

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Court Room
May 15, 2013, 7:00 pm, Regular Meeting**

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 Wednesday, May 15, 2013, 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:

- New quick link to online tax payments, direct to Fluvanna County option on Official Payments.
- Peace Officers' Memorial Day – Today, May 15
- May is Foster Care Appreciation Month – Social Services sent flowers to our foster parents to thank them for all they do.
- Bike Rodeo held Saturday, May 11th at Lake Monticello Volunteer Fire and Rescue Squad – bike helmets donated, 51 kids participated. First time, huge success.
- Successful Drug Take Back – 88.4 lbs received.
- Two of the three excess vehicles were sold on Govdeals - \$2,600 back to Fluvanna County
- Library Summer Reading Program to begin Monday, May 20.
- Emergency Services Coordinator hired – Ms. Cheryl Wilkins starts on Tuesday, May 28.
- Interviews underway for the Assistant Public Works Director/Project Manager Position.
- VACO Regional Meeting – Thursday, May 30th at 7:00 pm, TJPDC, Water Street Center.
- State Office of Emergency Medical Services (OEMS) Licensure Inspections – Lake Monticello Rescue, full two year licensure – Fluvanna Rescue, Provisional Licensure, re-inspection on July 29.
- Sign up for CodeRED
- County Administrator will be on vacation June 7-15.

The Board discussed the progress of the volunteer contributions and when it would be ready.

The Board **requested Treasurer** to present an update on the volunteer contributions plan at the June 5, 2013 meeting.

PUBLIC COMMENTS #1

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

- Jerry Custer, Columbia District – addressed the Board in regards to establishing a local youth football team (7th grade level)

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

The Board **directed staff** to provide an update regarding the possibility of supporting establishment of a local youth football team (7th Grade level) at the June 5, 2013 meeting.

PUBLIC HEARING

VDOT Six-Year Plan for Fiscal Years 2013/14 through 2018/19 and the Secondary System Construction Budget for Fiscal Year 2013/14 – Mr. Greg Banks, VDOT Secondary Programming Coordinator & Mr. Joel DeNunzio, VDOT Residency Administrator reviewed with the Board the proposed VDOT Secondary Six-Year Plan. The Board requested to amend the draft to remove the North Boston Road/ Route 600-Minor Widening and add North Boston Road/Route 616 to Route 633-Minor Widening.

Chairman Kenney opened the floor for the public hearing.

With no one wishing to speak Chairman Kenney closed the public hearing.

MOTION:

Mr. Ullenbruch moved to accept the Resolution for the VDOT Secondary Six-Year Plan (2013/14 through 2018/19) and VDOT Construction Priority List (2013/14) as required by sections 33.1-23 and 33.1-23.4 of the 1950 Code of Virginia as amended in the public

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

ACTION MATTERS

VACORP Line of Duty Act (LODA) Trust – Mr. Eric Dahl, Budget Analyst, addressed with the Board the LODA membership document.

MOTION:

Mrs. Booker moved to adopt the LODA Trust membership document, in order for VACORP to book the liabilities associated with the claim that existed before the county opted out of the state fund. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Ullenbruch, Chesser and Weaver. NAYS: None. ABSENT: None.

Appointment of Zion Crossroads Steering Committee – Mrs. Allyson Finchum, Planning Director, addressed the Board regarding the Zion Crossroads Task Force.

The Board designated the following members for the Task Force:

BOS Members: Joseph Chesser & Robert Ullenbruch

Planning Commission Members: Patricia Eager & Ed Zimmer

Chamber of Commerce Rep: Scott Valentine, County Staff, and TJPDC Staff

EDA Conduit Bond/ Governing Body Resolution – Mrs. Barbara Horlacher, Finance Director reviewed with the Board the process of this conduit bond. Bonds will not be paid back by the County or Economic Development Authority in any way.

The Board **requested the Economic Development Authority (EDA) to** present a briefing at a future BOS Meeting about the role, responsibilities, and typical actions of the EDA to help inform the public.

MOTION:

Mr. Ullenbruch moved to approved “A RESOLUTION APPROVING THE ISSUANCE BY THE ECONOMIC DEVELOPMENT AUTHORITY OF FLUVANNA COUNTY, VIRGINIA, OF ITS TAX-EXEMPT REVENUE BOND IN AN AMOUNT NOT TO EXCEED \$4,000,000 FOR THE BENEFIT OF VERITAS SCHOOL.” Mr. Chesser seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Ullenbruch, Chesser and Weaver. NAYS: None. ABSENT: None.

PRESENTATIONS

Fork Union Streetscape Update – Ms. Patricia Groot, Grants Administrator, reviewed with the Board the history and current status of the Fork Union Streetscape project.

The Fork Union Firehouse is close to being completed.

CONSENT AGENDA

The following items were approved under the consent agenda:

MOTION:

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

- Minutes from May 5, 2013 as amended.
- FY14 & FY13 Schools CIP.
- Ruritan Week Proclamation
- County Capital Reserve Maintenance Fund Request – HVAC (Performing Arts)
- Schools Capital Reserve Maintenance Fund Request – Facility Painting

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

ACCOUNTS PAYABLE AND BUDGET REPORT

None

UNFINISHED BUSINESS

None

NEW BUSINESS

Mr. Weaver announced he will run for re-election.

Fluvanna Garden Club Proclamation – Mr. Steven Nichols, County Administrator, addressed this request to the Board to proclaim June 2-8 National Garden Week.

Mr. Weaver moved to approve the proclamation proclaiming June 2-8 National Garden Week. Mr. Chesser seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Ullenbruch, Booker, Weaver and Chesser. NAYS: None. ABSENT: None.

Mr. Kenney, Chairman, announced a vacancy available on the Board of Zoning Appeals committee due to the passing of Mr. Wendell Pollard.

PUBLIC COMMENTS #2

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

- Katie Clossin, Palmyra District – addressed the Board in regards to the Zion Crossroads Task Force and respectfully asked Ms. Patricia Eager not be put on the task force due to a conflict of interest.

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

CLOSED SESSION

MOTION TO ENTER INTO A CLOSED MEETING:

At 8:25 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-1, 2.23711 A.6 and 2.2-3711-A-7 for discussion of Personnel Matters, Investment of Funds and Legal Matters. Mr. Chesser 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 10:10 p.m., Mr. Weaver moved the closed meeting be adjourned and the Fluvanna County Board of Supervisors reconvene again in open session. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Ullenbruch, Weaver, Booker and Chesser. NAYS: None. ABSENT: None.

MOTION:

At 10:11 p.m., the following resolution was adopted by the Fluvanna County Board of Supervisors, following a closed meeting held Wednesday, May 15, 2013, 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.”

The Board **directed staff** to request a speed study be done between the Town of Columbia and the Rivanna Bridge on Route 6.

Mr. Weaver inquired about the Cunningham Meadows sight lines.

The Board **directed staff** to research the ability to purchase/install curve warning signs on Route 620, Rolling Road near Blue Mountain Lane.

ADJOURN

MOTION:

At 10:17 p.m., Mr. Ullenbruch moved to adjourn the meeting of Wednesday, May 15, 2013. Mr. Chesser seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Chesser, Ullenbruch and Weaver. NAYS: None. ABSENT: None.

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

Mary L. Weaver, Clerk

Shaun V. Kenney, Chairman



**BOARD OF SUPERVISORS
County of Fluvanna
Palmyra, Virginia**

RESOLUTION

At a regular monthly meeting of the Fluvanna County Board of Supervisors held at 7:00 p.m. on Wednesday, May 15, 2013 in Palmyra, Virginia, the following action was taken:

<u>Present</u>	<u>Vote</u>
Shaun V. Kenney, Chairman	YEA
Bob Ullenbruch, Vice Chairman	YEA
Mozell H. Booker	YEA
Joe Chesser	YEA
Donald W. Weaver	YEA

On a motion by Mr. Ullenbruch seconded by Mr. Chesser and carried by a vote of 5-0 the following resolution was adopted.

**RESOLUTION
VDOT Secondary Six-Year Plan (2013/14 through 2018/19)
and
VDOT Construction Priority List (2013/14)**

WHEREAS, Sections 33.1-23 and 33.1-23.4 of the 1950 Code of Virginia as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan; and

WHEREAS, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2013/14 through 2018/19) as well as the Construction Priority List (2013/14) on May 15th, 2013 after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List; and

WHEREAS, Joel DeNunzio, Residency Administrator, Virginia Department of Transportation, appeared before the Board and recommended approval of the Six-Year Plan for Secondary Roads (2013/14 through 2018/19) AND Construction Priority List (2013/14) for Fluvanna County.

NOW, THEREFORE, BE IT RESOLVED that since said Plan appears to be in the best interest of the Secondary Road System in Fluvanna County and of the citizens residing on the Secondary System, said Secondary Six-Year Plan (2013/14 through 2018/19) and Construction Priority List (2013/14) are hereby approved as presented at the public hearing.

Adopted this 15th day of May 2013
by the Fluvanna County Board of Supervisors

ATTEST:

Shaun V. Kenney, Board of Supervisor, Chairman

A RESOLUTION APPROVING THE ISSUANCE BY THE ECONOMIC DEVELOPMENT AUTHORITY OF FLUVANNA COUNTY, VIRGINIA, OF ITS TAX-EXEMPT REVENUE BOND IN AN AMOUNT NOT TO EXCEED \$4,000,000 FOR THE BENEFIT OF VERITAS SCHOOL

WHEREAS, there has been described to the Economic Development Authority of the Fluvanna County, Virginia (the Fluvanna Authority), the plans of the Veritas Classical Christian School (also known as Veritas School) (the Borrower), whose principal place of business is located at 6627-B Jahnke Road, Richmond, Virginia 23225, for the issuance by the Fluvanna Authority, of its Tax-Exempt Revenue Bond (the Bonds) in an amount not to exceed \$4,000,000 to assist the Borrower in financing or refinancing, as the case may be, (1) the costs of (a) the acquisition of (I) a parcel of land comprised of approximately six (6) acres, located at 3400 Brook Road in the City of Richmond, Virginia (the Land), and (II) two (2) existing buildings and related improvements located on the Land comprising up to a total of 57,000 square feet (the Buildings), (b) construction, renovation, and equipping of the Buildings and related site improvements to the Land (collectively, the matters described in clauses (1)(a) and (1)(b) are referred to as the Project), and (2) certain costs of issuance of the Bonds; and

WHEREAS, the above facility will be owned by the Borrower; and

WHEREAS, a public hearing with respect to the Bonds as required by Section 15.2-4906 of the Code of Virginia of 1950, as amended (the Virginia Code), and the Internal Revenue Code of 1986, as amended (the Code), was held by the Fluvanna Authority on May 8, 2013; and

WHEREAS, the Fluvanna Authority after such public hearing with respect to the Bonds adopted a resolution (the Fluvanna Authority Resolution) with respect to the Bonds; and

WHEREAS, the Fluvanna Authority has recommended in the Fluvanna Authority Resolution that the Board take the actions set forth in this resolution; and

WHEREAS, Section 15.2-4906 of the Virginia Code provides that the governing body of the locality on behalf of which the bonds of the Fluvanna Authority are issued must approve financing of the facility as recommended by the Fluvanna Authority; and

WHEREAS, the Bonds constitute a private activity bond and will finance property located in the City of Richmond, Virginia, and the members of the Board of Supervisors of Fluvanna County, Virginia (the Board) constitute the highest elected governmental officials of the County; and

WHEREAS, a copy of the Fluvanna Authority Resolution, summaries of the comments made at the public hearing held by the Fluvanna Authority and statements in the form prescribed by Section 15.2-4907 of the Virginia Code have been filed with the Board;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF FLUVANNA COUNTY, VIRGINIA:

1. The Board approves the issuance of the Bonds by the Fluvanna Authority to the extent required by the Code and Sections 15.2-4905 and 15.2-4906 of the Virginia Code, subject to the prior satisfaction by the Fluvanna Authority, the City of Richmond, Virginia and the Economic Development Authority of the City of Richmond, Virginia of all applicable requirements of the Code and the Virginia Code.

2. The approval of the issuance of the Bonds, as required by the Code and Sections 15.2-4905 and 15.2-4906 of the Virginia Code, does not constitute an endorsement to a prospective purchaser of the Bonds of the creditworthiness of the Borrower or the project being financed and the Bonds shall provide that no political subdivision of the Commonwealth of Virginia, including the County, shall be obligated to pay the Bonds or the interest thereon or other costs incident thereto and neither the faith and credit nor the taxing power of the Commonwealth of Virginia or any political subdivision thereof, including the County, shall be pledged thereto.

3. The County, including its elected representatives, officers, employees and agents, shall not be liable and all such parties hereby disclaim all liability for any damage to the Borrower, direct or consequential, resulting from the Fluvanna Authority's failure to issue the Bonds for any reason.

4. This resolution shall take effect immediately upon its adoption.

Read and Adopted on May 15, 2013, by the following vote:

<u>Board of Supervisors Members</u>	<u>Vote</u>
Shaun V. Kenney, Chairman	YEA

Robert Ullenbruch, Vice Chairman
Mozell Booker
Joseph Chesser
Donald W. Weaver

YEA
YEA
YEA
YEA

TESTE:

Clerk, Board of Supervisors of
Fluvanna County, Virginia

APPROVED