

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Court Room
April 20, 2016
Regular Meeting 7:00 pm**

MEMBERS PRESENT:

John M. (Mike) Sheridan, Columbia District, Chair
Mozell Booker, Fork Union District, Vice Chair
Patricia Eager, Palmyra District
Tony O'Brien, Rivanna District
Donald W. Weaver, Cunningham District

ALSO PRESENT:

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

CALL TO ORDER

At 7:05 pm, Chair Sheridan called the Regular Meeting of April 20, 2016 to order.
After the recitation of the Pledge of Allegiance, a moment of silence was observed.

ADOPTION OF AGENDA

Mrs. Booker requested to add to New Business: Rotating the Chair. Following consent to add the item to New Business,
MOTION

Mrs. Booker moved to accept the Agenda for the April 20, 2016, Regular Meeting of the Board of Supervisors, with changes. Mr. Weaver seconded and the Agenda was adopted by a vote of 5-0. AYES: Sheridan, Booker, Eager, O'Brien, and Weaver. NAYS: None. ABSENT: None.

SPECIAL PRESENTATIONS – RETIREMENTS AND DEPARTURES

Steven M. Nichols, County Administrator, called forward Building Official Mr. Darius Lester and, noting that Mrs. Nelle Carter, Public Works, was not present, Mr. Wayne Stephens. He read Certificates of Commendation upon the occasion of their retirements and the Board Chair presented the certificates to Mr. Lester, and in Mrs. Carter's absence, to Mr. Stephens. In the audience were current and former members of the Building Inspections staff.

Chair Sheridan next called forward Mr. Robert "Bobby" Popowicz, Community Development Director, to present a Certificate of Commendation in recognition of Mr. Popowicz's service to Fluvanna County since 2012. Mr. Popowicz will depart on April 22, 2016, to become the Town Manager of Dayton, Virginia.

COUNTY ADMINISTRATOR'S REPORT

Mr. Nichols reported on the following topics:

- Walter Hussey, Master Gardener
 - Received the 2016 Governor's Volunteerism and Community Service Award (Apr 18th at the Governor's Mansion) as the state-wide recipient in the Adult Volunteer category
 - He planned, mapped out, and implemented the 70-acre Meadow Management Program space at Pleasant Grove Park. Instrumental in developing partnerships with six state agencies and a long list of other organizations to get the project off the ground.
- Pleasant Grove Park Trails Team
 - Have finalized the new Trail Guide; finished up some trail reroutes; placing signs up along trails; completing other trail maintenance projects
- Fluvanna County High School Honors!
 - Silver Medal in U.S. News and World Report's Rankings of Best High Schools in America
 - National ranking as one of 2016's 100 Best WISE High Schools Teaching Personal Finance
- Community Business Forum - Planning underway
- Announcements and Updates
 - Jason Smith selected as new Director of Community and Economic Development
 - Aaron Spitzer appointed as Interim Director of Parks and Recreation
- Exterminator Services for Palmyra Rescue Facility? [Board approved]
- JRWA Project Update
 - Owners granted permission for access; Survey and due diligence work underway
- Request BOS Representative for County Audit Services Selection Review Committee
 - First week of May [Mrs. Eager will participate]
- Community Clean Up Day
 - Friday, April 22nd from 10am to 2pm - Join your neighbors in sprucing up our community.
 - Contact Fluvanna Parks and Recreation at 589-2016 or Public Works at 591-1925 for more information or to pick up trash bags.
- Don't forget to recognize County Staff and Community Members for their good deeds and special efforts
- Upcoming Meetings
 - Wed, May 4, 4:00 PM Regular Meeting Courtroom, Wed, May 18, 7:00 PM Regular Meeting Courtroom
 - Wed, Jun 1, 4:00 PM Regular Meeting Courtroom, Wed, Jun 15, 7:00 PM Regular Meeting Courtroom

BOARD OF SUPERVISORS UPDATES

Sheridan—Finance Committee Meeting postponed.
Booker—CSA Mini-Retreat, FUSD Board.
Eager—FLDP 2016 Graduation, Highland Luncheon with 5th District Congressman Robert Hurt.
Weaver—FLDP 2016 Graduation, Middle School Tour, PVCC on March 1, 2016.
O’Brien- FLDP 2016 Graduation, Rotary.

PUBLIC COMMENTS #1

At 7:31 pm Chair Sheridan opened the first round of Public Comments.
With no one else wishing to speak, Chair Sheridan closed the first round of Public Comments at 7:31pm. 7:30:48 PM

PUBLIC HEARING

SUP 16:03 – Eric MacKinnon – Small Home Industry—James Newman, Planner, brought forward a request for a special use permit to operate a small home industry with respect to 2 acres of Tax Map 11, Section 13, Parcel 8. The affected property is located on the west side of Bybees Church Road (Route 613), approximately one-half mile northeast of its intersection with Barnaby Road. Mr. Newman reported that the Planning Commission recommended approval at the March 23, 2016 Planning Commission meeting. Mr. Newman stated that the intended industry will be a home Reiki studio for seeing private clients, as well as support for Healthy 4 Life, LLC a franchise of Juice Plus. All shipping for Healthy 4 Life, LLC takes place through internet sales, with prospective clients coming to the house for Reiki healing sessions and product display. Chair Sheridan called for questions from the Board.
There being no questions, Chair Sheridan opened the Public Hearing.
Seeing no one wishing to speak, Chair Sheridan closed the Public Hearing and called for discussion.
Chair Sheridan invited the applicants to speak, which they declined.

MOTION

Mrs. Booker moved that the Board of Supervisors approve SUP 16:03, a request to allow for a small home industry with respect to 2 acres of Tax Map 11, Section 13, Parcel 8, subject to the nine (9) conditions listed in the staff report. Mr. O’Brien seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O’Brien, & Weaver.
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 10:00 a.m. to 7:00 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. A business sign will require a separate sign permit from the planning dept.
- 8. 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.
- 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

Fiscal Year 2017 Operations Budget and Tax Rates —Eric Dahl, Finance Director, came before the Board with a request to approve the Fiscal Year 2017 Operations Budget and Tax Rates. Mr. Dahl focused on several notable items including Schools Funding, New Positions, County Staff Pay Plan, County Staff Health Insurance (Adopted), & a Capital Depreciation Fund. Mr. Dahl presented an updated version of the Staff Pay Plan that took into consideration questions and suggestions received throughout the Budget Process.
Mrs. Booker noted that the Fluvanna County Public Schools (FCPS) FY17 Budget included nearly \$650,000 in staffing costs. Mr. O’Brien highlighted the US News and World Report article that listed Fluvanna High School as a Top 50 High School in Virginia and further commented that as there has been little public comment on the prospect of a higher tax rate, he believes the tax rate should be raised to accommodate the schools’ request to hire additional staff to meet the increasing needs of students and staff.
Mrs. Eager expressed her desire to stay at the current tax rate, believing that the County’s high tax rate is inhibiting growth. Mr. Weaver concurred with Mrs. Eager.
Chair Sheridan shared that as he has spoken with citizens throughout the County and has heard appeals for both decreasing and raising the tax rate.
Mrs. Eager reiterated that businesses are sensitive to the tax rate and feels that Fluvanna County’s tax rate is inhibiting new growth.

MOTION

Mr. O’Brien moved the resolution entitled “A Resolution to Adopt the FY17 Operations Budget, Set the Tax Rates and Appropriate Funds” be adopted. The **2016 County Tax Rates** as moved:

Real Estate	\$0.914 per \$100 of assessed value
Public Service Corps.	\$0.914 per \$100 of assessed value
Mobile Homes	\$0.914 per \$100 of assessed value
Personal Property	\$4.35 per \$100 of assessed value
Machinery & Tools	\$2.00 per \$100 of assessed value

for a total Operating Budget of \$78,205,368.
Mrs. Booker seconded and the motion failed 2-3. AYE: Sheridan & O’Brien. NAY: Booker, Eager & Weaver. ABSENT: None.

Mrs. Booker moved that the resolution entitled “A Resolution to Adopt the FY17 Operations Budget, Set the Tax Rates and Appropriate Funds” be adopted. The **2016 County Tax Rates** as moved:

Real Estate	\$0.92 per \$100 of assessed value
Public Service Corps.	\$0.92 per \$100 of assessed value
Mobile Homes	\$0.92 per \$100 of assessed value
Personal Property	\$4.35 per \$100 of assessed value
Machinery & Tools	\$2.00 per \$100 of assessed value

for a total Operating Budget of \$78,375,998. Mr. O’Brien seconded and the motion failed 2-3. AYE: Booker & O’Brien. NAY: Sheridan, Eager & Weaver. ABSENT: None.

Mr. O’Brien moved that the resolution entitled “A Resolution to Adopt the FY17 Operations Budget, Set the Tax Rates and Appropriate Funds” be adopted. The **2016 County Tax Rates** as moved:

Real Estate	\$0.917 per \$100 of assessed value
Public Service Corps.	\$0.917 per \$100 of assessed value
Mobile Homes	\$0.917 per \$100 of assessed value
Personal Property	\$4.35 per \$100 of assessed value
Machinery & Tools	\$2.00 per \$100 of assessed value

for a total Operating Budget of \$78,290,683. Mrs. Booker seconded and the motion passed 3-2. AYE: Booker, O’Brien, & Sheridan. NAY: Eager & Weaver. ABSENT: None.

Fiscal Year’s 2017-2021 Capital Improvements Plan—Eric Dahl, Finance Director, presented the Capital Improvements Plan for Fiscal Year 2017-2021, focusing on the available proffer funds, large-scale improvements and renovations, and debt-service for the coming years.

MOTION
Mr. O’Brien moved the resolution entitled “Adoption of the FY2017-2021 Capital Improvements Plan” be adopted. Mrs. Booker seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O’Brien, & Weaver. NAY: None. ABSENT: None.

Mr. Nichols paused to thank Chair Sheridan and the Supervisors for a thoughtful and productive Budget Season noting that the leadership of the Chair helped propel the budget in meaningful ways.

Reclassification of Administrative Position (Public Works) – Gail Parrish, Human Resources Manager, requested that the current Public Works Senior Program Assistant be reclassified as Administrative Program Specialist. With the retirement of Mrs. Nelle Carter, current Senior Program Assistant for Public Works, the position requirements were reviewed and the proposed additional and more complex duties require a different and more demanding skill set.

MOTION
Mrs. Booker moved the Senior Program Support Assistant – 1021 (Public Works) position be reclassified to Administrative Program Specialist -1051 (Public Works). Mr. O’Brien offered second and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O’Brien, & Weaver. NAY: None. ABSENT: None.

Appointment to the Fluvanna Partnership for Aging – At-Large Position—Steven M. Nichols, County Administrator. With little discussion,

MOTION
Mr. Weaver moved to appoint Nan Weikert to the Fluvanna Partnership for Aging Committee At Large Position, replacing Deborrah Foreman, with a term to begin immediately and to terminate December 31, 2017. Mr. O’Brien seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O’Brien, & Weaver.

PRESENTATIONS
None.

CONSENT AGENDA
The following items were discussed before approval:

- AP Report and Payroll for March 2016*—Eric Dahl, Finance Director
- Staff Bonus for Temporary Assignment Duties (Sawyer)* – Steve Nichols, County Administrator
- Creation of Second Facilities Maintenance Specialist Position* – Steve Nichols, County Administrator
- Temporary Staff Stipend for Additional Duties (Newman)* – Steve Nichols, County Administrator
- Temporary Staff Stipend for Additional Duties (Black)* – Steve Nichols, County Administrator

The following items were approved under the Consent Agenda for February 17, 2016:
Minutes of the March 16, 2016 Meeting—Kelly Belanger Harris, Clerk to the Board
Minutes of the April 6, 2016 Meeting—Kelly Belanger Harris, Clerk to the Board
Fluvanna County Building Official Designation – Steve Nichols, County Administrator
Secondary Street Acceptance—Rosewood Manor—Robert Popowicz, Director of Community Development
Proclaiming April Fair Housing Month—Kelly Belanger Harris, Clerk to the Board

AP Report and Payroll for March 2016—Eric Dahl, Finance Director
Staff Bonus for Temporary Assignment Duties (Sawyer) – Steve Nichols, County Administrator
Creation of Second Facilities Maintenance Specialist Position – Steve Nichols, County Administrator
Temporary Staff Stipend for Additional Duties (Newman) – Steve Nichols, County Administrator
Temporary Staff Stipend for Additional Duties (Black) – Steve Nichols, County Administrator

MOTION
Mr. Weaver moved to approve the items on the Consent Agenda for April 20, 2016, and ratifying Accounts Payable and Payroll for March 2016, in the amount of \$1,751,884.42. Mrs. Booker seconded and the motion passed 5-0. AYE: Sheridan, Booker, Eager, O’Brien, and Weaver. NAY: None. ABSENT: None.

UNFINISHED BUSINESS
None.

NEW BUSINESS
Rotation of Board Chair—Mrs. Booker raised for discussion the idea of rotating the Board Chair on a regular basis, instead of electing a chair each year. Mr. Payne, referencing Virginia Code, pointed out that the Code is quite clear on the requirements and rules of Chair selection.

PUBLIC COMMENTS #2
At 9:24 pm Chair Sheridan opened the second round of Public Comments.
With no one wishing to speak, Chair Sheridan closed the first round of Public Comments at 9:24pm.

CLOSED MEETING
MOTION TO ENTER INTO A CLOSED MEETING
At 9:25pm, 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.7 of the Code of Virginia, 1950, as amended, for the purpose of discussing Personnel, Real Estate, and Legal Matters. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYE: Sheridan, Booker, Eager, O’Brien, Sheridan, and Weaver. NAY: None. ABSENT: None.

MOTION TO EXIT A CLOSED MEETING & RECONVENE IN OPEN SESSION
At 10:46pm, 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.” Mrs. Booker seconded. The motion carried, with a roll call vote, of 5-0. AYES: Sheridan, Booker, Eager, O’Brien, and Weaver. NAYS: None. ABSENT: None.

ADJOURN
MOTION:
At 10:47 pm Mr. O’Brien moved to adjourn the Work Session meeting of Wednesday, April 20, 2016. Mrs. Booker seconded and the motion carried with a vote of 5-0. AYES: Sheridan, Booker, Eager, O’Brien, and Weaver. NAYS: None. ABSENT: None.

ATTEST: FLUVANNA COUNTY BOARD OF SUPERVISORS

Kelly Belanger Harris
Clerk to the Board

John M. Sheridan
Chair