Public Comments at 5:03pm.

PUBLIC HEARING

None.

ACTION MATTERS

Determination of Violation of County Code Chapter 10 (Garbage, Refuse, and Waste)—Jason Stewart, Planning and Zoning Administrator, asked the Board to make a determination concerning construction debris that appeared to have been dumped behind the buildings at 21708 James Madison Highway, the former I & J Homes business address. Mr. Stewart noted that this appears to be a code violation of Chapter 10 (Garbage, Refuse, and Waste) of the Fluvanna County Code. Should the Board so determine, the property owner would be given 30 days to remove the garbage. If not removed, before the end of 30 days, staff would have the authority to clean up and place a lien on the property to recover the money spent on the cleanup. Mr. Stewart indicated that this request is consistent with how these issues have been handled in the past.

MOTION:

Mrs. Eager moved the Board of Supervisors determine that the property at 21708 James Madison Highway, Tax Map Number 5-11-5B, is in violation of the provisions of Chapter 10, Garbage, Refuse, and Waste, of the Fluvanna County Code, and that proper legal notice be given to the subject property owner under the provisions of Sec 10-1-2 of Fluvanna County Code in regards to the removal of all unlawful substances accumulated on the subject property and that upon failure of the subject property owner to comply with notice that the Board of Supervisors authorize the County Administrator to take action under the provisions of Sec. 10-1-3 of the Fluvanna County Code to remove any and all trash, garbage, refuse, litter and like substances found on the subject property with the costs of removal being charged to the subject property owner under the provisions of §§ 10-1-3.1 and 10-1-3.2 of the Fluvanna County Code. Mrs. Booker seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O'Brien, & Weaver. NAY: None. ABSENT: None.

Position Description Change for Children Services Act (CSA) Position—Gail Parrish, Human Resources Manager, brought forward a request to change the Position Description, noting that Dr. Jacqueline Meyers will be retiring at the end of October 2016. The Position Description was reviewed by Dr. Meyers, Ms. Parrish, Steven M. Nichols, County Administrator, and knowledgeable representatives from Schools and Social Services. Having also reviewed the State recommendations for the position Ms. Parrish made the following recommendations: revising the position to a coordinator position and revising the pay band from 17 to 14.

MOTION

Mrs. Eager moved to approve the following position description revisions and pay band changes:

FROM: CSA Manager – Position 1351, band 17, \$47,476

TO: CSA Coordinator – Position 1351, band 14, \$40,040

Mr. Weaver seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O'Brien, & Weaver. NAY: None. ABSENT: None.

Clerk to the Board Position Upgrade - Gail Parrish, Human Resources Manager, requested a change to the Clerk to the Board position. Noting legislative changes to the Virginia Freedom of Information Act requiring more from the FOIA Officer, the Clerk of the Board taking on the additional responsibilities created with the elimination of the Administration Assistant in the County Administration department, and changes from the Department of Labor non-exempt overtime pay, Ms. Parrish indicated that the position was eligible for exempt status. In calendar year 2015, the current employee, Ms. Kelly Belanger Harris's gross salary, with overtime, was \$46,314; the minimum exempt salary is \$47,476. If the position is maintained as

non-exempt, Ms. Harris would be eligible for the Staff Pay Plan increase that could potentially result in pay, with overtime, above the requested exempt salary change.

MOTION

Mr. Weaver moved to approve the following position description revision and grade change:

FROM: Administrative Assistant / Clerk to the Board, Pay Band 13, \$37,440

TO: Executive Assistant / Clerk to the Board, Pay Band 17, \$47,476

With the change to be effective October 9, 2016, and increased funding change to come from the existing FY17 County Administration Personnel budget. Mrs. Eager seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O'Brien, & Weaver. NAY: None. ABSENT: None.

FY17 Pay Band and Schematic Update - Gail Parrish, Human Resources Manager requested changes to the Salary Schedule and Schematic, to become compliant with Department of Labor requirements for exempt employees.

MOTION:

Mr. O'Brien moved the Board of Supervisors approve an updated FY17 Salary Schedule and Schematic List of Classes with the following changes:

- Increase the Minimum Base Salary for Pay Band 17 from \$47,224 to \$47,476
- Increase the Mid-Range Salary for Pay Band 17 from \$58,868 to \$58,994
- Move the CSA Program Manager, Job Class 1711, from Pay Band 17, to CSA Coordinator, Job Class 1711, Pay Band 14
- Move the Administrative Assistant/Clerk of the Board, Job Class 1091, from Pay Band 13, to Executive Assistant/Clerk of the Board, Job Class 1091, Pay Band 17
- Move the Chief Deputy Treasurer, Job Class 1451, from Pay Band 14 to Pay Band 17
- Move the Chief Deputy Commissioner of the Revenue, Job Class 1551, from Pay Band 14 to Pay Band 17
- Move the Chief Deputy Clerk, Job Class 1851, from Pay Band 14 to Pay Band 17

Mrs. Eager offered second and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O'Brien, & Weaver. NAY: None. ABSENT: None.

Deed of Gift from Fluvanna Rescue Squad – 90 Rescue Ln, Palmyra VA 22963—Eric Dahl, Deputy County Administrator/ Finance Director, brought forward a request to approve the Deed of Gift of the Fluvanna Rescue Squad at 90 Rescue Lane. Mr. Dahl detailed the costs to the County associated with this gift, and asked for approval of an amount not-to-exceed in order to move forward.

MOTION

Mr. O'Brien moved the Board of Supervisors approve the Deed of Gift of 90 Rescue Ln, Palmyra, Virginia, 22963, designated on the tax maps of the County of Fluvanna, Virginia as Tax Map Parcel 30-A-110A, for no consideration, as a gift only, and authorize the County Administrator to execute the Deed of Gift, 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.

MOTION

Mr. O'Brien moved the Board of Supervisors approve the costs for legal, title, and survey with an amount not to exceed \$2,000, with funding to come from the FY17 BOS Contingency. Mr. Weaver seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O'Brien, & Weaver. NAY: None. ABSENT: None.

MOTION

Mr. O'Brien moved the Board of Supervisors acknowledge and recognize the prompt and professional survey services performed on 90 Rescue Lane, Palmyra VA 22963 (Palmyra Rescue Building) that were provided by J. Andrew Graff of Old Albemarle Surveying, LLC, and for the generosity shown by charging the County of Fluvanna \$1.00 for those surveying services. Mrs. Booker seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O'Brien, & Weaver. NAY: None. ABSENT: None.

PRESENTATIONS

None.

CONSENT AGENDA

The following items were discussed before approval:

Tab U: Approval of Open Space Contract for Mayfair Farm, Inc.—Andrew M. Sheridan, Commissioner of the Revenue

Tab W: Approval of Open Space Contract for Valentine Associates, LLC—Andrew M. Sheridan, Commissioner of the Revenue

Tab A: Approval of Open Space Contract for Carl E. Beuchert, III & Catherine M. Alessi—Andrew M. Sheridan, Commissioner of the Revenue

Tab D: Approval of Open Space Contract for Ernest J. & Carolyn H. Marrs—Andrew M. Sheridan, Commissioner of the Revenue

The following items were approved under the Consent Agenda for September 21, 2016:

Minutes of September 7, 2016—Kelly Belanger Harris, Clerk of the Board

FY17 FCPS Security Equipment Grant Supplemental Appropriation—Ed Breslauer, FCPS Finance Director

Approval of Open Space Contract for Mayfair Farm, Inc.—Andrew M. Sheridan, Commissioner of the Revenue

Approval of Open Space Contract for Minnie M. McGehee—Andrew M. Sheridan, Commissioner of the Revenue

Approval of Open Space Contract for Valentine Associates, LLC—Andrew M. Sheridan, Commissioner of the Revenue

Approval of Open Space Renewal Contract for Samuel R. & DeNae D. Babbitt—Andrew M. Sheridan, Commissioner of the Revenue

Approval of Open Space Contract for Carl E. Beuchert, III & Catherine M. Alessi—Andrew M. Sheridan, Commissioner of the Revenue

Approval of Open Space Contract for Roy Howard & Constance Haislip—Andrew M. Sheridan, Commissioner of the Revenue

Approval of Open Space Contract for Kenneth B. & Linda S. Handy—Andrew M. Sheridan, Commissioner of the Revenue

Approval of Open Space Contract for Ernest J. & Carolyn H. Marrs—Andrew M. Sheridan, Commissioner of the Revenue

MOTION

Mr. Weaver moved to approve the items on the Consent Agenda for October 5, 2016. Mrs. Booker seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, and Weaver. NAY: None. ABSENT: None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Mrs. Eager mentioned a request from a resident of Sycamore Landing, regarding people driving too fast in the subdivision. Mrs. Eager called VDOT to request a "Children at Play" sign for the entrance to the community. Staff will follow-up with VDOT to see if the sign can be placed in the subdivision.

PUBLIC COMMENTS #2

At 5:46pm Chair Sheridan opened the second round of Public Comments. There being no one wishing to speak, Chair Sheridan closed the second round of public Comments.

CLOSED MEETING

MOTION TO ENTER INTO A CLOSED MEETING

At 5:46pm, 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, Sheridan, and Weaver. NAY: None. ABSENT: None.

MOTION TO EXIT A CLOSED MEETING & RECONVENE IN OPEN SESSION

At 7:21pm, 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." Mrs. Booker seconded. The motion carried, with a roll call vote, of 5-0. AYES: Sheridan, Booker, Eager, O'Brien, and Weaver. NAYS: None. ABSENT: None.

ADJOURN

MOTION:

At 7:22pm Mr. Weaver moved to adjourn the regular meeting of Wednesday, October 5, 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