

FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Court Room
June 17, 2015
Regular Meeting 7:00pm

MEMBERS PRESENT:

Mozell Booker, Fork Union District, Chairperson
 Bob Ullenbruch, Palmyra District, Vice-Chairperson (*Arrived at 7:01 pm*)
 Tony O'Brien, Rivanna District (*Arrived at 7:06 pm*)
 Mike Sheridan, Columbia District
 Donald W. Weaver, Cunningham District

ALSO PRESENT:

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

CALL TO ORDER

At 7:00 pm, Chairperson Booker called the Regular Meeting of June 17, 2015 to order. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

ADOPTION OF AGENDA

The following items were removed from the agenda:

DEFERRED--JRWA Resolution and Support Agreement—Steven M. Nichols, County Administrator.

WITHDRAWN--Community Kitchen Equipment Funding Request—John Thompson, Extension Agent.

MOTION

Mr. Weaver moved to accept the Agenda, as amended, for the June 17, 2015, Regular Meeting of the Board of Supervisors. Mr. Sheridan seconded and the Agenda was adopted by a vote of 4-0. AYES: Booker, Ullenbruch, Sheridan, Weaver. NAYS: None. Absent: O'Brien.

COUNTY ADMINISTRATOR'S REPORT

Mr. Nichols reported on the following topics:

- Summer Reading at the Library has started!
 - Wednesday, June 10--Peter McCory - One Man Band--195 attendees
 - Duct Tape Bags Workshop--1 of many full workshops this summer at the Library
- Department of Social Services received accolades from the State for receiving no findings on their latest administrative expenditures review
- Kim Mayo, Cooperative Extension, received an Innovative Programming Support award at 4-H Club Congress, by our State Extension Director and State 4-H Leader Recognizing her effort on the Terrific Tuesdays! Program
- KidsCollege@Fluvanna
 - New partnership with PVCC, FCPR, and FCPS to bring 3D printing and other "academies" and camps to Fluvanna students, 3rd-8th grade
 - Almost 50% of participants received financial aid for low-income households.
 - 130 campers served over 2 weeks
 - \$1,400 in revenue for P&R Early Drop-Off, AM Camp, Lunch, PM Camp, and Late Pick-Up
 - Photo attached of a Nature Hike led by Master Naturalist Walter Hussey (Volunteered to lead hike)
 - Claire Lowande, Rec Program Specialist, spearheaded this NEW program
- Fluvanna Chamber of Commerce annual BBQ, Bands & Brews
 - Pleasant Grove Park, June 27th from 11 am to 7 pm
 - 40+ Vendors, 7 Food Vendors, 15 Craft Beers
 - Kid Zone Activities
 - Live Music including: Gallatin Canyon, Griff's Room Band, Nick Smith, Chicken Head Blues Band, Erin and the Wildfire
- NAME CHANGE FOR CSA
 - "Comprehensive Services Act for At-Risk Youth and Families" is now "Children's Services Act"
 - "Office of Comprehensive Services" is now "Office of Children's Services."
 - CSA Additional Funding Requirement
 - ~\$175K local funding needed
 - On July 1st Agenda
- Community Investment Collaborative(CIC) has been holding its Fluvanna/Louisa Entrepreneurial Workshop Class at the Best Western in Zion Crossroads
 - Two County Staff members participated as instructors for the June 10th class
 - Presentation by Jason Stewart on the zoning challenges many new business startups might face when choosing a location.
 - Bobby Popowicz served as Discussion Leader for "Assuring Lasting Success: Ethics and Law // Licensing Requirements"
 - Class graduation ceremony will be on July 1, 2015 at the Saints Peter and Paul Parish Hall from 6-8 pm
- Fork Union Streetscape Project
 - Work remaining is: Asphalt patching, installation of electric services and light poles, and final landscaping/grass planting
 - Possibly \$8,000 over budget for asphalt

BOARD OF SUPERVISORS' UPDATES

Sheridan—Thanked the Sheriff's Office, Fire, and Rescue for helping with the concert at Nick Smith's on June 6, 2015.

Weaver—None.

Ullenbruch—Noise Ordinance update at August meeting; attended the Memorial Day observation in Scottsville.

O'Brien—None.

Booker— None.

PUBLIC COMMENTS #1

Chairperson Booker opened the first round of Public Comments.

- Joe Orsolini, 1 Longleaf Lane, Chief of Lake Monticello Rescue, addressed the Board regarding the urgent need for the new radio system.

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

PUBLIC HEARINGS

SUP 15-02 JCM, III Auction House—Steve Tugwell, Senior Planner, brought forward a request for a Special Use Permit to allow for an auction house with respect to 4.81 acres of Tax Map 59, Section A, Parcel 8.

Chair Booker invited the applicant to address the Board. Mr. John Flick, Steadfast Auctions, owner and operator, responded to questions from Mr. O'Brien regarding the kinds of auctions that might take place with Mr. Flick noted it is primarily Estate Sales and the like.

Chair Booker opened the Public Hearing.

With no one wishing to speak, Chair Booker closed the Public Hearing and opened the floor to the discussion among Supervisors.

Mr. Ullenbruch noted that he was pleased to see another business coming to Fluvanna.

MOTION

Mr. O'Brien moved that the Board of Supervisors approve SUP 15:02, a special use permit request for an auction house with respect to 4.81 acres of Tax Map 59, Section A, Parcel 8, subject to the seven (7) conditions listed in the staff report. Mr. Ullenbruch seconded and the motion passed unanimously. AYES: Booker, Ullenbruch, O'Brien, Sheridan, & Weaver. NAY: None. ABSENT: None.

Conditions:

1. Prior to development of the site, a site development plan that meets the requirements of the Fluvanna County Zoning Ordinance, must be submitted for review and approval.
2. The site must meet all Virginia Department of Transportation requirements.
3. The site must meet the requirements set forth by the Virginia Department of Health.
4. The property shall be maintained in a neat and orderly manner so that the visual appearance from the road and adjacent properties is acceptable to County officials.
5. The Board of Supervisors, or its representative, reserves the right to inspect the business for compliance with these conditions at any time.
6. Under Sec. 22-17-4 F (2) of the Fluvanna County Code, the Board of Supervisors has the authority to revoke a Special Use Permit if the property owner has substantially breached the conditions of the Special Use Permit.
7. Hours of operation shall be Monday through Friday 9 a.m. to 6 p.m. for office hours, and Saturday 10 a.m. to midnight.

ZTA 15-03 Flood Ordinance—Jay Lindsey, Planner, brought to the Board an amendment to the County Zoning Ordinance in order to conform the zoning ordinance to federal and state flood insurance regulations. Mr. Payne noted that this amendment is to bring the County Code into compliance with Federal guidelines, pointing out that the changes reflected in the Zoning Ordinance were made by Federal and State authorities. The amendment was reviewed by the County Attorney for consistency.

Chair Booker opened the Public Hearing.

With no one wishing to speak, Chair Booker closed the Public Hearing.

MOTION

Mr. Ullenbruch moved to approve ZTA 15:03 an amendment to the Fluvanna County Zoning Ordinance entitled "An Ordinance to amend Chapter 22, Articles 17 and 22 of the Fluvanna County Code by certain amendments to Sections 22-22-1 AND 22-17-8A, including amendments to the definitions of "elevated building", "flood, base", "flood elevation, base", "flood hazard area, special", "floodplain or flood-prone area", "floodway", and "substantial damage" in section 22-22-1, as well as amendments to certain subsections of Section 22-17-8a, including Subsections 22-17-8A., -8A.2., -8A.3-B., -8A.3-G., -8A.3-H., -8A.3-I., -8A.3-J., -8A.3-K., -8A.3-M., -8A.3-N., -8A.3-P., -8A.3-S., -8A.3-T., -8A.3-U., -8A.3-X., -8A.3-Y., -8A.3-Z., -8A.3-AA., -8A.3-BB., -8A.3-DD., -8A.3-EE., -8A.3-FF., -8A.3-HH., -8A.3-JJ., -8A.3-KK., -8A.4., -8A.4.1, -8A.7., -8A.7.1, -8A.10., -8A.12., -8A.13, -8A.14., -8A.15., -8A.17., -8A.19., -8A.20., -8A.20.1, -8A.21., -8A.21.1, -8A.21.2, -8A.21.3, -8A.21.4, -8A.21.5 AND -8A.21.6. Thereof, establishing floodplain districts, requiring the issuance of permits for development, providing factors and conditions for variances to the terms of the ordinance, and providing for the administration of this ordinance in conformity with revised federal flood insurance regulations.

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

ACTION MATTERS

E911 Radio Project Contract—Steven M. Nichols, County Administrator, Cheryl Elliott, Emergency Services Coordinator, & Joe Rodish, Procurement Officer, briefed the Board on the Emergency Communications contract.

General discussion focused on tower specifics, restrictions, and compliance with local Zoning Ordinance.

MOTION

Mr. Ullenbruch moved to approve the Communications System Agreement between the County of Fluvanna, Virginia and Motorola Solutions, Inc. in the amount of \$6,594,544.94 subject to any necessary modifications as deemed appropriate by the County Administrator or the County Attorney and specifically modified to indicate that the County is purchasing a trunking system, and that the County will be entering into a lease to purchase agreement

for the equipment as part of financing of the full contract price of the Communications System Agreement at an interest rate of 2.65% payable annually over 7 years, with the first 2 year(s) of payments deferred, with payments due beginning on July 15, 2017, in the amount of \$1,073,335 and with the final payment of \$1,073,335 due and payable on July 15, 2023.

Furthermore, the Board of Supervisors authorizes the County Administrator to execute the Agreement, including an equipment lease to purchase agreement, contingent upon the Agreement and the equipment lease to purchase Agreement being approved by him, incorporating the requisite modifications noted above and further after being reviewed and approved as to form by the County Attorney.

Mr. Sheridan seconded and the motion passed unanimously. AYE: Booker, Ullenbruch, O'Brien, Sheridan, Weaver. NAY: None. ABSENT: None.

Mr. Payne noted that entering into this contract does create an ongoing obligation and it has been reviewed for compliance with Constitutional limitations, specifically, the debt clause of the Constitution. The wording of the contract, in the opinion of the County Attorney, does not violate the debt clause in the constitution. Mr. Payne also noted that the County has a Debt Management Policy, Sec. 1-10.3.1 of the County Code which ordinarily prohibits long-term borrowing and capital leases for projects that cannot be financed from current financial resources. It would be appropriate for the Board to recognize for the record that it has determined that it is in the best interest of the county to enter into this lease-finance arrangement under these unique circumstances.

MOTION

Mr. Ullenbruch moved to approve and enter into this lease-finance arrangement under these unique circumstances as it is in the best interest of the county. Mr. O'Brien seconded and the motion passed 5-0. AYE: Booker, Ullenbruch, O'Brien, Sheridan, Weaver. NAY: None. ABSENT: None.

Boards, Commissions, Committees (BCC) Attendance Policy—Steven M. Nichols, County Administrator

MOTION

Mr. O'Brien moved that the Board of Supervisors approve the Board, Commission, or Committee Attendance Policy. Mr. Weaver seconded and the motion passed 5-0. AYE: Booker, Ullenbruch, O'Brien, Sheridan, Weaver. NAY: None. ABSENT: None.

Appointment/Reappointment Library Board of Trustees—Steven M. Nichols, County Administrator

MOTION

Mr. Ullenbruch moved to appoint Bradly Barker to the Library Board of Trustees, with a term to begin July 1, 2015 and to terminate June 30, 2018.

Failing a second, the motion failed.

Mr. Sheridan moved to appoint Lissa Gooch to the Library Board of Trustees, with a term to begin July 1, 2015 and to terminate June 30, 2018. Mr. O'Brien seconded and the motion passed 5-0. AYE: Booker, Ullenbruch, O'Brien, Sheridan, Weaver. NAY: None. ABSENT: None.

Appointment/Reappointment JABA Advisory Council—Steven M. Nichols, County Administrator

MOTION

Mr. Sheridan moved to reappoint Elva Key to the Jefferson Area Board for Aging (JABA) Advisory Council, with a term to begin July 1, 2015, and to terminate June 30, 2017. Mr. Weaver seconded and the motion passed 5-0. AYE: Booker, Ullenbruch, O'Brien, Sheridan, Weaver. NAY: None. ABSENT: None.

Appointment/Reappointment Fluvanna Partnership for Aging—Steven M. Nichols, County Administrator

MOTION

Mr. Sheridan moved to appoint Curtis Putnam to the Fluvanna Partnership for Aging Committee, Columbia District, with a term to begin July 1, 2015 and to terminate June 30, 2018. Mr. Ullenbruch seconded and the motion passed 5-0. AYE: Booker, Ullenbruch, O'Brien, Sheridan, Weaver. NAY: None. ABSENT: None

Appointment/Reappointment to the Piedmont Workforce Investment Board— Steven M. Nichols, County Administrator

MOTION

Mr. O'Brien moved to appoint Victor Schaff to the Piedmont Workforce Investment Board, with a term to begin July 1, 2015 and to terminate June 30, 2017. Mr. Weaver seconded and the motion passed 5-0. AYE: Booker, Ullenbruch, O'Brien, Sheridan, Weaver. NAY: None. ABSENT: None.

Appointment to the Parks and Recreation Advisory Board— Steven M. Nichols, County Administrator

MOTION

Mr. Ullenbruch moved to appoint Walter Hussey to the Parks & Recreation Advisory Board, At Large Position, with a term to begin immediately and to terminate June 30, 2016. Mr. O'Brien seconded and the motion passed 5-0. AYE: Booker, Ullenbruch, O'Brien, Sheridan, Weaver. NAY: None. ABSENT: None.

Appointment/Reappointment to Parks and Recreation Advisory Board—Steven M. Nichols, County Administrator

MOTION

Mr. Sheridan moved to reappoint Wade Parrish to the Parks & Recreation Advisory Board, with a term to begin July 1, 2015 and to terminate June 30, 2017. Mr. O'Brien seconded and the motion passed 5-0. AYE: Booker, Ullenbruch, O'Brien, Sheridan, Weaver. NAY: None. ABSENT: None.

PRESENTATIONS

None.

CONSENT AGENDA

The following were approved under the Consent Agenda:

- *Accounts Payable Report for May 2015* – Eric Dahl, Director of Finance
- *Resolution Recognizing Adam Nicholas Warren, Eagle Scout*—Steven M. Nichols, County Administrator
- *FY15 Supplemental Appropriation Request for School Security Equipment Program State Grant Funds* —Ed Breslauer, FCPS Director of Finance
- *FY15 Supplemental Appropriation Request for Spring Break Enrichment Camp Grant Funds*—Ed Breslauer, FCPS Director of Finance
- *Capital Reserve Maintenance Fund Request –Drainage Piping System, Community Center Building* – Wayne Stephens, Public Works Director
- *FY15 Department of Social Services Share of the Cost Allocation Funds*—Mary Anna Twisdale, Management Analyst
- *FY15 BOS Contingency Budget Transfer*—Mary Anna Twisdale, Management Analyst
- *FY15 Stormwater BMP Data Update Grant*—Jay Lindsey, Planner

MOTION

Mr. Weaver moved to the items on the Consent Agenda for June 17, 2015, and ratified the Accounts Payable report in the amount of \$2,715,794.48. Mr. Sheridan seconded and the motion passed 5-0. AYES: Booker, Ullenbruch, O'Brien, Sheridan, Weaver. NAYS: None. ABSENT: None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Mr. Nichols announced that Mr. Andy Notman, a current staff member in our Information Technology Department, has been promoted to serve as the County's IT Director, effective July 6, 2015. A search will commence for a replacement to fill Mr. Notman's former position.

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.

CLOSED SESSION

MOTION TO ENTER INTO A CLOSED MEETING

At 8:27pm 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, & A.7 of the Code of Virginia, 1950, as amended, for the purpose of discussing Personnel, Real Estate, and Legal Matters. 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.

MOTION TO EXIT A CLOSED MEETING & RECONVENE IN OPEN SESSION

At 9:28pm, 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. Sheridan seconded. The motion carried, with a roll call vote of 3-0. AYES: Booker, Ullenbruch, O'Brien, Sheridan, and Weaver. NAYS: None. ABSENT: None.

ADJOURN

MOTION:

At 9:29pm Mr. Weaver moved to adjourn the meeting of Wednesday, June 17, 2015. Mr. Sheridan 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