

FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Court Room
July 1, 2015
Regular Meeting 4:00pm

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

MEMBERS ABSENT: None

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

CALL TO ORDER

At 4:00 pm, Chairperson Booker called the Regular Meeting of July 1, 2015 to order. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

Chair Booker informed the Board that two Fluvanna residents, Colonel Robert L. "Red" Pulliam and Nat White, recently passed away.

Mr. Nichols invited Mr. Jonathan McMahon forward in order to recognize Mr. McMahon for his exceptional service to the County during his more than four years of service to the County as the Director of Information Services. After Mr. Nichols read a Commendation by the Board, Chair Booker formally thanked Mr. McMahon.

ADOPTION OF AGENDA

Mr. Sheridan advanced a motion to move New Business to the beginning of the Meeting. Mr. Ullenbruch seconded and the motion passed 5-0. AYES: Booker, Ullenbruch, O'Brien, Sheridan, Weaver. NAYS: None. Absent: None.

Chair Booker initiated a discussion of the background and relevant history of the park in the center of the Village of Palmyra, placing it in the context of Fluvanna history. Noting that the park has stood as a memorial to those who died fighting in the Civil War, Chair Booker spoke of a desire to potentially expand the purpose of the park. Discussion included using the park as a memorial to all those from Fluvanna County who have served in wartime, a place for monuments to other events important to the history of Fluvanna County and its residents, and other such uses. Chair Booker then opened the floor to Public Comment and general discussion.

PUBLIC COMMENTS #1

- Marvin Moss, President of Fluvanna Historical Society, informed the Board of research into the name of the park. He noted there had been a dedication of the Confederate Memorial in the park, Mr. Moss remarked that no formal action was ever taken to name the area in which the monument resides as Confederate Park. Mr. Moss informed the Board that a member of the Historical Society who would like to donate, and have placed in the Village of Palmyra, a suitable memorial to honor the significance of the 150th Anniversary of the signing of the Emancipation Proclamation. Mr. Moss urged the Board to consider naming the park, "Palmyra Memorial Park," or something similar, to expand the inclusivity of the park.
- Stephen Schoene, 211 Jefferson Drive, Cunningham District, remembered the courage of the men who fought and died, and would like to see the memorial remain and asked the Board to consider naming the park Memorial Park.
- Mr. Frank Gallo, Palmyra District, noted that memorials are generalized and would like to see the name of the park be likewise general and inclusive.
- Deborah Murdock, Columbia District, Vice-President of the Historical Society, would like to see the Park be an inclusive Park, and prefers Memorial Park.

With no one else wishing to speak, Chairperson Booker closed the first round of Public Comments. The consensus of the Board was to solicit further citizen input on recommendations for naming the park. Mr. Nichols will solicit citizen input through "My Two Cents," FAN Mail, and NewsFlash, and a short survey, then report back to the board.

COUNTY ADMINISTRATOR'S REPORT

Mr. Nichols reported on the following topics:

- Finance Department award
 - Certificate of Achievement for Excellence in Financial Reporting from Government Financial Officers Associations
- Cheryl Elliott, Emergency Services Coordinator
 - Received recognition from the American Red Cross for her work on the children's "Pillow Case Project" for emergency preparation kits
- Community Investment Collaborative (CIC) has completed its Fluvanna/Louisa Entrepreneurial Workshop Class
 - Class graduation ceremony
 - Tonight, July 1, 2015, from 6:00 to 8:00 pm, Saints Peter and Paul Parish Hall
- WWTP Support Services
 - Will need contract support since the local contractor previously used has accepted a job out of the local area.

- County Administrator out of town for holiday weekend
 - Finance Director Eric Dahl will serve as Acting County Administrator
- Wednesday, July 15
 - 7:00 pm – Regular Meeting

BOARD OF SUPERVISORS' UPDATES

Sheridan—None. Mr. Sheridan noted that he will be on vacation for the next meeting, July 15, 2015.

Weaver—None.

Ullenbruch— Social Services Board—ongoing employee retention concerns.

O'Brien— TJPDC. PWN, recommended Victor Schaff. Board members at PWIN showed a strong preference for Mrs. Gottlieb from van der Linde Recycling due to the size of the workforce, and they appointed her to the PWIN. PWIN will also reach out to Mr. Schaff with hopes to have him participate on PWIN special committee work. Mr. Bobby Popowicz, Director of Community Development, and Mrs. Gena Keller, FCPS< Superintendent, were both named to the PWN Council.

Booker—Rivanna Stream Watch, noted that reports place Fluvanna in “Good” or “Fair.” Central Virginia Partnership for Economic Development Annual Meeting - Mr. Nichols was appointed as the new Board Chair for CVPED.

PUBLIC HEARINGS

None.

ACTION MATTERS

Contract Approval for Task 2, Emergency Communications Radio System Consultant—Joe Rodish, Procurement Officer & Cheryl Elliott, Emergency Services Coordinator, presented a request to approve Task 2 for the Communications Radio System Consultant. With no discussion,

MOTION

Mr. Sheridan moved to approve Task Order #2 of the “Agreement For Emergency Communication Radio System Project Management And System Implementation Services” with RCC Consultants, Inc., in the amount of \$99,943.52, and authorize the County Administrator to execute the task order, subject to approval as to form by the County Attorney. Mr. Ullenbruch seconded and the motion passed 5-0. AYES: Booker, Ullenbruch, O'Brien, Sheridan, Weaver. NAYS: None. Absent: None.

Fluvanna County Employee Appreciation and Recognition Program (EARP)—Gail Parrish, Human Resources Manager, joined by members of the Tiger Team, Malinda Payne, Parks and Recreation, Sandra Parrish, Chief Deputy Clerk of Court, Dr. Jackie Meyers, CSA Coordinator, and Liz McIver, Library, brought before the Board a revised Employee Recognition Program. With no discussion,

MOTION

Mr. Ullenbruch moved that the Board of Supervisors approve the Fluvanna County Employee Appreciation and Recognition Program. Mr. O'Brien seconded and the motion passed unanimously. AYES: Booker, Ullenbruch, O'Brien, Sheridan, Weaver. NAYS: None. Absent: None.

Heritage Trail Foundation Funding Gift for Fitness Trail Equipment at Pleasant Grove Park—Jason Smith, Director of Parks and Recreation, brought a request before the Board to accept a gift from the Heritage Trail Foundation in the amount of \$10,000. Mr. Smith answered general questions about the safety of the exercise stations, after which,

MOTION

Mr. Weaver moved that the Board of Supervisors approve the supplemental appropriation of \$10,000 donated from the Fluvanna Heritage Trail Foundation for use towards Fitness Trail equipment for Pleasant Grove Park in the FY16 Parks and Recreation Budget. Mr. Sheridan seconded. The motion passed 5-0. AYES: Booker, Ullenbruch, O'Brien, Sheridan, Weaver. NAYS: None. Absent: None.

County Attorney Compensation Agreement—Steven M. Nichols, County Administrator, brought before the Board a request to approve a formal agreement between the County and the County Attorneys. Mr. Payne noted that there was no substantial change from what has been in place for several years, with the exception of an increase in the fee schedule.

MOTION

Mr Ullenbruch moved to approve the County Attorney's Compensation Agreement for services, effective July 1, 2015, with the following fee structure:

Frederick W. Payne, county attorney	\$310
Donna R. DeLoria, deputy county attorney	\$265
William W. Tanner, deputy county attorney	\$240
Kristina M. Hofmann, assistant county attorney	\$215
Christina A. Guidry, assistant county attorney	\$150
Paralegals	\$ 95
Assistants (when applicable)	\$ 75

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

Real Estate Acquisition—Steven M. Nichols, County Administrator, briefed the Board on the acquisition of a property at 181 Main Street, Palmyra, VA in which the Commonwealth's Attorney offices are located.

MOTION

Mr. Sheridan moved to approve the Real Estate Contract of Sale to purchase 181 Main Street, Palmyra, Virginia, designated on the tax maps of the County of Fluvanna, Virginia as Tax Map Parcel 30A-A-20, for the purchase price of \$147,900.00, and authorize the County Administrator to execute the contract, subject to approval as to form by the County Attorney. Mr. Weaver seconded and the motion passed 5-0. AYES: Booker, Ullenbruch, O'Brien, Sheridan, Weaver. NAYS: None. Absent: None.

and

Mr. Sheridan moved the Board of Supervisors approve a supplemental appropriation of \$147,900 from Unassigned Fund Balance to the FY16 Capital Budget for the purchase of 181 Main Street, Palmyra, VA. Mr. O'Brien seconded and the motion passed 5-0. AYES: Booker, Ullenbruch, O'Brien, Sheridan, Weaver. NAYS: None. Absent: None.

FY15 Davenport Case Supplemental Appropriation—Mary Anna Twisdale, Management Analyst, informed the Board of FY15 costs incurred for the Davenport Case and requested a supplemental appropriation to cover these costs. With no discussion,

MOTION

Mr. Weaver moved the Board of Supervisors approve a supplemental appropriation of \$299,257.00 for the FY15 Board of Supervisors Professional Services budget, Davenport Case from Unassigned Fund Balance. Mr. Ullenbruch seconded and the motion passed 5-0. AYES: Booker, Ullenbruch, O'Brien, Sheridan, Weaver. NAYS: None. Absent: None.

Extension of Appointment for Members of the Board of Equalization—Steven M. Nichols, County Administrator, brought a request to extend the appointments of the Board of Equalization members through the end of the year, in compliance with State Code.

MOTION

Mr. Weaver moved to extend the appointment of Gary Ellis, Everett M. Hannah, & Joseph P. Ronan as regular members, and Karen Bercaw as an alternate member, of the Board of Equalization (BOE) for Real Estate Assessments, until December 31, 2015, per Virginia Code Section 58.1-3370, and further move to retain Joanne Rawls as Administrative Assistant to the BOE. Mr. Ullenbruch seconded and the motion passed 5-0. AYES: Booker, Ullenbruch, O'Brien, Sheridan, Weaver. NAYS: None. Absent: None.

Appointment to the Region Ten Community Services Board—Steven M. Nichols, County Administrator, presented the candidate for the Region Ten Community Services Board.

MOTION

Mr. O'Brien moved to appoint Dr. Jerry Swiggett to the Region Ten Community Services Board, replacing Dr. Pamela Ross, with a term to begin immediately and to terminate June 30, 2016. Mr. Ullenbruch seconded and the motion passed 5-0. AYES: Booker, Ullenbruch, O'Brien, Sheridan, Weaver. NAYS: None. Absent: None.

PRESENTATIONS

PVCC Annual Update—Dr. Frank Friedman, President PVCC, presented an Annual Update for Piedmont Virginia Community College, giving the Board demographic and statistical information for the past year. Among others, Dr. Friedman highlighted the following: Fluvanna residents comprised 11% of the total enrollment of PVCC students (7800 students); at 30%, Fluvanna High School sends the largest percentage of high school graduates from the jurisdictions served by PVCC; 178 Fluvanna High School students took dual-enrollment courses.

VDOT Bridge Naming Process—Robert Popowicz, Community Development Director, informed the Board of the formal Bridge Naming Process as required by the Virginia Department of Transportation, which includes a formal resolution adopted by the Board, and submitted to VDOT with signage information and costs. The Board directed Staff to return with accurate dollar amounts for signage as required by VDOT, and to solicit community input on suggestions for naming the bridge over the Hardware River on Route 6, as well as possible names for other bridges or structures in the county.

CONSENT AGENDA

After discussion, the following items were approved under the Consent Agenda for July 1, 2015:

- *Minutes of June 3, 2015 Meeting—Kelly Belanger Harris, Clerk to the Board*
- *Minutes of June 17, 2015 Meeting—Kelly Belanger Harris, Clerk to the Board*
- *FY15 CSA Purchase of Services Budget Supplement—Dr. Jackie Meyers, CSA Coordinator*
- *FY15 BOS Contingency Budget Transfer for Fork Union Streetscape Project—Mary Anna Twisdale, Management Analyst*
- *FY15 Cell Tower Budget Supplement—Mary Anna Twisdale, Management Analyst*
- *FY15 Surplus Property Sale Appropriation - Fire Department—Mary Anna Twisdale, Management Analyst*
- *FY15 Department of Social Services Budget Transfer—Mary Anna Twisdale, Management Analyst*
- *FY15 Middle School HVAC Supplemental Appropriation—Eric Dahl, Director of Finance*

MOTION

Mr. Weaver moved to the items on the Consent Agenda for July 1, 2015. Mr. Ullenbruch seconded and the motion passed 5-0. AYES: Booker, Ullenbruch, O'Brien, Sheridan, Weaver. NAYS: None. ABSENT: None.

UNFINISHED BUSINESS

VDOT Roads in Subdivisions—Jason Stewart, Planning and Zoning Administrator, and Fred Payne, County Attorney, briefed the Board on the condition of roads in County subdivisions. Mr. Payne advised the Board that the intent of this presentation is to be general in nature; if there is information or questions regarding specific roads, subdivisions, or the like, these discussions are more appropriately approached in Closed Session. Mr. Stewart discussed the measures that the County is lawfully able to take in order to provide assistance to homeowners in subdivisions in which VDOT approved roads are not present. Mr. Ullenbruch inquired of the limitations on the County for providing upkeep and maintenance on approved County roads. Mr. Payne noted that the State Statute is unclear on the extent to which Counties are allowed to spend money on road upkeep. General discussion followed.

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.

Mr. O'Brien issued a thank you to the County Fire Departments and Lake Monticello Police Department that responded to a fire at his home last week. He thanked them for their timely and professional response.

CLOSED SESSION

MOTION TO ENTER INTO A CLOSED MEETING

At 6:34 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.3 & A.6, & A.7 of the Code of Virginia, 1950, as amended, for the purpose of discussing Personnel, Investment of Funds, 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 7:42 pm, 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 5-0. AYES: Booker, Ullenbruch, O'Brien, Sheridan, and Weaver. NAYS: None. ABSENT: None.

ADJOURN

MOTION:

At 7:43pm, Mr. Sheridan moved to adjourn the meeting of Wednesday, July 1, 2015. Mr. O'Brien seconded and the motion carried with a vote of 5-0. AYES: Booker, Ullenbruch, O'Brien, Sheridan, Weaver. NAYS: None. ABSENT: None.

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

Kelly Belanger Harris
Clerk to the Board

Mozell H. Booker
Chairperson

