

**FLUVANNA COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
Circuit Court Room  
October 1, 2014, 4:00 p.m.**

**MEMBERS PRESENT:**

Mozell Booker, Fork Union, District, Chairperson  
Bob Ullenbruch, Palmyra District, Vice-Chairperson  
Donald W. Weaver, Cunningham District  
Mike Sheridan, Columbia District  
Tony O'Brien, Rivanna District

**ALSO PRESENT:**

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

**CALL TO ORDER**

Chairperson Booker called the meeting of Wednesday, October 1, 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.

**ADOPTION OF AGENDA**

The Agenda for the October 1, 2014 Regular Meeting of the Board of Supervisors was adopted with one change: the minutes of September 17, 2014 were deferred until the October 15, 2014 Board of Supervisors meeting.

**COUNTY ADMINISTRATOR'S REPORT,** Mr. Steve Nichols, County Administrator

- Gail Parrish, HR Manager, Completed an Employment Law Update. Provided credits for updating Senior Professional in Human Resources (SPHR®) certification.
- Another great FUSD compliment - Water customer sent a handwritten letter to thank FUSD staff member for great service--Nerrell Rush.
- Pleasant Grove Trail Bridge Work was completed on Saturday, September 27<sup>th</sup>, to move a bridge back to its original position spanning a large ditch along the Heritage Trail. Volunteer Work Crew included: Jason Smith, Parks and Recreation, Walter Hussey, Virginia Cooperative Extension, and David Wood, John Petrylak and Josh Wall, Charlottesville Area Mountain Bike Club (CAMBC).
- Another successful Fluvanna Chamber of Commerce Wine Festival was held on Saturday, September 27<sup>th</sup>.
- Highlighted another New Business at Jefferson Centre - Frost Bites Frozen Yogurt.
- Welcome to our new Administrative Assistant / Clerk to the Board, Kelly Belanger Harris, who begins full-time on Monday, October 6<sup>th</sup>.
- Board of Equalization may need a new member for work starting in January 2015. Tentative plan is to have new assessment notices out in mid-October, with the assessor hearing to be conducted approx. Oct 27 – Nov 7. BOE meetings will begin in January 2015.
- Grand Opening of the Cunningham Active Adult Center will be Monday, October 20<sup>th</sup> at the Scottsville VFW. It will be from 10 am to 2 pm.
- Old Farm Day is Saturday, 9 am to 4 pm. The Pleasant Grove House & Museum will also be open for tours on Saturday, and the Grand Opening on Thursday, Nov 6<sup>th</sup>.

**BOARD OF SUPERVISORS UPDATE***Mr. Ullenbruch:*

- Jail Board
  - Budget cuts--Superintendent has so far managed without asking for additional money from the county.
  - Next fiscal year budget---7% cut from the state, about \$33,000 per county, to run at level budget.
  - Mr. Ullenbruch commented on the need to stay current in resources, supplies, and alert in order to maintain safety for all citizens.

*Mr. O'Brien:*

- Piedmont Workforce Network Council. Transportation for seasonal workers—local businesses hiring seasonal workers seeking easier transportation access for those workers.
- TJPDC meets Oct 2.

*Mrs. Booker:*

- 4 hour retreat with the Jefferson Area Board for Aging (JABA); Presentation on health of aging community, aging-in-place, strategic activity.
- Louisa Fluvanna Housing - Housing Choice vouchers will be open Oct 7, from 2-4. Mr. Howard Evergreen will be at the Fluvanna Library on Oct 7 from 2-4.
- Region Ten. Grand Opening—beautiful new space, excellent staff;
- CSA - Budget, Case review, etc. No report from the State on the audit that took place earlier in the year.

**PUBLIC COMMENTS #1**

Chairperson Booker opened the first session of Public Comment.

With no one wishing to speak, Chairperson Booker closed this session of Public Comments.

**PUBLIC HEARINGS**

None.

**ACTION MATTERS**

*TJPD Legislative Program* – Mr. David Blount, Legislative Liaison, Thomas Jefferson Planning District. Mr. Blount presented a request to approve the Draft 2015 Thomas Jefferson Planning District Legislative Update. Mrs. Booker invited discussion among the Supervisors and questions for Mr. Blount. Mr. O'Brien inquired about other localities' comments on the draft, to which Mr. Blount replied that Fluvanna was the second governing body to receive the Draft. Mrs. Booker noted that broadband access is addressed in the Draft. Mr. Blount noted that the feedback period would be completed and the finalized Proposal would be ready by October 29, 2014. The Supervisors thanked Mr. Blount for the update.

MOTION:

Mr. O'Brien moved to approve the Draft Thomas Jefferson Planning District Legislative Update for 2015.

Mr. Ullenbruch seconded. The motion passed with a vote of 5-0. AYES: Booker, O'Brien, Sheridan, Ullenbruch, Weaver.

*Domestic Violence Prevention Month Proclamation* - Sarah Ellis, Fundraising & Development Coordinator for the Shelter for Help in Emergency.

MOTION:

Mr. Ullenbruch moved that the Fluvanna County Board of Supervisors approve the proclamation proclaiming the month of October 2014 as Domestic Violence Awareness Month.

Mr. O'Brien seconded. The motion passed with a vote of 5-0. AYES: Booker, O'Brien, Sheridan, Ullenbruch, Weaver.

*Munis Tax Project Budget Transfer* – Jonathan McMahon, Director of Information Technology. Mr. McMahon presented a request seeking to add 20 additional training / implementation days to complete the Munis Tax module project. Data issues were encountered during final data import and collections go-live in July and August 2014, and as a result 8 extra implementation days were spent on this phase of the project. 12 days are required in 2015 for the first tax assessment process performed in Munis. The cost of each additional training / implementation day is \$1,800. The Board of Supervisors Contingency budget for FY15 will decrease by \$16,000, the FY14 Munis Training CIP will decrease by \$20,000, and the original Munis Project Budget (11FIN) will increase by \$36,000.

MOTION:

Mr. Ullenbruch moved that the Board of Supervisors approve a budget transfer in the amount of \$36,000 to the Munis project budget from the following sources:

A. FY14 Munis training CIP - \$20,000

B. FY15 Board of Supervisors contingency fund - \$16,000

Mr. Weaver seconded. The motion passed with a vote of 5-0. AYES: Booker, O'Brien, Sheridan, Ullenbruch, Weaver.

*Pleasant Grove Meadow Management Plan* – Mr. Wayne Stephens, Public Works Director, and Mr. Jason Smith, Parks & Recreation Director. Mr. Stephens and Mr. Smith presented a Meadow Management plan at Pleasant Grove, a collaborative effort to provide additional recreational resources to Fluvanna County citizens while utilizing state and local partnerships. The staff recommended meadow management plan that incorporates 2014-2015 BOS Strategic Initiatives action plans 1 – Foster Economic Well-Being (Increase Tourism), and 3 – Strengthen Community Partnerships (Volunteer/Collaborative opportunities).

Option 1 – Mow Weekly

Option 2 – Bush Hog 1-2 Times Per Year

Option 3 - Preserve & Develop Wildlife Habitats While Maintaining a Safe & Healthy Environment for All Who Visit or Work on the Property (Staff Recommended)

Option 4 – Hay

Mr. Stephens and Mr. Smith addressed Supervisors' concerns about the aesthetics of an unmown field; Mr. Nichols suggested a graduated approach to the width of the mown area, increasing if necessary. A brief discussion was entertained regarding a plan of hay removal by citizen mowing. Mr. John Thompson, County Extension Agent, offered comments with respect to the opportunities for the County 4-H program, adult education, school related-programs, continued Earth Day programming, etc. Mr. Walter Hussey, Fluvanna Master Gardeners, presented to the Board a project of the Master Gardeners. Mr. Hussey also noted several projects proposed by students, Girl Scouts, and others, which would capitalize on the natural possibilities available at Pleasant Grove.

MOTION:

Mr. Weaver moved that the Board of Supervisors adopt Pleasant Grove Management Plan, Option 3, to allow for renaturalization of fields and an increase in nature-recreational opportunities and educational programs, with the understanding that Section A will continue to be mowed, Section B will be mowed back 50 yards, and Section C will remain in its natural state.

Mr. Ullenbruch seconded. The motion passed with a vote of 5-0. AYES: Booker, O'Brien, Sheridan, Ullenbruch, Weaver.

*Solar Energy Testing, Zenman Energy & RECS* - Mr. Bobby Popowicz, Director of Community Development. Mr. Popowicz presented a request that the Board enter into a Memorandum of Understanding (MOU) with Zenman Energy and Renewable Energy Construction Services that would allow them to test Open Source Solar Power arrays at the Convenience Center site. The testing area has been vetted by the Public Works Director, E&S Inspector and the Building Official. No conflicts with current operations are apparent. The testing area will be covered by small "Greenhouse Style" structures to protect the solar equipment.

Mr. Ben Myrtles addressed the Board with project-specific details. Chairperson Booker inquired of the size of the panels; Mr. Myrtles clarified that there are no "panels" but parabolic troughs, or mirrors. Mr. Ullenbruch asked

about the noise burden; Mr. Myrtles spoke to the experimental nature of the project and noted that they have yet to reach full RPMs. Mr. Weaver asked if government money would be sought; Mr. Myrtles stated that many avenues of funding are being pursued.

**MOTION:**

Mr. O'Brien moved that the Board of Supervisors enter into a Revocable Limited License Memorandum of Understanding with Zenman Energy (a 501-c3 Nonprofit) in conjunction with Renewable Energy Construction Services to allow testing of Open Source Solar Power at the Fluvanna County Convenience Center in the area detailed in Attachment A of the Memorandum of Understanding.

Mr. Weaver seconded. The motion passed with a vote of 5-0. AYES: Booker, O'Brien, Sheridan, Ullenbruch, Weaver.

Social Services FY15 Pay Raise Plan - Kim Mabe, Director of Social Services. Ms. Mabe presented a request for a budget transfer to cover salary increases based on Fluvanna County Pay Plan B. The total annual cost of the increase for FY15 is \$37,000.

**MOTION:**

1. Mr. Ullenbruch move the Board of Supervisors approve a FY15 budget transfer for \$26,468 from Miscellaneous Non-Departmental Full Time Salary and Wages to Social Services to cover salary increases based on Fluvanna County Pay Plan B for current employees, retroactive to July 1, 2014.

Mr. O'Brien seconded. AYES: Booker, O'Brien, Sheridan, Ullenbruch, Weaver.

2. Mr. Ullenbruch moved that the Board of Supervisors approve a FY15 supplemental appropriation of \$10,811 from Federal Pass Through funds to cover salary increases based on Fluvanna County Pay Plan B, for current employees only, retroactive to July 1, 2014.

Mr. Sheridan seconded. The motion passed 5-0. AYES: Booker, O'Brien, Sheridan, Ullenbruch, Weaver.

**PRESENTATIONS** (normally not to exceed 10 minutes each)

Route 6 (Scottsville) Flooding Assessment – Steve Nichols, County Administrator. Mr. Nichols presented the results of a preliminary study by staff that found the cause of flooding along the corridor is the large watershed adjacent to the affected area. In June, 2014 a public meeting was held in Scottsville to help identify some of the problems. Staff has worked with citizens on this issue to identify possible solutions. Timmons Group in conjunction with the Center for Watershed Protection has proposed providing Fluvanna County with a Preliminary Expert Opinion on the Flooding near Rt. 6 as provided in the Board Package enclosure(s). The Board declined to proceed with the study.

Revenue Recovery Update - Cheryl Wilkins, Emergency Services Coordinator. At the May 7, 2014, Board of Supervisors meeting, Supervisors requested county staff to “develop financial analysis and a plan to implement a revenue recovery program for Fluvanna County for Board consideration.” Ms. Wilkins briefed the Board on EMS Revenue Recovery planning activities and a planned timeline for implementation.

Fluvanna Fire & Rescue Association Revised Organization - Cheryl Wilkins, Emergency Services Coordinator. Ms. Wilkins gave a brief history of the Fluvanna Volunteer Fire and Rescue Association (FRA) and recent updates to the organization. The FRA was initially set up in 1994 by resolution and bylaws to serve as a conduit for appropriations from the Board of Supervisors to the various fire and EMS agencies. FRA has recently updated their bylaws to additionally provide oversight for management, coordination and provision of the County's Fire, rescue and EMS services, including responsibility for establishing policies and procedures for all fire, rescue and EMS operations. The changes to the bylaws expand and strengthen FRA's oversight of the fire, rescue and EMS system from simply an appropriations conduit to oversight of management, coordination, provision and policies/procedures.

**CONSENT AGENDA**

The following items were approved under the consent agenda:

U—Minutes of September 17, 2014 – Kelly Belanger Harris, Interim Clerk to the Board deferred until October 15, 2014 Meeting.

V—FY15 Litter Prevention and Recycling Program Grant - Jason Smith, Director of Parks & Recreation

W—FY15 Sheriff's Department Vehicle Reimbursement - Sheriff Eric Hess

X—FY15 Pleasant Grove Amphitheater Donation - Mary Anna Twisdale, Management Analyst

YZ—FY15 Unclaimed Body Fee, Sheriff's Department - Sheriff Eric Hess

**MOTION:**

Mr. Ullenbruch moved to accept the items presented on the Consent Agenda, excluding the September 17, 2014 meeting minute.

Mr. O'Brien seconded. The motion carried with a vote of 5-0. AYES: Booker, O'Brien, Sheridan, Ullenbruch, Weaver. NAYS: None. ABSENT: None.

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

None.

**PUBLIC COMMENTS #2**

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

Mr. Fred Hardy, 1791 Columbia Rd, Columbia, VA, spoke regarding a proposed permit for the JRWA and would like clarity on the status of the project. Mr. Nichols noted that the James River Water Authority Board would be touring a facility similar to what has been proposed and suggested that interested citizens attend the appropriate Board of Supervisors meeting in either Fluvanna or Louisa County, as both have authority on the project.

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

#### **CLOSED MEETING**

##### **MOTION TO ENTER INTO A CLOSED MEETING:**

At 7:23p.m., Mr. Weaver moved the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the Virginia Code Section 2.2-3711A.1, 2.2-3711A.6 and 2.2-3711A.7 for discussion of Personnel, Investment, and Legal Matters.

Mr. Ullenbruch seconded. The motion carried, with a vote of 4-0. AYES: Booker, Ullenbruch, O'Brien, and Weaver. NAYS: None. ABSENT: Sheridan.

##### **MOTION TO EXIT A CLOSED MEETING & RECONVENE IN OPEN SESSION:**

At 8:26p.m., Mr. Weaver moved the Closed Meeting be adjourned and the Fluvanna County Board of Supervisors reconvene again in open session and "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."

Mr. Ullenbruch seconded. The motion carried, with a roll call vote of 4-0. AYES: Booker, Ullenbruch, O'Brien, and Weaver. NAYS: None. ABSENT: Sheridan.

##### **MOTION:**

Mr. Weaver moved to extend meeting to 9 p.m.

Mr. O'Brien seconded and the motion carried 4-0. AYES: Booker, Ullenbruch, O'Brien, and Weaver. NAYS: None. ABSENT: Sheridan.

#### **ADJOURN**

##### **MOTION:**

At 8:48p.m. Mr. O'Brien moved to adjourn the meeting of Wednesday, October 01, 2014.

Mr Weaver seconded and the motion carried. AYES: Booker, Ullenbruch, O'Brien, and Weaver. NAYS: None. ABSENT: Sheridan.

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_  
Kelly Belanger Harris  
Clerk to the Board

\_\_\_\_\_  
Mozell H. Booker  
Chairperson