

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
May 3, 2017
Regular Meeting 4:00 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

ABSENT: None.

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

CALL TO ORDER WORK SESSION

At 4:06pm, Chair Sheridan called the Regular Session of May 3, 2017 to order. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

ADOPTION OF AGENDA

Mr. Nichols indicated that Tab X - FCPS Computer Instructional Technology & Infrastructure Replacement CIP, was pulled from the Agenda after the Packet was printed. Mr. Nichols noted that the item will be addressed during the next Budget cycle.

MOTION

Mr. Weaver moved to accept the Agenda, as amended. Mrs. Booker seconded and the Agenda was adopted by a vote of 4-0. AYES: Sheridan, Booker, Eager, O’Brien, & Weaver. NAYS: None. ABSENT: None.

COUNTY ADMINISTRATOR’S REPORT

Mr. Nichols reported on the following topics:

- Jonathan Pace, Parks & Recreation Programs Specialist - Now a Certified Playground Safety Inspector (support for all County/School facilities)
- Spotlight on Business - Troy Market Deli Bakery & Penne Lane Caterers
- Earth Day at Pleasant Grove Park
 - 1st and 2nd Grades from Central Elementary (Apr 21) - There were around 500 children learning about nature from 3 separate stations. Stations included soil education, tree planting, and a nature hike. Special thanks to the 20+ volunteers!!
 - Tire Drop-off and Girl Scout Tree Planting (Apr 22) - Filled 4 trailers full of tires. Special thanks to the Public Works guys that helped load the trailers! Fluvanna American Heritage Girls Troop, VA2816, planted Overcup Oak tree seedlings (provided by the VA Department of Forestry) behind the baseball/ softball fields to provide shade in the future. Troop Coordinator Karen Miller noted “the girls are learning about plant and tree identification and are very excited to plant these trees as one of their service projects.”
- Announcements and Updates:
 - Planned Crosswalk at Route 600, South Boston, and Slice Road; LMVFRS Board has approved granting of easement access on their property, if necessary
 - May 10th, 2017 - 5th Annual Employee Wellness Fair
 - Speed Study has been requested for the Route 250 corridor from Hwy 15 west to Route 631, Troy Road; BOS has discussed this area many times, and we have had multiple requests from businesses and residents over the past several years. With the likelihood of increasing development along the corridor, it seems appropriate to review the current conditions.
 - Planned bridge repairs necessitate closing Perkins Rd (Route 623) later this year. Traffic will detour around the project via Routes 601 and 653 during construction (3 months +/-). VDOT will notify area schools and EMS. Due to the rural nature of Perkins Rd, no special bicycle/pedestrian accommodations are proposed for this structure.
- Funding Sources for Commercial Kitchen reviewed.
- Next Meetings

Day	Date	Time	Purpose	Location
Wed	May 17	4:00 PM 7:00 PM	Projects Work Session Regular Meeting	Morris Room Courtroom
Wed	Jun 7	4:00 PM	Regular Meeting	Courtroom
Wed	Jun 21	7:00 PM	Regular Meeting	Courtroom
Wed	Jul 5	4:00 PM 7:00 PM	Regular Meeting Regular Meeting – Public Hearings	Courtroom

PUBLIC COMMENTS #1

At 4:15pm Chair Sheridan opened the first round of Public Comments.

- Ms. Betty McGehee, Courthouse Rd, spoke against the proposal to place hand-railings on the front steps of the Historic Courthouse. Ms. McGehee read a letter to the Board, sent by Mrs. Minnie Lee McGehee.
- Judith Mickelson, Village of Palmyra, spoke against the proposal to place hand-railings on the front steps of the Historic Courthouse.

With no one else wishing to speak, Chair Sheridan closed the first round of Public Comments at 4:22pm.

PUBLIC HEARINGS

None.

ACTION MATTERS

Proposed BOS Member Salary Increase – Steve Nichols, County Administrator, presented a proposal to increase Board of Supervisors pay. Following the conclusion of the presentation, Mrs. Eager spoke against the proposal. Mr. Weaver and Mr. O'Brien agreed. Mrs. Booker spoke in favor of the proposal.

MOTION

Mrs. Eager moved to keep the Board of Supervisors compensation as-is. Mr. Weaver seconded and the motion passed 4-1. AYE: Sheridan, Eager, O'Brien, and Weaver. NAY: Booker. ABSENT: None.

Consulting Forestry Services Contract – Cyndi Toler, Purchasing Officer, presented a contract for Consulting Forestry Services. Mrs. Toler reported that in December 2016, a solicitation was issued and two responses were received. The Committee chose to move forward with Dowdy's Forest & Land Management, LLC. Any Timber sales that Dowdy's facilitates will earn them 8% commission. Individual Task order agreements will be brought to the board at a later date. Individual Task order agreements will be brought to the board at a later date and will include actual Cost and/or Revenue projections.

Mrs. Eager reported that after speaking with Chuck Wright, Area Forester, and noted his willingness to help the County navigate the timbering process. Mrs. Toler noted that Ed Zimmer, Planning Commissioner for Columbia District, and Chief of Operations, Virginia Department of Forestry, was involved in the creation of the Request for Proposals, as was Mr. Wright, and noted that any assistance that Mr. Wright may be able to provide was factored into the proposal.

MOTION

Mrs. Booker moved the Board of Supervisors approve a term agreement between the County of Fluvanna, Virginia, and Dowdy's Forest & Land Management, LLC., for Consulting Forestry Services and further authorize the County Administrator to execute the agreement subject to approval as to form by the County Attorney. Mr. Weaver seconded and the motion passed 4-1. AYE: Sheridan, Booker, Eager, O'Brien, and Weaver. NAY: None. ABSENT: None.

Finance Position Description Reclassification – Gail Parris, Human Resources Manager, and Eric Dahl, DCA/Finance Director, requested a position description revision and pay grade change to the Financial Services Technician, Pay Band 11, to Financial Services Specialist, Pay Band 13. Ms. Dahl reported that the position will soon be vacant, as the current employee is leaving to take employment in a neighboring county; as is customary with a vacancy, the position was reviewed and a proposal for bringing the position up to a pay band consistent with the duties and requirements was created. Mr. Dahl noted the increased responsibilities that the position has assumed since first created, compensation was moved to Pay Band 13, from the current Pay Band 11.

Following general discussion,

MOTION

Mrs. Booker moved to approve the following position description revision and grade change:

- FROM: Financial Services Technician, Pay Band 11, \$32,240
- TO: Financial Services Specialist, Pay Band 13, \$37,440

With the funding increase to come from the FY17 Personnel Contingency. Mr. O'Brien offered second and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O'Brien, and Weaver. NAY: None. ABSENT: None.

Raymond James Contract Addendum for Bidding Agent Services—Eric Dahl, DCA/Finance Director, returned to the Board with a request to approve a contract addendum between Fluvanna County and Raymond James Public Finance Investment Strategies Group. Following a recap of the background and process the Board chose to defer the item, and to set-up a conference call with VPSA, Raymond James, Mrs. Eager, Mr. O'Brien, and staff to review the options.

Advertisement of the Proposed Fluvanna County Code Amendment Concerning Prohibition on Possession of Open or Opened Container(s) of Alcoholic Beverages in Designated Public Areas and on County Property, Subject to Exceptions—Fred Payne, County Attorney, brought forward a request to amend the County Code with regard to open containers of alcohol. Enabling legislation allows localities to prohibit the possession of open or opened containers of alcoholic beverages in designated public areas, including public parks, playgrounds, public streets, and on sidewalks adjoining public streets. The County also has the authority to prohibit the possession of open or opened containers of alcoholic beverages on County-owned property. This is subject to exceptions, including any time the Virginia Alcoholic Beverage Control Board has granted a license for the service and/or consumption of alcohol or where the County has granted permission for the service and/or consumption of alcohol on County-owned property, as is permitted in Section 14-4 of the Fluvanna County Code. This ordinance is intended as a supplement to the provisions of Section 14-4 of the Fluvanna County Code.

MOTION

Mr. O'Brien moved the Board of Supervisors authorize staff to advertise a Public Hearing on June 21, 2017, entitled, "AN ORDINANCE TO AMEND THE FLUVANNA COUNTY CODE BY THE ADDITION IN CHAPTER 14 OF A SECTION 6, CONCERNING PROHIBITION OF OPEN OR OPENED CONTAINER(S) OF ALCOHOLIC BEVERAGES IN

DESIGNATED PUBLIC AREAS AND ON COUNTY PROPERTY; EXCEPTIONS.” Mrs. Booker seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, Sheridan, and Weaver. NAY: None. ABSENT: None.

Advertisement of the Proposed Fluvanna County Code Amendment Concerning Designation of the Sheriff as a Person Lawfully in Charge of the Property for Purposes of Trespass—Fred Payne, County Attorney , Enabling legislation allows localities to pass an ordinance such as this to provide additional protection to property owners. This ordinance allows property owners to specifically grant local law enforcement the authority to act as their agent to enforce trespassing laws without the property owner being present. This provision is commonly used in counties and cities in the Commonwealth. This provision is particularly helpful in the context of rental properties, commercial areas, or other property with absentee property owners. It can also help to protect owners of land who have frequent problems with trespassing and illegal dumping.

MOTION

Mrs. Eager moved the Board of Supervisors authorize staff to advertise a Public Hearing on June 21, 2017, entitled, “AN ORDINANCE TO AMEND THE FLUVANNA COUNTY CODE BY THE ADDITION IN CHAPTER 14 OF A SECTION 5, CONCERNING DESIGNATION OF THE SHERIFF AS A ‘PERSON LAWFULLY IN CHARGE OF THE PROPERTY’ FOR THE PURPOSE OF FORBIDDING ANOTHER TO GO OR REMAIN UPON THE LANDS, BUILDINGS OR PREMISES OF THE OWNER.” Mrs. Booker seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O’Brien, and Weaver. NAY: None. ABSENT: None

PRESENTATIONS

JABA - Memory Clinic and Dementia Care Coordinator Program—George Worthington, JABA Supervisor for ADRC Development, came before the Board to present two different programs of JABA responding to the needs of patients recently diagnosed with cognitive deficits or dementia. Mr. Worthington provided a brief overview of these pilot programs, hosted by the University of Virginia Aging and Memory Care Clinic.

TJPDC Local and Regional Projects Briefing – Chip Boyles, TJPDC Executive Director, presented an overview of the Local and Regional Projects being undertaken by TJPDC. TJPDC is in the process of developing its Annual Work Program for FY 2018, hoping to encourage input and participation from its member governments in the process. This year, in addition to regional efforts, TJPDC has developed a process that identifies an amount of time staff may spend directly on local projects for each of our member localities and, with participation from local officials and staff in identifying priority activities for your local government, TJPDC will be better able to assist the locality. Each member government would decide how best to identify local needs and to suggest regional topics for inclusion in the annual work program. During this process, TJPDC would also be available to discuss any individual local needs. Chair Sheridan asked about a planned Rivanna River Basin Commission kayak trip; Mr. Boyles indicated that the event is being rescheduled.

FLDP Presentation: Civil War Park Improvements—Burt Marks, 2017 FLDP Class Member, presented recommendations and suggestions for improvements to Civil War Park and the areas near and around the Historic Courthouse. These recommendations and suggestions were the result of a class project for the 2017 Fluvanna Leadership Development Program. Mr. Marks, on behalf of his class group, highlighted current characteristics of the park and near--surrounding areas that will prohibit the park from being compliant with ADA laws and requirements, as well as the inclusion of a monument to honor the Emancipation Proclamation.

Among the recommendations and suggestions:

Improving access into and around the park;

Improving lighting around the park and downtown Palmyra;

Placement of a monument in the park commemorating the Emancipation Proclamation.

In addition, Mr. Marks petitioned the Board for \$1000; these funds would be used as seed money for fundraising the funds needed to upgrade park access;

At the completion of the presentation, Mr. Marks thanked the Board for their consideration.

FY17 3rd Quarter Budget Report—Martin Brookhart, Management Analyst, presented a brief summary of the FY17 Third Quarter Budget. There was minimal discussion following the report.

Following the FY17 3rd Quarter Budget Report, Mrs. Booker petitioned the Board to revisit the FLDP presentations, and thanked the class members for their work and suggestions. Mr. Nichols commented that this year’s projects were exceptional and provided achievable results.

CONSENT AGENDA

The following item was discussed before approval:

Minutes of the April 19, 2017 Board of Supervisors Meeting—Kelly Belanger Harris, Clerk to the Board

The following items were approved under the Consent Agenda for May 3, 2017:

Minutes of the April 5, 2017 Board of Supervisors Meeting—Kelly Belanger Harris, Clerk to the Board

Minutes of the April 12, 2017 Board of Supervisors Meeting—Kelly Belanger Harris, Clerk to the Board

Minutes of the April 19, 2017 Board of Supervisors Meeting—Kelly Belanger Harris, Clerk to the Board

FY17 E-911 PSAP Grant Supplemental Appropriation—Martin Brookhart, Management Analyst

FY17 FCPS Small School Division Enrollment Loss Fund Supplemental Appropriation—Martin Brookhart, Management Analyst

MOTION

Mrs. Booker moved to approve the items on the Consent Agenda, with changes to the Minutes of April 19, 2017, for May 3, 2017. Mrs. Eager seconded and the motion passed 4-0. AYE: Sheridan, Booker, Eager, O'Brien, & Weaver. NAY: None. ABSENT: None.

UNFINISHED BUSINESS

Historic Courthouse Safety Issues – Wayne Stephens, Public Works Director/County Engineer, provided an overview of safety concerns at the Historic Courthouse. These issues primarily concern the front steps of the courthouse and the sides of the front porch. The original stone steps leading the front doors of the Courthouse have no railings; likewise, the neither end of the front porch has a barrier to prohibit anyone from falling from the porch, a drop of approximately three feet. Mr. Stephens recommended placing period-appropriate wooden benches at either end. With regards to the steps, Mr. Stephens did not recommend placing a railing, rather, signage indicating and directing visitors to the handicapped accessible entrance on the side of the Courthouse. Following the presentation, the Board directed staff to work closely with the Fluvanna Historical Society to implement safety measures at the Historic Courthouse, including placement of signage and potential side benches for the front porch.

Emancipation Proclamation Monument Placement. Mrs. Booker reported on communications that she has initiated to request an opinion from the Virginia Attorney General regarding the placement of a monument to the Emancipation Proclamation in Civil War Park, Palmyra. Mrs. Booker indicated that she contacted Delegate Lee Ware regarding this issue. Delegate Ware contacted the Attorney General and indicated that he believed the request was not coming from the Board; however, upon further contact, Delegate Ware recommended that the County Administrator, on behalf of the Board, draft a letter of request, to Delegate Ware, who will then submit the request to the Attorney General.

NEW BUSINESS

None.

PUBLIC COMMENTS #2

At 7:04pm, Chair Sheridan opened the second round of Public Comments.

With no one wishing to speak, Chair Sheridan closed the second round of Public Comments at 7:04pm.

CLOSED MEETING

MOTION TO ENTER INTO A CLOSED MEETING

At 7:04pm, Mr. O'Brien 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.6, & A.7, A.8. of the Code of Virginia, 1950, as amended, for the purpose of discussing Personnel, Real Estate, Investment of Funds, Litigation, and Legal Matters. Mrs. Booker seconded. The motion carried, with a vote of 4-0. AYE: Sheridan, Booker, Eager, O'Brien, and Weaver. NAY: None. ABSENT: None.

MOTION TO EXIT A CLOSED MEETING & RECONVENE IN OPEN SESSION

At 9:08pm, Mr. O'Brien 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. Weaver seconded. The motion carried, with a roll call vote, of 5-0. AYES: Sheridan, Eager, O'Brien, and Weaver. NAYS: None. ABSENT: Booker.

MOTION TO EXTEND:

Mr. O'Brien moved to extend the meeting until 9:15pm. With a second from Mr. Weaver, the motion was unanimously passed. AYE: Sheridan, Booker, Eager, O'Brien, and Weaver. NAY: None. ABSENT: None.

ADJOURN

MOTION:

At 9:09pm Mr. O'Brien moved to adjourn the Regular Meeting and Budget Work Session of Wednesday, April 5, 2017. 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