

FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Court Room
September 16, 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 (*Arrived at 4:07pm*)
 Mike Sheridan, Columbia District (*Arrived at 4:09pm*)
 Donald W. Weaver, Cunningham District

ALSO PRESENT:

Steven M. Nichols, County Administrator
 Fred Payne, County Attorney
 Cheryl Elliott, Emergency Services Coordinator
 Jay Lindsey, Planner
 Robert Popowicz, Community Development Director (Work Session)
 Wayne Stephens, Public Works Director and County Engineer
 Jason Stewart, Planning and Zoning Administrator
 Kelly Belanger Harris, Clerk to the Board of Supervisors

WORK SESSION**CALL TO ORDER**

At 4:00 pm, Chairperson Booker called the Work Session of September 16, 2015 to order.
 After the recitation of the Pledge of Allegiance, a moment of silence was observed.

Mr. Nichols began the meeting with an overview of the topics to be discussed in the Work Session.

- *Community Business Forum*, Mr. Nichols gave a brief overview of the planned Community Business Forum and a Business Climate Survey, both of which are designed to gain a better understanding of business needs in the County and offer support.
- *VDOT Update*, Mr. Bobby Popowicz briefed the Board on the HB2 ramifications on County projects, current and planned VDOT projects in the County.
- *Broadband*, Mr. Popowicz updated the Board on the status of rural broadband planning, including demand, providers, and potential grant opportunities; regional localities' solutions and providers; inventory of assets; and next steps.
- *E911 Project Update*, Cheryl Elliott, Emergency Services Coordinator, updated the Supervisors on the status of the E911 Radio Project, noting timelines, cost projections, and contract specifications.
- *JRWA Update and Timeline*, Wayne Stephens, Public Works Director and County Engineer, reported on the process and timeline for the James River Water Authority project. Mr. Stephens noted that in best-case scenario, the project is slated for completion in late 2017-early 2018.

To allow time for the Supervisors' dinner break and to conduct a Closed Session, it was suggested that two items from the Work Session Agenda were moved to Presentations on the Regular Meeting Agenda.

MOTION TO ENTER INTO A CLOSED MEETING

At 5:59 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.6, & A.7. of the Code of Virginia, 1950, as amended, for the purpose of discussing Personnel, Investment of Funds, & Legal Matters. Mr. Sheridan 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 7:00pm, 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.

REGULAR MEETING**CALL TO ORDER**

At 7:04 pm, Chairperson Booker called the Regular Meeting of September 16, 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 September 16, 2015, noting that two items from the Work Session will be presented during Presentations. Regular Meeting of the Board of Supervisors, as presented. Mr. Sheridan seconded and the Agenda was adopted by a vote of 5-0. AYES: Booker, O'Brien, Ullenbruch, Sheridan & Weaver. NAYS: None. ABSENT: None.

COUNTY ADMINISTRATOR'S REPORT

Mr. Nichols reported on the following topics:

- Fork Union Streetscape is complete.
- Public Works staff member, Steve Hester
 - Received his Virginia Fertilizer Applicator Certificate
- 5th Annual Fluvanna County Wine Festival
 - Saturday, Sep 26th at 11:00 AM - 6:00 PM, Pleasant Grove Park
- 20th Annual Old Farm Day
 - Saturday, October 3rd at Pleasant Grove Park
- Annual Employee Appreciation Picnic
 - Tue, Sep 22nd, 4 – 6 pm, PG Park Pole Barn
- Recommend mailing EMS Cost Recovery Brochure to all Fluvanna households
 - Cost ~\$6,000 (in Emergency Management budget)
- New Staff Hired
 - New Purchasing Officer Hired--Cyndi Toler, Started work on Sep 8th
 - New IT Systems Engineer Hired--Eddie Mikell, Starts work on Oct 5th
- County Administrator Vacation, Sep 26 – Oct 3
 - Acting COAD will be Eric Dahl
- Next Meetings
 - Wednesday, October 7, 4:00 pm – Regular Meeting
 - Wednesday, October 21, 7:00 pm – Regular Meeting

BOARD OF SUPERVISORS' UPDATES

Sheridan—None.

Weaver—None.

Ullenbruch—Jail Board Authority.

O'Brien—Thomas Jefferson Planning District Council.

Booker—JABA Executive Board, Rivanna River Commission.

PUBLIC COMMENTS #1

At 7:12 pm 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

Comprehensive Plan – Jay Lindsey, Planner, addressed the Board with the five year update to the County Comprehensive Plan update. Mr. Lindsey noted changes to the structure of the Comprehensive Plan which included streamlining the document by combining chapters. Among the updates and recommended changes were: encouraging in-fill development in place of new construction, preserving open space and the rural character of the County intact and restricting PUD development to the Zion Crossroads Community Planning Area (CPA.)

At 7:28pm, Chair Booker opened the Public Hearing.

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

After brief discussion,

MOTION

Mr. Ullenbruch moved to adopt the resolution titled, "A Resolution to Adopt the Fluvanna County 2015 Comprehensive Plan." Mr. O'Brien seconded and the motion passed 5-0. AYES: Booker, O'Brien, Ullenbruch, Sheridan & Weaver. NAYS: None. ABSENT: None.

SUP 15-05: Jeff Jennings Landscaping Materials Supply Business—Steve Tugwell, Senior Planner, brought forward a request to for a special use permit to allow for a landscaping materials supply business with respect to 1.666 acres of Tax Map 4, Section A, Parcel 53C. The affected property is located on the eastern side of State Route 600 (Paynes Mill Road) approximately 1,200 feet south of its intersection with Carter Lane.

At 7:35pm, Chair Booker opened the Public Hearing.

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

MOTION

Mr. Ullenbruch moved that the Board of Supervisors approve SUP 15:05, a request to allow for the operation of a landscaping materials supply business with respect to 1.666 acres of Tax Map 4, Section A, Parcel 53C, subject to the nine (9) conditions listed in the staff report. Mr. Weaver seconded and the motion passed 5-0. AYES: Booker, O'Brien, Ullenbruch, Sheridan & Weaver. NAYS: 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. Hours of operation shall be Monday through Saturday 7:30 a.m. to 4:00 p.m.
6. The Board of Supervisors, or its representative, reserves the right to inspect the business for compliance with these conditions at any time.
7. Any noise generated by the activity on this site shall be limited to the maximum decibel level allowed by Sec. 15.1-9 A. d. of the County Code.
8. All outdoor landscaping supply materials storage areas shall be screened from the view of public roads, rights-of-way, and adjacent properties as required by Sec. 22-24-7 3. iii of the Zoning Ordinance.
9. 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.

ACTION MATTERS

Pay Differential for Surveying Services—Gail Parrish, Director of Human Resources, addressed the Board with a request to amend the compensation for employees who provide surveying services outside of their normal job duties, when they are performing surveying services.

MOTION

Mr. Ullenbruch moved the Board of Supervisors approve a pay differential for employees who provide surveying services which are not within their normal job functions, with such payments to be an additional \$10 per hour for a surveyor that provides their own equipment and an additional \$5 per hour for a surveyor assistant. Mr. O'Brien seconded and the motion passed 5-0. AYES: Booker, O'Brien, Ullenbruch, Sheridan & Weaver. NAYS: None. ABSENT: None.

FY17 Budget Calendar—Mary Anna Twisdale, Management Analyst, brought forward for adoption, the FY16 Budget Calendar.

MOTION

Mr. O'Brien moved the Board of Supervisors approve the FY17 Budget Calendar. Mr. Sheridan seconded and the motion passed 5-0. AYES: Booker, O'Brien, Ullenbruch, Sheridan & Weaver. NAYS: None. ABSENT: None.

Approval of the Agreement for Emergency Communication Radio System Project Management and System Implementation Support Services—Cheryl Elliott, Emergency Services Coordinator, returned to the Board to seek approval of the contract between the County of Fluvanna and Black & Veatch Corporation. As the contract had previously been with RCC Consultants, this request acknowledges the purchase of RCC Consultants by Black & Veatch.

MOTION

Mr. Sheridan moved the Board of Supervisors approve the contract between the County of Fluvanna, Virginia and Black & Veatch Corporation entitled "Agreement for Emergency Communication Radio System Project Management and System Implementation Support Services" on an emergency basis as authorized by Section 6.1.6 and on a sole source basis as authorized by Section 6.1.5 of the County's Procurement Policies and Procedures and also under the Virginia Public Procurement Act, Virginia Code Section 2.2-4303, and further that the notice of emergency and sole source procurement required by the Virginia Procurement Act be posted on the Department of General Services' central electronic procurement website. Furthermore, the Board of Supervisors authorizes the County Administrator to execute the Contract contingent upon the Contract being approved as to form by the County Attorney. Mr. O'Brien seconded and the motion passed 5-0. AYES: Booker, O'Brien, Ullenbruch, Sheridan & Weaver. NAYS: None. ABSENT: None.

PRESENTATIONS

Fluvanna Partnership for Aging (FPA) Update – Deborrah Foreman, FPA Chairperson, briefed the Board on the mission and vision of the Fluvanna Partnership for Aging. Ms. Foreman reported on community and regional collaborations, and noted that the Senior Resources Guide has been updated and will be updated on the website and throughout the community.

Planning Updates, Jason Stewart, Planning and Zoning Administrator, Jay Lindsey, Planner, briefed the Board on current Planning projects, as well as the impact of the changes in the Comprehensive Plan on the these projects as well as future projects.

Water and Sewer Infrastructure Updates, Wayne Stephens, offered an update on existing County water and sewer facilities and proposed infrastructure improvements. In preparation for improvements to infrastructure, Mr. Stephens highlighted the need for new or revised rules and regulations to guide developers, govern use of public water and sewer systems, a Utility Standards Manual, and procedures for setting rates, fees, charges, customer service, and billing procedures.

CONSENT AGENDA

The following were approved under the Consent Agenda:

- VDOT Secondary Street Acceptance Request—Sycamore Square—Bobby Popowicz, Community Development Director
- FY15-FY16 Carryover Request—Mary Anna Twisdale, Management Analyst
- Accounts Payable Report, June 2015—Eric Dahl, Finance Director
- Accounts Payable Report, July 2015—Eric Dahl, Finance Director
- Accounts Payable Report, August 2015—Eric Dahl, Finance Director
- US Department of Justice, Bureau of Justice Assistance Bullet Proof Vest Program Grant Award—Lt. Aaron Hurd, Sheriff’s Office
- FY16 DMV US DOT Highway Safety Funds Grant Award—Lt. Aaron Hurd, Sheriff’s Office
- FY16 Schools Cafeteria Fund Supplemental Appropriation—Mary Anna Twisdale, Management Analyst

MOTION

Mr. Weaver moved to approve the items on the Consent Agenda for September 16, 2015, and ratified the Accounts Payable Reports for June, July, and August 2015 in the amounts of June: \$1,464,475.25, July 2015 in the amount of \$1,751,401.51, and August 2015 \$2,287,125.15. Mr. Ullenbruch seconded and the motion passed 5-0. AYES: Booker, Ullenbruch, O’Brien, Sheridan, and Weaver. NAYS: None. ABSENT: None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Mr. Ullenbruch brought forward a request to provide a new, larger vehicle for the Crime Scene Investigator. The Board directed staff to coordinate with Sheriff’s Office to determine new vehicle needs for Crime Scene Investigator and return to Board with proposal at the October 7, 2015 meeting.

Firetruck, Cheryl Elliott, Emergency Services Coordinator, brought forward a request from the Lake Monticello Volunteer Fire Department and Rescue Squad to help fund the replacement of the County’s only ladder truck, currently requiring tens of thousands of dollars in repair and maintenance. LMVFDR has located and entered negotiations to purchase a used ladder truck for \$75,000. LMVFDR anticipates a short fall of approximately \$50,000.

MOTION

Mr. Sheridan moved to approve the purchase by Lake Monticello Volunteer Fire Department and Rescue Squad, Inc. of the Elmsford Tower Ladder Truck #21 for \$75,000, with the County’s contribution not to exceed \$50,000 to be provided from the FY16 BOS Contingency. Mr. Ullenbruch seconded and the motion passed with a vote of 5-0. AYES: Booker, Ullenbruch, O’Brien, Sheridan, and Weaver. NAYS: None. ABSENT: None.

PUBLIC COMMENTS #2

9:31pm 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:

Mr. Weaver moved to adjourn the meeting of Wednesday, September 16, 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