

August 14, 2012

Virginia:

AT A REGULAR SCHEDULED MEETING of the Nelson County Board of Supervisors at 2:00 p.m. in the Board of Supervisors Room located on the second floor of the Nelson County Courthouse.

Present: Thomas H. Bruguire, Jr. West District Supervisor- Vice Chair
Larry D. Saunders, South District Supervisor
Allen M. Hale, East District Supervisor
Constance Brennan, Central District Supervisor
Thomas D. Harvey, North District Supervisor – Chair
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

Mr. Harvey 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. Bruguire led the Pledge of Allegiance

II. Consent Agenda

Members and staff agreed by consensus that although Mr. Hale was not present for one of the July meetings, he could vote to approve those minutes. Mr. Saunders then moved to approve the consent agenda and Ms. Brennan 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 – **R2012-56** Minutes for Approval

**RESOLUTION-R2012-56
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF MEETING MINUTES
(June 28, 2012, July 5, 2012, and July 10, 2012)**

RESOLVED, by the Nelson County Board of Supervisors that the minutes of said Board's meetings conducted on **June 28, 2012, July 5, 2012, and July 10, 2012** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

- B. Resolution – **R2012-57** COR Refunds

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**RESOLUTION-R2012-57
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>
\$ 1,563.50	2010-2012 Personal Property Tax Relief	Daimler Trust c/o Thomson Property Tax Service P.O. Box 198289 Nashville, TN 37219-8289

C. Resolution – **R2012-58** FY13 Budget Amendment

**RESOLUTION R2012-58
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF FISCAL YEAR 2012-2013 BUDGET
NELSON COUNTY, VA
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BE IT RESOLVED by the Board of Supervisors of Nelson County that the Fiscal Year 2012-2013 Budget be hereby amended as follows:

I. Appropriation of Funds (General Fund)

<u>Amount</u>	<u>Revenue Account</u>	<u>Expenditure Account</u>
\$ 435.00	3-100-009999-0001	4-100-022010-7001

D. Resolution – **R2012-59** Allocation of the FY13 Reduction in State Aid

**RESOLUTION R2012-59
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF ALLOCATION OF THE REDUCTION IN
STATE AID FOR NELSON COUNTY**

WHEREAS, the County of Nelson is required to elect an allocation of the reduction in state aid to localities pursuant to Item 472 of the 2012 Appropriation Act; and

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do hereby certify that the above is a true and correct copy of a resolution passed and approved by

the Nelson County Board of Supervisors of the Sheriff's Office of Nelson County on the 14th day of August, 2012.

(Governing body)

(Name of Applicant)

F. Resolution – **R2012-61** Salary and Classification System

RESOLUTION R2012-61
NELSON COUNTY BOARD OF SUPERVISORS
SALARY AND CLASSIFICATION SYSTEM

BE IT RESOLVED by the Nelson County Board of Supervisors that the local government's "Salary and Classification System" is hereby amended to incorporate the following:

A six percent (6%) salary adjustment shall be hereby authorized for Nelson County full time VRS covered personnel employed pursuant to the County's salary classification and pay plan, effective on July 1, 2012. The six percent (6%) consists of a one percent (1%) cost of living adjustment and an increase of two steps (two and one half percent per step) within the designated grade for each position, for a total step increase of five percent (5%). Additionally, a one percent (1%) salary adjustment shall be authorized for all regular part-time employees including those employed in a Constitutional Office. A six percent (6%) salary adjustment shall also be authorized for full time VRS covered personnel within each Constitutional Office. The six percent (6%) shall be calculated based upon the Compensation Board approved salary plus the previously authorized county supplemental salary in effect as of June 30, 2012.

Attachment: Fiscal Year 2012-2013 Salary Scale (Full Time & Part-Time)

III. Public Comments and Presentations

A. Public Comments

Mr. Harvey opened the floor for public comments and the following persons were recognized:

1. Glenda Cahoon, Tye River Road and Virginia Taxpayers Association Representative

Ms. Cahoon distributed and read aloud a prepared statement from Kenneth White, President of VTA that demanded that the Board remove the metal detector at the main entrance to the courthouse and provide that they only be used at the entrances to the courts when the courts are in session.

B. VDOT Report

Mr. Carter noted that neither Mr. Austin nor Mr. Hamilton were able to attend the meeting to report.

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Mr. Bruguere then inquired as to the status of the Food Lion stoplight study and Mr. Carter noted that he had not received anything on it yet or anything on the other studies that the Board had requested. He noted that Mr. Hamilton had been out of work due to a family situation but has assured him that they are working on this.

Mr. Bruguere then noted that Representative Bell had advised him that the Board could go to him with VDOT issues as he has a person who could go to them directly. Mr. Harvey noted that He and Ms. Brennan needed to get the information/maps together and make a trip to Richmond and Ms. Brennan suggested that they take Representative Bell's person with them.

Mr. Hale noted that he was concerned about the black top leveling being done on secondary roads. He noted that they were fine and now VDOT has applied a sealer with smallish gravel in it; which seemed to build up on the sides of the road and then washes away. He added that it gets all over the car and causes cracked windshields etc. Mr. Saunders offered that the tar they were using now was water soluble and was not as durable as it once was.

IV. New Business/ Unfinished Business

A. Feasibility Study - Lovington Health Care Center Building (R2012-62)

Mr. Carter noted that staff had followed up with JABA on them doing a study on the potential reuse of the Lovington Healthcare Center once it was conveyed to the County. He noted that the Board had been provided the proposal for consideration and that JABA had further negotiations with the consulting firm resulting in a reduction in total cost to \$5,000.00. He added that the County's share would be \$2,500.00 and the scope excluded two addenda items that could be pursued after the initial study. He noted that a highly reputable and competent company had submitted the proposal and that they would look at the market perspective of converting the building to an assisted living facility. Mr. Carter then recommended going ahead with the study as there was no commitment other than doing the evaluation and sharing the cost. He concluded by noting that the consultant's contract would be with JABA and not the County.

Mr. Carter then noted that the potential for JABA taking the building over would be a future consideration by the Board. He noted that JABA had a similar facility in Louisa County; however this was not an outcome of this activity.

Mr. Bruguere reiterated his position that he wanted the building to go to a private firm that would pay taxes. Mr. Carter noted that taxes were being paid on a JABA partnership facility in the old Ryan School; however, he reiterated that he did communicate to JABA that any conveyance of the building would be a future Board consideration and that they had acknowledged that.

Mr. Hale then noted that the study being considered would provide useful information no matter what the alternative was and that the County would benefit regardless of the future of the building. Mr. Bruguere then noted his agreement.

Mr. Hale then moved to approve resolution **R2012-62**, Authorization of Funding Contribution for Lovington Healthcare Center Reuse Feasibility Study in the amount of \$2,500 and adding language that the contract should state that it was for JABA and the County of Nelson.

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Mr. Carter noted that adding the County as a party to the agreement was not an issue.

Ms. Brennan seconded the motion and noted that she was pleased with the reduction in cost and agreed that they would get a valuable document.

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-R2012-62
NELSON COUNTY BOARD OF SUPERVISORS
AUTHORIZATION OF FUNDING CONTRIBUTION FOR
LOVINGSTON HEALTHCARE CENTER REUSE FEASIBILITY STUDY

RESOLVED, by the Nelson County Board of Supervisors that a contribution to JABA in the amount of \$2,500.00 is hereby approved for the conduct of a feasibility study to determine the potential for an assisted living facility to be established in the Lovingston Healthcare Center building upon its conveyance to the County.

BE IT FURTHER RESOLVED, that Nelson County be named as a partner in the study in the agreement with the hired consultant.

B. VRS Group Life Employee Benefit (R2012-63)

Mr. Carter noted that as the information provided to the Board stated, at the end of June and in early July, Staff realized that the Group Life insurance employee premium holiday was ending and that despite the 6% compensation adjustment to cover the 5% VRS and 1% raise, employees were taking home less money across the board. He added that while this was not a huge amount of money, staff had discussed this internally and it was noted that the School Board and now the Service Authority covered the employee premium and that it was an appropriate consideration for the Board.

Mr. Carter added that it would cost about \$28,620.00 to provide this benefit and employees receive coverage of two (2) times their salary. He noted that when they retire, the coverage is reduced. Ms. McCann added that it reduces to 25% of the original value once the employee retires and there was no cost to the retiree; however the employee must have been vested, meaning in VRS for five (5) years, to receive this benefit. She added that it was mandatory for eligible employees to participate in the Group Life program.

Ms. Brennan then moved to approve resolution **R2012-63** Election to Pick up Employee's Share of VRS Group Life Insurance Premiums and Mr. Bruguere seconded the motion.

Mr. Hale noted that he was not in favor of it as the Board had already done a considerable amount and employers typically did not do this. Mr. Carter reiterated that the schools did and now the Service Authority did so staff thought that it was pertinent to have the Board consider it.

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Mr. Saunders inquired as to how this would be paid and Ms. McCann noted that the employee portion was .78% of each person's salary. Mr. Saunders and staff then briefly discussed whether or not the examples provided were done correctly and Ms. McCann noted that she would have to check. Mr. Saunders then noted that he agreed with Mr. Hale and while he understood that it had been done by others, these things were always coming up and he had mixed feelings about it.

Ms. McCann noted that generally, the Board has tried to equalize things among employee groups and staff thought it was pertinent to bring it up. Mr. Carter added that it was a fairness question. Ms. Brennan noted that it was infuriating that the State suddenly changed its position on things and staff noted that the employee part of the premium had come and gone over the years and for the last several years it had been gone.

There being no further discussion, Mr. Harvey called for the vote and Supervisors voted (3-2) by roll call vote to approve the motion, with Mr. Hale and Mr. Saunders voting No, and the following resolution was adopted:

**RESOLUTION-R2012-63
NELSON COUNTY BOARD OF SUPERVISORS
ELECTION TO PICK UP EMPLOYEE'S SHARE OF
VRS GROUP LIFE INSURANCE PREMIUMS**

BE IT RESOLVED, by the Nelson County Board of Supervisors that said Board hereby elects to cover the cost of the Employee's share of VRS Group Life Insurance premiums effective August 1, 2012.

BE IT FURTHER RESOLVED, that full payment of VRS Group Life Insurance premiums shall be made as an employee benefit for all County and Department of Social Services employees eligible to participate in the Virginia Retirement System (VRS).

V. Reports, Appointments, Directives, and Correspondence

A. Reports

1. County Administrator's Report

Mr. Carter reviewed the following report:

A. Courthouse/Government Center Project: The current focus and objective of the project is resolution of the outstanding items contained in the construction punch list that Blair Construction, WileyWilson and County staffs have developed in two walk through sessions conducted this year. Primary among the punch list items are:

- 1) Certification of retaining wall systems by WileyWilson's structural engineering sub-contractor (this certification after much delay is understood to be in process);
- 2) Resolution of site concrete installations (sidewalks, curb and guttering – a walk through with County and WileyWilson staff is scheduled for 8-9 to ascertain what work is and is not acceptable to the County for repair versus replacement);

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- 3) Resolution of a clearance issue related to the primary HVAC system installation in the cooling tower structure (the system was not installed in accordance with the design drawings); Mr. Carter noted that three (3) ft was required to be around the structure.
- 4) Paint peeling in the restrooms located within the former brick jail structure (WileyWilson is researching this issue); Mr. Carter noted that the paint subcontractor said there was moisture coming through the brick into the building. and,
- 5) Final landscaping (to be completed in fall 2012).

Resolution of the punch list will bring the project to final closure.

Mr. Carter noted that staff may propose a meeting with the President of Blair, Staff and the Rural Development lead architect; however there was not mutual accord on how best to proceed.

It was noted that the concrete issues were the main concern. Mr. Saunders stated that he was concerned that the specifications were not followed and that the County would not have these problems if they were. He added that over 90 cracks was a lot. Mr. Carter noted that he was looking at the contract and has held the letter thus far. He added that he agreed with Mr. Saunders. It was further noted that the wrong wall ties were used on the retaining walls; which would cause them to have rust running down the walls in a couple of years. Mr. Saunders noted that because of these visible issues, he was concerned about what could not be seen.

Mr. Carter reported that Staff was unsure of how the rubbing of the walls could be addressed now and Mr. Saunders indicated that it could not be now. He added that unacceptable work was done by Blair, that looked like it was done by inexperienced people and the quality was not there. For example he noted that concrete was spattered everywhere and the work was done sloppily. He noted that he did not see where they should have the concrete repaired.

Mr. Hale inquired as to whom inspected things to be sure that they were installed according to specifications and Mr. Carter noted that this was Wiley Wilson's responsibility.

He noted that Wiley Wilson had taken the position that the HVAC unit was not installed per the specifications. Mr. Saunders stated that this had not been picked up by them until the walk through and that it was a big deal to move the unit now. Mr. Bruguere supposed that as long as the unit was getting the proper air flow it would work. Mr. Carter noted the position of Staff and Wiley Wilson was that the manufacturer had to certify it was installed correctly.

Mr. Carter noted that Blair had one Superintendent on the job that did a credible job but that the project was just too big a job for one person. He noted that the curb and guttering had been replaced more than once because the Superintendent had found it to be defective. He added that he was working through the letter to be sent to them. He noted that ultimately there would be a meeting of minds and they would want to replace vs repair as much as possible. He added it would come down to the County, Wiley Wilson, and the Rural Development architect agreeing on a position and it may involve Phil Payne if it became a contractual dispute.

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Mr. Saunders suggested that the bid from Blair was low because they got cheap subs and the County got what it paid for. He added that Wiley Wilson had signed off on all pay requests and bore some responsibility.

B. Courthouse Display: Thayer Design Inc. (Madison Heights, VA) has been selected by the project committee (comprised of representatives from the Board of Supervisors, NC Historical Society and Oakland Museum). An initial contract meeting is scheduled for 8-10 to finalize the project contract and specifics thereto. The projected expense of the project is within allowances contained in the Courthouse Project Fund.

Mr. Carter noted that a contract had been signed and that work would be initiated later in the month.

C. Courthouse Signage: Proposals are due by 5 p.m. on August 10th. A number of companies were forwarded the RFP document.

Mr. Carter reported that a signage study had been done and that only three (3) companies out of ten (10) had responded and the outcome was disappointing. Mr. Carter reported that the consultant had advised staff that the cost would be \$30,000-\$50,000 and all quotes were over \$100,000 including the consultant's quote. He noted that the highest bid subject to review was \$127,000, the local company was over \$118,000 and Thayer Design was just over \$113,000. He reiterated that the consultant had said \$30,000-\$50,000 and staff was surprised. Mr. Carter then noted that some signs were huge and could be take out and that staff would look at it to see if it could be scaled back; as some signage was needed.

D. Courthouse Retaining Wall (Law Office): A project agreement (contract) has been executed with Owen Building & Remodeling, Inc. Work is to begin by August 27th and be completed by October 15th. Contract price is \$53,063.11.

Mr. Carter added that Owens had him sign the VDOT permits the previous day.

E. Treasurer's Office Remodeling: Contract with Taylor Cabinets & Millwork (Lovingston) executed; lump sum amount of \$19,290. Project will start on 8-24 and be completed by 8-27.

F. Jefferson Building: Courthouse Committee (Ms. Brennan & Mr. Hale) to make recommendation to full Board on 8-14. Funding is in place for building renovation.

G. Magistrate's Building: A proposal (Attached - Not to Exceed \$35,000.00) has been received from Price Masonry Contractors Inc. (VA Lime Works) for masonry restoration of the structure. The proposal does not include roof replacement or final interior renovation. Funding is available to complete this initiative and favorable consideration is recommended.

Mr. Carter noted that he recommended that the Board approve the proposal.

Ms. Brennan suggested that maybe they could do something on the inside of the building too.

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Mr. Carter reported that the company was very reputable with extensive experience. Mr. Saunders questioned the language that would allow them to come back for more money and Mr. Carter stated that he thought this referred to any unknowns or any additional work that may arise or be requested of them. Mr. Saunders agreed that they were a good company.

Mr. Hale noted that he agreed that the work should be done; however he was shocked at the cost. Mr. Bruguier stated he thought there was no use in spending the money if there was no purpose for the building. He added that the Board could spend \$100,000 on it and it had no purpose other than that of historical value.

Ms. Brennan suggested that this be done along with the Courthouse entryway exhibit and Mr. Hale noted that the County did not have to do this and it was not part of the historic mitigation project and they were therefore separate projects.

Mr. Carter added that County staff could do any of the work that they could do to keep the costs down.

Following this discussion, no action was taken by the Board.

H. Broadband Project: A brief summary of project elements is, as follows:

1. As of 8-8, 7,402 feet of conduit (of an approximate 163,680 total feet) remains to be installed with 6,559 of the total located on Segment 5 (River Road – Rt. 29 to Rt. 151). Fiber and splicing is being completed within days of completion of a specific section (a current total fiber installation count has not been provided as of this date). The goal is to complete the conduit/fiber installation and splicing by the end of August to early September with testing, clean up and documentation continuing through September and, with Segments 4, 3 & 2 (Colleen to River Road) operational as soon as electronics are in place.
2. Electronics Equipment (Calix) – most has been shipped and is being received each week. Scheduling of installation is pending but anticipated in the ensuing few weeks.

Mr. Carter noted that Staff and Calix were working on the coordination of the installation and testing etc. He added that by the end of September the network would be operational and the balance of work would be the towers.

3. Towers: Shenandoah Tower Service Ltd. has been selected from four proposals to provide and install the Afton and Martin's Store towers. A final contract is in process. Schedule is approximately 100 day. Two property owners have been contacted for use of their locations for the Massies Mill tower. Discussion with one party is scheduled for 8-9. With next steps predicated on the outcome of this initial negotiation.
4. Martin's Store Roadway Construction: D. W. Thomas, Jr. Trucking, Inc. (Nellysford) was the low cost (\$35,455.00) respondent for the road build. A draft contract has been

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forwarded to the company and, subject to further discussion; execution of the agreement is anticipated by 8-13.

5. Service Provider/Network Operations/Co-Location agreements are being finalized by Icon Eng. and the County Attorney. Two companies are ready to proceed with co-location and one with services (the second has a network of providers). Discussions for provision of Network Operations services are pending but will proceed in the ensuing 7-10 days (or sooner).

Mr. Carter reported that the County had signed a contract with Lumos to provide internet and phones to the County and that they would use the network to provide these services; which would be a cost savings from using Verizon.

6. Outside Plant Services (OSP): An RFQ has been reissued for provision of these services. Responses are due by 5 p.m. on 8-16.
7. VUPS: The County has completed registration with VA Utility Protection Service, Inc. (Ms. Utility). This responsibility will be on going.
8. USAC: The County (Broadband Authority) has also completed registration with the Universal Service Administration Company and obtained a USAC E-Fine Online user account, including an initial SPIN number (Service Provider ID Number) to provide for the School Division and other eligible entities to receive ERate funding/reimbursement as a subscriber to the County's/Authority's network.

I. 2012 Radio Project (Narrowbanding): Contract execution with Motorola is pending completion of final review of the extensive project agreement but expected to be final within 2 weeks (or less). County staff is gathering information from local agencies (fire, rescue, schools and NCSA) on radio counts. Initial project meetings have been conducted and work is moving forward even while the agreement is pending. An approximate one year completion schedule is projected.

Mr. Carter reported that there would be a meeting the following week for updated pricing and that County staff was highly engaged in this project.

In response to questions about the need to get an extension, Mr. Carter noted that the County would submit an application for extension with the FCC. He added that there were no issues with the project and it would take about one year.

J. High Top Tower (Lease): Work continues in the County's efforts to secure the use of the High Top Tower from The Nature Conservancy for incorporation of the tower into the County's broadband network. Pending is resolution of requirements from the VA Outdoors Foundation on prior review and approval(s) of the County's use of the tower.

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K. Lovington Health Care Center: Included as an 8-14 agenda item. The consideration is that of working with JABA on a commissioned study to determine the feasibility of converting the Center into an assisted living facility. The Feasibility Study proposal is included in the 8-14 agenda and would require an initial outlay of

L. Massies Mill Recreation Center: A letter has been received from MMRC (included herein) but does full account for County funding provided to the community center nor clearly explain the future status of the building.

Mr. Carter referenced the letter received and noted that the status of the building was unsure and that there was still no accounting of funds from them.

Mr. Harvey asked if this was an organized group that had to be dissolved and Mr. Carter noted that he had not pulled the contract, but that he thought that any remaining funds would have to be used for a similar use. Mr. Harvey stated that he hoped that the funds would go to the Millennium Group and that he wanted to see it go directly to them and not come back through the County. Mr. Bruguere suggested that this should be in their bylaws if they had any.

Mr. Hale noted that the building was their principal asset and it should revert to the County. Mr. Carter noted that there was about five (5) acres along with the building.

Mr. Carter noted that he would check on how this would be done and Ms. Brennan noted that the Board may never know what happened to the rest of the money. Mr. Bruguere noted that they had started repairs on the roof and had some building supplies and then it was gone. It was noted that some money had to have been spent on fuel and electricity etc.

M. Norwood Historic District Project: A Request for Quotations was issued on 7-30 with responses due by 5 p.m. on August 16. The project schedule calls for completion by 6-30-2013.

N. 2014 General Reassessment: Wampler-Eanes has established an office within the Courthouse and is beginning initial steps towards completion of the 2014 reassessment.

O. Stormwater Program (Local): County staff (Planning&Zoning, Building Official and Administration) are working with TJSWCD (A. Sappington) on development and implementation of the mandated local Stormwater (Management) Program. VA-DCR has issued a draft local ordinance, which is under review. County and TJSWCD staffs will meet on 9-14 to discuss a partnership, possibly inclusive of other TJPDC member localities (Louisa and Fluvanna counties) to establish a regional program (i.e. plan review and approval, inspection, post monitoring, etc.).

Mr. Carter reported that a group met that morning and was working on an application for DCR funds to implement the program which would be submitted by 9/10/12. He added that a draft local ordinance from DCR was being scrutinized and he would send this out to the Board. He noted the possibility of working with Louisa and TJSWCD on this and the potential to partner with Region 2000 on this as well. He concluded by noting that the program would be onerous to contend with.

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P. Blue Ridge Medical Center: Completion of the final wing of the BRMC facility is in process and scheduled for completion and occupancy by 10-1. A lease agreement between BRMC and VA-Department of General Services for relocation of the local Health Department unit is pending and may delay the HD's relocation beyond 10-1. Additionally, the VDH regional director (Dr. L. Peake) has requested that additional funding be allocated by the County to provide for the increase in lease expenses the County will incur with the HD's relocation.

Mr. Carter noted that the VDH Local only funding was being used to support state mandated programs because of the cuts to the local only funding. He added that they would use the restored funds to pay for the increase in the cost of leased space at BRMC.

Q. Region 2000 Services Authority: As of July 1st, R2KSA has moved its operations from the Concorde Turnpike Landfill (Lynchburg) to the new Livestock Road Facility (Campbell County). Closure activities will ensue at the Concorde facility over the next several months. The Livestock Road Facility has a projected "useful life" of 17 years. R2KSA is also in process with the development and issuance of an RFP for additional land or services to provide for continued operation beyond 2029.

Mr. Carter added that the County would contribute to post closure costs based on the percentage of waste contributed by the County and it would not be as much as other members.

Mr. Carter then reported that locally, the Ground Water Monitoring had one or two more testing cycles with results below the regulatory threshold, before the County could petition to lower the amount of monitoring required. He added that the Bio-remediation process was working and could reduce costs.

R. Summer Storm (June 29) – Derecho: County staff (Emergency Services Coordinator and Finance and HR) are in process and coordination with VDEM on submittal of eligible expenses locally incurred during the storm and thereafter for reimbursement pursuant to FEMA's allocation of disaster recovery funding to Virginia.

S. Personnel: Two vacant part time dispatch positions have been filled. Lisa Savoy and Kenneth Bybee began work on 8-5 and 7, respectively. Both reside in Nelson County. Kevin Burnley has resigned his ACO position as of the 7-30. The new ACO Supervisors position has been advertised and a few applications have been received. The now vacant ACO position has also been advertised (status pending).

T. Blue Ridge Tunnel & Blue Ridge Railway Trail: An application was submitted to the National Park Service for approval of an application for NPS' River, Trails and Conservation Assistance (RTCA) Program. If successful the County will receive technical assistance from NPS in working to establish greater collaboration and outreach for the County's efforts to complete the BR Tunnel Project. On the BRRT initiative, negotiations are in process with the AE consultant selected to provide design services for the project.

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U. Added: Gladstone Volunteer Fire and Rescue Services: Mr. Carter reported that Gladstone Volunteer Fire and Rescue Services completed an inspection on August 1, 2012 and was now licensed as an ALS provider. He added that they began running calls on August 8th and were very responsive thus far.

Mr. Harvey suggested that the Board needed to send them a letter commending them for their hard work during the transition and also one to thank Roseland for their interim service in that area.

2. Board Reports

a. Courthouse Project Committee – Jefferson Building

Mr. Saunders had no report.

Mr. Bruguere did not have an EMS Council report but noted that they may want to move some of the paid crew to Station II, but they needed living facilities before doing this. Mr. Harvey noted that he would try to attend the next meeting and it was discussed that the original bunk rooms had been converted to offices.

Mr. Hale noted that he had spoken with the attorney representing the estate of Daniel Webster Sturt, who willed the conveyance of land from his Trust, and he had reported that he had passed away, and the County would be the recipient of a 344.5 acre tract of land on Old Findlay Gap Road near Fairmont Church. He noted that this was a very generous gift that would benefit the County eventually. Mr. Hale then read a quote from the will that noted that while Mr. Sturt had resided in California for the past twenty-six years, he had been born in Henry County, had gone to Virginia Tech and had a successful career. He added that he had provided the following quote within the document on this subject as follows: *“I am thankful to be able to give this gift to the people of Virginia. I am a Virginian; I was born and raised in Virginia on a large farm that still exists. The youngest of eight children, I was brought up to appreciate nature, rural life, and music. Our parents were caring and intelligent people who believed in helping others and I am proud to be a Virginian and believe in preserving this land for future generations of Virginians, that they might enjoy the natural beauty that is this state.”* Mr. Hale then noted that an appraiser for the estate would go out to the land and he assured the attorney that Phil Payne would still be working with him on the deed. He reiterated that the heirs wanted it to remain dedicated for a public county park. He noted that it was cutover land and may be suitable for trails etc.

Mr. Harvey then suggested that Mr. Hale report on the Jefferson Building under Other Business.

Ms. Brennan reported the following:

The Adult Literacy group was being reenergized. She noted that they were redoing the Board and moving forward with the project and wanted the Board of Supervisor’s input.

She reported that there was not much to report from DSS.

She attended the VA Planners annual conference at Wintergreen and welcomed them.

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She reported that the Senior Advisory Committee was concerned about electricity issues and the increases in bills. She added that they were having AEP and CVEC come to some meetings.

She attended an Ag Forestal District Advisory meeting and there was a piece to be added to the Dutch Creek Ag Forestal District. She noted that the Planning Commission would have a public hearing and then the Board would have a public hearing. She then recommended that this should be eliminated and that the General Assembly should look at amending the State Code to eliminate these costly requirements.

Mr. David Blount, TJPDC Legislative Liaison in attendance noted that changes were made to the Code that had streamlined this process a couple of years ago and he would go back and look.

She reported that she attended a Courthouse Committee meeting with Mr. Hale and would let him report on that.

Mr. Harvey then reported that at the Rockfish Firehouse tower location, the fence and trees could be removed if needed. He then inquired as to who were the providers of Internet service that the County was talking to and Mr. Carter noted that it was Lumos and Mid-Atlantic Broadband.

He then reported that there were good things going on at the Service Authority but that he could not speak about them yet. He noted things were going well and millions of dollars were being saved mostly due to luck.

B. Appointments

Ms. McGarry noted that there were no new appointments to be made and no new applications had been received for the existing vacancies.

C. Correspondence

There was no correspondence considered by the Board.

D. Directives

Mr. Hale had the following Directives:

1. Follow up with Green Earth Recycling to ensure that they have their name on the bins placed at the collection sites per the revised agreement. Mr. Bruguere noted that there had been some instances where employees at the collection sites were being cursed and there should be some recourse for them. Mr. Carter noted that the attendants have been advised that if they are confronted they can call the police to come over. He added that there were a few people that went to the reuse building at Rockfish multiple times a day and that he has gotten numerous calls from the same people over this.

2. Jefferson Building: Mr. Hale noted that the Commonwealth Attorney has expressed interest in relocating to the Jefferson building and that he has met with staff. He added that the thought that

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this would be an appropriate use of the building, the Commonwealth Attorney would be in better proximity to the Sheriff's Office, and it removed them from the current area. He added that staff would like to make a decision on this to get renovation of the building going and that no other alternative use fit as well into the space and gave flexibility in this building. He noted that the Registrar would prefer to be in a location where no security was necessary. He then recommended that staff be authorized to work with the Commonwealth Attorney and Wiley Wilson to prepare plans for the interior space and start looking for local contractors.

Mr. Hale then moved that the Board wished to see the Jefferson era jail occupied by the Commonwealth Attorney and that the design be done in conjunction with staff, the Commonwealth Attorney, and the architect.

Ms. Brennan seconded the motion and added that the design be done in consultation with the courthouse committee. She added that she thought it would be a good use of the building and it was more space than was needed which would suit them for years to come.

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

Ms. Brennan had the following directives:

1. Follow up with the Health Department in looking for those with no septic systems.
2. Inquired as to any further conversation with Mr. Larkin and Mr. Carter replied there had not been and he would need to contact him again. Mr. Harvey suggested having Mr. Jimmy Wood work on this as an agent of the County and Mr. Carter noted he did not want the County to be obligated to pay Mr. Wood a commission and Members concurred.
3. Contact Helen Cauthen to follow up on patents held by county citizens.
4. Inquired as to whether or not Staff followed up on the failure of the reverse 911 system during the Derecho, and Mr. Carter noted that it did not work because phone lines were down and that the County needed to send it out ahead of the storm. He added that Staff would have all dispatchers trained on deploying it and would have to see if the reverse 911 would call cell phones.
5. Reported that the Central VA Land Conservancy would be having program on Tuesday, August 28th dealing with land conservation easements.
6. Check on the lights remaining on in the atrium. Mr. Carter noted that this was in process.
7. Inquired as to the VA Asset Forfeiture Guidelines and Ms. McCann noted that it was a very general list of things that they could spend this money on. She noted they could spend it on some personnel items and equipment and this was decided by the Sheriff's Department, not County Staff per Mr. Carter.

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8. Inquired as to how the reduction in state aid was done and Mr. Carter noted that the State gives the county a list of the reductions and the money comes off of the allocation and the County gets less money per Ms. McCann. She added that the Library reduction worked differently because it did not flow through County. Mr. Carter added that the reductions were absorbed by the County and Ms. McCann noted that the reductions were reduced from last year.

9. Noted having seen a long article about how many children die from drowning and thought it was relevant to the need for a pool in the County. She then suggested that another article on recycling be done.

Mr. Bruguere suggested that if the VA Outdoors Foundation had not done something on the High Top tower leases by the next meeting, the Board should talk about some options. Mr. Carter noted that staff has been trying to have a meeting and that the parties cannot agree on a certain day. He noted that it was not that serious; however staff needed to talk to them about the conditions they wanted in the lease agreement. Mr. Hale suggested that it was a property right issue because of how it was deeded and Mr. Bruguere noted that it would be used for the public good to provide Broadband. Mr. Carter then assured the Board that staff was not holding this up.

Ms. McCann then reported that the calculations used in the Group Life premium examples previously discussed were calculated correctly and once explained, Mr. Saunders acknowledged that he had not used the correct number as the basis for his calculations.

Mr. Hale then reported that in deeding the Heritage Center property to the Millennium Group he had consulted with Mr. Payne on needing any agreements prior to the deed and it was Mr. Payne's opinion that they go ahead with separating the water and electrical services before the deed was written. Mr. Harvey suggested that the use of the water needed to be deeded to them and Mr. Hale agreed and noted that it would be part of the final conveyance of the property. Members concurred that this needed to move forward.

Mr. Harvey and Mr. Saunders had no directives.

VI. Other Business (As May Be Presented)

There was no Other Business considered by the Board.

VII. Adjournment – No Evening Session Will Be Held

Mr. Harvey reiterated that there would not be an evening session held and at 3:58 pm, Mr. Saunders moved to adjourn and Ms. Brennan seconded the motion. There being no further discussion, Supervisors voted unanimously by voice vote to approve the motion and the meeting adjourned.