

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Court Room
December 04, 2013, 2:00 pm, Regular Meeting**

MEMBERS PRESENT: Shaun V. Kenney, Chairman
Bob Ullenbruch, Vice-Chairman
Joe Chesser
Donald W. Weaver
Mozell H. Booker

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, December 04, 2013, to order at 2:00 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.

The Board had a broad discussion of infrastructure issues including the 2009 JRWA water proposal, the current Walkers Ridge development, the Aqua Virginia PPEA Proposal, and modeling and use of the ROI Study. Chairman Kenney and Mr. Chesser were under the impression that all issues with the Aqua Virginia were resolved. Mr. Steve Nichols, County Administrator, and Mr. Fred Payne, County Attorney, explained that all issues were not resolved. Aqua terminated discussions on October 2, 2013, based on a lack of agreement over legal venue and jurisdiction in the agreements before all other issues were resolved. The Board discussed and concurred that the new Board should make the decision on the Aqua Virginia PPEA proposal.

MOTION:

Mr. Chesser moved to withdraw counter offer to Aqua Virginia PPEA that had been approved at the November 20, 2013, Board Meeting. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Chesser, Ullenbruch and Weaver. NAYS: None. ABSENT: None.

Board **directed County Attorney** to draft an Aqua PPEA counter offer document for review at the December 18, 2013, BOS meeting. The revised counter offer will be based on the County Attorney's revisions of September 27, 2013, and will incorporate the revisions proposed by the Board at the November 20, 2013, meeting.

The Board requested Mr. Nichols to set up ROI community meetings and discussions to do modeling on the existing ROI Model.

COUNTY ADMINISTRATOR'S REPORT

Mr. Nichols reported on the following topics:

- Introduced Susan King, the new External Affairs representative for Dominion Virginia Power.
- Farewell reception for Mr. Chesser and Mr. Kenney on December 18, 2013 at 5:00pm in the Morris Room of the County Admin Building.
- Vehicle and Fuels Usage Tracking Policy will be present at the December 18, meeting.
- County Broadband Requirements – Under review.
- Multiple VDOT Traffic Studies/Requests – In process.

Mr. Ullenbruch asked about items that were removed from Pleasant Grove. Mr. Nichols informed the board that the old pole barn had been demolished since it was unsafe and not repairable. An old abandoned truck at the edge of the woods had also been sold on GovDeals.com after checking with local sources and the Historical Society.

Mrs. Booker inquired about flyers for the FUSD Town meeting coming up on December 12th. Mr. Nichols will provide them for wide distribution.

PUBLIC COMMENTS #1

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

- Robert Earl - addressed the Board in regards to clarification of the Aqua Virginia PPEA proposal. Wanted to confirm the new Board will make the decision on the PPEA contract.
- Adrian Miller, Rivanna District – addressed the Board in regards to suspending the Aqua Virginia PPEA proposal. Board was elected to represent the residents of Fluvanna County.
- Chris Fairchild, Cunningham District – addressed the Board in regards to the tactics that were used on the Aqua Virginia PPEA proposal. Appreciate the fact the Board took a second look.
- Minor Eager, Palmyra District – addressed the Board in opposition of the Aqua Virginia PPEA proposal, worst contract I've ever seen.

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

PUBLIC HEARING

None

ACTION MATTERS

Appointment to the Planning Commission – The Board deferred this appointment to the December 18, 2013 meeting to search for additional candidates. Mr. Payne, County Attorney, commented on the exceptional work Dr. Babbitt has devoted to the Planning Commission for many years. The Board requested staff prepare an appropriate recognition for Dr. Babbitt in recognition of his years of service.

Appointment to the Board of Zoning Appeals (BZA) – Mr. Steven Nichols addressed the Board in regards to this request. This vacancy is due to the resignation of Dr. Sam Babbitt.

MOTION:

Mr. Ullenbruch moved to recommend to the Circuit Court Mrs. Patricia Eager for appointment to the Board of Zoning Appeals, At-Large position, with a term to begin immediately and to terminate on December 31, 2014, filling the unexpired term of Dr. Sam Babbitt. Mr. Weaver seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Chesser, Ullenbruch and Weaver. NAYS: None. ABSENT: None.

Deer Hunt at Pleasant Grove – Mr. Fred Payne, County Attorney, addressed the Board with this request to conduct a deer hunt at Pleasant Grove for handicapped hunters.

MOTION:

Mr. Ullenbruch moved to authorize the sheriff to conduct a deer hunt, *January 3, 2014*, at Pleasant Grove for the purpose of controlling deer numbers, such hunt to be managed by Wheelin Sportsmen, a non-profit organization providing outdoor recreation opportunities for handicapped hunters. Mr. Chesser seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Chesser, Ullenbruch and Weaver. NAYS: None. ABSENT: None.

Pleasant Grove House and Western Trailhead Budget Shortfall – Mr. Eric Dahl, Management Analyst, addressed the Board with this request for a supplemental appropriation to complete the Pleasant Grove House and Western Trailhead project.

MOTION:

Mr. Chesser moved to approve a supplemental appropriation for \$210,000 from Uncommitted Fund Balance to the Pleasant Gove House and Western Trailhead project budget with the funds necessary to complete the base project plus the warming kitchen. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Booker, Chesser, Ullenbruch and Weaver. NAYS: None. ABSENT: None.

FY14 Cunningham and Columbia Schools Insurance Budget Transfer - Mr. Eric Dahl, Management Analyst, addressed the Board with this request for a budget transfer to offset insurance costs incurred from the County taking ownership of Cunningham and Columbia schools.

MOTION:

Mr. Ullenbruch moved to approve a budget transfer for \$4,751 from miscellaneous Non-Departmental Board Contingency to the General Services budget to offset insurance costs incurred from the County taking ownership of Cunningham and Columbia schools. Mr. Chesser seconded. The motion carried, with a vote of 4-0. AYES: Kenney, Chesser, Ullenbruch and Weaver. NAYS: None. ABSENT: Booker.

PRESENTATIONS

Parks and Recreation Annual Report – Jason Smith, Director of Parks and Recreation, reviewed with the Board the mission and vision of Parks and Recreation along with the events that took place in 2013. The revenue for FY13 and FY14 was discussed. Mr. Smith announced Jonathan Pace, the new Recreation Program Specialist, will start on December 9, 2013.

Mrs. Booker mentioned that the Parks and Recreation Advisory Board will be working on a strategic plan.

CONSENT AGENDA

Board **directed staff** to spend no more than \$4,000.00 for a facilitator for the BOS Retreat in January 2014.

The following items were approved under the consent agenda:

MOTION:

Mrs. Booker moved to approve the consent agenda, which consisted of:

- Minutes from November 20, 2013 as presented.
- Accounts Payable.

- 1st Quarter Budget Report.
- Corrected FY14 Pay Plan.
- Capital Reserve Maintenance Fund Request/Upgrade Fire Exits/Doors in Courts, Admin, Gym, MACAA Bldgs.
- Capital Reserve Maintenance Fund Request/Properly abandon/remove unused underground heating oil tanks at Cunningham School Site.

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

UNFINISHED BUSINESS

Board requested for TBD to be put under Unfinished Business and New Business on future agendas.

Town of Columbia Signage – Town of Columbia Council had a concern on the easement for the sign. The Board of Supervisors has already approved funding for the new town signs, but the approval of the Town Council is pending.

NEW BUSINESS

Thomas Jefferson Program Affordable Health Care – Mrs. Booker talked about the meeting she attended at Thomas Jefferson Planning District Commission at which briefings on the Affordable Health Care Act were provided to cover the program requirements and possible impacts on County governments.

PUBLIC COMMENTS #2

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

CLOSED SESSION

None

Reminder the farewell reception for Mr. Kenney and Mr. Chesser will be held at 5:00 pm and then the December 04, 2013 will reconvene at 6:00 pm in the Circuit Court Room.

RECESS

MOTION:

At 5:26 p.m., Mr. Weaver moved to recess the meeting of Wednesday, December 04, 2013 to December 18, 2013 at 6:00pm in the Fluvanna Courts Circuit Court Room. Mr. Ullenbruch 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