

April 8, 2014

Virginia:

AT A REGULAR MEETING of the Nelson County Board of Supervisors at 2:00 p.m. in the General District Courtroom located on the third floor of the Nelson County Courthouse.

Present: Allen M. Hale, East District Supervisor
Thomas H. Bruguere, Jr. West District Supervisor
Constance Brennan, Central District Supervisor - Chair
Larry D. Saunders, South District Supervisor – Vice Chair
Thomas D. Harvey, North District Supervisor
Stephen A. Carter, County Administrator
Candice W. McGarry, Administrative Assistant/Deputy Clerk
Debra K. McCann, Director of Finance and Human Resources

Absent: None

I. Call to Order

Ms. Brennan called the meeting to order at 2:00 pm, with all Supervisors present to establish a quorum.

- A. Moment of Silence
- B. Pledge of Allegiance – Mr. Hale led the Pledge of Allegiance.

I. Proclamations

- A. Proclamation – **P2014-03** April is Child Abuse Prevention Month

Mr. Hale read aloud Proclamation **P2014-03** and then moved to approve **P2014-03** April is Child Abuse Prevention Month. Mr. Harvey seconded the motion and there being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following proclamation was adopted:

**PROCLAMATION P2014-03
NELSON COUNTY BOARD OF SUPERVISORS
APRIL IS CHILD ABUSE PREVENTION MONTH**

WHEREAS, preventing child abuse and neglect is a community problem that depends on involvement among people throughout the community; and

WHEREAS, child maltreatment occurs when people find themselves in stressful situations, without community resources, and don't know how to cope; and

WHEREAS, the majority of child abuse cases stem from situations and conditions that are preventable in an engaged and supportive community; and

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WHEREAS, all citizens should become involved in supporting families in raising their children in a safe, nurturing environment; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships created among families, social service agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community.

THEREFORE BE IT PROCLAIMED, that the Nelson County Board of Supervisors does hereby proclaim April as Child Abuse Prevention Month and calls upon all citizens, community agencies, faith groups, medical facilities, and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and neglect and strengthening the communities in which we live.

B. Proclamation – **P2014-04** April is Fair Housing Month

Mr. Bruguere read aloud Proclamation **P2014-04** and then moved to approve **P2014-04** April is Fair Housing Month. Mr. Saunders seconded the motion and there being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following proclamation was adopted:

**PROCLAMATION P2014-04
NELSON COUNTY BOARD OF SUPERVISORS
APRIL -FAIR HOUSING MONTH 2014**

WHEREAS, April is Fair Housing Month and marks the 46th anniversary of the passage of the federal Fair Housing Act (Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988), and

WHEREAS, the Fair Housing Act provides that no person shall be subjected to discrimination because of race, color, national origin, religion, sex, disability, or familial status in the rental, sale, financing or advertising of housing (and the Virginia Fair Housing Law also prohibits housing discrimination based on elderliness); and

WHEREAS, the Fair Housing Act supports equal housing opportunity throughout the United States; and

WHEREAS, fair housing creates healthy communities, and housing discrimination harms us all; and

WHEREAS, the Nelson County Board of Supervisors supports equal housing opportunity and seeks to affirmatively further fair housing not only during Fair Housing Month in April, but throughout the year;

NOW THEREFORE BE IT RESOLVED, the Nelson County Board of Supervisors does hereby proclaim the month of April to be Fair Housing Month.

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C. Proclamation – **P2014-05** April is National County Government Month

Ms. Brennan noted that this proclamation was to recognize April as National County Government Month with emphasis on Ready and Resilient Counties and how Counties prepare for and respond to natural disasters and emergencies.

Mr. Hale moved to approve **P2014-05** April is National County Government Month, Ready and Resilient Counties: Prepare. Respond, Thrive. Mr. Brugiere seconded the motion and there being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following proclamation was adopted:

**PROCLAMATION P2014-05
NELSON COUNTY BOARD OF SUPERVISORS
APRIL IS NATIONAL COUNTY GOVERNMENT MONTH
READY AND RESILIENT COUNTIES: PREPARE. RESPOND. THRIVE**

WHEREAS, the nation’s 3,069 counties serving more than 300 million Americans provide essential services to create healthy, safe, vibrant and economically resilient communities; and

WHEREAS, counties build infrastructure, maintain roads and bridges, provide health care, administer justice, keep communities safe, run elections, manage solid waste, keep records and much more; and

WHEREAS, Nelson County and all counties take pride in their responsibility to protect and enhance the health, welfare and safety of its residents in sensible and cost-effective ways; and

WHEREAS, in order to remain healthy, vibrant, safe, and economically competitive, America’s counties must be able to anticipate and adapt to all types of change; and

WHEREAS, through National Association of Counties President Linda Langston’s Resilient Counties initiative, NACo is encouraging counties to focus on how they prepare and respond to natural disasters and emergencies or any situation that the counties may face, such as economic recovery or public health and safety challenges; and

WHEREAS, each year since 1991 the National Association of Counties has encouraged counties across the country to actively promote their own programs and services to the public they serve;

NOW, THEREFORE, BE IT RESOLVED, the Nelson County Board of Supervisors does hereby proclaim April 2014 as National County Government Month.

II. Consent Agenda

Mr. Hale noted that he would like to defer approval of the minutes until April 10, 2014 and the Board agreed by consensus to do so.

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Mr. Bruguiera asked for clarification regarding the FY14 budget transfer included in the FY14 budget amendment and Mr. Carter and Ms. McCann explained that the transfer was to allocate the approved salary adjustment from the one budget line to each of the departments.

Mr. Bruguiera then moved to approve the consent agenda without the minutes and Mr. Saunders seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following resolutions were adopted:

A. Resolution – **R2014-21** FY13-14 Budget Amendment

RESOLUTION R2014-21
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF FISCAL YEAR 2013-2014 BUDGET
NELSON COUNTY, VA
April 8, 2014

BE IT RESOLVED by the Board of Supervisors of Nelson County that the Fiscal Year 2013-2014 Budget be hereby amended as follows:

I. **Appropriation of Funds (General Fund)**

<u>Amount</u>	<u>Revenue Account</u>	<u>Expenditure Account</u>
\$ 1,920.00	3-100-009999-0001	4-100-022010-5419
<u>\$ 13,500.00</u>	3-100-002404-0018	4-100-021010-1009
\$ 15,420.00		

II. **Transfer of Funds (General Fund)**

A. **General Fund (FY14 Employee Salary/Benefit Adjustment)**

<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
\$ 6,389.00	4-100-091030-5616	4-100-012010-1001
<u>\$ 545.00</u>	4-100-091030-5616	4-100-012010-2008
\$ 6,934.00		
\$ 4,830.00	4-100-091030-5616	4-100-012090-1001
\$ 635.00	4-100-091030-5616	4-100-012090-2002
\$ 1,034.00	4-100-091030-5616	4-100-012090-2005
<u>\$ 10.00</u>	4-100-091030-5616	4-100-012090-2006
\$ 6,509.00		
\$ 4,982.00	4-100-091030-5616	4-100-012130-1001
<u>\$ 329.00</u>	4-100-091030-5616	4-100-012130-2002
\$ 5,311.00		

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\$ 4,382.00	4-100-091030-5616	4-100-012150-1001
\$ 309.00	4-100-091030-5616	4-100-012150-2001
\$ 577.00	4-100-091030-5616	4-100-012150-2002
<u>\$ 52.00</u>	4-100-091030-5616	4-100-012150-2006
\$ 5,320.00		
\$ 1,320.00	4-100-091030-5616	4-100-012180-1001
\$ 89.00	4-100-091030-5616	4-100-012180-2001
\$ 173.00	4-100-091030-5616	4-100-012180-2002
<u>\$ 4.00</u>	4-100-091030-5616	4-100-012180-2006
\$ 1,586.00		
\$ 1,441.00	4-100-091030-5616	4-100-013020-1001
\$ 189.00	4-100-091030-5616	4-100-013020-2002
<u>\$ 16.00</u>	4-100-091030-5616	4-100-013020-2006
\$ 1,646.00		
\$ 4,875.00	4-100-091030-5616	4-100-021060-1001
<u>\$ 808.00</u>	4-100-091030-5616	4-100-021060-2002
\$ 5,683.00		
\$ 8,598.00	4-100-091030-5616	4-100-022010-1001
<u>\$ 1,131.00</u>	4-100-091030-5616	4-100-022010-2002
\$ 9,729.00		
\$ 7,065.00	4-100-091030-5616	4-100-031020-1001
<u>\$ 1,273.00</u>	4-100-091030-5616	4-100-031020-1004
\$ 8,338.00		
\$ 5,607.00	4-100-091030-5616	4-100-032010-1001
\$ 1,431.00	4-100-091030-5616	4-100-032010-1002
\$ 786.00	4-100-091030-5616	4-100-032010-2001
\$ 738.00	4-100-091030-5616	4-100-032010-2002
<u>\$ 18.00</u>	4-100-091030-5616	4-100-032010-2006
\$ 8,580.00		
\$ 1,645.00	4-100-091030-5616	4-100-032030-1001
\$ 126.00	4-100-091030-5616	4-100-032030-2001
\$ 215.00	4-100-091030-5616	4-100-032030-2002
\$ 20.00	4-100-091030-5616	4-100-032030-2005
<u>\$ 19.00</u>	4-100-091030-5616	4-100-032030-2006
\$ 2,025.00		

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\$ 4,186.00	4-100-091030-5616	4-100-034010-1001
\$ 329.00	4-100-091030-5616	4-100-034010-2001
\$ 551.00	4-100-091030-5616	4-100-034010-2002
<u>\$ 50.00</u>	4-100-091030-5616	4-100-034010-2006
\$ 5,116.00		

\$ 1,989.00	4-100-091030-5616	4-100-042030-1001
\$ 5,700.00	4-100-091030-5616	4-100-042030-1003
\$ 2,082.00	4-100-091030-5616	4-100-042030-1005
\$ 364.00	4-100-091030-5616	4-100-042030-2001
\$ 521.00	4-100-091030-5616	4-100-042030-2002
<u>\$ 16.00</u>	4-100-091030-5616	4-100-042030-2006
\$ 10,672.00		

\$ 5,800.00	4-100-091030-5616	4-100-043020-1001
\$ 335.00	4-100-091030-5616	4-100-043020-2001
\$ 1,156.00	4-100-091030-5616	4-100-043020-2002
<u>\$ 127.00</u>	4-100-091030-5616	4-100-043020-2006
\$ 7,418.00		

\$ 2,672.00	4-100-091030-5616	4-100-071020-1001
\$ 352.00	4-100-091030-5616	4-100-071020-2002
<u>\$ 16.00</u>	4-100-091030-5616	4-100-071020-2006
\$ 3,040.00		

\$ 1,598.00	4-100-091030-5616	4-100-081010-1001
<u>\$ 1,780.00</u>	4-100-091030-5616	4-100-081010-2005
\$ 3,378.00		

\$ 3,082.00	4-100-091030-5616	4-100-081020-1001
\$ 841.00	4-100-091030-5616	4-100-081020-1003
\$ 299.00	4-100-091030-5616	4-100-081020-2001
\$ 406.00	4-100-091030-5616	4-100-081020-2002
<u>\$ 21.00</u>	4-100-091030-5616	4-100-081020-2006
\$ 4,649.00		

\$ 95,934.00 Total Employee Salary/Benefit Transfer

B. General Fund (Other Transfers from Contingency)

<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
\$ 8,501.00	4-100-999000-9905	4-100-012100-5401
\$ 2,693.00	4-100-999000-9905	4-100-021020-1003
<u>\$ 207.00</u>	4-100-999000-9905	4-100-021020-2001
<u>\$ 11,401.00</u>	Total Other Transfers from Contingency	

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Total Transfers \$ 107,335.00

B. Resolution – **R2014-22** Minutes for Approval
The Board deferred consideration of this resolution until April 10, 2014.

C. Resolution – **R2014-23** COR Refunds

**RESOLUTION R2014-23
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF COMMISSIONER OF REVENUE REFUNDS**

RESOLVED, by the Nelson County Board of Supervisors that the following refunds, as certified by the Nelson County Commissioner of Revenue and County Attorney pursuant to §58.1-3981 of the Code of Virginia, be and hereby are approved for payment.

<u>Amount</u>	<u>Category</u>	<u>Payee</u>
\$ 72.31	2013 PP Tax & Vehicle License Fee	Ellen M. Blumling 1644 Dudley Mountain Rd. Charlottesville, VA 22903
\$ 138.61	2013 Business PP Tax	Ike's LLC c/o Brenda Moon P.O. Box 165 Schuyler, VA 22969

III. Public Comments and Presentations

A. Public Comments

1. Karen Reifenberger, Piedmont Housing Alliance (PHA)

Ms. Reifenberger thanked the Board for honoring Fair Housing Month. She noted that PHA worked along with its partners to further fair housing and nondiscrimination. She noted that they would be hosting the following events in order to promote fair housing:

Fair & Accessible Housing Workshop for People with Disabilities & Advocates Wednesday, April 23, from 1 pm - 3 pm Independence Resource Center, 815 Cherry Avenue, Charlottesville, VA 22903: Learn about rights of people with disabilities under the fair housing laws: non-discrimination, reasonable accommodations, reasonable modifications, and requirements for accessible housing.

Equal Housing Opportunity: Reality or a Work in Progress? Presented by Piedmont Housing Alliance and Charlottesville Office of Human Rights Tuesday, April 29, from 6-7:30 pm Charlottesville City Council Chambers. This community forum will feature the screening of

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two new documentary films: "Seven Days," a film that artistically chronicles the events culminating in the passage of the federal Fair Housing Act in April 1968, and "A Matter of Place," a film connecting past struggles for fair housing to contemporary incidents of housing bias with present-day stories of people who faced housing discrimination. The forum will also include a panel of state and local experts sharing information about current equal housing opportunity rights and resources, and discussion of local actions to advocate, educate, and build community in our neighborhoods.

Ms. Reifenberger invited the Board and community to these events and she added that she would distribute posters to increase public awareness as well. In conclusion, she noted that she would be attending the Interagency Council in May.

2. Alan Jameson, CASA of Central Virginia

Mr. Jameson thanked the Board for adopting the proclamation April is Child Abuse Prevention Month. He noted that CASA trained volunteers for six (6) weeks to advocate for kids in court etc. He noted that they have been having an awareness garden in other localities and would like to ask if there was some area, possibly the library, where they could set up pinwheels to represent each of the eighteen (18) Nelson County children that have been abused or neglected. He added that this number had been provided to them by the Department of Social Services. He noted that they would also have a sign that provided additional information etc. He noted that Judge Farrar would like to do this on the 17th.

Mr. Hale then moved to approve the pinwheel display at the Nelson library on the 17th and Mr. Bruguiere seconded the motion. It was clarified that eighteen (18) was the number of known and reported child abuse and neglect cases with a finding made by the Department of Social Services.

There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion

B. Presentation- Virginia Department of Forestry (M. Warring)

Ms. Martha Warring of the Forestry Department addressed the Board and noted that following the department's reorganization, she served the Nelson, Amherst, and Campbell county region.

Ms. Warring then noted that the Department of Forestry was celebrating its 100th year in Virginia and that they had consolidated offices; moving to a work area concept and away from the traditional county concept. She reported that they now had laptops and smart phones which allowed them to be more mobile, which in turn allowed them to be out in the field more often. Ms. Warring then noted that the Nelson department had changes in personnel and they had moved the Nelson position to Campbell. She explained that the workload there was much larger than that of Nelson and Amherst counties combined. She added that the new system spread out people throughout the work area to cover it equitably. She noted that she takes care of the forestry management work in Nelson and added that

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they were growing the part time firefighter crew and now had three (3) qualified that could be utilized. Ms. Warring then reported that they had five (5) people covering three (3) counties and they were an experienced team with the newest person having five (5) years experience.

Ms. Warring then reported that since the beginning of January, they have had fifteen (15) new logging operations and annually had 75-100. She reported that they have had five (5) fires for a total of 157 acres lost, with the largest being at Peavine Mountain with a loss of 150 acres. She added that seven (7) acres were lost in the others.

Ms. Warring then noted that they were now in planting season and will have planted 469 acres of pines by the end of the following week. She noted that they have a planting project with the High School FFA; that has 25-40 kids who spend the day planting trees and learning about forestry. She added that the money was paid to FFA for this. She then reported that the State Forest in Cub Creek has been marked and they will have a timber sale within the next six (6) months. She noted that the primary objective of this was to improve the health of the forest by removing low quality trees and invasive species.

Ms. Warring concluded by noting the department's responsibilities had grown since its inception and they aimed to provide Virginia and Nelson County with the best service possible. She then invited the Board to contact her anytime if they had questions.

In response to questions from the Board, Ms. Warring noted that the bulldozer was housed in Nelson County; however the Hummer that was assigned to the County during a FEMA project years ago had reached the end of its useful life and had become hard to maintain. She noted that the Department was getting rid of all of these and would put them up for surplus sale. She added that they had a new brush truck engine housed in Amherst; however it would go wherever it was needed.

Mr. Saunders then noted to Ms. Warring that the County now owned a piece of property that they could discuss with her. He added that it had been suggested that the property be timbered and that the County might like to consult with her about it.

Ms. Brennan then inquired as to how the Chestnut project was coming along and Ms. Warring noted that it was going well with the population being 15/16 American Chestnut to Asian Chestnut. She added that it would take a long time to grow out through the generations. In response to a follow up question by Ms. Brennan, Ms. Warring advised that they would not be selling those trees.

C. VDOT Report

1. 2015-2020 Secondary Six Year Plan (SSYP) Authorization for Public Hearing (**R2014-18**)

Mr. Don Austin of VDOT distributed the draft SSYP and related road map. He discussed the following Rural Rustic priorities for the SSYP noting that their staff had gone through and added more routes and had revised the route # for Old Roberts Mountain Road as follows:

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**Secondary System
Nelson County
Construction Program
Estimated Allocations**

	FY15	FY16	FY17	FY18	FY19	FY20	Total
<i>CTB Formula</i>							
<i>Unpaved State</i>	\$135,494	\$253,502	\$370,544	\$375,571	\$403,851	\$390,806	\$1,929,768
<i>Formula</i>							
<i>Secondary State</i>	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<i>Secondary</i>							
<i>Unpaved Roads</i>	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<i>TeleFee</i>	\$46,166	\$46,166	\$46,166	\$46,166	\$46,166	\$46,166	\$276,996
<i>Residue Parcels</i>	\$0	\$0	\$0	\$0	\$0	\$0	\$0

**NELSON COUNTY
RURAL RUSTIC PRIORITY LIST - DRAFT 4/8/14**

PRIORITY	ROUTE	NAME	FROM	TO	LENGTH	TC-VPD	Notes
1	813	LODEBAR ESTATES	RTE 613	RTE 612 0	.40 Mi.	322	\$250,000
2	654	CEDAR CREEK RD	RTE 655	1.0 Mi. W. RTE 655	1.00 Mi.	120	\$100,000
3	640	WHEELERS COVE RD	RTE 623	RTE 620 0.70 Mi.		90	\$175,000
4	756	WRIGHTS LANE	RTE 623	DEAD END	0.90 Mi.	116	\$225,000
5	634	OLD ROBERTS RD	RTE 619	RTE 654	1.70 Mi.	110	\$425,000
6	721	GREENFIELD RD	RTE 626	0.50 Mi. N RTE 626	0.50 Mi.	51	\$125,000
7	814	CAMPBELL'S MT. RD.	0.99 Mi. N. RTE 56	1.99 Mi. N. RTE 56	1.00 Mi.	109	\$250,000
8	654	FALLING ROCK	1.0 M.I.E. RTE 657	RTE 661	1.90 Mi.	127	\$475,000
9	680	CUB CREEK RD	0.51 W RTE 699	1.90 Mi W RTE 699	1.39 Mi.	71	\$347,500
10	625	PERRY LANE	RTE 623	DEAD END	2.00 Mi.	118	\$500,000
11	653	WILSON RD	RTE 655	RTE 710	2.83 Mi.	60	\$707,500

Estimated cost /mile \$250,000

Six Year Plan Estimated Unpaved Road Allocation - \$1,929,768

Mr. Austin then noted that the CTB formula amount for unpaved roads available for the six years was \$1,929,768.

Mr. Saunders noted that he got called weekly regarding Cedar Creek Road. Mr. Austin then explained that they had two traffic counts for that road and the Route 655 end showed a higher count and that was why they chose to do that end first.

Mr. Austin then noted that Lodebar Estates had the highest traffic count in the whole county and he suggested that it be kept as the first priority. He added that Wheelers Cove Road, Wrights Lane, and Perry Lane had been added to the list. Mr. Austin then explained that some of the longer roads had been broken down into sections to be worked on. He noted that for instance, the recommended section of Campbell's mountain Road was from the Parkway down. He added that they were trying to do different portions around the county; however all of that road would be eligible.

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Mr. Austin then reiterated he wanted to plan the public hearing for May and he noted that they could complete the list down to Cub Creek Road in the next six (6) years based on the projected funding allocation of \$1.9 million. Mr. Austin then noted that Wilson Road was the last priority on the list, however with it being near Oak Ridge it may be a Board priority that could be moved up.

Mr. Saunders then inquired whether or not the high maintenance projects had any other pots of money to draw from and Mr. Austin noted that once VDOT completed the work on the higher maintenance roads, there would be more maintenance money to go towards other items. Mr. Austin then noted that Telefees have been used towards countywide items first and then the funds went towards other projects such as guardrail installation. He added that the Telefees money was non-federal money; however they could also use it for projects.

Ms. Brennan then inquired as to what VDOT did with old road signs and Mr. Austin noted that they were recycled but not through reuse.

Following discussion, Mr. Hale moved to approve resolution **R2014-18** Authorization for Public Hearing FY15-FY20 Secondary Six-Year Road Plan and Construction Priority List using the priority list provided by VDOT dated April 8, 2014.

Mr. Bruguiere seconded the motion and then inquired about the most recent traffic count for Carter Hill Road. Mr. Austin noted that it was around thirty (30) in 2008 and was too low to meet their threshold.

There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following resolution was adopted:

RESOLUTION R2014-18
NELSON COUNTY BOARD OF SUPERVISORS
AUTHORIZATION FOR PUBLIC HEARING
FY15-FY20 SECONDARY SIX-YEAR ROAD PLAN
AND CONSTRUCTION PRIORITY LIST

WHEREAS, The Virginia Department of Transportation and the Board of Supervisors of Nelson County, in accordance with Section 33.1-70.01 of the Code of Virginia, are required to conduct a public hearing to receive public comment on the proposed Secondary Six-Year Plan for Fiscal Years 2015 through 2020 in Nelson County and on the Secondary System Construction Budget for Fiscal Year 2015,

NOW THEREFORE BE IT RESOLVED, that a public hearing will be held for this purpose in the General District Courtroom of the Nelson County Courthouse, 84 Courthouse Square, Lovingston, Virginia at 7:00 pm on Tuesday, May 13, 2014.

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Supervisors then discussed the following VDOT issues:

Mr. Saunders inquired about barriers on Route 29 in Amherst County that have been there since December for no apparent reason. Mr. Austin noted that he thought these to be part of the message board project there and he would call him if not.

Mr. Bruguiera noted that the signs were still up and the barrels had been there for months after completion of the work done on the Roseland Road culvert and paving. He added that the barrels were not blocking anything and were lying in the ditches. Mr. Austin noted he would check on this and they may be waiting for repaving there.

Mr. Austin then related that the pipe on Dickie Road was now open.

Mr. Hale noted that he supposed that the traffic counts done during the snow events would probably be redone. He then asked where the funding came from to replace the decking on the bridge on Route 617, Stagebridge Road. Mr. Austin noted that these funds came from separate bridge funds.

Mr. Harvey related that he would be getting permission from all involved to begin work on the Afton Mountain Overlook and he needed contact information for the Charlottesville Residency. Mr. Austin noted that he did not think doing this work would be a big issue. Mr. Harvey noted that the work needed to be done at the top of the overlook and the Board agreed that it would be great if you could see from there again. Supervisors noted that the historical marker there also needed to be moved.

Ms. Brennan thanked Mr. Austin for getting the flashing light going on Rt. 6. She then noted that there were bad drop-offs on Route 29 and Route 6 due to crumbling pavement.

She added that at Edgehill (Route 1020) heading west on Route 6 and turning into Edgehill, there was a side ditch that was full of mud and it was washing onto Route 6.

Ms. Brennan then inquired as to who did the mowing at the Nelson Wayside and Mr. Carter noted that the County did. She then requested that the milkweed be preserved for the butterflies. She then asked if VDOT owned to the river's edge at the wayside as she has seen large groups of kayakers setting in there and she would like to see an official boat landing there. Mr. Austin noted he would find out and report back.

Mr. Austin then inquired if the Board would like to see the preliminary plans for the turn lanes on Route 151, and it was decided that Mr. Austin would give these to Mr. Carter for distribution to the Board.

Mr. Austin then reported that work on the railroad crossings was being done and that CSX and Norfolk Southern would be closing affected roads during the day. He added that detour signs would be put up in the affected areas.

IV. New Business/ Unfinished Business

- A. Consider Authorization for Application to VA-DHR for Cost Share Program Grant Funding for Rockfish Valley Foundation's Proposed Historic District Project.

Mr. Carter introduced this item and noted that staff received a request from the Rockfish Valley Foundation to get the Board's consent to submit an application to DHR for a cost share grant. He noted that the local Government had to be the applicant and the Foundation wanted to submit an application for the establishment of the South Rockfish Rural Historic District.

He noted that background information had been provided and that it was a \$32,500 application. He noted that \$16,000 would come from the State, \$15,000 would be an in kind match, and \$1,500 would come from other grant sources. Mr. Carter then noted that he had asked Mr. Agelasto how they would address the in kind match if it needed to be cash. Mr. Carter noted that there was some flexibility with DHR on the match. He then reiterated that the Foundation could not apply unless the County was the applicant.

Ms. Brennan inquired if this was the same historic district that they looked at establishing a few years ago and Mr. Carter noted it was; however they had not applied in 2009 and it was tabled. Mr. Carter noted that the County's financial obligation would be nil and that if the application was successful, the Foundation would be responsible for the project and the County would offer minimal help as needed.

Mr. Agelasto then addressed the Board and noted that the Foundation had been working on this project since 2009, they were down to a \$32,000 budget and he thought this may be high. He noted that DHR says that the local jurisdiction must match funds; however they also said they would accept any request that did not provide a match. He reiterated that they could not move forward until the Board of Supervisors endorsed the application.

Mr. Agelasto then noted that the Rockfish Valley Foundation has \$5,000 to put into the project and thought he could get \$28,000 from DHR. He then explained that the project came about through two graduate students who had a DHR professor who encouraged them to apply. He noted that if approved, the first step would be to call DHR to discuss the fact that they could not put up any cash money. He noted that they had four (4) registered historic properties and another ten (10) that would be eligible. He noted that once the district was established, these properties would be able to receive tax credits. Mr. Agelasto noted that he has met with various local groups to get their support.

Mr. Carter further explained that if they were successful, as with other districts, it would result in nominations to the state and federal agencies for historic recognition and then qualifying properties could apply for tax credits. He then noted that Mr. Agelasto had done all of the preliminary leg work in identifying properties etc. and that if so inclined, the Board could authorize the submittal of the application to DHR for the cost share grant to establish the Historic District. He reiterated that the application would have to be made by the County.

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Mr. Hale then moved that the Nelson County Board of Supervisors move forward with the application and Mr. Saunders seconded the motion.

Mr. Bruguere noted he did not think he was in favor of the project unless all properties participated 100%. He noted that the district designation would impact the landowners at some point and he thought the citizens needed to be on board and he was not sure if they were.

Mr. Agelasto then explained that there was a two (2) step process: getting the data and then establishing the district. He noted that they would have to get through step 1 to get to step 2 and that Mr. Bruguere's point applied to the second step.

Mr. Carter added that there would be informational meetings and properties would be able to be excluded if they did not want to participate. Mr. Hale added that the Board would be submitting the preliminary information form that would be a historic structure survey.

Mr. Carter noted that it would be a similar process to that of the James River Historic District and he noted he would need to follow up on its status.

Mr. Saunders then clarified that he seconded the motion in order to get the first step started.

Mr. Carter then suggested that they endorse the application given that the match would not be made by the County. He noted that if the match could not be made in-kind then he thought it should not go forward. He added that if the County committed and the match had to be cash, they could decline to proceed.

There being no further discussion, Supervisors voted (4-1) by roll call vote to approve the motion with Mr. Bruguere voting No.

B. Consider Preliminary Engineering Report for Piney River Water System Expansion.

Mr. Carter noted that staff has had discussions with DEQ regarding the possibility of extending the county waterline to mitigate the ground water contamination from underground oil storage tanks in the Roseland area. He noted that a preliminary engineering report (PER) was previously done to show the cost to expand the system and then DEQ was noncommittal at that point. He noted that then last August/September DEQ noted there was potential for this to move forward and funding to do so; so they asked if the PER could be updated.

He noted that DEQ would like to look at the updated PER and see if it was financially feasible to do this. He added that when it was looked at in 2009, it was difficult because of the other items included that the Service Authority wanted to be done.

He further explained that the PER would be updated solely for the purpose of extending three segments of line. He noted that DEQ would pay \$5,100 and the County would pay

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\$2,400 of the cost of the PER. He then noted that there was the potential for DEQ to pay for it all. Mr. Carter then noted that they would also look at the need for the Service Authority to expand water treatment in Colleen and would look at another water source.

Mr. Carter then advised the Board that he thought it was worth re-examination; however he thought the cost estimates would look the same as in 2009. He added that he would be interested in looking at extending the waterline out to ninety (90) houses that were sewer only in that area. He noted that there had been no discussion with DEQ about the County assuming the cost of extending the waterline or incurring the debt to do so.

Mr. Carter then related that the County could ask DEQ to enter into an MOU to outline who would do what in relation to the project. He noted that the laterals off of the main water line would be up to the County since DEQ was only concerned with extending the water main to mitigate the UST sites. He added that people in that area may not even want water.

Mr. Carter noted that in Roseland, the funding to mitigate the UST contamination was close to being exhausted and DEQ now had funding from other projects that could be reallocated to this.

Mr. Harvey noted that the problem with extending the line was they would be putting in another dead end line. Mr. Carter agreed and noted that he had discussed with DEQ that certain outcomes did not work for the County.

Mr. Carter then recommended that the funding to update the PER be approved. He added that it would be helpful to look at Service Authority treatments and capacities as an outcome of this.

Ms. Brennan noted that she was in favor of updating the PER and Mr. Bruguere moved to appropriate \$2,400 to update a PER for possible extension of water lines in the Piney River and Roseland areas.

Mr. Harvey seconded the motion and Mr. Bruguere noted that the update to the PER should be allowed to go forward and he did not think picking up a few homes for water would be a burden on the Service Authority.

Mr. Carter advised that staff would bring back the outcome of the study etc. for the Board to discuss. Mr. Hale then clarified that the PER update would develop conceptual level options to increase the water treatment capacity which was included in the bulleted items presented.

There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

Mr. Harvey inquired as to the Service Authority being involved and Mr. Carter noted that he had spoken with George Miller to say the County was engaged with DEQ; however he would discuss it further with them.

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C. FY14-15 Budget Work Session

This item was considered as the last item of business prior to adjournment.

Ms. McCann noted that the expenditure spreadsheet had been updated for the salary transfer approved that day by the Board and she noted that the bottom line had not changed.

Ms. McCann then provided a contingency impact analysis for the advertised tax rates as follows:

Contingency Impact (12 cent RE Tax Increase & 55 cent PP Tax Increase)	
AS ADVERTISED	
FY14 Projected Contingency Carryover	\$ 1,164,401.00
Adjustment for 12 cent RE/55 Cent PP tax increase (1/2 yr)	\$ 115,020.00
	\$ 1,279,421.00
<u>FY15 Non-Recurring Contingency</u>	\$ 1,164,401.00
Items budgeted using Non-Recurring Contingency:	
Proval/GIS Server	\$ 15,000.00
Animal Control acoustic pads & kennel doors	\$ 6,800.00
Fire Truck & Ambulance (Gladstone)	\$ 330,000.00
Maintenance Equipment	\$ 82,000.00
E911 map books	\$ 7,000.00
Courthouse Planning	\$ 50,000.00
Animal Shelter Improvements	\$ 24,600.00
Broadband Network Improvements	\$ 60,500.00
Economic Development Analysis	\$ 20,000.00
Rt 151 Corridor Study	\$ 1,000.00
TRE membrane roof	\$ 58,221.00
GIS Tower Layer	\$ 10,000.00
Glass Recycling Containers	\$ 20,000.00
Reassessment Set Aside	\$ 100,000.00
	\$ 785,121.00

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FY15 Non-Recurring Contingency (as presented)	\$ 379,280.00
Required Reduction in Capital Expenditures	\$ -
Non-Recurring Contingency Revised	\$ 494,300.00
FY15 Recurring Contingency	\$ 912,048.00
Revenue Adjustment for 12 cent RE/55 cent PP tax increase	\$ 230,040.00
Balance in FY15 Recurring Contingency	\$ 1,142,088.00

Ms. McCann then provided pages from the County's previous years audits that showed the tax rates over the last 20 years.

Ms. McCann then noted the history of the Real Estate Tax Rate as follows:
1992: \$.67, 1993: \$.69, 1994-1996: \$.71, 1997-1999: \$.67, 2000-2007: \$.72, 2008-2011: \$.55, 2012-2013: \$.60

Ms. McCann then provided a draft Power Point presentation for the public hearing on Thursday for the Board's review.

Ms. McCann briefly noted that the Board of Equalization reductions in value did not amount to much in taxes – a decrease of approximately \$3,000 in revenues.

Mr. Hale suggested that the total values before the reassessment be shown as well as the new values in the Power Point and he also suggested that the amount of cents increase be noted after the proposed tax rate on page 3. Supervisors then briefly reviewed the Real Estate tax and Personal Property tax examples provided in the draft PowerPoint.

Mr. Saunders noted that he was in favor of increasing the Personal Property tax since not everyone owned real estate. Mr. Harvey noted that most rent was set to cover the real estate taxes on property; however he acknowledged that the Personal Property tax rate had not been increased since 1989.

Ms. Brennan agreed that the Board could justify an increase in the Personal Property tax especially when one looks at the rates of surrounding counties.

It was noted that mobile homes were taxed at the real estate rate even though they were classified as Personal Property.

Mr. Carter then recommended that the Board think about what they would do over the next four (4) years until the next reassessment; such as would they do tax increases in the next

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four (4) years or implement a gross receipts business tax to generate more revenue. Ms. Brennan indicated that the Board should revisit the admissions tax in the near future.

Ms. McCann then explained that she could not calculate the Personal Property Tax Relief percentage until they decided on the Personal Property Tax rate.

Mr. Hale noted that expenditures could be reduced; however he thought the Board would have to look at a potential large ticket item, the Courthouse renovation which would be costly. He noted that the restoration of the Courtroom and expansion of the Circuit Court Clerk's area would cost a couple of million dollars and that had not been factored into the budget yet. Mr. Carter noted that staff had looked at debt service numbers and for every million borrowed @ 4.5% for a 20 year term, the annual payment would be \$75,000.

Mr. Hale then noted that in looking at the School System requested increase, the largest portion of that was related to the salary increase. He then questioned what say the Board of Supervisors had in that. Ms. Brennan noted that the only power they had over how the money was spent was to change the way the money was appropriated. She added that it could be done by category to control it; however it would be micromanaging and she did not think it was a good idea.

Ms. McCann noted that page 30 of their budget summary gave a good break out of their mandatory increases. Mr. Bruguere noted that he thought the schools should be level funded and then they could make some cuts. Mr. Carter noted that the required local effort for the schools was at \$7 million and the County's School funding was at \$14 million.

Supervisors and staff briefly discussed school employee salaries and the salary scale and the consensus was that school employees and teachers etc. were well paid.

Mr. Carter then reiterated that it was the big picture items that needed to be decided and that was dependent on the tax rates. Ms. McCann then confirmed that she thought the Treasurer's report Ms. Brennan referred to showed all of the County's funds including the General Fund.

In conclusion, Mr. Carter noted that one of the larger increases in the County's budget was for the Regional Jail and the Board was required to fund this. He noted it was due to the decrease in prisoner population for Charlottesville and Albemarle and an increase for Nelson County.

V. Reports, Appointments, Directives, and Correspondence

A. Reports

1. County Administrator's Report

I. Courthouse/Government Center Project: Blair Construction will submit final closeout letter, inclusive of resolution of tunnel issue. Final project retainage is being held pending this subject.

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Mr. Carter reported that the County had gotten a letter from Blair asking for final payment of the retainage. He noted that the tunnel had not leaked after the last couple of rain events. He added that the warranty would be extended until 2016 and this was being reviewed by Mr. Payne.

II. Courthouse Project Phase II: Issuance of an RFP for AE services is pending. Staff has conferred with Division Superintendent Comer on relocation of the administrative office to the second floor area formerly occupied by the Commonwealth Attorney and will proceed with painting and carpeting this area for the Superintendent's use. Mr. Harvey has asked that Mr. Bruguere replace him on the Courthouse Committee.

Mr. Carter noted that he thought the Board should look at this next phase comprehensively. He added that they could discuss this during the budget work session as well as it would depend on funding availability. He noted that Dr. Comer, the new School Division Superintendent had asked that the office partition walls remain in the old Commonwealth's Attorney space.

Mr. Hale noted that they would not know how much AE services would cost until the RFP was in process. He added that he agreed the Board should look at the entire space; however he noted that a space needs study and renovation plan had already been done once and the new AE could use this information. He noted that the Board ought to have options such as: Restoration of the Circuit Courtroom and expansion of the Clerk's office. Ms. Brennan and Mr. Carter agreed with Mr. Hale that the space needs portion of the evaluation would not need to be redone and Mr. Carter indicated that staff planned to proceed with issuing an RFP for these services.

II. Jefferson Building: Staff will issue a solicitation for exterior renovation of the building by not later than 4-18.

III. Health Department Building Demolition: Site restoration is pending.

IV. Massies Mill School Demolition: Project contract expected to be completed by 4-4 (awaiting contractor signature and demolition plan for incorporation into agreement).

V. Lovington Health Care Center: An update to the initial feasibility report has been completed and is being reviewed by JABA and County staffs. Scheduling of a meeting to discuss the report, which focuses upon conversion of the Lovington Health Care Center to be primarily an Alzheimer's/Dementia Care facility, inclusive of assisted living accommodations (rather than primarily being an assisted living facility with memory care units), is pending.

Mr. Carter added that who would do this would be open for discussion. He noted that the County would possibly be partners with JABA and discussion on this would ensue. He noted that at this point, the feasibility of it was being reviewed and that the study looked at the County and surrounding areas as potential draws for patients. He noted that the Center was slated to close sometime in 2015; however this date may lapse as they had not started the

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new construction in Albemarle per Ms. Brennan. Mr. Carter noted that existing staff would be offered positions at the new facility.

VI. BR Tunnel and BR Railway Trail Projects: A) **BRRT** – Construction in progress with completion date of 5-15-14. B) **BRT** – Work to Re-bid Phase 1 is in progress.

VII. 2014 Gen. Reassessment: Board of Equalization met with Wampler-Eanes on 4-2 and schedule calls for completion of the Board's work on 4-3 with a report to the BOS thereafter.

Mr. Carter noted that the Board of Equalization letter had reported a net value reduction amount of \$424,030 and they had noted some concerns regarding valuations of some properties in the County and the unreliability of the GIS system. Mr. Carter added that he had not yet spoken to Timmons about these GIS concerns.

VIII. 2014 Lockn Festival: Local and State agencies met with the sponsors of the planned 2014 Lockn Festival and the owners of Oak Ridge Estate on March 27, 2014 to collectively provide statuses to the Festival sponsors and to the County with regard to the required approvals for conduct of the 2014 Festival. The meeting was very positive with regard to ensuing issuance of a Special Events Permit by Nelson County (Department of Planning and Zoning).

Mr. Carter noted that staff has been reiterating to the LOCKN Festival organizers that they need to report up on local revenues from 2013. He noted that staff had gotten a list of food vendors, the gross sales, and sales tax. He noted that the gross food sales were over \$500,000 and the County should have received its share of the Meals Tax. He added that the Lodging Tax of approximately \$14,000 had now been remitted back to the County. Mr. Carter noted that these figures showed revenues to the County from LOCKN 2013 approaching \$30,000 to \$40,000.

Mr. Carter noted that the LOCKN team has stated that they were trying to do a better job of working with local businesses on the Festival and that they had sufficient time to do a better job with that in 2014. Mr. Saunders noted that he was surprised at how helpful the Health Department was being at the kickoff meeting and Mr. Carter agreed that all of the agencies involved were helpful. Ms. Brennan added that the 2014 Master Plan she had received was very detailed and Mr. Carter supposed that they included this with their Events Permit application.

IX FY 14-15 Budget: In progress.

IX. Staff Reports: Provided within the April 8, 2014 Agenda

X. Other: Questions from the Board.

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2. Board Reports

Mr. Saunders had no Report.

Mr. Hale reported the following:

1. Attended lunch with David Blount and the new Director of the Planning District Commission. He noted that his start date was April 15th and they had high hopes for his success.
2. Noted that the Sturt heirs were planning to visit the County with their Attorney that Saturday at 11 am. He noted that this time was not final; however the Board was invited to attend. He noted that the Nature Foundation would give them a proposal on identifying ecosystems within the property.
3. Attended an AIA Historic Resources Group presentation given by Randy Vaughan, new Courthouse Architect that included a tour of the new Courthouse.
4. Reported that the Service Authority Board had lost a member since Mr. Harvey resigned his seat effective immediately. The Board agreed by consensus to advertise this vacancy.

Mr. Harvey reported that he attended the EMS Council meeting and things were going fine. He noted that they were getting the radio stuff squared away and had approved funding for the Gladstone Fire Dept. Mr. Harvey then reported that a DSS Board member had a heart attack and had been in the hospital.

Ms. Brennan reported that she attended the JABA Board meeting and the AIA meeting with Mr. Hale. She added that Mr. Hale had done a presentation on the Blue Ridge Tunnel at the library that was well received.

Mr. Saunders then commented that the Animal Control facility only had four (4) animals in the shelter and he noted the number of incoming and outgoing animals as reported by Animal Control Supervisor, Theresa Brooks. He added that he thought the monthly departmental reports were good and he then noted that the building permits were way down at 32 in March 2014 versus 94 in March 2013.

Mr. Carter then reported to the Board that John Adkins, one of the County's senior dispatchers was injured in a car accident the previous week and he was not sure when he would leave the hospital.

Ms. Brennan then reported on the death of Mr. Charley Wardlaw, husband of former High School Principal, Emma Wardlaw.

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B. Appointments

Ms. McGarry noted that the only appointment to consider was that of the JABA Advisory Council. She noted that there was one applicant for the seat that had been vacant for a very long time. She added that JABA had recommended Pastor Pamela Baldwin for the seat and Ms. Brennan noted that she thought she was an excellent candidate.

Mr. Hale then moved to appoint Pamela Baldwin to the JABA Advisory Council and Mr. Bruguere seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

C. Correspondence

1. Nelson County Chamber of Commerce

Mr. Carter referenced the letter received from the Nelson Chamber of Commerce expressing their concern about the economic decline of the commercial district of Lovingston and urging the Board to “adopt the recommendations from the 2006 Lovingston Master Plan and incorporate them into the County's Comprehensive Plan.”

Mr. Carter then noted that previously the Lovingston District did not qualify for slum and blight and was not eligible to receive rehabilitation funding. He noted that the property owners could avail themselves of historic tax credits to rehabilitate their properties and could confer with County staff on how to apply or go about this.

Ms. Brennan then noted that the Board may want to consider including the recommendations from the Lovingston Master plan in the Comprehensive Plan. Mr. Hale noted that he would follow up with the Lovingston Revitalization Committee on this.

Mr. Saunders then clarified that the group was trying to get in a position to get tax credits for restoring historic buildings and Mr. Carter reiterated that property owners in the Lovingston Historic District could apply for this now. He added that the District was in place and encompassed Lovingston and therefore if a property owner wanted to get tax credits they would be eligible. He added that if the Board wanted, the County could review the applicable CDBG grants again.

Ms. Brennan noted that she would like to see the report from the UVA Architecture students who recently evaluated Lovingston for their class.

Mr. Bruguere noted that he would like to see the Lovingston property owners more involved in rehabilitating their properties.

D. Directives

Mr. Hale, Mr. Bruguere, and Mr. Saunders had no Directives.

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Mr. Harvey inquired as to whether or not staff had discussed his concerns regarding farm buildings. Mr. Carter noted that he, Mr. Padalino, Mr. Thompson, and Mr. Payne were meeting on that issue the following day. Mr. Harvey then indicated that he wanted consistency on this issue. Mr. Carter then explained that a couple of the alcohol businesses in the County had put up new buildings and were given a farm use exemption; which meant that not much inspection occurred. He noted that staff would work through what the Zoning Ordinance and the USBC regarding this.

Ms. Brennan inquired on when the Board would get a report on the Revenue Recovery Program and Mr. Carter noted that staff had a draft prepared; however it needed more work.

Ms. Brennan inquired as to when the Board would receive the history of the tax rates and Mr. Carter noted that these would be presented during the budget work session.

Ms. Brennan then inquired as to whether or not the Board wanted to participate in Relay for Life and Supervisors noted that they would let Ms. Phillips know that each individual may participate.

Ms. Brennan then inquired as to whether or not the money for Drama Team rings had been disbursed and Mr. Carter noted that it was being disbursed with the April 8th checks.

VI. Adjourn and Reconvene for Evening Session

At 5:15 pm, Mr. Hale moved to adjourn and continue until 7:00 pm Thursday, April 10, 2014 in the General District Courtroom for the conduct of the Public Hearing on the 2014 tax rates and the evening session being cancelled. Mr. Harvey seconded the motion and there being no further discussion, Supervisors voted unanimously by voice vote to approve the motion and the meeting adjourned.