

FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Court Room
November 20, 2019
Regular Meeting 7:00pm

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

ABSENT: None.

ALSO PRESENT: Eric M. Dahl, County Administrator
Fred Payne, County Attorney
Caitlin Solis, Clerk for the Board of Supervisors

1 - CALL TO ORDER, PLEDGE OF ALLEGIANCE, & MOMENT OF SILENCE

At 7:00pm Chair Sheridan called to order the Regular Meeting of November 20, 2019.
After the recitation of the Pledge of Allegiance, a moment of silence was observed.

3 - ADOPTION OF AGENDA

MOTION:	Accept the Agenda, for the November 20, 2019 Regular Meeting of the Board of Supervisors.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second				Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

VETERANS RECOGNITION CEREMONY

Dave Zimmerman, provided a picture of the wreath that the Central Virginia Veteran’s Association placed at the Tomb of the Unknown Soldier on behalf of the Fluvanna County Veterans on October 2, 2019.

Linda Staiger, came on behalf of her father, a Navy veteran who served during WWII and the Korean War and spoke of the pride he felt from his service to his country.

4 - COUNTY ADMINISTRATOR’S REPORT

Mr. Dahl reported on the following topics:

- **Spotlight on Business: Modesto Farms**
 - Modesto is located at 952 Rolling Rd. S., Scottsville, VA 2459, www.modestofarms.com or modestofarms@gmail.com
- **About Us:**
 - Greenhouse grows annuals, perennials, vegetable starts and herbs.
 - Plants are sold at Charlottesville’s City Market, Amazon and on the farm in Fluvanna! You can buy directly from them at the farm!
 - Modesto sells to many Northern Virginia locations including the prestigious Omni Shoreham in Washington DC.
 - Modesto Farms is one of Fluvanna’s 11 “Century Farms”, a farm in operation for over 100 years by a descendent of the original owner.
 - They grow more eucalyptus trees than surrounding states!
- **PARC New Slate Signs for County Buildings in the Village of Palmyra**
 - **Sign dimensions are 6.75” x 12”**
 - **Private residents may purchase the same signs as well separately**
- **Water Tank Logo Complete**
- **Next BOS Meetings:**

Day	Date	Time	Purpose	Location
Wed	Dec 4	4:00 PM	Regular Meeting	Courtroom
Wed	Dec 4	7:00 PM	BOS Work Session - FCPS Preliminary Budget Discussion	Courtroom
Wed	Dec 18	4:00 PM	BOS Budget Work Session - Non-Profit Presentations	Courtroom
Wed	Dec 18	7:00 PM	Regular Meeting	Courtroom

Mr. Sheridan asked Mrs. Booker to speak about the dedication of the Central Elementary Auditorium after Rev. Paul Spraggs and Elva Key on Sunday, November 17, 2019. Mrs. Booker spoke of Rev. Spraggs who was the First Principal of Central Elementary School in 1958 when the school was a consolidated school for African American students. Mrs. Key was the Secretary of Central Elementary for 39 years.

5 - PUBLIC COMMENTS #1

At 7:21pm Chair Sheridan opened the first round of Public Comments.
Mr. Len Gardner addressed the assembly and spoke about his time in the Navy and his experience on December 7, 1941 during the Pearl Harbor attack.
With no one else wishing to speak, Chair Sheridan closed the first round of Public Comments at 7:32pm.

6 - PUBLIC HEARING

Ordinance Amendment of Code Chapter 8, section 8-1 – Debbie Smith, Emergency Management Coordinator requested this amendment to bring the County Code into compliance with Virginia Administrative Code - EMS Regulations - 12VAC5-31-420.C Application for EMS Agency license, which states,
C. An ordinance or resolution from the governing body of each locality where the agency maintains an office, stations an EMS vehicle for response within a locality or is a Designated Emergency Response Agency as required by § 15.2-955 of the Code of Virginia confirming approval. This ordinance or resolution must specify the geographic boundaries of the agency's primary service area within the locality.

Further the Manager of Regulation & Compliance, OEMS, R. D. Passmore has noted that, “. . . fire suppression companies are not EMS agencies . . .(and) EMS agencies are not fire suppression companies. These are two separate public safety services governed by separate State regulations specific to each. There are agencies that provide both services (Fire & EMS) however in these instances these combination agencies must comply with both Fire & EMS regulations; not one or the other.”

The proposed amendment change will grant fire companies in the County the authority to provide EMS services.

At 7:34pm Chair Sheridan opened public comments.
With no one wishing to speak, Chair Sheridan closed the public comments at 7:34pm.

MOTION:	Approve the proposed amendment of Chapter 8 Section 8-1 of the Fluvanna County Code authorizing existing Fire Companies to provide EMS services.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second	Motion			
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

7 - ACTION MATTERS

- Dewberry Engineers Inc. – Project Agreement 6* – Cyndi Toler, Purchasing Officer
- This study is for the Operations of the ZXR Water and Sewer System therefore the costs cannot be covered by the debt funding already in place.
 - Water Distribution System Optimization Study to approximate the minimum demand necessary in the Zion Crossroads system to comply with the Stage 2 Disinfectants and Disinfection Byproducts Rule
 - It looks for the optimal water tank level/ usage rate we need to have in ZXR system in order to mitigate to formation of THMs and HAA5 (total trihalomethanes and 5 Haloacetic acids)
 - These compounds are formed from the combination of Chlorine and naturally occurring organics in the water (rotting leaves, algae essentially any vegetation that was alive or is alive) these compounds have been found to be cancer causing
 - Decrease Fund Balance-\$22,366
 - Increase ZXR Water and Sewer fund-\$22,366

MOTION:	Approve a supplemental appropriation of \$22,366 from Unassigned Fund Balance to the ZXR Water and Sewer fund budget for Water Distribution System Optimization Study, to establish the funds necessary for Project Agreement 6.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Motion	Second			
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

MOTION:	Approve Project Agreement #6 between Fluvanna County and Dewberry Engineers Inc. for a Water Distribution System Optimization Study, not to exceed \$22,366, and further authorize the County Administrator to execute the agreements subject to approval as to form by the County Attorney.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Motion	Second			
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Fluvanna Historical Society Payment Forgiveness Request – Eric Dahl, County Administrator

- Received an email Oct 31st from Marvin Moss, Fluvanna Historical Society President
 - Agreed on behalf of the Historical Society to pay the county \$10,886.96 in order to fund the new Fluvanna Farm Heritage Museum.
 - After an appeal from the Historical Society, the county kindly decided to forego that charge
 - Presented by Mr. Nichols on June 5th and Formal action by the BOS July 2nd
 - The other fees we agreed to pay the county were **\$5,000 a year for 3 years for a total of \$15,000** meanwhile the Society would forego its \$550 annual contribution from the county.
 - **CORRECTION: \$5,000 a year for 5 years for a total of \$25,000**
 - We promptly paid the county the \$5,000 we owed for this fiscal year.
 - Received June 12th
 - Historical Society requests that you also forego our annual payment to the county in order that the Society can continue its good work for the county and its citizens.
- Mr. Marvin Moss asked the Board of Supervisors to forgive the debt repayment totaling \$20,000 and consider everything the Historical Society has done for Fluvanna County since the construction of the Farm Heritage Museum, and consider the deeds and additional money spent as repayment for the Farm Heritage Museum.

MOTION:	Approve a payment forgiveness request for the Fluvanna Historical Society in the amount of \$20,000 for a payment agreement for the Farm Heritage Museum.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Motion		Second		
VOTE:	Yes	No	Yes	Yes	No
RESULT:	3-2				

7A – BOARDS AND COMMISSIONS

None.

8 - PRESENTATIONS

Virginia Governor's School Intern Presentation – Jessica Rice, Human Resources Manager
Ms. Jocelyn Notman conducted research and interned with the County of Fluvanna for a Governor’s School project. Ms. Notman met with County Administration, Commissioner of the Revenue’s Office, Treasurer’s Office, Finance Department, Parks and Recreation, Community Development, and the Registrar’s Office and summarized her experience with the County for her project.

Spot Blight Abatement – Eric Dahl, County Administrator updated the Board of Supervisors on the status of the Spot Blight Abatement Project. Mr. Payne discussed the legislative history of the Spot Blight Abatement program in Fluvanna County. Mr. Zoll explained the Spot Blight process from initial complaint to the remediation of the blighted property.

9 - CONSENT AGENDA

The following items were discussed before approval:

- F - Minutes of November 6, 2019
- I - Accounts Payable Report for October 2019

The following items were approved under the Consent Agenda for November 20, 2019:

- Minutes of November 6, 2019 – Caitlin Solis, Clerk to the Board
- FY20 Public Safety Building Equipment Insurance Claim – Liz McIver, Management Analyst
- FY20 Fluvanna County Public Schools Insurance Claim – 2015 Thomas Bus VIN#5703 – Liz McIver, Management Analyst
- Accounts Payable Report for October 2019 – Mary Anna Twisdale, Director of Finance

MOTION:	Approve the consent agenda, for the November 20, 2019 Board of Supervisors meeting, and to ratify Accounts Payable and Payroll for October 2019, in the amount of \$3,359,262.49.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:			Second		Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

10 - UNFINISHED BUSINESS

FY20 SCBA Funding Request – Debbie Smith gave an update to the SCBA grant application process. After watching a turn down webinar that explained why the grant was denied, she spoke to a representative at FEMA who said to fix a couple of issues on the grant and apply again on December 2, 2019.

FY20 Fork Union Engine 20 – The approved amount (\$655,000) of the Fire Truck on November 6, 2019 did not include all the equipment that is necessary to completely outfit it. The sale of Engine 20 and additional funding in the next fiscal year should be enough to outfit the new engine. Chair Sheridan asked Mr. Andrew Pullen, Chief of Kents Store Fire Department to give his thoughts on the safety of the Engine approved on November 6, 2019. Mr. O'Brien objected to revisiting the engine funding without the counter party (Fork Union) present. Mrs. Booker wanted it noted on record that the Fork Union Chief should be there to share his thoughts. Chief Pullen agreed that all the chiefs should have been present when they were discussing the engine originally.

Lake Monticello Boat Information – Mr. Payne discussed a statute that requires marina owners to report to Commissioner of the Revenue all the personal property housed at the marina. Mr. O'Brien expressed his concern that all the parties affected were not at the meeting to give their opinions. Mel Sheridan, Commissioner of the Revenue, gave a summary of registration requirements of boats on private bodies of water.

11 - NEW BUSINESS

None.

12 - PUBLIC COMMENTS #2

At 9:12pm Chair Sheridan opened the second round of Public Comments.

Mel Sheridan, President of the Kents Store Fire Department, 89 Covered Bridge Road, spoke to the purchase of their replacement fire truck for \$585,000. He gave a summary of replacing the apparatus as fiscally responsible as possible by getting competing bids from competing companies to drive the cost down, keeping in mind the total cost of the truck and all equipment necessary to run fire calls.

With no one else wishing to speak, Chair Sheridan closed the second round of Public Comments at 9:17pm.

13 - CLOSED MEETING

MOTION:	At 9:17pm, move the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.6 of the Code of Virginia, 1950, as amended, for the purpose of discussing Investment of Funds.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:			Motion		Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

MOTION:	At 9:51pm, move 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."				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O'Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second		Motion		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

MOTION:	Adjourn the regular meeting of Wednesday, November 20, 2019 at 9:52pm.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. O’Brien	Mr. Sheridan	Mr. Weaver
ACTION:	Second		Motion		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

ATTEST: FLUVANNA COUNTY BOARD OF SUPERVISORS

Caitlin Solis
Clerk to the Board

John M. Sheridan
Chair

APPROVED