

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Court Room
September 2, 2015
Regular Meeting 4:00pm**

MEMBERS PRESENT: Mozell Booker, Fork Union District, Chairperson
Bob Ullenbruch, Palmyra District, Vice-Chairperson
Tony O'Brien, Rivanna District (*arrived at 4:02pm*)
Donald W. Weaver, Cunningham District
Mike Sheridan, Columbia District (*arrived at 4:07pm*)

MEMBERS ABSENT: None.

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

CALL TO ORDER

At 4:00pm, Chair Booker called the Regular Meeting of September 2, 2015 to order. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

ADOPTION OF AGENDA

MOTION

Mr. Weaver moved to accept the Agenda for the September 2, 2015, Regular Meeting of the Board of Supervisors with the following changes: *Presentations J: TJPDC Legislative Agenda Review & K: Fluvanna Feral Cat Coalition* were moved to follow the first section of Public Comments and *Tab I: BOS Compensation Proposal* was deferred. Mr. Ullenbruch seconded and the Agenda was adopted by a vote of 5-0. AYES: Booker, Ullenbruch, O'Brien, Sheridan, and Weaver. NAYS: None. ABSENT: None.

COUNTY ADMINISTRATOR'S REPORT

Special Presentation by Mr. Jim Campbell, Executive Director of the Virginia Association of Counties, recognizing Fluvanna County for the Wildlife Meadow Restoration Project at Pleasant Grove. Mr. Campbell presented the Certificate of Recognition to the Board of Supervisors, Mr. Jason Smith, Director of Parks & Recreation, and community partners represented by Walter Hussey, Will Shaw, Sue Tepper (Fluvanna Master Gardeners,) Carol Heiser (Virginia Department of Game and Inland Fisheries,) Betty Truax (Virginia Native Plant Society), and Chuck Wright (Virginia Department of Forestry.)

Mr. Nichols reported on the following topics:

- Congratulations to Aaron Spitzer, Sports and Fitness Recreation Program Specialist
 - Passed his difficult Certified Parks and Recreation Professional (CPRP) exam on Monday, August 17
 - The remaining Recreation Specialist will be taking the exam later this fall
- Fluvanna Fire and Rescue Association (FRA) Annual Election results:
 - John Lye, President, Andy Wills, Vice-President, Gloria Vest, Secretary
- Red Rocker Candy in August edition of VIRGINIA Living and on I-64 Highway Signs
- Fluvanna Chamber of Commerce
- Now accepting nominations for Business Person of the Year; Email nominations by Sep 25th to fluvannacountycoc@embarqmail.com
- Community Business Forum (and the Future of Fluvanna's 250 Corridor); Planning underway for an October event
- Business Climate Survey
 - Will survey in September and present results at the forum
 - Seeking feedback from all local business owners and managers
 - Used to help create a local Business Support Action Plan
- 5th Annual Fluvanna County Wine Festival
 - Saturday, Sep 26th at 11:00 AM - 6:00 PM at Pleasant Grove Park
- 20th Annual Old Farm Day
 - Saturday, October 3rd at Pleasant Grove Park
- Fork Union Streetscape Dedication and Community Party
 - Being planned by businesses and community members
- P&R Registrations – Now supporting online payments
- Thomas Jefferson Planning District Commission acquiring licenses to new Grant Research Website
 - Fluvanna County will be provided with two licenses for access; training will be provided
 - Potential for VDH Planning Grant (to support FUSD System Planning/Design)
 - \$55,000 grant may require up to \$6,000 cost share from the County
- James River Water Authority (JRWA)/James River Water Project (JRWP) Update
 - Neighborhood Meeting: Thursday, September 10, at 6:30 pm at Kents Store ARC
 - Planning Commission Public Hearings: Wednesday, September 23
 - BOS Public Hearings: Wednesday, October 21
 - JRWA Resolution: BOS Action Item, September 16, to meet VRA Financing Pool deadline
- State Elected Officials Breakfast Event
 - Planning underway for October event
 - Chance to meet with our State elected representatives
 - Share our concerns and legislative agenda

- Acting County Administrator Sep 4-7
 - P&R Director Jason Smith will be covering over the holiday weekend
- Next Meetings
 - Wednesday, September 16, 7:00 pm – Regular Meeting
 - Wednesday, October 7, 2015 4:00 pm – Regular Meeting

BOARD OF SUPERVISORS' UPDATES

Sheridan— Worked at the Foodbank in Charlottesville.

Weaver— None.

Ullenbruch—None.

O'Brien— Piedmont Workforce Network, County Fair.

Booker—Mayors and Chairs; Extension Leadership Council; JABA Executive Meeting; Fluvanna/Louisa Housing Foundation.

PUBLIC COMMENTS #1

Chair Booker opened the first round of Public Comments.

- Karen Bercaw, 812 Cunningham Rd, addressed the naming of the Park in the Village Center. Ms. Bercaw feels that calling the park Confederate Park overlooks a significant percentage of the County and all the slaves who contributed to the development of this Country.
- Bradley Barker, Scottsville, retired historian, brought to the Board his objection to naming the park Confederate Park.
- Robert Sheets, 8 Hopi Way, addressed the Board with concerns regarding the proposed Dog Leash Policy.
- Carol Heiser, Habitat Education Coordinator, VDGIF, commended the Board on the Wildlife Meadow project, and for the certificate of recognition from VACo.
- Walter Hussey, Fluvanna Master Naturalist, 334 Bybee Estates Ln, spoke briefly about the details of the Wildlife Meadow project at Pleasant Grove.
- Bryan Mueller, 133 Oak Hill Ln, addressed the Board with concerns regarding the Dog Leash Policy.

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

PUBLIC HEARINGS

None.

PRESENTATIONS

TJPDC Legislative Agenda Review—David Blount, TJPDC Legislative Liaison, updated the Board on the Thomas Jefferson Planning District's 2015 Legislative Priorities. Priorities included equalized revenue-raising authority, State mandates and funding obligations, public education funding, transportation funding, water quality, land use, and growth management. Mr. Blount solicited input from the Board and invited questions.

Fluvanna Feral Cat Coalition—Lizz McKenzie, Fluvanna Feral Cat Coalition, joined by Rose LeMaster, presented a brief overview of the feral cat situation in the County. Ms. McKenzie briefed the Board on Trap-Neuter-Release philosophy and methodology and the work that she is currently doing to reduce the number of feral cats in the County. Ms. McKenzie presented a plan to the Board for addressing the problems long-term, utilizing volunteers, donations, and financial support from the County.

ACTION MATTERS

Dog Leash Policy—Jason Smith, Director of Parks and Recreation, returned to the Board with a recommendation for a Dog Leash Policy in all County Parks. Highlighting the goals of the proposal to provide a safe and enjoyable park experience for all park users, Mr. Smith presented the options as recommended by staff and community input.

MOTION

Mr. Ullenbruch moved to approve the updated Dog Leash Policy for all Fluvanna County Parks whereby dogs must remain on-leash at all times while in county parks, except in designated off-leash areas or at special events during prescribed times, as described in Basic Options A (Dogs Never Permitted Areas: Horse Trailer Parking, Ball Fields (always on-leash, off of playing field,) Playgrounds and Option B (Always Off-Leash Areas: Dog Park, Dog Run Field A, Dog Run Field B, Sandy Beach (certain times), and Trail Option # 5: Leash in hand (east of the Ball Fields.) Mr. O'Brien seconded and the motion passed 4-1. AYE: Ullenbruch, O'Brien, Weaver, & Sheridan. NAY: Booker. ABSENT: None.

Motor Vehicle Policy Update—Gail Parrish, Human Resources Manager, addressed the Board with an update to the County Motor Vehicle Policy. Revisions to the Policy address distracted driving, and outline specific items and actions that are prohibited while driving a County vehicle.

MOTION

Mr. O'Brien moved to approve the updated Motor Vehicle Use Policy – General Policies 3-1. Mr. Ullenbruch seconded and the motion passed 5-0. AYE: Booker, Ullenbruch, O'Brien, Sheridan, & Weaver. NAY: None. ABSENT: None.

EMS Cost Recovery Agency Memorandum of Understanding (MOU) with LMVFRS, Inc., and Fluvanna Rescue Squad, Inc.—Cheryl Elliott, Emergency Services Coordinator, brought forth a request that the Board authorize Memoranda of Understanding between the County and Lake Monticello Volunteer Fire and Rescue Squad, Inc., and Fluvanna Rescue Squad, Inc.

MOTION

Mr. Weaver moved to approve the Memorandum of Understanding (MOU) between Fluvanna County and Fluvanna Rescue Squad, Inc., authorizing participation in the County's cost recovery program, and authorize the County Administrator to execute the MOU, subject to approval as to form by the County Attorney. Mr. Sheridan seconded and the motion passed 5-0. AYE: Booker, Ullenbruch, O'Brien, Sheridan, & Weaver. NAY: None. ABSENT: None.

and
Mr. Weaver moved to approve the Memorandum of Understanding (MOU) between Fluvanna County and Lake Monticello Volunteer Fire Department and Rescue Squad, Inc., authorizing participation in the County's cost recovery program, and authorize the County Administrator to execute the MOU, subject to approval as to form by the County Attorney. Mr. Sheridan seconded and the motion passed 5-0. AYE: Booker, Ullenbruch, O'Brien, Sheridan, & Weaver. NAY: None. ABSENT: None.

EMS Cost Recovery Business Associate Agreement—Cheryl Elliott, Emergency Services Coordinator, introduced a request to authorize the County to enter into an agreement with EMS Management & Consultants, Inc., to ensure compliance with the Privacy and Security Rules of HIPAA.

MOTION

Mr. Sheridan moved to approve the Business Associate Agreement between Fluvanna County and EMS Management & Consultants, Inc., to ensure compliance with the Privacy and Security Rules of the Health Insurance Portability and Accountability Act of 1996, and authorize the County Administrator to execute the Agreement, subject to approval as to form by the County Attorney. Mr. Ullenbruch seconded and the motion passed 5-0. AYE: Booker, Ullenbruch, O'Brien, Sheridan, Weaver. NAY: None. ABSENT: None.

EMS Cost Recovery Provider and Billing Company Confidentiality and Non-Disclosure Agreement—Cheryl Elliott, Emergency Services Coordinator, brought forth a request to allow information exchange between EMS Management & Consultants, Inc. and Anthem Blue Cross and Blue Shield.

MOTION

Mr. Sheridan moved to approve the Provider and Provider Advisory Confidentiality and Non-Disclosure Agreement between Fluvanna County and EMS Management & Consultants, Inc. (EMS/MC), to allow for information exchange with Anthem Blue Cross and Blue Shield so that EMS/MC can provide billing services on the County's behalf, and authorize the County Administrator to execute the Agreement, subject to approval as to form by the County Attorney. Mr. Weaver seconded and the motion passed 5-0. AYE: Booker, Ullenbruch, O'Brien, Sheridan, & Weaver. NAY: None. ABSENT: None.

Capital Reserve Maintenance Request - HVAC—Wayne Stephens, Public Works Director / County Engineer, came before the Board to seek support and approval for a Capital Reserve Maintenance Fund request to replace HVAC equipment and components for various County buildings.

MOTION

Mr. Ullenbruch moved that the Board of Supervisors approve a Capital Reserve Maintenance Fund Request to provide \$42,900.00 from the Capital Reserve Maintenance Fund to pay the costs of materials, labor, and services associated with the replacement of various HVAC equipment and components at the Fluvanna Community Center, Courts Building, Public Safety Building and the Treasurer's Building. Mr. Weaver seconded and the motion passed 5-0. AYE: Booker, Ullenbruch, O'Brien, Sheridan, & Weaver. NAY: None. ABSENT: None.

Capital Reserve Maintenance Request - FSPCA—Wayne Stephens, Public Works Director / County Engineer, came before the Board with a request to fund necessary repairs and replacements to the Fluvanna SPCA.

MOTION

Mr. Ullenbruch moved that the Board of Supervisors approve a Capital Reserve Maintenance Fund Request to provide \$73,700 from the Capital Reserve Maintenance Fund to pay the costs repairs at the Fluvanna SPCA facility: replacing the septic system; repairing/replacing rusted doors on 48 dog kennels; providing epoxy-sealing of three outdoor concrete kennel slabs; providing shelter from rain/sun within each outdoor kennel at the facility. Mr. Sheridan seconded and the motion passed 5-0. AYE: Booker, Ullenbruch, O'Brien, Sheridan, & Weaver. NAY: None. ABSENT: None.

FY16 County Capital Reserve Maintenance Fund Supplemental Appropriation Request—Mary Anna Twisdale, Management Analyst, requested a supplemental appropriation from the Unassigned Fund Balance to be move to the FY16 Capital Reserve Maintenance Fund.

MOTION

Mr. Weaver moved the Board of Supervisors approve a supplemental appropriation of \$50,000 to the FY16 County Capital Reserve Maintenance Fund Budget from Unassigned Fund Balance. Mr. Ullenbruch seconded and the motion passed 5-0. AYE: Booker, Ullenbruch, O'Brien, Sheridan, Weaver. NAY: None. ABSENT: None.

Naming of Palmyra Park Survey Results—Steven M. Nichols, County Administrator, brought before the Board the results of the survey put to the public with regards to naming the park located in the Village of Palmyra. At the beginning of this discussion, Mr. Nichols noted that this survey was part of a larger effort to solicit names for structures in the County, including the new Rte. 6 Bridge, among others. Mr. Ullenbruch put forth the suggestion of naming the building currently occupied by the CSA program in honor of the contributions of Mr. Donald Weaver.

MOTION

Mr. Ullenbruch moved to name the CSA building after Don Weaver and that prior to year-end there be a ceremony to formally recognize the naming. Mr. Sheridan seconded and the motion passed 4-0-1. AYE: Booker, Ullenbruch, O'Brien, Sheridan. NAY: None. ABSTAIN: Weaver. ABSENT: None.

After discussion,

MOTION

Mr. Weaver moved that the park continues to be called Confederate Park by a consensus of 61% of the inquiries and calculations that were made by Fluvanna County. Mr. Ullenbruch seconded and the motion failed on a vote of 2-3. AYE: Ullenbruch, Weaver. NAY: Booker, O’Brien, Sheridan. ABSENT: None.

MOTION

Mr. O’Brien moved to formally name the Fluvanna County park area in Palmyra Court Square as Civil War Park. Mr. Ullenbruch seconded and the motion passed on a vote of 4-1. AYE: Booker, Ullenbruch, O’Brien, Sheridan. NAY: Weaver. ABSENT: None.

DEFERRED BOS Compensation Proposal—Steven M. Nichols, County Administrator.

Recess for dinner break.

RECONVENE AND MOTION TO EXTEND

Mr. Weaver moved to reconvene and extend the meeting until 11:00pm. Mr. O’Brien offered a second and the motion passed 5-0. AYE: Booker, Ullenbruch, O’Brien, Sheridan, & Weaver. NAY: None. ABSENT: None.

PRESENTATIONS

County Fair Wrap-Up—Jason Smith, Director of Parks and Recreation, came before the Board to give a reporting of the Annual County Fair. The collaborative effort between the County, Fluvanna County Extension, Fluvanna County Farm Bureau, the Fair Committee, and many community partners produced a great experience for many County residents. Mr. Smith thanked the 155 volunteers who provided nearly 1200 hours of service to make the Fair happen. In response to a question from Mr. Weaver, Mr. Smith noted that the County cleared \$760 from the event.

Subdivision Roads—Jason Stewart, Planning and Zoning Administrator, briefed the Board on subdivision roads in the county who currently have roads that have not been accepted into the Virginia Department of Transportation (VDOT) system. Mr. Stewart noted that there are several subdivisions actively working with VDOT, others have not maintained contact with VDOT and are not actively working to improve subdivision roads. Mr. Smith provided an update on Cunningham Meadows, noting that Liberty Homes is actively pursuing improvements to bring subdivision roads into VDOT compliance.

Comprehensive Plan Update Review—Jason Stewart, Planning and Zoning Administrator, offered an update and provided the Board prior to the September 16, 2015 Public Hearing to request adoption of the 2015 Fluvanna County Comprehensive Plan.

Strategic Initiatives Review Update—Dr. Jackie Meyers, CSA Coordinator, updated the Board on the current status of the Strategic Initiatives. Among those items in process or completed are: Business Forum, Business Climate Survey, VDOT HB2 requirements, and the Comprehensive Plan.

CONSENT AGENDA

Mr. Weaver requested the following items be pulled from the Consent Agenda.

Rivanna River Renaissance Conference Funding Support, Steven M. Nichols, County Administrator, brought forward a request to provide financial support for a planned Rivanna River Renaissance Conference, funded in part by the 5-county region that comprises the Rivanna River Basin Commission.

MOTION

Mr. O’Brien moved to provide Rivanna River Basin Commission with \$500 to support the planned October 2015 Rivanna River Renaissance Conference, with such funds to come from FY16 BOS Contingency. Mr. Sheridan seconded and the motion passed 3-2. AYE: Booker, O’Brien, & Sheridan. NAY: Ullenbruch & Weaver. ABSENT: None.

Waiver of Special Use Permit (SUP) Fees for James River Water Project—Steven M. Nichols, County Administrator, presented a request to waive the fees associated with the Special Use Permits being sought in association with the James River Water Project. Mr. Nichols briefed the Board on the process by which the fees are normally collected and the rationale for waiving them for this request.

MOTION

Mr. O’Brien moved waived \$9,680 in fees associated with the Special Use Permit application and process for the James River Water Project, including:

Special Use Permit Fee	\$800
Public Hearing Sign Deposit	\$1,440
Adjoining Property Owner Notifications	\$7,440

Mr. Sheridan seconded and the motion passed 3-2. AYE: Booker, O’Brien, & Sheridan. NAY: Ullenbruch & Weaver. ABSENT: None.

The following items on the Consent Agenda were discussed before approval:

- Public Safety Building UPS Maintenance Contract Addendum and Renewal*—Public Safety Building—Eric Dahl, Finance Director
- Virginia Information Technologies Agency FY17 Wireless E-911 PSAP Grant*—Andrea Gaines, Director of Communications
- Walmart Community Grant Program*—Andrea Gaines, Director of Communications
- Virginia Information Technologies Agency FY17 Wireless E-911 PSAP Education Program Grant Award*—Andrea Gaines, Director of Communications
- Bourne Tract Agricultural/Forestral District Renewal*—Steve Tugwell, Senior Planner

The following were approved under the Consent Agenda:

Minutes of August 5, 2015 Meeting—Kelly Belanger Harris, Clerk to the Board
Market-Based Pay Increase (P&R Director)—Gail Parrish, Human Resources Manager
FY16 Sheriff's Department Vehicle Reimbursement—Mary Anna Twisdale, Management Analyst, Finance Department
FY16 Supplemental Appropriation Career & Technical Education (CTE) Funds—Mary Anna Twisdale, Management Analyst, Finance Department
FY16 Schools Supplemental Appropriation of State Funding for Local Alternative Assessments —Mary Anna Twisdale, Management Analyst, Finance Department
FY15 Cell Tower Budget Supplement—Mary Anna Twisdale, Management Analyst, Finance Department
FY15 Budget Transfer for Reassessment Services—Mary Anna Twisdale, Management Analyst, Finance Department
Public Safety Building UPS Maintenance Contract Addendum and Renewal—Public Safety Building—Eric Dahl, Finance Director
Virginia Information Technologies Agency FY17 Wireless E-911 PSAP Grant—Andrea Gaines, Director of Communications
Walmart Community Grant Program—Andrea Gaines, Director of Communications
Virginia Information Technologies Agency FY17 Wireless E-911 PSAP Education Program Grant Award—Andrea Gaines, Director of Communications
Contract Revision Approval for Task 2, Emergency Communications Radio System Consultant—Cheryl Elliott, Emergency Services Coordinator
Bourne Tract Agricultural/Forestal District Renewal—Steve Tugwell, Senior Planner

MOTION

Mr. Weaver moved to approve the items on the Consent Agenda for September 2, 2015. 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

Chair Booker opened the second section of Public Comments.
With no one wishing to speak, Chair Booker closed the second round of public comments.

CLOSED SESSION

MOTION TO ENTER INTO A CLOSED MEETING

At 8:45pm, 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, Investment of Funds, and Legal Matters. Mr. Ullenbruch 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 10:10pm, 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 10:11pm Mr. Sheridan moved to adjourn the meeting of Wednesday, September 2, 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