

FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Court Room
April 15, 2015
Work Session 4:00 pm
Regular Meeting 7:00 pm

MEMBERS PRESENT:

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

ALSO PRESENT:

Steven M. Nichols, County Administrator
Fred Payne, County Attorney
Robert Popowicz, Community Development Director (Work Session)
Emily Leik, CVPED Economic Development & Workforce Coordinator (Work Session)
Eric Dahl, Finance Director
Mary Anna Twisdale, Management Analyst
Kelly Belanger Harris, Clerk to the Board of Supervisors

WORK SESSION

(Mr. O’Brien arrived at 4:10pm)

(Mr. Sheridan, arrived at 4:36pm)

CALL TO ORDER

At 4:00 pm, Chairperson Booker called the Work Session of April 15, 2015 to order.

After the recitation of the Pledge of Allegiance, a moment of silence was observed.

Introduction and Overview of Research Capabilities - Emily Leik, Economic Development & Workforce Coordinator with Central Virginia Partnership for Economic Development, presented a high-level overview of the research capabilities offered to partner localities.

Community Development and Business Update - Bobby Popowicz, Community Development Director, offered a business update of opportunities developing in the County, site readiness, and obstacles to growth and development. Mr. Popowicz noted that there have been small-business transfers into the County from neighboring localities, and highlighted efforts with regional partners.

Following the Work Session Presentation, the Board engaged in wide-ranging discussion. Mr. Ullenbruch brought attention to the potentially confusing language in the existing Sign Ordinance. The Board directed staff to review the existing Sign Ordinance and return with recommendations.

Mr. Jason Smith polled the Board with dates and times that would enable supervisors to tour Pleasant Grove Park to see the trails and facilities at the park. Mr. Nichols noted that the supervisors would be paired to tour with Mr. Smith at times that are convenient for Board members. Mr. Smith reported on an idea brought forward by the Heritage Trails Foundation to incorporate a Fitness Trail with existing trails. Another addition to the Park might be Frisbee Golf, which is under review and consideration.

MOTION TO ENTER INTO A CLOSED MEETING

At 5:42 pm, Mr. Weaver moved the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.1, A.3, & A.6. of the Code of Virginia, 1950, as amended, for the purpose of discussing Personnel, Real Estate, 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.

RECESS FOR DINNER AND CLOSED SESSION

RECONVENE

MOTION TO EXIT A CLOSED MEETING & RECONVENE IN OPEN SESSION

At 7:04pm, 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, the Board of Supervisors does hereby certify to the best of each member’s 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.

REGULAR MEETING

(Mr. Sheridan arrived at 7:12pm.)

CALL TO ORDER

At 7:05 pm, Chairperson Booker called the Regular Meeting of April 15, 2015 to order.

After the recitation of the Pledge of Allegiance, a moment of silence was observed.

ADOPTION OF AGENDA

MOTION

Mr. Ullenbruch moved to accept the Agenda for the April 15, 2015, Regular Meeting of the Board of Supervisors, as presented. Mr. Weaver seconded and the Agenda was adopted by a vote of 5-0. AYES: Booker, O’Brien, Ullenbruch, & Weaver. NAYS: None. ABSENT: Sheridan.

COUNTY ADMINISTRATOR’S REPORT

Mr. Nichols reported on the following topics:

- State Financial Audit of the Fluvanna Circuit Court completed
 - Audit period: April – December 2014
 - No Findings
- Parks & Recreation Guides
 - New cost for is \$1,200 vs. \$1,800 previously
 - Switched vendors
 - Same paper, color pages, etc., just a different vendor who also provides friendly customer service and is easy to work with
- The Lake Monticello Red Hat Society
 - Recently donated a large stock of newborn essentials to Fluvanna Social Services – a great benefit to local families in need
- Bremono Park is currently CLOSED
 - Dominion Power plant is dredging the big ash ponds
 - Requested park be closed to public while they do work
 - Extensive truck traffic throughout the park; not safe for visitors
 - No access for Public Works staff
 - “Anticipated” that we may be able to program/rent beginning in September, but could take up to a year to complete depending on what road blocks that may come up.
- New trailer for the Bobcat
- Office of Comprehensive Services CSA Audit
 - Initially identified \$665K in potential service repayments
 - Revised down to \$378K to reflect State Share only
 - Repayment has been waived pending results of reinspection in 12-18 months
 - Thanks to Jackie Meyers and CPMT members
- FRA Recommendations Regarding Rescue Services
 - Members are not easily available for May 6th Meeting (during Unfinished Business)
 - Other Options:
 - Schedule Work Session, 7:00 pm, Wed, May 6 or Wed, June 3
 - Schedule Work Session, 4:00 pm, Wed, June 17
 - Add to Unfinished Business, ~7:00 pm, Wed, May 20
 - Board directed staff to schedule the Work Session at 7:00 pm, Wed, June 3
- Potential Sign Ordinance Review
- CVRJ Budget Update
 - Jail Authority adopted a revised FY16 budget on April 9th
 - Matches funding figure in Fluvanna’s FY16 Budget
- County Administrator Vacation (April 18-25)
 - Bobby Popowicz will serving as Acting County Administrator
- Next Meeting
 - Wednesday, May 6
 - 4:00 pm – Regular Meeting

BOARD OF SUPERVISORS’ UPDATES

Sheridan—None.

Weaver—Model Airplane Display, etc. Great for families.

Ullenbruch—Jail Authority, had enough votes to pass the budget

O’Brien—None

Booker—JABA Presidents Volunteer Awards, Thursday, April 16, 2015.

PUBLIC COMMENTS #1

Chairperson Booker opened the first round of Public Comments.

With no one else wishing to speak, Chairperson Booker closed the first round of Public Comments.

PUBLIC HEARINGS

ZMP 14-05: Lake Monticello Volunteer Fire Department and Rescue Squad—Steve Tugwell, Senior Planner, presented a request amend the Fluvanna County Zoning Map with respect to approximately 6.134 acres of Tax Map 18, Section A, Parcel 38F, to conditionally rezone the same from A-1, Agricultural, General, to R-4, Residential, limited, subject to the submitted draft proffer.

Chairperson Booker opened the Public Hearing.

Deidre McCauley, 861 South Boston Road, owner of the adjacent parcel. Mrs. McCauley expressed concerns regarding the proposed R4 zoning.

Len Bozza, representing the applicant, clarified the intentions of Lake Monticello Volunteer Fire and Rescue.

Justin Shimp, Project Engineer, further clarified the intentions and specifications of the requested rezoning.

Gwen Townsend, 959 South Boston Rd., noted that public safety buildings are exempted from setbacks.

Chairperson closed the Public Hearing.

Chairperson Booker opened discussion among Supervisors.

Mr. Payne clarified the by-right uses of A1 and R4 zoning. Mr. Payne noted, in response to Mrs. Townsend, that the issue is not so much one of setbacks, but rather a matter of having contiguous parcels with one owner and two zoning categories.

Mr. Sheridan asked about limiting the uses.

Mr. Payne noted that the applicant, in proffers, has limited the uses.

Chair Booker called for a motion.

MOTION

Mr. O'Brien moved that the Board of Supervisors approve ZMP 14:05 of the attached ordinance for ZMP 14:05, a request to amend the Fluvanna County Zoning Map with respect to approximately 6.134 acres of Tax Map 18, Section A, Parcel 38F, to conditionally rezone the same from A-1, Agricultural, General, to R-4, Residential, Limited, subject to the submitted draft proffer.

With the motion on the floor without a second, Mr. Sheridan expressed concern about the potential for multi-family residential building.

Mr. Tugwell noted that the maximum density in R4 would be 2.9 dwelling units per acre, which would be approximately 9 units in a multi-family structure.

Chairperson Booker called Mr. Bozza back to the podium to clarify the intent of building a multi-family dwelling on the property.

Mr. Bozza indicated the intent of having a low-cost rent option for fire and rescue personnel as a recruitment tool.

Mr. Ullenbruch voiced concerns about the future of the property should LMVFR no longer own the property.

After an expression of concern by Mr. Sheridan regarding the ability of LMVFR to accomplish their goals with current zoning in place, Mr. Payne noted that limitations apply to property with two different zonings in place.

Mr. Bozza verbally amended the proffers to restrict the option of a multi-family structure.

MOTION

Mr. O'Brien moved that the Board of Supervisors approve ZMP 14:05 of the attached ordinance for ZMP 14:05, a request to amend the Fluvanna County Zoning Map with respect to approximately 6.134 acres of Tax Map 18, Section A, Parcel 38F, to conditionally rezone the same from A-1, Agricultural, General, to R-4, Residential, Limited, subject to the submitted draft and verbally-amended proffers, to include the exclusion of multi-family dwellings.

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

ACTION MATTERS

Cancellation of FY15 CIP Projects – Mary Anna Twisdale, Management Analyst

MOTION

Mr. Sheridan moved the Board of Supervisors authorize staff to reappropriate \$505,000 from the adopted FY15 CIP to the County's Fund Balance. The items are:

- \$150,000 designated for Pleasant Grove Restroom
- \$35,000 designated for a Picnic Shelter at Pleasant Grove
- \$45,000 designated for Potable Water at Library/Sheriff's Department
- \$175,000 designated for a Fluvanna County Ambulance
- \$100,000 designated for County Vehicle Replacement

I further move that the County Administrator reassign four of the items totaling \$405,000 to the FY17 CIP Budget plan for future consideration. The items are:

- \$150,000 designated for Pleasant Grove Restroom
- \$35,000 designated for a Picnic Shelter at Pleasant Grove
- \$45,000 designated for Potable Water at Library/Sheriff's Department
- \$175,000 designated for a Fluvanna County Ambulance

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

Adoption of FY 2016-FY2020 Capital Improvement Plan – Mary Anna Twisdale, Management Analyst

MOTION

Mr. Sheridan moved that the resolution entitled “Adoption of the FY2016-2020 Capital Improvements Plan” be adopted. Mr. O’Brien seconded and the motion passed 5-0. AYES: Booker, Ullenbruch, O’Brien, Sheridan, and Weaver. NAYS: None. ABSENT: None.

Adoption of FY16 Operating Budget and Tax Rate – Mary Anna Twisdale, Management Analyst.

With minimal discussion,

MOTION

Mr. Ullenbruch moved that the resolution entitled “A Resolution to Adopt the FY16 Operations Budget, Set the Tax Rates, and Appropriate Funds” be adopted. Mr. Sheridan seconded and the motion was unanimously passed 5-0. AYES: Booker, Ullenbruch, O’Brien, Sheridan, and Weaver. NAYS: None. ABSENT: None.

Draft Ordinance for VACo/VML Virginia Investment Pool—Eric Dahl, Finance Director, came before the Board with a request to advertise an ordinance to allow Fluvanna County to participate in the VACO/VML Virginia Investment Pool Trust Fund.

MOTION

Mr. O’Brien moved to approve advertisement of a public hearing for the purpose of considering the ordinance to authorize participation in the VACO/VML Virginia Investment Pool Trust Fund, as attached. Mr. Ullenbruch seconded and the motion passed 5-0. AYES: Booker, Ullenbruch, O’Brien, Sheridan, and Weaver. NAYS: None. ABSENT: None.

PRESENTATIONS

None.

CONSENT AGENDA

The following item was corrected:

Tab N: Minutes April 1, 2015, to correct the erroneous inclusion on Mr. Ullenbruch in the vote for Consent Agenda Approval on April 1, 2015.

The following were approved under the Consent Agenda:

- Minutes April 1, 2015, *as corrected*—Kelly Belanger Harris, Clerk to the Board
- National Public Safety Telecommunications Week Resolution—Andrea Gaines, Communications Director
- Fair Housing Month 2015 Resolution—Karen Reifenberger, Director, Fair Housing Program
- Sheriff’s Department FY15 Budget Transfer—Mary Anna Twisdale, Management Analyst
- Accounts Payable Report, February 2015—Eric Dahl, Finance Director
- Accounts Payable Report, March 2015—Eric Dahl, Finance Director

MOTION

Mr. Weaver moved to approve the items on the Consent Agenda for April 15, 2014, and ratified the Accounts Payable Reports for February 2015 in the amount of \$1,464,475.25, and March 2015 in the amount of \$1,751,401.51. Mr. Sheridan seconded and the motion passed 5-0. AYES: Booker, Ullenbruch, O’Brien, Sheridan, and 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.

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

ADJOURN

MOTION:

At 8:29pm, Mr. Weaver moved to adjourn the meeting of Wednesday, April 15, 2015. 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

Mozell H. Booker
Chairperson

RESOLUTION
Fluvanna County Board of Supervisors
April 15, 2015

Adoption of FY 2016 – FY 2020 Capital Improvements Plan

At a regular monthly meeting of the Fluvanna County Board of Supervisors held on Wednesday, April 15, 2015, in Palmyra, Virginia, the following action was taken:

<u>Present</u>	<u>Vote</u>
Mozell Booker, Chairman	YES
Bob Ullenbruch, Vice-Chairman	YES
Tony O’Brien	YES
Mike Sheridan	YES
Donald W. Weaver	YES

On a motion by Mr. Sheridan, seconded by Mr. O’Brien, and voted in the affirmative, the following resolution was adopted:

WHEREAS, it is the responsibility of the Fluvanna County Board of Supervisors to approve the County’s Capital Improvements Plan; and,

WHEREAS, the Capital Improvements Plan recommends the initiation and completion of numerous capital projects based upon staff recommendations and citizen input; and,

WHEREAS, the Board of Supervisors held a public hearing on the proposed Capital Improvements Plan on April 8, 2015; and,

WHEREAS, the Board of Supervisors has approved the FY2016 Capital Improvements Budget as part of the overall Fluvanna County Budget;

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors that the FY 2016-2020 Capital Improvements Plan hereby be approved.

A True Copy Teste:

Mozell H. Booker, Chair
Board of Supervisors

RESOLUTION
A RESOLUTION TO ADOPT THE FY16 OPERATIONS BUDGET,
SET THE TAX RATES AND APPROPRIATE FUNDS

WHEREAS, it is the responsibility of the Fluvanna County Board of Supervisors to approve and control the County’s fiscal plan for FY16; and,

WHEREAS, the Board of Supervisors has received numerous staff reports; received comments from residents at a duly advertised public hearing on April 8, 2015; and has reviewed each request for funding;

NOW, THEREFORE, BE IT RESOLVED by the Fluvanna County Board of Supervisors this 15th day of April 2015, that the Fluvanna County budget totaling **\$68,312,005** is adopted and the tax rates for FY16 or July 1st 2015– June 30th 2016 set as given below:

2014 COUNTY TAX RATES

Real Estate	\$0.899 per \$100 of assessed value
Public Service Corps.	\$0.899 per \$100 of assessed value
Mobile Homes	\$0.899 per \$100 of assessed value
Personal Property	\$4.35 per \$100 of assessed value
Machinery & Tools	\$2.00 per \$100 of assessed value

BE IT FURTHER RESOLVED that the Board of Supervisors does hereby budget and appropriate to the **COUNTY OPERATING BUDGET** the following revenues and expenditures; this appropriation is also conditioned on the understanding that, with regard to the operating budget for the School system, revenues received from the Commonwealth will be expended prior to local dollars:

<u>GOVERNMENTAL REVENUES</u>	
Local	\$36,538,412
State	26,350,970
Federal	<u>2,087,224</u>
TOTAL	\$64,976,606

<u>GOVERNMENTAL EXPENDITURES</u>	
General Government Administration	\$ 2,550,572
Judicial Administration	1,145,597
Public Safety	6,464,529
Public Works	1,867,184
Health and Welfare	4,990,788
Education	37,316,685
Parks and Recreation	778,127
Community Development	1,144,085
Non-Departmental	350,207
Debt Service	<u>7,950,649</u>
TOTAL	\$ 64,558,423

BE IT FURTHER RESOLVED that for budgeting and accounting purposes, the adopted budget revenues and expenditures for the Capital Improvements fund are set as follows:

Capital Fund Revenues*	
Local Use of General Fund Balance	\$1,510,498
Local Other	0
Proceeds from Indebtedness	0
TOTAL	\$1,510,498

Capital Fund Expenditures	
Governmental	\$ 225,000
Info Technology	144,925
Public Works	268,500
Public Safety	587,835
Schools	<u>509,238</u>
TOTAL	\$1,735,498

*Capital fund revenues are supplemented by transfers from the General Fund.

FINALLY BE IT RESOLVED that for budgeting and accounting purposes the adopted budget revenues and expenditures for the Enterprise funds are set as follows:

	Expenditures	Revenues
School Food Service	\$1,428,251	\$1,428,251
Fork Union Sanitary District	374,650	374,650
Utility*	<u>215,183</u>	<u>22,000</u>
TOTAL	\$2,018,084	\$1,824,901

*Utility fund revenues are supplemented by transfers from the General Fund.

Adopted this 15th day of April 2015 by the
Fluvanna County Board of Supervisors

Mozell Booker, Chairman



RESOLUTION

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

At a regular monthly meeting of the Fluvanna County Board of Supervisors held on
Wednesday, April 15, 2015, in Palmyra, Virginia, the following action was taken:

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

On a motion by Weaver, seconded by Sheridan, and carried by a vote of 5-0,
the following resolution was adopted:

Fair Housing Month 2015 Resolution

WHEREAS, April is Fair Housing Month and marks the 47th 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 15th, day of April 2015
by the Fluvanna County Board of Supervisors

ATTEST:

Mozell H. Booker, Chair



RESOLUTION

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

At a regular monthly meeting of the Fluvanna County Board of Supervisors held on Wednesday, April 15, 2015, in Palmyra, Virginia, the following action was taken:

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

On a motion by Weaver, seconded by Sheridan, and carried by a vote of 5-0, the following resolution was adopted:

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WHEREAS, April is Fair Housing Month and marks the 47th 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).

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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 15th, day of April 2015
by the Fluvanna County Board of Supervisors

ATTEST:

Mozell H. Booker, Chairman