

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Court Room
December 16, 2015
Regular Meeting 7:00pm**

MEMBERS PRESENT: Mozell Booker, Fork Union District, Chairperson
Bob Ullenbruch, Palmyra District, Vice-Chair
Tony O'Brien, Rivanna District
Donald W. Weaver, Cunningham District

MEMBERS ABSENT: Mike Sheridan, Columbia District Chairperson

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 7:00 pm, Chair Booker called the Regular Meeting of December 16, 2015 to order. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

Chair Booker called Vice Chair Ullenbruch forward to present a *Plaque of Appreciation* on occasion of his last meeting as the Palmyra District representative on the Board of Supervisors.

ADOPTION OF AGENDA

MOTION

Mr. Weaver moved to accept the Agenda for the December 16, 2015 Regular Meeting of the Board of Supervisors, as presented. Mr. Ullenbruch seconded and the Agenda was adopted by a vote of 4-0. AYES: Booker, Ullenbruch, O'Brien, and Weaver. NAYS: None. ABSENT: Sheridan.

COUNTY ADMINISTRATOR'S REPORT

Mr. Nichols reported on the following:

- 2015 Holiday Tree Lighting at PG House
 - 200+ community members
 - Santa's Story time and tree lighting, s'mores around the fire pits
 - Complimentary pictures with Santa—George Kuhlow volunteered as Santa
 - Fluvanna Sports Photography--<http://www.fluvannaphotos.com/>
 - Collected over 250lbs. of non-perishable food items for MACAA to provide local families
- Preservation Piedmont presented their "Preservation Award" on Dec 6th to Fluvanna County and the Fluvanna Historical Society for their work and collaboration in restoring the 1854 Plantation home.
 - Mr. Marvin Moss accepted the award on behalf of the Historical Society
- PG House and Museum Security System
 - Recommend installing a fire & voice alarm system:
 - Wireless Security control panel; 5 Door contacts , 6 motion detectors and 1 glass break detector
 - Monitoring of Security system: Initial Equipment Costs: \$3,010, Annual Support Cost:\$390
- Citizen Concern and Request:
 - Cars are traveling faster than 45 MPH on Rt. 600 past Riverside Subdivision entrance
 - Wants VDOT to lower the Route 600, South Boston Road, speed limit from the Rivanna River to the traffic Circle; says there is a blind spot at the curve and people "fly"
 - Requested Board direction.
- Safety Improvement at MACAA
 - New hand railing installed, safer and more accessible for customers of all ages and physical conditions; Cost - \$513.00
- Seeking Planning Commission Candidates (Palmyra District)
 - The Board of Supervisors is expected to fill the vacancy from the list of candidates at their Regular Meeting on January 6, 2016; all applications are due to the County Administrator's Office by December 29, 2015
- Emergency Radio System - Sheriff's Site Tower
 - Trying to avoid small stream in the wooded area; tower up against the tree line, but not infringe on existing trees
 - These towers are designed to withstand 100 mph winds; to come down, the tower would have to take a direct tornado hit. The sheriff's office roof (and possibly the building) would be gone beforehand.
- Staff Holiday Party
 - Friday, Dec 18th at Noon, Historic Courthouse
 - Ham and turkey provided; bring a side dish or dessert to pass
- Next meetings
 - Wednesday, January 6, 2016--4:00 pm – Organizational & Regular Meeting; 7:00 pm – Special Public Hearing?

BOARD OF SUPERVISORS' UPDATES

Sheridan—Absent.

Weaver—None.

Ullenbruch— Jail Board.

O'Brien—PWN Council, LMOA Board.

Booker— JABA Annual meeting; Advisory Board for the Women's Correctional Center; Senior Center Holiday Luncheon.

PUBLIC COMMENTS #1

At 7:27 pm Chair Booker opened the first round of Public Comments.

- Kathy Swenson-Miller, 94 Fairview Lane, spoke of her disappointment at the outcome of the Public Hearings on December 2, 2015. Ms. Swenson-Miller queried the Board for specific feedback before the next Public Hearings on the same topic, on January 20, 2016.
- George Bialkowski, 1215 Point of Fork Rd, spoke regarding the ratification of Amendment #1 of the Interjurisdictional Agreement. Mr. Bialkowski apologized for his actions at the December 2, 2015 meeting.
- Bob Dorsey, 6 Dover Ct., thanked Mr. Ullenbruch for his service and asked for specific feedback from the Board.

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

Following the speakers, Chair Booker initiated a discussion that directly addressed the comments and questions raised by the speakers.

Mr. Payne, County Attorney, noted that it is his opinion that the action taken on November 18, 2015 approving Amendment #1 of the Interjurisdictional Agreement was legal and does not require a further vote.

PUBLIC HEARINGS

ZTA 15:04 – Fluvanna County (Zoning Ordinance) & ZTA 15:05 – Fluvanna County (Subdivision Ordinance)— James Newman, Planner, brought before the Board a request to amend and reenact the Zoning Ordinance and Subdivision Ordinance to bring into compliance with Virginia Code and Federal legal decisions. Mr. Newman highlighted changes in how political signs are categorized; key changes to definitions; and clarified substantive and clerical changes. Mr. Payne noted that these changes are primarily categorized as housekeeping. Mr. Newman reported that the Planning Commission recommending approving the changes to the Zoning Ordinance and the Subdivision Ordinance.

At 8:28pm, Chair Booker opened the Public Hearing.

- George Bialkowski, 1250 Point of Fork Rd, spoke regarding the changes to the Sign Ordinance.
- Catherine Hobbs, 17 Stonefield Rd., chair of the Fluvanna Electoral Board, spoke regarding the proposed changes to the Sign Ordinance.

There being no one else wishing to speak, Chair Booker closed the Public Hearing.

Chair Booker opened the floor to discussion by Supervisors. Mr. Ullenbruch asked Ms. Hobbs the average length of time that surrounding localities allow political signs to be displayed. Ms. Hobbs responded that there are varying time allowances, noting that Fluvanna has one of the shorter durations. Mr. Weaver inquired about changes made to regulations regarding manufactured housing. Mr. Payne clarified that the change in this section was a change in terminology only, changing "mobile home" to "manufactured house."

MOTION

Mr. O'Brien moved that the Board of Supervisors approve ZTA 15:04, an ordinance to amend and reenact chapter 22, articles 1, 2, 4, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 26, and 27 of the Fluvanna County Code by certain amendments to sections and subsections 22-1-2, 22-2.1, 22-4-6, 22-4-9.1, 22-4-9.2, 22-4-9.4, 22-7-4, 22-7-5, 22-7-12, 22-9-2, 22-9-3, 22-10-5, 22-11-2, 22-12-9, 22-13-1, 22-13-2, 22-13-3, 22-13-4, 22-13-5, 22-13-6, 22-13-7, 22-14-8, 22-14-8.3, 22-15-1, 22-15-2, 22-15-2.1, 22-15-4, 22-15-5, 22-15-4.1, 22-16-8, 22-17-1, 22-17-6, 22-17-9, 22-17-15, 22-17-16, 22-17-18, 22-18-1, 22-18-1.1, 22-18-2, 22-18-4, 22-18-5, 22-18-6, 22-18-7, 22-18-7.1, 22-21-3, 22-22, 22-23-6, 22-23-7, 22-24-3, 22-24-4, 22-25-4, 22-25-6, 22-26-4, 22-27-2, 22-27-6, 22-27-9.9, 22-27-10.2, 22-27-10.3, 22-27-10.3.A, 22-27-10.3B, and 22-27-11.1. thereof, amending and reenacting the Fluvanna County Zoning Ordinance to conform to the current enabling legislation, as amended, and federal court decisions, with the following changes: 1. The "going out of business" sign permit fee as stated in the text is amended to 50 dollars from 65 dollars, and, 2. Temporary signs are allowed to be placed up to 60 days in advance of an event instead of 30 days in advance as was originally stated in the text. Mr. Weaver seconded and the motion passed 4-0. AYE: Booker, Ullenbruch, O'Brien, and Weaver. NAY: None. ABSENT: Sheridan.

MOTION

Mr. Ullenbruch moved that the Board of Supervisors approve an ordinance to amend and reenact Chapter 19, Articles 1, 3, 6, 7, and 8 of the Fluvanna County Code by certain amendments to sections and subsections 19-1-3, 19-3-4, 19-3-5, 19-3-6, 19-3-6.3, 19-6-3, 19-7-6, 19-8-1, 19-8-4, 19-8-5, and 19-8-7. Thereof, amending and reenacting the Fluvanna County Subdivision Ordinance to conform to the current enabling legislation, as amended. Mr. O'Brien seconded and the motion passed 4-0. AYE: Booker, Ullenbruch, O'Brien, and Weaver. NAY: None. ABSENT: Sheridan.

ACTION MATTERS

Relocation of Rivanna/501 Polling Place—Catherine Hobbs, Chair Fluvanna County Electoral Board, brought before the Board a request to relocate the 501 Rivanna Polling Place because of imminent construction at the current polling place.

MOTION

Mr. Ullenbruch moved to approve advertisement of a public hearing for the purpose of considering “AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE 2, SEC. 2-2-3(a) OF THE FLUVANNA COUNTY CODE TO MOVE THE RIVANNA ELECTION DISTRICT POLLING PLACE FROM THE LAKE MONTICELLO CLUBHOUSE TO THE MAPLE ROOM, LAKE MONTICELLO FIREHOUSE.” Mr. O’Brien seconded and the motion passed 4-0. AYE: Booker, Ullenbruch, O’Brien, and Weaver. NAY: None. ABSENT: Sheridan.

Task Order #2 - Surveying Services for the Zion Crossroads Water & Sewer System—Cyndi Toler, Purchasing Officer, returned to the Board with a request to approve Surveying Services for the Zion Crossroads Water & Sewer System. With no discussion,

MOTION

Mr. Ullenbruch moved the Board of Supervisors approve Task Order #2 between the County of Fluvanna, Virginia, and Bowman Consulting Group, LTD. to complete the Aerial Surveying for the Zion Crossroads Water & Sewer System totaling \$34,560, and further authorize the County Administrator to execute the agreements subject to approval as to form by the County Attorney. Mr. O’Brien seconded and the motion passed 4-0. AYE: Booker, Ullenbruch, O’Brien, and Weaver. NAY: None. ABSENT: Sheridan.

Ratification of Addendum No. 1 to the Interjurisdictional Agreement Regarding the James River Water Project – Steven M. Nichols, County Administrator, brought before the Board a request to ratify the vote taken on November 18, 2015 regarding Addendum #1 to the Interjurisdictional Agreement Regarding the James River Water Project. After discussion,

MOTION

Mr. O’Brien moved to ratify Addendum No. 1 to the October 1, 2013, “AGREEMENT BETWEEN LOUISA COUNTY, VIRGINIA, FLUVANNA COUNTY, VIRGINIA, THE LOUISA COUNTY WATER AUTHORITY AND THE JAMES RIVER WATER AUTHORITY REGARDING THE JAMES RIVER WATER PIPELINE,” in order more clearly to express the intent of the parties, their respective rights and duties thereunder and to protect the public health, safety and general welfare of the citizens of Louisa and Fluvanna Counties. Mr. Ullenbruch seconded. After the second, Mr. Weaver called for discussion. After discussion ended, Chair Booker called for the vote. The motion passed 3-1. AYE: Booker, Ullenbruch, O’Brien. NAY: Weaver. ABSENT: Sheridan.

FY16 Supplemental Budget Appropriation for Fork Union Community Center Roof Replacement CIP Project – Wayne Stephens, Public Works Director and County Engineer, briefed the Board on the condition of the Fork Union Community Center roof.

After brief discussion regarding the age and the overall condition of the building,

MOTION

Mr. Ullenbruch moved the Board of Supervisors approve a FY16 supplemental appropriation of \$55,000.00 for the Fork Union Community Center Roof Replacement CIP budget, from Unassigned Fund Balance. Mr. O’Brien seconded and the motion passed 4-0. Aye: Booker, Ullenbruch, O’Brien, and Weaver. NAY: None. ABSENT: Sheridan.

Approval of the Contract for Roof Replacement at the Fork Union Community Center – Cyndi Toler, Purchasing Officer, brought forward a request to approve a contract to replace the roof at the Fork Union Community Center. With little discussion,

MOTION

Mr. Weaver moved the Board of Supervisors approve the agreement between Baker Roofing and the County of Fluvanna, to replace and repair the roof of the Fork Union Community Center Totaling \$105,879, and further authorize the County Administrator to execute the agreements subject to approval as to form by the County Attorney. Mr. Ullenbruch seconded and the motion passed 4-0. Aye: Booker, Ullenbruch, O’Brien, and Weaver. NAY: None. ABSENT: Sheridan.

At 9:25 pm, Chair Booker called for a 5 minute recess.

Chair Booker reconvened the meeting at 9:34 pm.

PRESENTATIONS

Criminal Justice Planner’s Report—Mr. Neal Goodloe, Criminal Justice Planner for Thomas Jefferson Area Community Criminal Justice Board, presented an overview of crime statistics and trends in Fluvanna County and the region. Mr. Goodloe also briefed the Board on the role of the Criminal Justice planner in the region, highlighting ways in which he may be of service to the County.

FY15 Comprehensive Annual Financial Report—Eric Dahl, Finance Director, and David Foley, Robinson, Farmer, and Cox, gave a brief overview of the FY15 CAFR. Mr. Dahl highlighted major initiatives of the County including the restoration of Pleasant Grove Park and Museum, MUNIS software, and the ongoing E911 Radio project. Mr. Dahl and Mr. Foley noted the County’s positive financial position and accounting and financial policies.

MOTION TO EXTEND

At 10:52pm, Mr. Weaver moved to extend the meeting until midnight. Mr. Ullenbruch seconded and the motion carried 4-0. AYES: Booker, Ullenbruch, O'Brien, and Weaver. NAYS: None. ABSENT: Sheridan.

CONSENT AGENDA

The following items were discussed before approval:

AP Report November 2015—Eric Dahl, Finance Director.

The following were approved under the Consent Agenda:

Minutes of December 2, 2015 Meeting—Kelly Belanger Harris, Clerk to the Board

Minutes of December 7, 2015 Special Meeting—Kelly Belanger Harris, Clerk to the Board

AP Report November 2015—Eric Dahl, Finance Director

Parks and Recreation Advisory Board Bylaws Update – Jason Smith, Parks and Recreation Director

FY16 Capital Reserve Maintenance Fund Request - SBO Roof Repair—Chuck Winkler, Deputy Superintendent, FCPS

FY16 Capital Reserve Maintenance Fund Request PW16-004 - Carysbrook PS - Emergency Repairs—Wayne Stephens, Public Works Director and County Engineer

FY16 Capital Reserve Maintenance Fund Request - FMS Clocks—Chuck Winkler, Deputy Superintendent, FCPS

Approval of Open Space Contract for Jerry S. and Jean M. Barker—Andrew M. Sheridan, Commissioner of the Revenue

Approval of Open Space Contract for Jerry Goodson—Andrew M. Sheridan, Commissioner of the Revenue

Approval of Open Space Contract for James F. May, III—Andrew M. Sheridan, Commissioner of the Revenue

Approval of Open Space Contract for Lonnie E. & Dena B. Poore—Andrew M. Sheridan, Commissioner of the Revenue

Approval of Open Space Contract for Sandra & Bobby Mason Taylor—Andrew M. Sheridan, Commissioner of the Revenue

MOTION

Mr. Weaver moved to approve the items on the Consent Agenda for December 16, 2015, and ratify Accounts Payable and Payroll for November 2015 in the amount of \$3,136,386.85. Mr. Ullenbruch seconded and the motion passed 4-0. AYES: Booker, Ullenbruch, O'Brien, and Weaver. NAYS: None. ABSENT: Sheridan.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

PUBLIC COMMENTS #2

At 11:02 pm, Chair Booker opened the second section of Public Comments.

- Bob Dorsey, 6 Dover Ct, remarked further on the process and procedures of the Board.

With no one else wishing to speak, Chair Booker closed the second round of public comments at 11:05pm.

CLOSED SESSION**MOTION TO ENTER INTO A CLOSED MEETING**

At 11:05 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.6 & A.7 of the Code of Virginia, 1950, as amended, for the purpose of discussing Investment of Funds and Legal Matters. Mr. O'Brien seconded and the motion carried, with a vote of 4-0. AYES: Booker, Ullenbruch, O'Brien, and Weaver. NAYS: None. ABSENT: Sheridan.

MOTION TO EXTEND

At 1:27 am, December 17, 2015, Mr. Weaver moved to extend the meeting until 2:00 am, December 17, 2015. Mr. Ullenbruch seconded and the motion carried 4-0. AYES: Booker, Ullenbruch, O'Brien, and Weaver. NAYS: None. ABSENT: Sheridan.

MOTION TO EXIT A CLOSED MEETING & RECONVENE IN OPEN SESSION

At 1:27 am, December 17, 2015, 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 and the motion carried, with a roll call vote of 4-0. AYES: Booker, Ullenbruch, O'Brien, and Weaver. NAYS: None. ABSENT: Sheridan.

MOTION TO EXTEND

At 1:28 am, December 17, 2015, Mr. Weaver noted that the motion to extend was made while still in Closed Session. Chair Booker affirmed in Open Session that the vote was made and the motion had passed.

ADJOURN

MOTION:

At 1:28 am, December 17, 2016, Mr. Weaver moved to adjourn the meeting of Wednesday, December 16, 2015. With no dissent, Chair Booker adjourned the meeting.

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

Kelly Belanger Harris
Clerk to the Board

John M. Sheridan
Chair

APPROVED