

FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Court Room
Fluvanna Courts Building
May 4th 2005
2:00 p.m.

MEMBERS PRESENT: Cecil L. Cobb, Chairman
Norma B. Hutner, Vice Chairman
Marvin F. Moss
Gene F. Ott
Thomas E. Payne
Donald W. Weaver

ALSO PRESENT: Shelly H. Wright, Assistant County Administrator
Frederick W. Payne, County Attorney
Milton Thacker, VDOT Resident Engineer
Steven Biel, Director of Planning & Community Development
Melissa Marks, Senior Finance Clerk
Linda H. Lenherr, Treasurer
Phyllis Bullock, Finance Director
Cris Roberson, Director of Parks & Recreation
Alice F. Jones, Clerk, Board of Supervisors

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Chairman Cobb called the meeting of May 4th 2005 to order at 2:00 p.m. in the Circuit Court Room of the Fluvanna Courts Building in Palmyra, Virginia and the Pledge of Allegiance was recited.

REPORTS

Milton Thacker, VDOT Resident Engineer, reported to the Board on the following VDOT items:

MAINTENANCE:

- VDOT is wrapping up seasonal pothole repairs and repairs for up coming paving schedules
- is on track to add centerline reflectors on overlay planned for Rt. 616; will be a separate contract that is being processed for award

CONSTRUCTION:

- the Rt. 799 project has started; continue to receive a number of concerns from citizens and Mr. Thomas Freeman, District Project Manager is available to comment on any related concerns or comments
- the Rt. 606 project has started which will receive stone and a surface treatment
- Interstate 64 patching on the West bound lane has begun in advance of overlay; delays can be expected
- checked with the right-of-way agent and have not received any additional information regarding the property on old Rt. 15 near Breomo Bluff

GENERAL ISSUES:

- reviewed the High Risk locations identified the first of the year with Mr. Steve Black, Traffic Engineer for Culpeper District and he is available to comment on any related concerns or comments the Board may have
- Traffic Engineering has recommended the following signage:
 - “School Bus Stop Ahead” on Rt. 640 at Rt. 559
 - “Horseback Riding” signs for Rt. 620 at Rt. 2033Study for reduced speed in the Town of Columbia is still being evaluated
- received several calls for reduction of speed limits for 25 mph in Fox Hollow subdivision; in the process of submitting this request for review; also requesting a reduced speed for Rt. 773 near Scottsville, between Rt. 6 and Rt. 637 to be consistent with other roads in the area

- The General Assembly and the local partnership initiative created in an amendment to the biennial budget, has dictated that VDOT, working with representatives of participating and interested counties, shall develop and prepare legislative recommendations on the process for any county at their request, to assume responsibility for their secondary construction program

Shelly H. Wright, Assistant County Administrator, reported on the following topics:

- reported to the Board regarding the delay in the reconciliation process
- letter from the School Board in front of the Board requesting the re-appropriation of year-end funds; the County Administrator and the School Board Superintendent will be meeting on Monday to discuss the matter further and will bring back before the Board at a future meeting
- reminded the Board has a joint meeting with the School Board to receive the recommendation of the Joint Committee on School Construction; the meeting will be next Wednesday, May 11th at 5:30 p.m. at the School Board Office and dinner will be provided
- apprised the Board regarding the Lake Monticello Community Celebration scheduled for Saturday, May 14th 2005 at the Jefferson Center from 10:00 am to 3:00 p.m.
- apprised the Board regarding the Fork Union 4-miler scheduled for Saturday, May 21st 2005 from 8:30-10:00am
- apprised the Board the Pleasant Grove Playground Phase I will be installed in the next two (2) weeks next to the soccer fields
- apprised the Board Parks & Recreation is asking for Board members to volunteer to be in the dunk booth on the 4th of July – ½ hour slots from 3:30 – 7:30 p.m.; contact Cris Roberson if any of the Board members are interested
- apprised the Board the Dog Park Opening and Ribbon Cutting is scheduled for Sunday, May 15th 2005 from 2:00-4:00 p.m.
- requested an executive session to discuss a personnel matter

PUBLIC COMMENTS #1

Chairman Cobb opened the floor for the first round of public comments.

- Kent Loving, Columbia District, addressed the Board regarding cluster development and additional agricultural zoning
- Rick Jones, Palmyra District, addressed the Board regarding the closing of Rt. 799 and how it has affected his business
- Gary Kuhns, American Legion, Fluvanna Division, invited the Board to a Patriotic Parade scheduled for March 21st 2005 at 9:00 a.m. at the SAM's Club on Rt. 29 North with events scheduled from 10:00 a.m. to 2:00 p.m.

With no one else wishing to speak, Chairman Cobb closed the first round of public comments.

CONSENT AGENDA

The following items were pulled from the consent agenda:

- Proclamation/Blue Star Salute Day [May 21st 2005]
- Minutes of March 16th 2005 [which includes the work session of March 23rd 2005]

The following items were approved under the consent agenda:

MOTION:

Mr. Payne moved to approve the consent agenda, which consisted of:

- Speed Reduction Request [Rts. 1050, 1051, 1052, 1053 and 1054]
- Minutes of April 6th 2005 [which include budget public hearing of April 13th 2005]
- Minutes of April 20th 2005
- Resolution/Rt. 708 [correction to mileage] (attached hereto)

Mr. Weaver seconded. The motion carried with a vote of 6-0. AYES: Hutner, Moss, Ott, Payne, Weaver and Cobb. NAYS: None.

Proclamation/Blue Star Salute Day

The American Legion Auxiliary is asking the Board to consider proclaiming Saturday, May 21st 2005 Blue Star Salute Day in Fluvanna County.

MOTION:

Mr. Moss moved the Fluvanna County Board of Supervisors adopt the proclamation proclaiming Saturday, May 21st 2005 as Fluvanna Blue Star Salute Day and acknowledge those who serve in uniform for their sacrifice and preservation of our American way of life and urge all citizens of this community to honor our citizens who are serving today by joining in the festivities. Mrs. Hutner seconded. The motion carried with a vote of 6-0. AYES: Hutner, Moss, Ott, Payne, Weaver and Cobb. NAYS: None.

NOTE: After Chairman Cobb signed the proclamation he formally presented it to Gary Kuhns, American Legion, Fluvanna Division.

Minutes of March 16th 2005 [which includes the work session of March 23rd 2005]

MOTION:

Mr. Payne moved the regular Board of Supervisors meeting minutes of March 16th 2005, which includes the budget work session minutes of March 23rd 2005, be approved. Mr. Ott seconded. The motion carried with a vote of 6-0. AYES: Hutner, Moss, Ott, Payne, Weaver and Cobb. NAYS: None.

ACCOUNTS PAYABLE

Melissa Marks, Senior Finance Clerk, addressed the Board regarding the accounts payable.

MOTION:

Mrs. Hutner moved the Accounts Payable from March 19th 2005 through April 18th 2005 and Payroll for the month of March 2005 in the amount of \$2,259,690.12 be ratified. Mr. Weaver seconded. The motion carried with a vote of 6-0. AYES: Hutner, Moss, Ott, Payne, Weaver and Cobb. NAYS: None.

Fund 100	General Fund	305,013.63
Fund 105	Social Services	1,406.93
Fund 106	CSA	152,481.20
Fund 115	E-911	14,449.67
Fund 120	Parks & Rec/Program	9,860.50
Fund 130	Landfill	22,410.11
Fund 202	Federal Grants	2,668.00
Fund 251	Schools	937,288.48
Fund 302	Capital Projects	166,451.21
Fund 401	Debt Services	249,353.13
Fund 505	FUSD	13,554.28
Fund 512	Landfill Closure	0
Fund 733	Special Welfare	0
Payroll		384,752.98
Total		\$2,259,690.12

PUBLIC HEARING

None

PRESENTATIONS:

General Assembly Highlights

David Blount, TJPDC Legislative Liaison, gave a verbal presentation to the Board regarding a summary of what took place at the General Assembly. Some of the highlights were: restoration of funding for the car tax reimbursement program [was not restored]; transportation was the main focus; education/teacher salaries; no additional funds for CSA; public safety – cost recovery methods; salary of state employees [increase of 4.4 percent, effective December 1st]; \$50M into the water quality improvement fund (majority targeted at waste water systems and improving their

removal technology and capabilities); land use issues; affordable housing; flush tax; expansion of the Chesapeake Bay act; landfill tipping fees and bio solids.

Human Services Building Update

Margaret Hackler, Steering Committee and Mark Lieberth, LPDA, gave a verbal briefing on the progress of the Human Services Building and the planning to date. Mrs. Hackler stated the building fit into the comprehensive plan and would improve coordination and sharing of public resources between county offices. Mr. Lieberth explained to the Board the original plan was dated 2001 and there had been some changes and increased space needs, along with cost. He indicated the square footage had not been correctly calculated and there was an increase of approximately 1,100 square feet to the building. The conceptual design will be presented to the Board sometime in July 2005.

Submittal Review Process

Steven Biel, Director of Planning & Community Development, Milton Thacker, VDOT Resident Engineer and Debbie Rittenhouse, Planning Commission Chairman, gave the Board a verbal presentation explaining the benefits of the proposed submittal review process and the forming of the Technical Review Committee. Mr. Biel explained that the applicant would have the opportunity, along with their representative, to meet with the Technical Review Committee (TRC) and address issues prior to going to the Planning Commission and possibly the Board of Supervisors. The process would better serve the applicant and result in better communication between the applicant, applicant's representative, the reviewing agencies and Fluvanna County. Mrs. Rittenhouse stated the Planning Commission was in support of the TRC and the submittal review process. Mr. Thacker stated it would save extra meetings and time and the committee was there for technical review only. He offered VDOT's support for the process and the TRC.

Submittal Review Process Policy

Staff is proposing to implement a technical review process that would bring the applicants, staff, and the reviewing agencies, such as VDOT, Health Department, and Aqua Virginia, to the same table for discussion and comments. Staff believes this proposed review process would provide better communication for all parties involved and ultimately provide better and more accurate information for the Planning Commission and Board of Supervisors to base their decisions.

Steven Biel, Director of Planning & Community Development, addressed the Board regarding this issue.

Supervisor Payne suggested a Sprint representative be added to the Technical Review Committee.

MOTION:

Mr. Ott moved to approve Planning Department Policy 6-1 Submittal Review Process. Mr. Moss seconded. The motion carried with a vote of 6-0. AYES: Hutner, Moss, Ott, Payne, Weaver and Cobb. NAYS: None.

Audit Committee Update

Phyllis Bullock, Finance Director and Linda Lenherr, Treasurer, provided the Board with a verbal presentation briefing the Board on the progress of the audit committee. Ms. Bullock provided the Board with the committee's accomplishments which were: reconciled checking account for FY-04 as originally tasked; refined the period close process; eliminated automation "work-arounds"; improved the communication between the Treasurer's office and the Finance office; improved use and efficiency of Financial automation system; have a better understanding of the audit process, financial statements and how automation software integrates the Treasurer and Finance functions; better delineation of fiscal responsibility and duties; identified areas that need written policies and procedures; strengthened internal controls through improved processes; debunked the \$146,000 missing money myth and has afforded the current Finance Director knowledge of historical processes. She also provided the Board with

recommendations and suggested the accounts be reconciled separately. Ms. Bullock indicated she and the Treasurer would review the timeline suggested for reconciliation and submit it the Board at a later time for adoption into the Policy Manual. She indicated the Committee is requesting authorization to become a standing committee with the purpose of continuing cooperation and collaboration among agencies and serve as the internal audit group.

After extensive discussion among the Board, the following action was taken.

Audit Committee Recommendations

These recommendations were presented to the Board of Supervisors during a presentation at their meeting of May 4th 2005, given by Phyllis Bullock, Finance Director and Linda H. Lenherr, Treasurer.

After much discussion, the following motion was offered:

MOTION:

Mr. Weaver moved to adopt the Audit Committee Recommendations as follows:

1. Reconcile the bank accounts separately each month, and instruct the Auditors to give an individual opinion on bank accounts.
2. Adopt a new reconciliation policy and process with timelines.
3. Hire an independent auditor to review the work of the committee.
4. Authorize continuation of the Audit Committee; with the understanding the Board can discontinue the committee at any time.

Mr. Moss seconded. The motion carried with a vote of 6-0. AYES: Hutner, Moss, Ott, Payne, Weaver and Cobb. NAYS: None.

RECESS

The Board recessed at 5:13 p.m.

RECONVENE

The Board reconvened at 5:25 p.m.

ACTION MATTERS

Budget & Appropriate/Sheriff's Department

The following supplemental appropriations have been approved by the State Compensation Board to the Sheriff's budget for the following line items: 1) Part-time salaries, budget line 31200-1300 for the amount of \$2,700; 2) Office supplies, budget line 31200-6001 in the amount of \$3,079.72 and 3) Office equipment, budget line 31200-6001 in the amount of \$1,123.91.

Laura Donovan, Sheriff's office and Garland Nuckols, E-911 Communications Director were available for questions.

MOTION:

Mr. Ott moved to budget and appropriate \$6,903.63 to the Sheriff's part-time budget line 31200-1300 and revenue line #23020-0001 and office supplies budget line 31200-6001 for monies allocated by the State Compensation Board. Mrs. Hutner seconded. The motion carried with a vote of 6-0. AYES: Hutner, Moss, Ott, Payne, Weaver and Cobb. NAYS: None.

Budget & Appropriate/Animal Friendly License Plate Fees

The Commonwealth of Virginia's Department of Motor Vehicles collects fees from special interest uses of the vehicle license plate and a portion of these fees are remitted to the locality based on the number of vehicle registrations in the locality utilizing the "special interest" plate.

Phyllis Bullock, Finance Director, was available for questions.

MOTION:

Mr. Moss moved that the Board of Supervisors approve the supplemental appropriation of \$698.36 to receive and record funding from the Commonwealth of Virginia Department of Motor Vehicles for

Animal Friendly license plate receipts. The accounting distribution is as follows:

Revenue 3-100-016060-0001	Animal Friendly DMV Fees
Expense 4-100-035100-5830	Animal Friendly DMV Refunds

Mr. Weaver seconded. The motion carried with a vote of 6-0. AYES: Hutner, Moss, Ott, Payne, Weaver and Cobb. NAYS: None.

Appointment of Work Force Housing Committee

Steven Biel, Director of Planning & Community Development, was available for questions.

MOTION:

Mrs. Hutner moved to appoint the following members to the Work Force Housing Committee:

Marvin Moss, Board of Supervisors
Steven Biel, Director of Planning & Community Development
Howard Evergreen, Fluvanna/Louisa Housing Foundation
Jamie Spence, Blue Ridge Homebuilders
Tom Farruggio, Charlottesville Area Association of Realtors
Ron White, Citizen
Von Hill, Sheriff's designee
Ruth Campopiano, School Board
Tom Payne, Social Services representative

Mr. Ott seconded. The motion carried with a vote of 6-0. AYES: Hutner, Moss, Ott, Payne, Weaver and Cobb. NAYS: None.

Department of Parks & Recreation Policies, Regulations and Procedures

These policies have been reviewed and updated by the Parks & Recreation Advisory Board on April 12th 2005.

Cris Roberson, Parks & Recreation Director, addressed the Board regarding this issue.

MOTION:

Mr. Ott moved to adopt the Department of Parks and Recreation general program policies, registration and cancellation policies, programs fees and facility charges, general trail and park regulations and scholarship program procedures as recommended by the Parks and Recreation Advisory Board with the amendment to 4-5.7 [which states "except as expressly authorized by the Parks & Recreation Department for occasional group use"]. Mr. Payne seconded. The motion carried with a vote of 6-0. AYES: Hutner, Moss, Ott, Payne, Weaver and Cobb. NAYS: None.

Change in Polling Place for the Columbia District

The Electoral Board is requesting to move the Polling Place due to increased space and additional parking. The proposed polling place is located adjacent to the existing polling place so any election day confusion should be minimized.

Shelly H. Wright, Assistant County Administrator, addressed the Board regarding this issue.

MOTION:

Mr. Moss moved to direct the County Attorney to prepare an amendment to Section 2-2-3 and any other Code Sections of the Fluvanna County Code in order to change the polling place for the Columbia Election District from the Kents Store Fire House to the Kents Store Agricultural Recreation Center (ARC). I further direct the Clerk of the Board to schedule these amendments for public hearing not later than the June 15th 2005 regular meeting of the Board. Mr. Weaver seconded. The motion carried with a vote of 6-0. AYES: Hutner, Moss, Ott, Payne, Weaver and Cobb. NAYS: None.

OLD BUSINESS

Items discussed under old business were:

- VDOT – Revenue Sharing
- erosion and sediment control
- training of new site inspector [certification]
- voting records of board members

NEW BUSINESS

Agricultural & Forestal Advisory Committee

It is the intent of the Virginia Agricultural and Forestal District Act that local government shall consider the existence of an agricultural/forestal district and the purposes of the Act in local ordinances, comprehensive plans, land use planning decisions, administrative decisions and procedures affecting parcels of land adjacent to a district. Also, adjacent landowners to a district may be restricted from developing land use, which are not permitted by right or which are in conflict with adjacent agriculture or forestal uses.

Steven Biel, Director of Planning & Community Development, gave a verbal presentation regarding a meeting that had been arranged to discuss a by-right rural cluster subdivision in addition to other matters that were placed on the agenda of an Ag/Forestal Advisory Committee meeting. Staff believes there was no harm in alerting the Agricultural/Forestal Advisory Committee of by-right uses that are adjoining a district, in fact, the Planning Commission and the Board of Supervisors must consider the existence of a district in its decision to approve a rezoning or special use permit. Mr. Biel requested direction from the Board on the role of the Ag/Forestal Committee in future situations where a by-right use is adjacent to a district.

Extensive discussion ensued with no action taken.

PUBLIC COMMENTS #2

Chairman Cobb opened the floor for the second round of public comments.

- Robert Meyer, Fork Union District, addressed the Board with concerns regarding purchasing of land by the County and asked for clarification of an accounts payable item
- Chuck Wright, Kents Store District, addressed the Board with concerns regarding soil and erosion personnel and Ag/Forestal Districts

With no one else wishing to speak, Chairman Cobb closed the second segment of public comments.

CLOSED MEETING

MOTION TO ENTER INTO A CLOSED MEETING

At 6:37 p.m. Mr. Weaver moved the Fluvanna County Board of Supervisors enter into a closed meeting pursuant to the provisions of Section 2.2-3711 of the Code of Virginia, 1950, as amended, for the purpose of discussing personnel. Mr. Ott seconded. The motion carried with a vote of 6-0. AYES: Hutner, Moss, Ott, Payne, Weaver and Cobb. NAYS: None.

MOTION TO EXIT A CLOSED MEETING & RECONVENE IN OPEN SESSION:

Mr. Weaver moved the closed meeting be adjourned and the Fluvanna County Board of Supervisors convene again in open session. Mrs. Hutner seconded. The motion carried with a vote of 6-0. AYES: Hutner, Moss, Ott, Payne, Weaver and Cobb. NAYS: None.

MOTION:

At 6:46 p.m., the following resolution was adopted by the Fluvanna County Board of Supervisors following a closed meeting held Wednesday, May 4th 2005, on motion of Mr. Weaver, seconded by Mr. Ott and carried by a vote of 6-0. AYES: Hutner, Moss, Ott, Payne, Weaver and Cobb. NAYS: None.

“BE IT RESOLVED to the best of my 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.”

RECESS

MOTION:

At 6:50 p.m., Mrs. Hutner moved to recess the Board’s meeting of Wednesday, May 4th 2005 to Wednesday, May 11th 2005 at 5:30 p.m. for a joint work session with the School Board at the School Board Office. Mr. Weaver seconded. The motion carried with a vote of 6-0. AYES: Hutner, Moss, Ott, Payne, Weaver and Cobb. NAYS: None.

RECONVENE

At 5:30 p.m. Chairman Cobb called the Fluvanna County Board of Supervisors reconvened meeting of May 4th 2005 on May 11th 2005 to order for a joint meeting with the School Board to receive the Joint Committee on School Construction recommendation. Board of Supervisor members present were: Cecil L. Cobb, Chairman; Norma B. Hutner, Vice Chairman; Marvin F. Moss; Gene F. Ott; Thomas E. Payne and Donald W. Weaver. Also present were G. Cabell Lawton, IV, County Administrator and Alice F. Jones, Clerk, Board of Supervisors. Vice Chairman Armstrong called the School Board meeting to order; also called for the pledge of allegiance and a moment of silence. School Board members present were: Bertha Armstrong; Ruth Campopiano; Fedra Kidd and Vivian Leach. Absent were John Gooch and Shirley LeVines. Also present were Dr. Thomas Smith, Superintendent and Pat Higginbotham, Clerk. Carl Chafin, Consultant, was also present.

PRESENTATION

Dr. Smith, Superintendent, introduced Carl Chafin, Consultant, who then gave a power point presentation to the two boards which included the Joint Committee on School Construction recommendation. Mr. Chafin explained an overview of the Committee's Study process which include a review of student enrollment and other County population trend data; site visits to the schools; meetings with school staff to discuss instructional program and facility needs; develop list of potential options and ideas for addressing the school facility needs; narrow the list of options based upon committee discussions; develop cost estimates, timelines, capacity analysis and operational issues for the short list of options and to make a final recommendation on the option to present to the School Board and the Board of Supervisors. He then went on to provide information on key assumptions such as needs and priorities. Demographic Data was also studied by the committee as was enrollment growth scenarios. Dr. Chafin explained the committee started out with a list of sixteen (16) options which were reduced down to eleven (11), then five (5) plans were finally developed. These were refined to three (3) final options which the committee discussed in depth to come up with the final recommendation which was called "Flex Plan A". Phase I of this plan calls for renovating the high school and the Abrams building to achieve a capacity of 1400 students; build a new middle school for 1,000 students; convert the current middle school to an elementary school containing grades 4 and 5 with an estimated cost of \$45.15M. Phase II of the plan calls for building a second middle school for 500 students; building a second high school for 1200 students and building a new elementary school for 750 students with an estimated cost of \$62.80M. Flex Plan A was chosen by the committee because it provided the greatest flexibility for dealing with future enrollment growth while addressing the most pressing needs now; it required no changes in school attendance zones in the near future and it positions the County to build a two smaller middle/high school feeder system in the future if enrollment continues to grow.

The recommendation now falls to the School Board to review/discuss and finalize their recommendation which they present to the Board of Supervisors for final review, discussion and action.

ADJOURN

MOTION:

At 6:50 p.m. Mr. Weaver moved the Board of Supervisors meeting of May 4th 2005, which reconvened on May 11th 2005, be adjourned. Mr. Ott seconded. The motion carried with a vote of 6-0. AYES: Hutner, Moss, Ott, Payne, Weaver and Cobb. NAYS: None.

Minutes recorded by Alice F. Jones, Clerk, Board of Supervisors

Cecil L. Cobb, Chairman