

February 11, 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. Bruguiera, 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
Tim Padalino, Director of Planning and Zoning
Susan Rorrer, Director of Information Systems

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.

II. Recognition of Nelson County High School Senior FFA and Drama Teams

- A. 2013 NCHS Senior FFA-Forestry Team and Meat Evaluation Team (**R2014-09**)

Mr. Bruguiera moved to approve Resolution **R2014-09**, Recognition of the NCHS National FFA Organization Senior Meat Evaluation and Technology Team and Nelson Senior Forestry Judging Team and Mr. Hale seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following resolution was adopted and read aloud.

RESOLUTION R2014-09
NELSON COUNTY BOARD OF SUPERVISORS
RECOGNITION OF THE NCHS NATIONAL FFA ORGANIZATION
SENIOR MEAT EVALUATION AND TECHNOLOGY TEAM AND
NELSON SENIOR FORESTRY JUDGING TEAM

WHEREAS, the Nelson County High School National FFA Organization competed in the eighty-sixth (86th) National FFA convention held in Louisville, Kentucky which hosted 63,000 FFA members, advisors, and guests from across the country; and

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WHEREAS, the NCHS Senior Meat Evaluation and Technology Team placed third (3rd) out of forty-two (42) states including one hundred sixty-four (164) students competing in the their event; and

WHEREAS, Senior Meat Evaluation and Technology Team members individually placed as follows: Ben Fitzgerald (14th), Zach Phillips (16th), Phillip Saunders (23rd), and Jenny Elgin (63rd); and

WHEREAS, the NCHS Senior Forestry Judging Team placed first (1st) in the nation out of forty-one (41) states including over one hundred and sixty (160+) students competing in the their event after having won the local, regional, and state levels of competition; and

WHEREAS, Senior Forestry Judging Team members individually placed as follows: Jack Taggart (1st), Jamie Conner (2nd), Zach Barnes (19th), and Jesse Carter (43rd),

NOW, THEREFORE, BE IT RESOLVED, that the Nelson County Board of Supervisors does hereby congratulate and recognize the Nelson County High School National FFA Organization Senior Meat Evaluation and Technology Team consisting of: Jenny Elgin, Ben Fitzgerald, Zach Phillips, and Phillip Saunders, and the Senior Forestry Judging Team consisting of: Zach Barnes, Jesse Carter, Jamie Conner, and Jack Taggart, and

BE IT FURTHER RESOLVED, that the Nelson County Board of Supervisors does hereby congratulate and recognize the Nelson County High School National FFA Organization Advisors, Mr. Edward W. McCann and Mr. L. Scott Massie for their outstanding leadership and dedication to the students of Nelson County.

1. Presentation of Rings

Ms. Brennan and Mr. Saunders presented each student with their championship ring.

2. Proclamation – **P2014-01** National FFA Week February 15th – 22nd

Mr. Bruguiere moved to approve Proclamation **P2014-01**, Recognition of National FFA Week February 15th – 22nd and Mr. Hale seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following proclamation was adopted and read aloud.

PROCLAMATION P2014-01
NELSON COUNTY BOARD OF SUPERVISORS
NATIONAL FFA WEEK FEBRUARY 15- 22, 2014

WHEREAS, FFA and agricultural education provide a strong foundation for the youth of America and the future of the food, fiber and natural resources systems; and

WHEREAS, FFA promotes premier leadership, personal growth and career success among its members; and

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WHEREAS, agricultural education and FFA ensure a steady supply of young professionals to meet the growing demands in the science, business and technology of agriculture; and

WHEREAS, the FFA motto –“learning to do, doing to learn, earning to live, living to serve”-gives direction of purpose to these students who take an active role in succeeding in agricultural education; and

WHEREAS, FFA promotes citizenship, volunteerism, patriotism and cooperation

NOW THEREFORE BE IT PROCLAIMED, that the Nelson County Board of Supervisors proclaims the week of February 15 through 22, 2014 as FFA Week in Nelson County.

B. 2013 NCHS Drama Team-One Act Play Ensemble (**R2014-10**)

Mr. Hale moved to approve Resolution **R2014-10**, Recognition of the NCHS Drama Team – One Act Play Ensemble 2013 Virginia High School League (VHSL) State Champions 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 resolution was adopted and read aloud.

RESOLUTION R2014-10
NELSON COUNTY BOARD OF SUPERVISORS
RECOGNITION OF THE NCHS DRAMA TEAM - ONE ACT PLAY ENSEMBLE
2013 VIRGINIA HIGH SCHOOL LEAGUE (VHSL) STATE CHAMPIONS

WHEREAS, the Nelson County High School one-act play ensemble won the Virginia High School League (VHSL) One Act Play State Championship for the fourth (4th) time in five (5) years, for their one-act play entitled “Tartuffe: A Cautionary Tale”, an adaptation of “Tartuffe”, written in 1664 by Jean-Baptiste Poquelin, more commonly known as Moliere, at the VHSL Group A One Act Play Festival in December 2013; and

WHEREAS, the team competed for the championship against seven other schools; having earned first place in district competition and second place in regional competition earlier in the year;

NOW, THEREFORE, BE IT RESOLVED, that the Nelson County Board of Supervisors does hereby congratulate and recognize the Nelson County High School Drama Team – One-Act Play Ensemble consisting of: Andrew Alderfer, Laurel Cooper, Dakota Crocker, Austin Garcia, Baylee Lipscomb, Drew McCarter, Sanford Shepard, Cody Harlow, Lydia Holman, Sonora Jamerson, Jon Johnson, Audrey Anna Grace Somers, Rachel Maurhoff, Tristan Fitzgerald, Sierra Watson, Taylor Watson, Madison Gumm, and Maeve Buni for the outstanding performance of “Tartuffe: A Cautionary Tale”, that earned them the 2013 State Championship at the VHSL Group A One Act Play Festival.

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BE IT FURTHER RESOLVED, that the Nelson County Board of Supervisors wishes to individually congratulate and recognize Cody Harlow, Rachel Maurhoff, and Sanford Shepard for outstanding actor awards at the District/Conference level, and Cody Harlow and Rachel Maurhoff and Drew McCarter at the regional level, and at the state level, Dakota Crocker, Sanford Shepard, Baylee Lipscomb, and Drew McCarter each won outstanding actor awards.

BE IT FINALLY RESOLVED, that the Nelson County Board of Supervisors does hereby congratulate and recognize Nelson County High School's Drama Teacher Ms. Diana Driver and local playwright Peter Coy, for their outstanding leadership and dedication to the students of Nelson County.

Ms. Brennan then noted that the Board of Supervisors would like to make a contribution to the class trip to New York of \$2,000.

III. Proclamation – P2014-02 Jefferson Madison Regional Library -The Big Read

Ms. Brennan read aloud Proclamation **P2014-02**, Proclaiming March 2014 The Big Read, Honoring the Novel True Grit by Charles Portis.

Ms. Tanith Knight of the Nelson County Library then invited everyone to attend the Big Read and other upcoming library sponsored programs

Mr. Harvey moved to approve resolution **P2014-02** and Mr. Mr. Hale seconded the motion. 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 P2014-02
NELSON COUNTY BOARD OF SUPERVISORS
PROCLAIMING MARCH 2013 THE BIG READ, HONORING THE NOVEL
TRUE GRIT BY CHARLES PORTIS**

WHEREAS, The Big Read is designed to restore reading to the center of American culture and provides our citizens with the opportunity to read and discuss a single book within our community; and

WHEREAS, the Jefferson-Madison Regional Library invites all book lovers to participate in The Big Read that will be held throughout March 2014. The Library's goal is to encourage all residents of Central Virginia to read and discuss True Grit by Charles Portis; and

WHEREAS, True Grit the novel recounts Mattie Ross's youthful quest to avenge the murder of her father with the aid of a down-at-the-heels federal marshal named Rooster Cogburn; and

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WHEREAS, The Big Read is an initiative of the National Endowment for the Arts in partnership with the Institute of Museum and Library Services, and Arts Midwest; and is supported by the Art and Jane Hess Fund of the Library Endowment;

NOW, THEREFORE BE IT RESOLVED, that the Nelson County Board of Supervisors do hereby proclaim The Big Read during March 2014 and encourage all residents to read *True Grit* during this time.

IV. Consent Agenda

Mr. Hale noted he had minor corrections to the minutes presented, noting that the first meeting *of the year* for the Tunnel Foundation had occurred and then the statement regarding the Service Authority having equipment that could find leaks above ground may need to be re-worded. Ms. McGarry acknowledged these changes would be made and Mr. Bruguere moved to approve the consent agenda and Mr. Harvey 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 – **R2014-11** COR Refunds

**RESOLUTION R2014-11
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>
\$ 303.72	2010-2012 PP Tax & Vehicle License Fee	David B. and Karen M. Holm P.O. Box 371 Lovington, VA 22949
\$190.14	2012-2013 PP Tax & Vehicle License Fee	Susannah Taylor Hill 394 Phyllis Court Virginia Beach, VA 23452

B. Resolution – **R2014-12** FY13-14 Budget Amendment

**RESOLUTION R2014-12
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF FISCAL YEAR 2013-2014 BUDGET
NELSON COUNTY, VA**

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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>
\$ 2,394.00	3-100-009999-0001	4-100-022010-5419
\$ 5,413.00	3-100-003303-0105	4-100-022010-5420
<u>\$ 7,807.00</u>		

II. Transfer of Funds (General Fund)

<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
\$ 3,745.00	4-100-999000-9901	4-100-022010-1003
\$ 286.00	4-100-999000-9901	4-100-022010-2001
\$ 13,276.00	4-100-999000-9905	4-100-091050-9999
\$ 25,000.00	4-100-999000-9905	4-100-093100-9206
\$ 10,000.00	4-100-031020-1010	4-100-031020-1009
<u>\$ 52,307.00</u>		

III. Appropriation of Funds (School Fund)

<u>Amount</u>	<u>Revenue Account (-)</u>	<u>Expenditure Account (+)</u>
\$ 25,000.00	3-205-004105-0001	4-205-064600-8000
\$ 100,000.00	3-205-002404-4070	4-205-064600-8000
<u>\$ 125,000.00</u>		

C. Resolution – **R2014-13** Minutes for Approval

**RESOLUTION R2014-13
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF MEETING MINUTES
(January 14, 2014 & January 23, 2014)**

RESOLVED, by the Nelson County Board of Supervisors that the minutes of said Board's meetings conducted on **January 14, 2014 & January 23, 2014** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

V. Public Comments and Presentations

A. Public Comments

1. Weeda Bell Phillips, Shipman VA

Ms. Phillips noted that she was speaking on behalf of Relay for Life and as a member of the 2014 committee event. Ms. Phillips then distributed sponsor packets to the Board and noted that she talks to businesses, individuals, clubs, and groups regarding Relay for Life. She then noted that in Nelson County, twenty-seven (27) cancer patients received fifty (50) services paid for from the funds. She noted that Relay for Life was the largest national event in the nation and that a large % of money raised went into cancer research. She then noted that she would like for the Board members collectively to become a sponsor for the Relay for Life Event. She advised that this would involve them giving a \$250 donation and their names placed on the back of the event T-shirts. She added that Relay was a County event and was well supported by the county. She noted that teams held events throughout the year to raise funds and she again asked the Board to become a sponsor. She added that donations from Sponsors were due in by March 3rd to get on the shirt.

Mr. Bruguire then asked if there was any way that money raised in Relay for Life could stay in Nelson County rather than it going to the national organization. Ms. Phillips noted that cancer patients in need could contact the American Cancer Society (ACS) to be directed to local organizations. She noted that there were 1,077 such people in central Virginia receiving these services. She noted that it would not be known if this money was Relay for Life money that came back into the county due to confidentiality. She added that they disseminated information on these services and the commercials also related helpful information about available services. She then introduced Ms. Mary Coates of the American Cancer Society.

Ms. Coates noted that she was a caregiver and had she known about the available services, it would have been better. She noted that Blue Ridge Medical Center was a great help to them. She added that the American Cancer Society could provide transportation for treatment and that they had Hope Lodges that housed people at no charge. She noted that they also had great volunteers in the area and that they had an 800 number to call in order to speak with a person. In conclusion, she noted that the ACS had a proven track record in trying to find a cure for cancer.

B. Presentation – Nelson County Community Fund (A. Hodson)

Dr. Andrew Hodson introduced himself and Barbara Gibb, Co-chairs of the Nelson County Community Fund (NCCF). He added that he lived in Afton and had been a county resident for fourteen (14) years. He added that he felt that the work they had done over last 10 years in helping people in Nelson County should be brought to the Board as he would like to see greater coordination between their group and the County. He added that he wanted to improve the group's recognition in the community.

Dr. Hodson noted that the group organized in 1995 and started fundraising in 2005 with the Opportunity Ball. He noted that they now worked under the Charlottesville Area Community Fund (CACF) which acted as the 501c3 non-profit organization. He noted that they were working on 1% overhead and 99% of the funds went to Nelson County recipients and that they supported people working to support cancer survivors. Dr. Hodson added that their organization primarily gathered funds and then worked out who needed them the most; utilizing grass roots people in the community that know where the funds were needed. He noted that over the last 10 years, they had raised over \$900,000 and would be over a million this year. He then noted recipients of funding were Blue Ridge Medical Center, the Nelson Food Pantry, and the Rockfish Foundation etc. Dr. Hodson concluded by reiterating that they were concerned about peoples' health, welfare, and safety and they wanted to form relationships such that if the Board of Supervisors recognized a need then they could work together on meeting it.

C. VDOT Report

Mr. Don Austin reported that there was power to the flashing light on Route 6 now and it should be working in the next couple of weeks.

1. 2015-2020 Secondary Six Year Plan (SSYP)

Mr. Austin noted that the Board needed to set a priority list and this would then tie down funding for each. Mr. Austin then referred to the map showing some suggested routes as follows:

Route 613 - Lodebar Estates, From: Route 151 To: Rte 612 0.40 Mile 320 VPD

Route 654 – Cedar Creek, From: Rte 655 To: Rte 661 4.24 Miles 160 VPD, Break up into several projects

Route 653 - Wilson Road, From: Rte 650 to Rte 655, 2.68 Miles 70 VPD, (Oakridge area improvement)

Route 814 – Campbell's Mt From: Rte 1.00 mi N. Rte 56 To: Rte 684, 3.45 Miles 110 VPD

Route 680 – Cub Creek Rd, From: .50 Miles N Rte 699 To: 1.45 Mi N GWNF Boundry 2.84 Miles 70-80 VPD

Route 721 – Green field Rd, From: Route 626 To: 0.50 N Route 626, 0.50 Miles 51 VPD

Supervisors then discussed the following VDOT issues:

Ms. Brennan noted that recently, coming out of Buck Creek, an older man turned up the wrong way and there was still no signage there. Mr. Austin noted that there should be Wrong Way signs and Do Not Enter signs there. Mr. Harvey agreed that this road had the most wrong way drivers in the County. Mr. Austin noted that VDOT had added signage and had also trimmed back the bushes there. Mr. Hale questioned whether or not there should be

a No Left Turn sign there and Mr. Austin noted he would review this again to see what more could be done.

Mr. Bruguiere sited maintenance issues at Fork Mountain and suggested that they needed to do maintenance all at one time. He added that the Dickie Road culvert was still a problem and nothing had been done there. He noted that water was running across the road there because the culvert could not handle that level of water.

Mr. Bruguiere then asked if the Findlay Mountain Road intersection was fixed and which right of way they would need to obtain. Mr. Austin noted that the State would normally buy the right of way or it could be donated.

Mr. Saunders noted he had heard a complaint regarding the intersection at Laurel Road and Brownings Cove Road being a Y instead of a T. Mr. Austin noted that it was that way because of the sight distance issue.

Mr. Hale, Mr. Harvey, and Ms. Brennan had no issues for VDOT.

VI. New Business/ Unfinished Business

A. Proposed Property Acquisition – 7995 Thomas Nelson Hwy, Tax Map # 67-A-9A

Mr. Harvey noted that consideration of this item could be eliminated as the property had been purchased by another party.

Introduced: Vehicles for Fire and Rescue Services.

Mr. Harvey reported that Piney River Fire Department wanted to wait a year to get a new vehicle and get one next year. He noted that Gladstone Fire and Rescue was next in line and they had gotten two quotes and prices for what they wanted – a pumper with a 4 door cab. He noted that the Board should make a commitment to continuous funding and let them order the truck with the money that would be available in July. He added that it took 280 days to build the trucks and no deposit was needed. Mr. Harvey then added that they would have to go to the EMS Council for loan funds and the quotes ranged between \$275,000 to \$290,000. Mr. Harvey then related that the Board would put up \$250,000 in FY14-15 and in FY16 and that Piney River Fire Department would be back in line for a tanker which would be cheaper. He added that the Rockfish Fire Department pumper in FY17 would also be cheaper than that.

Mr. Harvey then noted that they needed a letter from the Board that the money would be available after July 1, 2014. Mr. Hale added that this funding would need to go into the budget. Mr. Harvey noted that he thought they should move ahead so Piney River was not waiting. Mr. Hale noted he thought this could be the intent but until the budget was adopted

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there was no guarantee on the funding. Mr. Harvey agreed and noted that he thought a motion of intent should be done and Mr. Bruguiera agreed.

Mr. Harvey noted that they would still have to pay their 20% of the cost which would mean funding of \$220,000 (80% of \$275,000) for the County. He added that they would not be buying equipment and could use fire funds and EMS Council loan funds for this. He added that the County had given the money to the Council to disburse on the last purchase.

Mr. Hale then noted that he would like to see this come as a recommendation from the EMS Council and Mr. Harvey noted that the procedure was already laid out by them. Mr. Carter noted that the County paid \$420,000 for 3 trucks the previous year and they were \$140,000 each.

Mr. Harvey then discussed the ambulance program, where the agencies would file for an ambulance grant at each grant cycle. He noted that Gladstone Fire and Rescue had applied for an 80/20 hardship grant when the County had agreed to pay half and didn't get it. He added that they wanted to reapply in the spring grant round in March to get funds in July.

Mr. Hale asked if this would replace their existing truck and Mr. Harvey confirmed it would and that the agencies needed to get the old trucks out of the system.

Mr. Harvey then moved that the Board of Supervisors commit to the EMS Council to provide 80% of the cost of the fire truck that Gladstone fire and Rescue was planning to buy.

Mr. Bruguiera seconded the motion and Mr. Hale suggested that the motion be amended to set a not to exceed amount of \$240,000 which was 80% of \$300,000. Mr. Harvey accepted the amendment to his original motion and Mr. Bruguiera seconded the amended motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

Introduced: Closed session for discussion of a personnel matter.

Ms. Brennan indicated the need to have a closed session for a personnel matter and Mr. Hale moved that the Nelson County Board of Supervisors convene in closed session to discuss the following as permitted by Virginia Code § 2.2-3711(A) (1): discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body.

Mr. Harvey seconded the motion and there being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

Supervisors conducted the closed session and upon its conclusion, Mr. Hale moved to reconvene in open session and Mr. Bruguiera seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the meeting resumed in open session.

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Upon reconvening in open session, Mr. Hale moved that the Nelson County Board of Supervisors certify that, in the closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed under the provisions of the Virginia Freedom of Information act cited in that motion.

Mr. Hale seconded the motion and there being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

Introduced: Part Time employee funding request by Circuit Court Clerk

Mr. Bruguere noted that Ms. Smythers had requested funding for more part time help and this was not included in the budget amendment and he understood she needed someone immediately.

Mr. Harvey then moved to let Mr. Carter work with Ms. Smythers to get her additional staffing worked out immediately. Mr. Bruguere seconded the motion and there being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

Introduced: Zoning Ordinance issue related to Duplexes

Mr. Hale noted that a problem relating to Duplexes and the Zoning Ordinance had been brought to his attention. He noted that he thought that a two family detached dwelling (duplex) was permitted by right in A-1 Districts; however one could not build a duplex on the same lot size that a single family dwelling could be built on. He added that the issue had been brought up by George Krieger through their housing issues in Shipman. He noted that currently, if a person wanted to build a duplex in an A-1 zone, they had to have four (4) acres and he would like to suggest that the allowable lot area should be two (2) acres for single. He noted that a change to one line in the current Ordinance would fix this.

Mr. Hale further explained that as it stood now, a person could build a huge house on a two (2) acre lot and would have to meet approvals by the Health Department etc. He added that the reason that this should be in the Ordinance was to permit a duplex on a two (2) acre lot in an A-1 District. He then noted that another reason to adjust this was to fulfill a housing need that should be available as it would provide affordable housing for some and having to purchase additional acreage would add to the cost and thus making it less affordable.

Mr. Carter advised that the suggested change must be referred to the Planning Commission and Mr. Hale noted that he would urge them to take action this month. He reiterated that the problem was with the acreage restriction.

Ms. Brennan confirmed with Mr. Hale that one could have up to four (4) bedrooms in a duplex also on that acreage.

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Mr. Hale then moved to send a recommendation to the Planning Commission to look into this with the objective to make it possible to build a duplex on a two (2) acre lot in an A-1 district.

Mr. Bruguere seconded the motion and Mr. Harvey noted he would like to get confirmation from Mr. Payne on the process of referral etc. Mr. Carter advised that he thought it had to go to the Planning Commission. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

Introduced: Sheriff's Department funding Request dated 2/10/14

Mr. Carter noted that the Sheriff had met with him on this request the previous day; however staff had not had time to thoroughly review it. He noted that everyone in the Department had a vehicle assigned to them presently and that funding the request was dependent on the status of the fines and forfeitures revenues of January. He added that according to analysis, the new deputies had cars also. Mr. Harvey noted that he thought the issue was there were no back up vehicles.

Mr. Carter then reported that they would be about \$29,000 short of the projected revenues. He noted that he did not think the radar officer had been decommissioned.

Mr. Harvey then noted that he thought that the requested radios have been covered and he suggested that they would remove \$3,000 from the request. He added that new radios would go in the new cars and he noted that funds had just been approved for two new ones the other day.

Mr. Harvey then moved to allow the purchase of two (2) police utility vehicles and equipment that could not be removed from the older cars, with County staff to order the vehicles and work out pricing. He added that the Sheriff's Department is to try to pull back forfeiture money to help with this.

Mr. Hale seconded the motion but noted that he thought they would have to start looking at budget things before spending more money. Mr. Harvey then noted that the County could not get off cycle with vehicle purchases.

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

It was noted by staff that this funding would come out of the current year's budget.

Ms. Brennan noted that things were unclear looking at the car list provided by the Sheriff and she would like to see a chart of vehicles for budgetary purposes.

VII. Reports, Appointments, Directives, and Correspondence

A. Reports

1. County Administrator's Report

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I. Courthouse/Government Center Project: Resolution of the tunnel connector is outstanding. Blair is working to address this. The remaining project retainage is being held.

Consideration of Phase 2 (renovation of 1809-19705 structures) requires Board authorization to retain AE services, which can be accomplished in 60-75 days (approximate).

Mr. Carter noted that the tunnel leaking issue was still not resolved. He added that he had F&R look at it and their report was sent to Blair. He noted that they recommended excavating the tunnel walls instead of continuing to caulk and he noted he would send the Board the report.

Mr. Harvey noted that rust appeared to be pouring down the stone walls out front and Mr. Saunders noted he thought it was iron in the rock coming out and nothing could really be done about it except to remove the rock.

Mr. Saunders noted that Judge Gamble suggested that they look at the Pittsylvania County Courthouse and he would like to do that sometime. Mr. Bruguere noted he thought that the AE firm they used did not charge a lot for their services and Mr. Carter advised he would email them to see who they worked with. He then recommended that they look at the space needs prior to proceeding.

Mr. Hale reiterated that the top priority was the renovation of the old Courtroom and expansion of the Circuit Court Clerk's office which would require relocating the Commissioner of Revenue and other staff.

Supervisors briefly discussed this and agreed that the Courtroom renovation should be done while Judge Gamble was still in office. They also discussed needing to get someone that specialized in restoration work and Mr. Carter suggested contacting Frazier and Associates as they did a lot of restoration work and historic preservation. Supervisors agreed by consensus to keep the Courtroom as historic as possible.

Supervisors then discussed separating the work into two (2) projects and that Mr. Harvey and Mr. Saunders would be the Board Committee to work on this.

Mr. Carter noted that the County would have to do an RFP unless it could use cooperative procurement and this would take approximately 60-75 days.

Mr. Harvey suggested that staff find out about Pittsylvania County and go from there.

II. Jefferson Building: Interior restoration is complete. Relocation of the Commonwealth Attorney's office is planned for completion by 2-28. Exterior restoration prior to 6-30.

III. Health Department Building Demolition: Demolition of the building is complete. Site restoration (final seeding and matting) is pending due to site conditions.

IV. Massies Mill School Demolition: Project advertised. Pre-bid on 2-12. Bids due on 2-20.

Mr. Carter noted that due to the weather, the pre-bid meeting had been changed to the 17th and bids were now due on the 27th.

V. Lovington Health Care Center: Consultant retained by JABA for additional feasibility assessment. No specific time table provided for receipt of consultant's report.

VI. BR Tunnel and BR Railway Trail Projects: A) **BRRT** – Construction in progress with completion date of 5-15-14. B) **BRT** – Pre-bid conducted on 2-6. Bids due on 2-20.

Mr. Hale clarified that if qualified, the County would have to take the lowest bidder. Mr. Carter noted that this was per State Code.

VII. 2014 Gen. Reassessment: Board of Equalization hearings scheduled 3-4 to 3-12.

VIII. FY 14-15 Budget: Draft budget presentation to Board by March 2014.

2. Board Reports

Mr. Harvey and Mr. Saunders had no reports.

Mr. Hale noted that the TJPDC had made an offer to a potential new Director pending a background check.

Mr. Bruguere reported that Eddie Embrey was not doing well health wise and may have stepped down as President of the EMS Council. He added that David Graves may be next in line for President.

Ms. Brennan reported that she went to Ms. Epps's Memorial Service and sent something from the Board of Supervisors.

Ms. Brennan also reported that she went to the Virginia Legislative Day and it was not as productive as in previous years. She added that the Governor spoke and was pressing for Medicaid Expansion, which he noted would create jobs and bring money back to the State. She added that there had been many hospital closures due to lack of funding and he also spoke on jobs and education.

B. Appointments

Ms. McGarry noted that there was still a pending appointment to be made to the PVCC Board with the applicants for consideration being Tom Proulx, and Sharon Wray.

Mr. Hale moved to appoint Tom Proulx to the PVCC Board and Mr. Harvey seconded the motion.

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Mr. Hale noted that he had not had an opportunity to speak with the other applicant, however Mr. Proulx has had a great interest in PVCC and had previously attended these meetings and he would be an excellent representative for the County.

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

Supervisors then discussed the Keep Nelson Beautiful Council and Mr. Carter confirmed that this Council was not established in the County's Ordinances.

Supervisors noted that they were still waiting for a report to come back from Grant Massie on this Committee and Mr. Hale noted that if nothing was happening with it, the County should stop advertising for members.

Mr. Harvey noted he thought the Council was needed in order to obtain grant funding and Mr. Carter noted that this was not the case and that the County received and disbursed the grant funds. He added that the Recycling Coordinator, Mr. Massie would work on this if KNB was not reconstituted. He noted that the funds were approximately \$8,000 and could be used for recycling costs.

Mr. Hale noted that he thought that having KNB was great however if no one was willing to be members, then he thought it should not be continued. Staff noted that Mr. Massie was keeping up with recycling in the County and the Board agreed by consensus to have Mr. Massie give the Board an opinion on KNB.

C. Correspondence

Mr. Bruguere reported on correspondence regarding the Payment in Lieu of Taxes (PILT) funds was not in the Farm Bill and an addendum had been issued. Ms. Brennan confirmed that it was in there for another year and it amounted to about \$20,000 collectively. Mr. Carter noted that budgeted PILT funds were about \$10,000-\$12,000 per year.

D. Directives

Mr. Harvey and Mr. Saunders had no Directives.

Mr. Hale noted that as part of the budget process, he would like to see a separate list of the Departmental requests so that the Board would be able to prioritize these. He added that the Board needed to take a hard look at these things and he did not think they would find that they could budget for everything that was asked for.

Mr. Hale then inquired if the County would have to borrow money for the historic Courtroom renovation and Mr. Carter noted he was not sure; however it may cost \$500,000 or more.

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Mr. Bruguere noted that the County needed to get all computers in the Commissioner of Revenues Office, the Circuit Court Clerk's Office, the Treasurer's Office, the Planning and Zoning Office, and Building Inspections Office to interact with each other. He added that he thought that changes made in one system should automatically update the other systems; for example when a deed was recorded in the Clerk's Office, it should automatically be sent over to the Commissioner's Office.

Mr. Carter noted that he thought this particular thing could be done now, but that it wasn't. He added that these updates could be done daily if the offices worked together since the Clerk's office regularly produced a listing of deed recordations and it was given to the Commissioner's Office. He noted it was then up to them to update the books.

Staff then noted that getting this done may be an issue since the information was stored in separate computer systems between the offices.

In response to questions about the GIS system, Staff noted that the GIS system was updated when someone filed a new plat and that the County periodically sent batches to Timmons to do the system updates. Supervisors then noted GIS issues with records not having lot lines or ownership information.

Mr. Carter then noted that oftentimes multiple parcels were linked together under one number and he would like to undo this. He noted it was difficult to determine development rights in this scenario, and it required research in Clerk's Office. He added that undoing this would be a lot of work and the County would most likely have outsource this.

Mr. Hale noted that for practical purposes, the mapping of tax parcels had made significant progress. Mr. Carter advised that Ms. Rorrer was continuously working to improve this; however it would cost more to update these more often etc. He added that he would speak to them about the possibility of doing this.

Ms. Brennan asked to find out how much the County paid Timmons annually for their GIS services.

Ms. Brennan then asked staff to provide the Board with the amount of money left in the original Courthouse Project Fund.

Ms. Brennan then inquired of the Board as to how Ms. Epps could be recognized in memoriam and Supervisors discussed having a picture of Ms. Epps turned into a portrait to be hung at the Nelson Center. Ms. Brennan noted she would ask Margaret Morton if she could identify a picture that could be used and she suggested that the Board also do a resolution for presentation at the same time.

Ms. Brennan then noted that she would concede on the "no smoking" and would go along with a tobacco free campus if that was what the rest of the Board wanted. Mr. Hale noted that even though he was empathetic with smokers, he thought the campus should be tobacco

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free. Supervisors agreed that this should apply to everyone and staff was directed to bring a resolution to this effect back for the Board's consideration.

VIII. Adjourn and Reconvene for Evening Session

At 5:10 pm, Mr. Harvey moved to continue the meeting until 7:00 pm and Mr. Hale seconded the motion. There being no further discussion, Supervisors voted unanimously by voice vote to approve the motion.

EVENING SESSION

7:00 P.M. – NELSON COUNTY COURTHOUSE

I. Call to Order

At 7:00 pm, Ms. Brennan called the meeting to order with all Supervisors present to establish a quorum.

II. Public Comments

There was no persons wishing to be recognized for public comments.

III. Public Hearings and Presentations

A. Presentation – Region Ten Annual Report (P. Hughes)

Dr. Johnson Executive Director of Region Ten addressed the Board and distributed copies of the agency's legislative brochure.

Dr. Johnson noted that Region Ten was extremely grateful for the ongoing support of the Board over the years. He noted that he hoped to improve the system of care in the coming year and that he thought the General Assembly actions would be good for the system and the individuals affected would have a better system of care.

Dr. Johnson then described a new Region Ten enterprise called integrated care. He noted that they desired to create a more one stop shop for consumers through partnering with Martha Jefferson Hospital in a renovated Region Ten Facility in Charlottesville. He noted that they had medication compliance issues that lead to poor outcomes. He added that those with mental disorders tended to live 10-11 years less than those without this and they were designing programs for better outcomes. He noted that they wanted to bring this concept to all counties and he noted that there was potential for this in the vacant third floor office in Nelson.

Ms. Patricia Hughes, Nelson County's Region Ten Board representative then reported on the agency's FY13-14 activities. She noted that Region Ten employed 679 individuals agency wide and spent \$35 million dollars. She noted that 461 people were served at a cost of approximately \$2 million dollars with 6,732 people served agency wide. Ms. Hughes noted

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that the County supported 37 out of 61 programs that were operating at a deficit; however \$1 local dollar generated \$22.90 in leveraged funds.

Ms. Hughes then noted that programs were operating at an annual deficit and she asked the Board to consider additional funding for these programs.

Ms. Hughes then noted that Region Ten wanted to work to decrease the stigma associated with mental health and to that end they had sponsored a film called running from crazy and they were sponsoring panel discussion on PTSD.

She then reported that the Region Ten Board had a fundraising committee and that \$7,000 in technology was being installed in the Nelson County offices and at Horizon House.

Ms. Francee Laverty, Nelson County Clinic Director then addressed the Board and noted how much they appreciated the Board's support and the Clinic worked hard to support the community. She advised that they have added a Child Psychologist who was available on Thursday mornings and that an Adult Psychologist came out one day a week. She noted that they continued to provide a pretty large clinically sound day treatment program in the schools and their other large program was the Horizon House Clubhouse.

The Horizon House attendees were then introduced as follows:

1. Kenny

Kenny noted that he has had a poem published and had started GED classes. He noted that at Horizon House, he has learned to have self worth and to ask for help as needed. He then thanked Region Ten for this support.

2. Samantha Burns

Ms. Burns noted that she has been at Horizon House for two years and has accomplished self confidence and respect. She noted that she liked the staff and how they helped them. She added that she has met a lot of good people there.

Dr. Johnson then invited the Board to stop by the clubhouse and he noted that the Horizon House had forty-one (41) individuals in the program.

B. Public Hearing -Special Use Permit #2013-006 / JARSS, Inc.

Consideration of a Special Use Permit application for the proposed conversion of an office space to a residential space, pursuant to Section 8-1-10a of the Zoning Ordinance. The subject property is identified as Tax Map Parcel #76A-2-2, located at 4148 Thomas Nelson Highway (U.S. Route 29) in Colleen. This is a 0.083-acre property zoned Business (B-1), and is owned by JARSS, Inc.

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Mr. Padalino reported that the SUP permit application was received in December to construct residential units in a Business District. He showed the map of the subject property and noted the subject property was identified as Tax Map Parcel #76A-2-2, located at 4148 Thomas Nelson Highway (U.S. Route 29) in Colleen. He noted that it was 0.083 acre property and was zoned business. He added that it was attached to the BP station in Colleen which was a mixed use property.

Mr. Padalino noted that the applicant wanted to convert office space into a two person rental unit. He added that a floor plan was included in the application and that the applicant had noted a large volume of people had showed interest in renting the unit. He noted that the unit would connect to the Service Authority utilities and would use an existing well on the adjacent property.

Mr. Padalino then reported that the site plan committee had indicated that two parking spaces needed to be reserved for the tenant and they recommended that curb stops be placed on that property to protect resident vehicles.

Mr. Padalino then noted that the Planning Commission had recommended denial of the application based on incompatible uses.

Mr. Padalino then showed the Board photos of the site.

Mr. Bruguere inquired if there were any recommended solutions to the parking issues and Mr. Padalino replied there were not; however there was adequate space for parking on the site. It was noted that there was not much room between cars coming through the gas pumps to the front door of the proposed unit.

Mr. Padalino noted that the building was on an interior parcel and the land surrounding it was owned by someone else.

Mr. Saunders indicated he was concerned about traffic flow there and that there was not as much room as it appeared in the pictures. He added that he was concerned about the tenant coming out of the door and getting hit by cars. Mr. Bruguere noted he agreed that the lack of safety of the front door was the issue, not the incompatible use as was stated by the Planning Commission. He added that he did not have an issue with the apartments and he would be okay with it if the unit could be accessed from the side.

Mr. Hale noted that the State often owned right up to the fuel tank canopy and concrete pad and he questioned whether or not the building could be owner occupied as a residence. Mr. Padalino indicated he was unsure about that. Mr. Harvey indicated that he thought there would be problems with the Building Inspections Department and the requirement to have fire separation etc. between the unit and the store.

Mr. Saunders inquired about the location of the underground tanks and Mr. Padalino noted that some were under the manhole out front near the gas tanks. Mr. Saunders then noted that he thought this was the wrong place for an apartment.

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Ms. Brennan then opened the public hearing and there being no persons wishing to be recognized, the public hearing was closed.

Mr. Padalino noted that the applicant was not present to speak to the application.

Mr. Hale then moved to follow the recommendation of the Planning Commission and deny the Special Use Permit application #2013-006 and Mr. Bruguiera seconded the motion.

Mr. Bruguiera noted he was not opposed to the apartment; however it needed access in the rear not the front. Mr. Harvey noted that the fill tanks being right under the canopy were an issue as was the fact that he did not see it as safe for children to live there near the Highway.

Mr. Carter noted that State Code would not allow the owner to live there without a Special Use Permit either.

There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and deny SUP #2013-006.

C. Public Hearing – Proposed Ordinance O2014-01 to enact Chapter 4, Article II, Division IV, Nelson County Unsafe Buildings and Structures.

Mr. Carter noted the purpose of the public hearing was for the Board to consider public comments regarding the enactment of a provision of the County Code, Chapter 4, Article II, Division IV, Nelson County Unsafe Buildings and Structures.

Mr. Carter then noted that the draft ordinance provided that the Building Code Official would be vested with the authority to determine if a building was unsafe or a public threat. He noted that if it were found to be, a notice to this effect would be issued to the owner and a notice would be published for two consecutive weeks in the paper. He noted that it provided that after thirty (30) days, the County could take the structure down or repair it and then could recover these costs. He noted that the State Code allowed the county to sell the property and the Treasurer could now attach the owner's bank account to recover these costs.

Mr. Carter added that the draft Ordinance provided that the County could consider, with the owner's consent that the County could tear the building down. He noted that there was a Civil penalty in addition to the remedies that the County had to recover costs up to \$1,000.

Mr. Carter then noted that Section 15.2 of the State Code gives the County the authority to have the Ordinance and use its ability to take down unsafe structures. He added that it gave local authority to act on unsafe structures and collect any costs to do so.

Mr. Carter noted that the public hearing had been duly advertised and was the culmination of a several year long debate and most recently it was directed by the Board to be developed.

Mr. Bruguiera added that the County had the authority in the State Code already to do this and Mr.

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Carter noted that it had been the authority for action taken on a structure at the intersection of Findlay Mountain Road and Route 56 East.

Ms. Brennan opened the public hearing and the following persons were recognized:

1. Shelby Bruguere, Afton

Ms. Bruguere noted that she did not support passage of the Ordinance because as it was written it could apply to any building and she thought it should be more narrowly defined in the ordinance. She added that she supported private property rights and it was not for the government to decide what could be done with private property. She added that she thought the Ordinance created an undo burden for Nelson County residents living in a rural County.

2. Joe Lee McClellan, Lovingston

Mr. McClellan noted that he had properties that needed improving and that may fall under consideration. He added that he had fifteen vacant structures in Lovingston and he was having a difficult time keeping up his properties. He noted that he would be willing to put up signs; however he objected to the County taking over a property and sending the owner a bill.

3. Henrietta Geelan, Shipman

Ms. Geelan noted that she was in favor of the Ordinance and that there were some buildings that were in such terrible disrepair and were a safety hazard because they were being used for doing drugs, hanging out, and shooting out windows. She noted that the property at the intersection of Route 56 east and Findlay Mountain Road had been destroyed by people. She added that the structures by the rail road tracks in Shipman were being used for no good and that some of these buildings needed to be taken down or improved before someone got hurt.

There being no other persons wishing to be recognized, the public hearing was closed.

Mr. Carter then noted that it was important to point out that Section 4-59 stated that the Building Official may order any owner to remove, repair, or secure any structure that might endanger the health and safety of other residents of the county. He added that he did not think the County would go onto property to find dilapidated structures and the County was not on a hunting expedition.

Mr. Harvey noted that it could be done according to the draft Ordinance and he did not like the idea of having one person being able to do this without anything else. He added that he thought the owner should be able to have their day in court.

In response to questions, Mr. Payne noted that he did not think using condemnation powers was the way to handle these.

Mr. Hale emphasized that the draft Ordinance said that the Building Code Official may, is not required, and the determination must be that the structure endangers others in the county. He added that this did not refer to those structures that would not affect anyone else.

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Mr. Carter noted that the Building Code Official made the determination that the Route 56 east and Findlay Mountain Road house was unsafe. He added that this could currently be done under the State statute and that the cost recovery aspect of the local ordinance was essential to County's interest. He noted that this was the easier course to recover its expenses associated with this.

Mr. Carter noted that previously Mr. Johnson had been concerned about a chimney on private property that did not endanger anyone else so he could not take it down.

Ms. Brennan reiterated that the purpose of the Ordinance was to protect the health safety and welfare of the citizens and the County was not going to go around looking for things. Mr. Saunders added that the Ordinance primarily provided a way for the County to recoup some money in protecting the health and welfare of the public. He added that he was in favor of people's property rights; however there were some buildings in the County that were not safe and were hazards. He reiterated that the authority for locality's to declare a structure unsafe was in the State Code already.

Mr. Harvey disagreed that the building at 56 east and Findlay Mountain road was a public hazard. He argued that after a fire, the Building Official could condemn a building immediately. Mr. Saunders noted that he could do the same thing whether or not the building had burned if it was unsafe.

Mr. Harvey noted that there was no recourse for the owner and Mr. Carter noted that the owner had the option of making the building safe in lieu of tearing it down.

Mr. Hale noted that the Building Official's determination could be challenged in a court of law.

Mr. Bruguiere suggested that a decision on the Ordinance be deferred until the Board could have Mr. Payne clarify some of the issues. Mr. Harvey suggested that the County deal with these structures under the existing State Code authority.

In response to questions, Mr. Carter noted he was not sure if they would have to go to court for the Route 56 east and Findlay Mountain Road property and that Staff was asked to draft the Ordinance.

Supervisors then agreed by consensus to defer this until the March meeting in order to get Mr. Payne's input.

Mr. Saunders noted that without the Ordinance, people could have buildings taken down on purpose to improve their property and the County would have no means of recovering these costs; which was the point of the Ordinance.

D. Public Hearing – Proposed Ordinance O2014-02 to amend the Code of Nelson County, Virginia, Appendix A, Zoning Ordinance to include application fee changes for Special Use Permits, Rezoning, Variances, and Appeals.

Mr. Carter noted that the consideration was to amend the Zoning Ordinance to revise the fees for Special Use Permits, Rezoning, Variances, and Appeals. He added that the Board considered this in the spring of 2013 and then referred to it to the Planning Commission and it has been brought back.

Mr. Carter showed a graph of fees charged throughout the TJPDC and Region 2000 Planning District in comparison to the County's fees. He noted that the County's fees had not been changed since they were enacted in the 1970's. He noted that the primary point to make was that the current fees did not even cover the advertising costs associated with the application. He then noted the proposed fees in comparison with those charged throughout the TJPDC and Region 2000 Planning District. He added that of primary consideration was should the County subsidize individual's applications. He noted that the proposed fees did not reflect the initial recommendations which were closer to actual costs; however the Board wanted to raise these gradually.

Mr. Bruguire confirmed that the Planning Commission had reviewed these and conducted a public hearing with no comment from the public. Mr. Harvey supposed the public would not comment until they were faced with paying the new fees.

Ms. Brennan noted that currently all of the citizens of the County had to pay for these applications and she did not think they should have to. Mr. Saunders reiterated that the proposed fees were not fully covering the expenses.

Mr. Bruguire then inquired if the proposed fees would cover the advertising costs and Mr. Padalino noted that the overhead costs for considering these things added up to \$430 per application and these get advertised twice per public meeting. He added that appeals could be more expensive because they usually involved legal reviews. He noted that the increases being considered would not cover the expenses. He added that these did look like large increases but it was because they were extraordinarily low since they had not been raised since 1977. He noted that he had used an inflation tool and it came close to the numbers being considered now.

Ms. Brennan then opened the public hearing and the following persons were recognized:

1. Joe Lee McClellan, Lovington

Mr. McClellan stated that he agreed that the applicant should pay the costs of the application. He noted that he had lowered all wages by 10% and had not increased it back to where it was and he thought the County should do the same until the economy got better. He noted that he agreed the fees needed to be raised but the County also needed to look at its budgets to keep them as low as possible.

There being no other persons wishing to be recognized, the public hearing was closed.

Mr. Carter then noted that Ordinance **O2014-02** denoted the proposed fees as follows:

1. Special Use Permit: An application permit fee of Two Hundred Dollars (\$200).
2. Rezoning: An application permit fee of Three Hundred Dollars (\$300).
3. Variance: An application permit fee of One Hundred Fifty Dollars (\$150).
4. Appeal: An application permit fee of One Hundred Fifty Dollars (\$150).

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Mr. Hale noted that the fees had been agreed upon at that level and the ones proposed were considerably more. He noted he had some unhappiness about some of this, such as rezonings which were the result of a poor zoning map. He added that he did think it was time to have fees more in line to reflect part of the costs.

Mr. Bruguiere then moved to approve Ordinance **O2014-02** Amendment of the Code of Nelson County, Virginia – Appendix A, Zoning Ordinance, Application Fees.

Mr. Hale seconded the motion and Mr. Saunders noted that the County was still below its neighbors as a point of reference and the Board ought to look at these again in a year or so.

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

ORDINANCE O2014-02
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF THE CODE OF NELSON COUNTY, VIRGINIA – APPENDIX A,
ZONING ORDINANCE, APPLICATION FEES

BE IT HEREBY ORDAINED, that Pursuant to §15.2-1427 of the Code of Virginia 1950 as amended, the Nelson County Board of Supervisors does hereby amend the Code of Nelson County, Virginia, Appendix A – Zoning, §14-5-2, and enacts fees schedule for fees associated with Special Use Permits, Rezoning, Variances and appeals within Appendix A, as follows:

14-5-2 Appeals requiring an advertised public hearing shall be accompanied by a certified check for the required filing fee payable to the Treasurer for deposit in the general fund.

APPENDIX A – ZONING
FEES SCHEDULE FOR APPLICATIONS

1. Special Use Permit:

An application permit fee of Two Hundred Dollars (\$200).

2. Rezoning:

An application permit fee of Three Hundred Dollars (\$300).

3. Variance:

An application permit fee of One Hundred Fifty Dollars (\$150).

4. Appeal:

An application permit fee of One Hundred Fifty Dollars (\$150).

IV. Other Business (As May Be Presented)

Introduced: Connection fees for NCSA water and sewer

Mr. Bruguere noted that the connection fees for Service Authority water and sewer were a deterrent for business and that these were outrageous to just connect to the system.

Mr. Harvey noted that the Board had nothing to do with this and that the Service Authority could not give the service away. He added that these fees helped to pay for future expansion of the system and current customers should not pay for that addition.

Mr. Saunders agreed and noted that to connect a 6 inch line, the party would have to come up with \$400,000, a 4 inch line would cost \$200,000 not counting materials and labor, and a 3 inch line would cost \$128,000 to connect. He added that he realized that the Authority had to operate and pay for the system; however these fees could be cut in half in order to get more customers and then they would make more money. He noted that he knew of a couple of prospects that saw these fees and moved somewhere else.

Mr. Hale then acknowledged that the users of the public system were subsidized by the taxpayers.

Mr. Harvey advised that the Authority would have to upgrade its water and treatment plant to bring in businesses anyway since there was not much additional capacity presently. Mr. Hale added that the debt at the Service Authority was significant and Mr. Harvey added that the fees were based on the size of the line to be connected.

Mr. Saunders noted that he thought these ought to be reviewed again because it was affecting business attraction to the County; along with VDOT requirements. He added it was an NCSA issue however he thought the Board should have a voice in it.

Mr. Carter noted that the County was paying all of the debt on the Lovington to Colleen expansion and he thought that this should be assessed. He added that customers were paying installation on top of connection and this could be a deterrent to businesses in the County; however he acknowledged this was a catch 22 situation.

Mr. Saunders reiterated that the County was getting the connection fees and the County should have a say in what they were.

Mr. Carter then noted that the County's mandatory connection threshold was set at 1,000 feet and the NCSA's was 300 feet and he thought these should be matched up.

Mr. Saunders then acknowledged that the treatment plant needed expanding to be able to serve more businesses and Mr. Bruguere noted that they needed to do as much as possible to bring in more businesses.

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Ms. Brennan suggested that this issue be referred to NCSA and they should come back with how much it would cost to expand the plant.

Introduced: Joe Lee McClellan

Mr. McClellan noted how much Direct TV was initially at \$600. He noted he went to the bank and got funding to be able to charge monthly for the receivers. He noted along these lines, they could add a minimal amount to the bills to pay for the water hookups and this would be a win-win situation and would mitigate the upfront cost associated with this.

Supervisors then asked Mr. McClellan what could be done about his building that was falling down into the road past the Courthouse and he noted he needed to meet with the Building Code Official to decide if it would be repaired or torn down.

Mr. Carter noted that for the County it was a question of whether or not the proposed double wide could go in there and Mr. McClellan explained that this could be office space for the Sheriff to store evidence etc. Mr. Harvey and Mr. Bruguire questioned whether or not it would be possible to store evidence off site in that building.

V. Adjourn and Continue until 6:00 pm, February 13, 2014 at the Nelson County Middle School Library for a Joint Meeting with the Nelson County School Board.

Mr. Hale asked if the Board should adjourn and wait for a called meeting or go ahead and adjourn until the 27th. It was noted that they could adjourn until the 25th and then could cancel it.

Mr. Hale moved to continue until 6pm on Feb. 27th at the Nelson County Middle School Library for a joint meeting with the School Board.

Mr. Bruguire seconded the motion and it was noted that the meeting was open to the public.

Mr. Carter then noted that the agenda presented for joint session only spoke to receiving a report on security changes being done by Honeywell and recognition of the School Security Task Force. Ms. Brennan noted that she has asked for that to be changed and she would speak to Mr. Parr.

Mr. Hale then withdrew the motion and Supervisors agreed they would have a called session if required.

At 8:25 pm, Mr. Hale moved to adjourn and Mr. Harvey seconded the motion. There being no further discussion, Supervisors voted unanimously by voice vote to approve the motion and the meeting adjourned.

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