

**FLUVANNA COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
Circuit Court Room  
April 02, 2014, 4:00 pm**

**MEMBERS PRESENT:** Mozell Booker, Chairperson  
Bob Ullenbruch, Vice-Chairperson  
Mike Sheridan  
Donald W. Weaver  
Tony O'Brien

**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**

Chairperson Booker called the meeting of Wednesday, April 02, 2014, to order at 4:00 p.m., in the Circuit Courtroom in Palmyra, Virginia; and the Pledge of Allegiance was recited, after which, Chairperson Booker called for a moment of silence.

**COUNTY ADMINISTRATOR'S REPORT**

Mr. Nichols reported on the following topics:

- Update on MUNIS Employee Self Service (ESS) implementation.
- Fluvanna County's 1<sup>st</sup> ever Earth Day Celebration, Saturday, April 26<sup>th</sup>, 10am to 2pm at Pleasant Grove Park
- Monthly VDOT Report with corresponding map will be included in your packet the first meeting of the month.
- One Year in Business Anniversaries in April:
  - Small Town Precision Service Company
  - Willow Creek Lawn and Garden
- "Look at Fire Rescue" Class postponed until late summer.
- "Community CPR Day" will be offered on May 17, 2014.
- Community Policy and Management Team (CPMT) At-Large position vacancy.
- Upcoming BOS Work Session Recommendations –
  - Wednesday, May 7, Alternative Revenue Sources and Strategic Initiatives Action Plan
  - Wednesday, June 4, County Buildings Utilization Review and Strategic Initiatives Action Plan
- Virginia Stormwater Management Program required local implementation date is July 1, 2014. Staff recommends Fluvanna County to "opt out" of implementing the VSMP at this time.
- Work session for this evening canceled.
- Upcoming meetings –
  - Wednesday, April 9, Public Hearing – FY15 Operating/Capital Budget and CIP
  - Wednesday, April 16, Regular Meeting – Budget Adoption

**PUBLIC COMMENTS #1**

Chairperson Booker opened the floor for the first round of public comments.

With no one wishing to speak, Chairperson Booker closed the first round of public comments.

**PUBLIC HEARING**

None

**ACTION MATTERS**

Aqua PPEA Proposal for Zion Crossroads Water System - Mr. Steven M. Nichols, County Administrator, addressed the Board with this request in regards to the Unsolicited PPEA Proposal from Aqua Virginia, Inc..

**MOTION:**

Mr. Weaver moved that Fluvanna County reject the "Unsolicited PPEA Proposal from Aqua Virginia, Inc., to Provide Water Service and a Sewer Collection System to Zion Crossroads. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Booker, Ullenbruch, Sheridan, O'Brien, and Weaver. NAYS: None. ABSENT: None.

BOS Code of Performance – Mr. Steven Nichols, County Administrator, addressed the Board with this request in regards to the Code of Performance that was developed following the Strategic Planning Retreat on January 24-25, 2014. Mr. Fred Payne, County Attorney, explained the purpose and execution of this request also recommended it be made very clear this is an aspirational, not legal document. The Board discussed the document and changed it to a Code of Ethics instead of performance.

**MOTION:**

Mr. O'Brien moved the Board of Supervisors adopt the Fluvanna County BOS Code of Performance as amended and using Code of Ethics over Code of Performance. Mr. Sheridan seconded. The motion carried, with a vote of 3-2. AYES: Booker, Sheridan and O'Brien. NAYS: Ullenbruch and Weaver. ABSENT: None.

Revision of Fluvanna Partnership for Aging Committee Bylaws – Mr. Steven M. Nichols, County Administrator, addressed the Board with this request in regards to the amended Fluvanna Partnership for Aging Committee Bylaws.

**MOTION:**

Mr. Ullenbruch moved to approve the amended Fluvanna Partnership for Aging Committee Bylaws. Mr. O'Brien seconded. The motion carried, with a vote of 5-0. AYES: Booker, Ullenbruch, Sheridan, O'Brien, and Weaver. NAYS: None. ABSENT: None.

Appointment/Jefferson Area Board for Aging (JABA) Advisory Council – Mr. Steven M. Nichols, County Administrator, addressed the Board with this request to fill the At-Large position for the JABA Advisory Council.

**MOTION:**

Mr. Ullenbruch moved to reappoint Mr. Richard (Dick) Bucci to the Jefferson Area Board for Aging (JABA) Advisory Council, At-Large Position, with a term to begin May 1, 2014 and to terminate April 30, 2016. Mr. Weaver seconded. The motion carried, with a vote of 5-0. AYES: Booker, Ullenbruch, Sheridan, O'Brien, and Weaver. NAYS: None. ABSENT: None.

Resolution for Fair Housing Month April 2014 – Ms. Marguerite David, Deputy Director of Piedmont Housing Alliance, addressed the Board regarding fair housing in the community.

**MOTION:**

Mr. Weaver moved to approve the resolution entitled "Fair Housing Month 2014" that supports equal housing opportunity and seeks to affirmatively further fair housing not only during Fair Housing Month in April, but throughout the year. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Booker, Ullenbruch, Sheridan, O'Brien, and Weaver. NAYS: None. ABSENT: None.

Proclamation for Celebrating Children's Month, April 2014 – Mr. David McGlothlin, Social Services Supervisor, addressed the Board, with a short presentation of what Child Protective Services offers the residents in Fluvanna County, and requested proclaiming April Celebrating Children's Month", in recognition of "Child Abuse Prevention Month," and the work done in Fluvanna County. Mr. McGlothlin informed the Board of the annual Celebrating Children Daycare Fair, at the Fluvanna County Carysbrook Elementary School, on April 26, 2014, from 10 a.m. to 12 p.m.. Mr. Ullenbruch thanked the Social Services for all their hard work and dedication.

**MOTION:**

Mr. Sheridan moved the Fluvanna County Board of Supervisors approve the proclamation proclaiming the month of April 2014 as Celebrating Children month in Fluvanna County in observation of Child Abuse Prevention Month. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Booker, Ullenbruch, Sheridan, O'Brien, and Weaver. NAYS: None. ABSENT: None.

Resolution for National Crime Victims' Rights Week – Ms. Sherri Stader, Victim/Witness Assistance Program, addressed the Board in regards to National Crime Victims' Rights Week.

**MOTION:**

Mr. Sheridan moved to approve the resolution entitled "National Crime Victims' Rights Week" proclaiming the week of April 6-12, 2014 as Crime Victims' Rights Week and reaffirm the county's commitment to respect and enforce victims' rights and address their needs during Crime Victims' Rights Week and through the year. Mr. O'Brien seconded. The motion carried, with a vote of 5-0. AYES: Booker, Ullenbruch, Sheridan, O'Brien, and Weaver. NAYS: None. ABSENT: None.

Resolution for Telecommunications Month – Mr. Steven M. Nichols, County Administrator, addressed the Board with this request in regards to National Telecommunications Week.

**MOTION:**

Mr. O'Brien moved to approve the resolution proclaiming the week of April 13-19, 2014, as "National Public Safety Telecommunications Week" and honor the men and women whose diligence and professionalism keep our county and citizens safe. Mr. Weaver seconded. The motion carried, with a vote of 5-0. AYES: Booker, Ullenbruch, Sheridan, O'Brien, and Weaver. NAYS: None. ABSENT: None.

**PRESENTATIONS**

Fluvanna/Louisa Housing Foundation – Mr. Howard Evergreen, Executive Director, provided an overview of the Fluvanna/Louisa Housing Foundation and their FY15 Budget request.

Carysbrook Gym Facility Update – Mr. Steven M. Nichols, County Administrator, proposed with the Board selling the used gym equipment, move the pottery equipment to the Fluvanna County Community Center and renovate the Carysbrook Gym Facility to move MACAA into that space. The existing MACAA location could then be used for the Public Works maintenance shop. Will present proposed costs at a future meeting.

**CONSENT AGENDA**

The following items were approved under the consent agenda:

**MOTION:**

Mr. O'Brien moved to approve the consent agenda, which consisted of:

- Work Session Minutes of March 12, 2014.
- Minutes of March 19, 2014.
- Accounts payable Report, \$1,854,893.60.
- Letter of Support for Central Virginia Community Health Center.
- Resolution "Urging the Governor of Virginia and the Virginia General Assembly to timely pass a Budget" (*rescind resolution version #2*).

Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Booker, Ullenbruch,

Sheridan, O'Brien, and Weaver. NAYS: None. ABSENT: None

### **UNFINISHED BUSINESS**

None

### **NEW BUSINESS**

Animal Control Ordinances – Board **directed staff** to review options for updating the animal control ordinances.

Resolution for turning 100yrs – Board **directed staff** to create a Resolution recognizing for Ms. Audrey Smith who will be turning 100 yrs. old this month.

Architectural Review Board and Finance Board – working on the creation of these Boards, will present at the first meeting in May. Mr. O'Brien requested to be included in the discussion of the Finance Board.

Fluvanna County Budget History – Mr. Steven M. Nichols, County Administrator, reviewed with the Board the budget history from 2000 to current, will be posted on the website.

James River Water Authority – Mr. Steven M. Nichols, County Administrator, updated the Board on the JRWA status.

### **PUBLIC COMMENTS #2**

Chairperson Booker opened the floor for the second round of public comments.

- Robert Earl, Cunningham District – addressed the Board in regards to adopting the advertised tax rate, Fair Housing laws in Virginia are lacking, ROI meetings, doing nothing actually costs the county, protect rural nature of the county by developing where it makes sense and the Parks and Recreation Spring Break camp is great.

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

### **CLOSED MEETING**

None

### **ADJOURN**

#### **MOTION:**

At 06:28 p.m., Mr. Weaver moved to adjourn the meeting of Wednesday, April 02, 2014. Mr. O'Brien seconded. The motion carried, with a vote of 5-0. AYES: Booker, Ullenbruch, Sheridan, O'Brien, and Weaver. NAYS: None. ABSENT: None.

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_  
Mary L. Weaver, Clerk

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Mozell H. Booker, Chairperson



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

**RESOLUTION**

At a regular monthly meeting of the Fluvanna County Board of Supervisors held on Wednesday, April 2, 2014, in Palmyra, Virginia, the following action was taken:

<u>Present</u>	<u>Vote</u>
Mozell H. Booker, Chairperson	YEA
Robert Ullenbruch, Vice Chairperson	NAY
Tony O’Brien	YEA
Mike Sheridan	YEA
Donald W. Weaver	NAY

On a motion by Mr. O’Brien, seconded by Mr. Sheridan, and carried by a vote of 3-2, the following resolution was adopted.

**A RESOLUTION TO APPROVE THE  
FLUVANNA COUNTY BOARD OF SUPERVISORS’  
CODE OF ETHICS**

**WHEREAS**, the Board desires to establish a code of ethics to convey their commitment to conducting the business of the Board and the County in a professional and dignified manner;

**NOW, THEREFORE, BE IT RESOLVED** by the Fluvanna County Board of Supervisors on this the 2nd day of April, 2014, that the following Code of Ethics is hereby approved:

**FLUVANNA COUNTY BOARD OF SUPERVISORS’ CODE OF ETHICS**

Recognizing that persons holding a position of public trust are under constant observation, and recognizing that maintaining the integrity and dignity of public office is essential for securing a high level of public confidence in our institutions of government, each member of the Board of Supervisors pledges to aspire to the following ethics standards:

1. Actively promote public confidence in county government through our actions.
2. Promote decisions that serve the public interest and promote the greatest public good.
3. Seek to find and use the most equitable, efficient, effective and economical means for getting tasks accomplished.
4. Adopt policies and programs that support the rights and recognize the needs of all citizens regardless of race, sex, age, religion, creed, country of origin or handicapping conditions.
5. Recognize and support the public’s right to know the public's business.
6. Involve citizens in the decision making process and welcome divergent points of view.
7. Respond to the public in ways that are complete, clear and easy to understand.
8. Maintain a respectful attitude toward colleagues, County staff, and citizens during meetings, discussions, and deliberations, and allow sufficient opportunity for them to present their views and perspectives.
9. Be a good listener, carefully considering all opinions and points of view.
10. Respect and protect privileged or otherwise confidential information (e.g., personnel matters, litigation).
11. Be informed on the background on issues before board meetings.
12. Work in partnership with other governmental agencies, political subdivisions, and organizations to further the interest of the county.
13. Carefully guard against conflict of interest or its appearance in our actions or decisions.
14. Avoid outside interests that will interfere or conflict with the public’s best interest.
15. Do not accept gifts, services, or any object of value from any source offered to influence a decision.
16. Maintain loyalty to the highest moral principles and to the people of Fluvanna County.
17. Comply with all laws and regulations applicable to an elected official and those governing the conduct of meetings.
18. Never use any information gained confidentially in the ethics of governmental duties as a means of making private profit.

19. Expose through appropriate means and channels, corruption, misconduct, or neglect of duty when discovered.
20. Recognize that interaction with the media is a vital link in maintaining good communication with the public.
21. Pledge to honor and uphold these principles, ever conscious that public office is a public trust.

ATTEST:

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Mary L. Weaver, Clerk to the Board

APPROVED



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

**RESOLUTION**  
**Fair Housing Month 2014**

WHEREAS, April is Fair Housing Month and marks the 46th anniversary of the passage of the federal Fair Housing Act (Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988).

WHEREAS, the Fair Housing Act provides that no person shall be subjected to discrimination because of race, color, national origin, religion, sex, disability, or familial status in the rental, sale, financing or advertising of housing (and the Virginia Fair Housing Law also prohibits housing discrimination based on elderliness);

WHEREAS, the Fair Housing Act supports equal housing opportunity throughout the United States;

WHEREAS, fair housing creates healthy communities, and housing discrimination harms us all;

WHEREAS, the Fluvanna County Board of Supervisors supports equal housing opportunity and seeks to affirmatively further fair housing not only during Fair Housing Month in April, but throughout the year;

Adopted this 2<sup>nd</sup>, day of April 2014  
by the Fluvanna County Board of Supervisors

ATTEST:

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Mozell H. Booker, Chairperson



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

**RESOLUTION**  
**National Crime Victims' Rights Week**

At a regular monthly meeting of the Fluvanna County Board of Supervisors held on Wednesday, April 2, 2014, in Palmyra, Virginia, the following resolution was adopted on a motion by Mr. Sheridan, seconded by Mr. O'Brien, and voted in the affirmative:

**WHEREAS**, over 22 million Americans are directly harmed by crime each year, suffering physical and emotional injury, as well as financial loss, and each impacts many more family members, friends, coworkers and neighbors;

**WHEREAS**, crime can leave a lasting physical, emotional, or financial impact on people of all ages and abilities, and of all economic, racial, and social backgrounds;

**WHEREAS**, while defendants are afforded many rights, in the past their victims were often left on their own to recover their health, security and dignity;

**WHEREAS**, thousands of victim assistance programs now provide help and support to victims of violence, child victims of physical and sexual abuse; stalking victims; survivors of homicide victims; victims of drunk-driving crashes; victims of burglaries and larcenies, victims of domestic, dating and sexual violence, and victims of identity theft, among others;

**WHEREAS**, the last 30 years have taught us that by working together, we can help meet the needs of victims of crime with respect and dignity and to support them as they seek to overcome their challenges and regain control over their lives;

**WHEREAS**, during the last year, the **Fluvanna Victim/Witness Assistance Program** has provided services to over 170 victims of crime and has monitored over \$36,000 in court-ordered restitution for victims here in our own community;

**WHEREAS**, National Crime Victims' Rights Week, April 6-12, provides an opportunity for us to reaffirm our commitment to victims by honoring the improvements that have been made, while working to find solutions to the new challenges faced by victims; and

**WHEREAS**, the **Fluvanna Victim/Witness Assistance Program** is joining forces with other victim service programs, criminal justice officials, and concerned citizens throughout the Commonwealth of Virginia to raise awareness of victims' rights and observe National Crime Victims' Rights Week;

**NOW, THEREFORE, BE IT RESOLVED** that the Fluvanna County Board of Supervisors does hereby proclaim the week of April 6-12, 2014 as Crime Victims' Rights Week, expresses our appreciation for those victims and crime survivors who have turned personal tragedy into a motivating force to improve our response to victims of crime and build a more just community; and reaffirms our commitment to respect and enforce victims' rights and address their needs during National Crime Victims' Rights Week and throughout the year.

Adopted this 2<sup>nd</sup>, day of April 2014  
by the Fluvanna County Board of Supervisors

ATTEST:

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Mozell H. Booker, Chairperson



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

**RESOLUTION**

At a regular monthly meeting of the Fluvanna County Board of Supervisors held on Wednesday, April 2, 2014, in Palmyra, Virginia, the following action was taken:

<u>Present</u>	<u>Vote</u>
<i>Mozell H. Booker, Chairperson</i>	YEA
<i>Robert Ullenbruch, Vice Chairperson</i>	YEA
<i>Mike Sheridan</i>	YEA
<i>Donald W. Weaver</i>	YEA
<i>Tony O'Brien</i>	YEA

On a motion by Mr. O'Brien, seconded by Mr. Weaver, and carried by a vote of 5-0, the following resolution was adopted.

**RESOLUTION**  
**National Public Safety Telecommunications Week**  
**April 13 – 19, 2014**

**Whereas** emergencies can occur at any time that require law enforcement, fire or emergency medical services and;

**Whereas** when an emergency occurs the prompt response of law enforcement, firefighters and medical rescue is critical to the protection of life and preservation of property and;

**Whereas** the safety of our law enforcement, firefighters and medical rescue is dependent upon the quality and accuracy of information obtained from citizens who telephone the Fluvanna County Communications Center and;

**Whereas** Public Safety Dispatchers are the first and most critical contact our citizens have with emergency services and;

**Whereas** Public Safety Dispatchers are the single vital link for our law enforcement, firefighters and medical rescue by monitoring their activities by radio, providing them information and insuring their safety and;

**Whereas** Public Safety Dispatchers of the Fluvanna County Sheriff's Office have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients and;

**Whereas** each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year and;

**Therefore Be It Resolved** that the Fluvanna County Supervisors declares the week of April 13th through 19th, 2014 to be National Public Safety Telecommunications Week in Fluvanna, in honor of the men and women whose diligence and professionalism keep our county and citizens safe.

Adopted this 2<sup>nd</sup>, day of April 2014  
by the Fluvanna County Board of Supervisors

ATTEST:

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Mozell H. Booker, Chairperson





BOARD OF SUPERVISORS  
County of Fluvanna  
Palmyra, Virginia

RESOLUTION

At a regular monthly meeting of the Fluvanna County Board of Supervisors held on Wednesday, April 2, 2014, in Palmyra, Virginia, the following action was taken:

<u>Present</u>	<u>Vote</u>
Mozell H. Booker, Chairperson	YEA
Robert Ullenbruch, Vice Chairperson	YEA
Mike Sheridan	YEA
Donald W. Weaver	YEA
Tony O'Brien	YEA

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

RESOLUTION

*Urging the Governor of Virginia and the Virginia General Assembly to timely pass a budget*

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**Whereas**, the Virginia General Assembly did not agree on the approval of a budget by the adjournment sine die date of March 8, 2014; and

**Whereas**, funds from the state received by Fluvanna County comprise a large portion of revenues necessary for Fluvanna County to deliver many of the public services mandated by the Commonwealth; and

**Whereas**, the delivery of mandated public services by Fluvanna County depends upon a stable and healthy partnership between state and local governments; and

**Whereas**, Virginia's local governments are subject strict, statutory deadlines for approving certain components of their respective budgets; and

**Whereas**, local governments under Sections 15.2-2500 and 15.2-2503 of the Code of Virginia are required to approve their respective budget and tax rates by July 1 of each year; and

**Whereas**, by May 1 of each year, or at least 30 days after receiving an estimate of state aid, whichever is later, local governments are required under Section 22.1-93 of the Code of Virginia to adopt an annual school budget; and

**Whereas**, not later than June 1 of each year, all school divisions under Section 22.1-304 of the Code of Virginia, must notify teachers of reductions in force due to decreased funding; and

**Whereas**, failure to approve a budget in a timely manner would disrupt the ability of Virginia's businesses and public agencies to operate effectively; and

**Now, therefore, be it resolved** by the Fluvanna County Board of Supervisors that the Virginia General Assembly and the Governor of Virginia are urged to reconcile their differences and agree on a FY 2015-2016 budget;

**And be it further resolved** that the Fluvanna County Board of Supervisors shall transmit copies of this resolution to the Honorable Terry R. McAuliffe, Governor of Virginia, and to members of the Virginia General Assembly.

Adopted this 2<sup>nd</sup>, day of April 2014  
By the Fluvanna County Board of Supervisors

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Mozell H. Booker, Chairperson