

**FLUVANNA COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
Circuit Court Room  
November 19, 2014, 7:00 p.m.**

**MEMBERS PRESENT:**

Mozell Booker, Fork Union, District, Chairperson  
Bob Ullenbruch, Palmyra District, Vice-Chairperson  
Donald W. Weaver, Cunningham District  
Tony O'Brien, Rivanna District (Arrived at 7:12 pm)  
Mike Sheridan, Columbia District

**ALSO PRESENT:**

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

**CALL TO ORDER**

Chair Booker called the meeting of Wednesday, November 19, 2014, to order at 7:00 p.m., in the Circuit Courtroom in Palmyra, Virginia. After the Pledge of Allegiance was recited, Chair Booker called for a moment of silence.

**ADOPTION OF AGENDA**

Mr. Nichols noted the slate of applicants for the Board of Equalization was included after the Board Package was compiled and sent to the Supervisors.

Discussion regarding the Public Hearing for ZMP 14-03 I & J Homes, Inc. ensued, regarding procedural factors for Noticing and Signage at sites that are the subject of the Public Hearing. Mr. Ullenbruch noted that the Public Hearing sign for the property was not placed at the property, contrary to County convention. Mr. Ullenbruch also noted that the Board in years past discussed adopting a fee assessed to the applicant, for placement of the Public Hearing sign that is refunded to the applicant after the Public Hearing; this sign would then be placed in front of the property in question. Upon research, Mr. Payne, County Attorney, was unable to find enactment of this discussion in the County Ordinance. After brief discussion among Supervisors, the decision to defer was unanimously approved.

**MOTION:**

Mr. Ullenbruch moved to defer the Public Hearing for the ZMP 14-03 I & J Home Builders, Inc. until December 17, 2014. Mr. Weaver seconded and the motion passed 5-0. AYES: Booker, O'Brien, Sheridan, Ullenbruch, Weaver. NAYS: None. Absent: None.

Subsequent to the previous actions, the inclusion of the slate of candidates for the Board of Equalization and the deferral of ZMP 14-03,

**MOTION:**

Mr. Weaver moved to accept the Agenda for the November 19, 2014 Regular Meeting of the Board of Supervisors. Mr. Ullenbruch seconded and the Agenda was adopted with a vote of 5-0. AYES: Booker, O'Brien, Sheridan, Ullenbruch, Weaver. NAYS: None. Absent: None.

**COUNTY ADMINISTRATOR'S REPORT**

Mr. Nichols reported on the following topics:

- Grand Opening of Pleasant Grove House Museum and Welcome Center; Special thanks to: Jason Smith, Wayne Stephens, Eric Dahl, and Joe Rodish, Parks and Recreation Staff, Public Works Staff, Historical Society
- Chamber Ribbon Cutting—The Light Academy
- Community Investment Collaborative (CIC)--"Growing Your Business" Workshop & Information Session, Tonight 6:00 - 7:30 pm, Fluvanna County Public Library
- Received preliminary Office of Comprehensive Services audit report for CSA Program. Preliminary findings focus on:
  - Policies requiring clarification
  - Policies that are no longer relevant have not been formally repealed
  - Missing paperwork
  - PMT has not established written policies with regards to Intensive Care Coordination
  - CPMT has not appointed a private provider to CPMT
  - CSA budget reconciliation

Dr. Meyers and Fluvanna CPMT are working on responses to these concerns and making necessary corrections, where indicated.

- Parent Representative needed for the Family Assessment and Planning Team (volunteer position)
- New Hwy 15 / Hwy 53 Roundabout Planning
  - Public Meeting planned for January 2015 at the Library
- New Signs installed at Carysbrook and Fork Union Community Center
- RT. 6 bridge work to require periodic closures
  - VDOT contractor will set girders on Hardware River bridge project beginning in December
  - Closures will occur on Route 6 (West River Road) in Fluvanna County beginning Tuesday, Dec. 2 through Friday, Dec. 12
- Louisa County & Louisa County Water Authority
  - Town Hall Meeting on Proposed Water Line
  - Kents Store ARC Community Center, Tuesday, Dec 16<sup>th</sup>, 7:00 pm

- Reduction in State Aid to Localities
  - FY15 Cut - ~\$59K
  - Will present plan at Dec 3<sup>rd</sup> BOS Meeting
- Bonds Update
  - Closed 11/19/14:
    - VRA Refinancing – Library
      - NTE Rate: 3.50%                      All-In TIC Rate: 1.98%
    - VRA Refinancing – Courthouse
      - NTE Rate: 3.50%                      All-In TIC Rate: 2.44%
    - VRA Fire Truck Replacement
      - NTE Rate: 3.50%                      All-In TIC Rate: 2.45%
  - Pending
    - VPSA Middle School Project
      - NTE Rate: 4.25%                      All-In TIC Rate: 2.61%

Mr. Nichols inquired of the Supervisors in what direction they would like to move with regards to the requirements for Public Hearing signage. Mr. Payne noted that the best way to proceed is to amend the Ordinance and put it in the County Code. Mr. Nichols indicated that Staff will begin drafting an amendment to the County Code that codifies the placement of Public Hearing signs and the fees assessed accordingly.

#### **BOARD OF SUPERVISORS UPDATE**

*Weaver*—Mr. Weaver visited Pleasant Grove, and inquired about the intended use of the third floor. Mr. Nichols noted that Parks and Recreation staff will have offices on the third floor. Mr. Weaver noted that an additional handrail would be prudent.

*Sheridan*—Mr. Sheridan noted that the Pleasant Grove Open House was wonderful.

*Ullenbruch*—Mr. Ullenbruch attended the Jail Board meeting, upcoming budget, offered congratulations to Sheriff Hess on his recent election and involvement with the Jail Board; met with state legislators regarding upcoming bills, including the legalization of marijuana which has proven to be a very hot topic; Mr. Ullenbruch and Mr. O'Brien attended the ribbon-cutting for The Light Academy and commented on the set-up, especially the computer set-up.

*O'Brien*— Mr. O'Brien attended the VACo Annual Conference at The Homestead; enjoyed the sessions and networking; Piedmont Workforce Network Council has received additional grants and is opening a One Stop Shop in Culpeper and are renewing their RFP for vendors; Planning Commission held CIP meeting at most recent Work Session.

*Mrs. Booker*—FUSD meeting 11/18/14, increase of rates appears to be leading to a \$6,000-7,000 more revenue per month. Mrs. Booker highlighted the knowledge and skill of the FUSD workers, and the need for a move toward more current technology.

#### **PUBLIC COMMENTS #1**

Chair Booker opened the first session of Public Comment.

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

#### **PUBLIC HEARINGS**

*ZMP 14-03 I & J Homes Builders, Inc.*—DEFERRED until December 17, 2014.

Request to amend the Fluvanna County Zoning Map with respect to 30.47 acres of Tax Map 9, Section A, Parcels 11, 11B, 11F, and 11G to rezone the same from A-1, Agricultural, General, to R-3, Residential, Planned Community (conditional).

#### **ACTION MATTERS**

*Replacement of Fire Apparatus* – New Pump Truck for Palmyra Fire - Mr. Eric Dahl, Finance Director, addressed the Board with specifications for the purchase of a replacement fire truck for Palmyra Volunteer Fire Company on a contract between Atlantic Emergency Solutions and the County. The purchase of the truck was approved in FY15 for \$575,000. With the closing of the VRA loan today, the county does have the financial means to make this purchase. The contract was cooperatively procured through the HGA Council; this was an existing contract was competitively procured. Purchase price of the truck was \$556,214 with incentives if the County prepaid the cost of the truck prior to delivery, with a discount of \$24,598 possible by prepaying the entire purchase price.

Mrs. Booker asked whether the truck would come fully equipped.

Mr. Andy Wills, of the Palmyra Volunteer Fire Company, indicated that the truck, as a replacement, would be equipped using existing equipment currently in use.

Mr. Ullenbruch asked where this truck would be located—the truck would be housed at the Palmyra Fire Department. Mrs. Booker asked what happens to the old truck; Mr. Wills noted that any monies from the sale of the old truck go back into Palmyra Fire's general fund for repair and replacement of other equipment.

Mr. Ullenbruch asked what will happen to the retired truck.

Mr. Dahl indicated that the truck will be sold. Mr. Dahl and Mr. Wills further noted that a long-standing agreement between Palmyra Fire Department and the County allows for the proceeds of the sale of the replaced truck to be returned to the Fire Department. Mr. Wills informed the Board that these proceeds go toward outfitting the trucks with replacement gear and equipment as needed.

Supervisors Ullenbruch and Weaver suggested revisiting the policies regarding the proceeds of auctioned items.

#### **MOTION:**

Mr. Sheridan moved to approve the contract between Atlantic Emergency Solutions, Inc. and the County of Fluvanna in the amount of \$531,616.00 for the replacement of the existing Pump Truck which is

operated by the Palmyra Volunteer Fire Company. Mr. O'Brien seconded and the motion passed with a vote of 5-0. AYES: Booker, Ullenbruch, O'Brien, Sheridan, and Weaver. NAYS: None. ABSENT: None.

*VDOT – Subordination of Rights Agreement* – Robert Popowicz, Community Development Director, presented a request for the Subordination of Rights, allowing the Virginia Department of Transportation (VDOT) access to maintaining public roads, within the Sycamore Square subdivision.

**MOTION:**

Mr. Ullenbruch moved to approve the Subordination of Rights Agreement in the Sycamore Square Subdivision to allow VDOT Access for the maintenance of roads that cross electrical transmission right-of-ways. Mr. O'Brien seconded and the vote carried 5-0. AYES: Booker, Ullenbruch, O'Brien, Sheridan, and Weaver. NAYS: None. ABSENT: None.

*Board of Equalization Candidates*—Steve Nichols, County Administrator, presented the slate of nominees for the Board of Equalization.

**MOTION:**

Mr. Ullenbruch moved that the Board of Supervisors nominate the following regular members:

Gary Ellis, Everett M. Hannah, & Joseph P. Ronan

And the following alternate member:

Karen Bercau

to the Board of Equalization for Real Estate Assessments, with terms to begin January 1, 2015 and to terminate not later than June 30, 2015.

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

**MOTION:**

Mr. Ullenbruch also moved to adopt the "Resolution Regarding the Board of Equalization". Mr. O'Brien seconded and the motion passed 5-0. AYES: Booker, Ullenbruch, O'Brien, Sheridan, and Weaver. NAYS: None. ABSENT: None.

**PRESENTATIONS**

*Reassessment Update* – Dave Hickey, Blue Ridge Mass Appraisal and Mel Sheridan, Commissioner of the Revenue. Mr. Hickey reported on the administrative reassessment that was conducted in 2014. Overall, property values increased in the County by ~2%. Supervisors asked questions regarding the process.

*Site Selection and Site Analysis* – Joe Hines, Timmons Group, briefed the Board on a presentation that was created for the Central Virginia Partnership for Economic Development. The study outlined in the presentation included site evaluation of 10 sites, comparing these sites to target industries. Mr. Hines highlighted important factors in site selection, and ran through a brief listing of economic development announcements in the region; Fluvanna had no such announcements. Further, Mr. Hines pointed out the criteria that consultants use when analyzing prospective sites and the lifecycle of site selection and development. At the conclusion of the presentation, Supervisors engaged in brief discussion, including a review of the incompatibility of current county code with large-scale developments.

*Grants Update* – Mary Anna Twisdale, Management Analyst, presented a report on County grants activity over the past five years. Mr. O'Brien requested to add grant funding to the chart of revenues for surrounding and comparable counties report prepared by the Finance Department.

*Fluvanna County Business License Discussion* – Robert Popowicz, Community Development Director, presented information regarding a potential Business License fee that could be implemented by the County. Mr. Popowicz highlighted the benefits of a Business License: economic development trends, business tracking, business-to-business assistance opportunities, and dissemination of information to businesses. Challenges to implementation could include: funding of excess costs including additional employees, fees may not cover the cost of implementation, the perception by business owners that it is a first step toward implantation of a full BPOL tax. After discussion, the Board asked the Commissioner of the Revenue to work with the Community Development Director to research Business License Fee options and costs for presentation to the Board at the January 21, 2015, meeting and to research possible methodologies to restructure the County's Business Personal Property Tax for presentation to the Board in February/March 2015.

**CONSENT AGENDA**

The following items were approved under the Consent Agenda:

- Minutes of November 5, 2014 – Kelly Belanger Harris, Clerk to the Board
- Accounts Payable Report (\$2,295,460.53) – October 2014 – Eric Dahl, Finance Director
- Fluvanna County/JABA Support MOU Update – Jason Smith, Parks & Recreation Director
- Approval of Open Space Renewal Contract for CTD Corporation – Mel Sheridan, Commissioner of the Revenue
- Approval of Open Space Renewal Contract for Mr. & Mrs. James J. Ehrmann – Mel Sheridan, Commissioner of the Revenue
- Approval of Open Space Renewal Contract for Mr. Robert A. Gunnell, Jr. – Mel Sheridan, Commissioner of the Revenue
- Parks and Recreation TJSWCD Tree Grant – Jason Smith, Parks & Recreation Director

**MOTION:**

Mr. Weaver moved to approve the items on the Consent Agenda for November 19, 2014, which includes the Accounts Payable and Payroll report for October 2014, in the amount of \$2,295,460.53. Mr. Sheridan

seconded and the motion passed 5-0. AYES: Booker, Ullenbruch, O'Brien, Sheridan, and Weaver. NAYS: None. ABSENT: None.

**UNFINISHED BUSINESS**

Mr. Payne updated the Board on the Zoning Enforcement measures against Mr. Jay Sherrill. Mr. Jason Stewart will be presenting an appeal by Mr. Sherrill to the Board of Zoning Appeals on December 2, 2014.

Mr. Payne also updated the Board on the steps that Columbia Town Attorney Ms. Phillips is taking to ensure a Special Election for the Town of Columbia. Ms. Phillips is looking at a March Special Election. The election will be held at the Catholic Church in Columbia.

**NEW BUSINESS**

Mr. Steve Nichols presented a draft agenda for the Work Session with Fire and Rescue Association (FRA) on December 3, 2014. Mr. Nichols also presented the Board with a range of possibilities for how to proceed in discussions with the FRA regarding rescue coverage in the County.

**PUBLIC COMMENTS #2**

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

Mr. Mel Sheridan, Kents Store, offered history on the financial policies of selling retired fire and rescue equipment.

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

**CLOSED MEETING**

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

At 10:33 p.m., Mr. Weaver moved the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.6 of the Code of Virginia, 1950, as amended, for the purpose of discussing Investment of Funds. Mr. O'Brien seconded. The motion carried, with a vote of 5-0. AYES: Booker, Ullenbruch, O'Brien, Sheridan, and Weaver. NAYS: None. ABSENT: None.

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

At 11:35p.m., Mr. Weaver moved that the Closed Meeting be adjourned and the Fluvanna County Board of Supervisors convene 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. Sheridan seconded. The motion carried, with a roll call vote of 5-0. AYES: Booker, Ullenbruch, O'Brien, Sheridan, and Weaver. NAYS: None. ABSENT: None.

At 11:36 Mr. Weaver moved to extend the meeting until midnight. Mr. Ullenbruch seconded and the motion passed 5-0.

**ADJOURN**

**MOTION:**

At 11:36p.m. Mr. Ullenbruch moved to adjourn the meeting of Wednesday, November 19, 2014. Mr. O'Brien seconded and the motion carried with a vote of 5-0. AYES: Booker, Ullenbruch, O'Brien, Sheridan, and Weaver. NAYS: None. ABSENT: None.

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

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

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Mozell 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, November 19<sup>th</sup> 2014, in Palmyra, Virginia, the following action was taken:

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

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

**BOARD OF EQUALIZATION**

**WHEREAS**, Virginia Code Section 58.1-3370 requires the appointment of a Board of Equalization in each tax year immediately following the year a general reassessment is conducted in the County; and

**WHEREAS**, it is the desire of the Board of Supervisors of Fluvanna County to request that the circuit court of the County appoint such a Board and to suggest to the court the members to be appointed; and

**WHEREAS**, the Board of Supervisors desires to provide necessary clerical assistants for such Board of Equalization in accordance with Virginia Code Section 58-1-3376; and

**WHEREAS**, a general reassessment of the County has recently been completed; and

**WHEREAS**, the Fluvanna County Board of Supervisors requests the Board of Equalization to meet as frequently as necessary to hear all appeals from landowners concerning their reassessment; and

**WHEREAS**, the Fluvanna County Board of Supervisors encourages the Board of Equalization to meet with the assessors and review and evaluate their method of assessing the value of land in this reassessment.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Supervisors of Fluvanna County, as follows:

- 1) That the county attorney be, and he is hereby, **DIRECTED** to request the appointment by the circuit court of the County of a Board of Equalization as required by law; and that, in so doing, the county attorney submit to the court a suggested list of members for such Board of Equalization, such list being attached to this resolution as Exhibit A; and
- 2) That the County Administrator be, and he is hereby, **AUTHORIZED AND DIRECTED** to provide necessary clerical assistants for such Board of Equalization, by the hiring of additional personnel or otherwise as may be necessary; and
- 3) That the Commissioner of Revenue be, and he is hereby, **REQUESTED** to assist such Board of Equalization.

Adopted this 19<sup>th</sup> day of November 2014 by the Fluvanna County Board of Supervisors

ATTEST:

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Steven M. Nichols, County Administrator