

February 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. Bruguere, Jr. West District Supervisor- Vice Chair
Allen M. Hale, East District Supervisor
Larry D. Saunders, South District Supervisor
Thomas D. Harvey, North District Supervisor – Chair
Stephen A. Carter, County Administrator
Candice W. McGarry, Administrative Assistant/Deputy Clerk
Fred Boger, Director of Planning and Zoning
Debra K. McCann, Director of Finance and Human Resources
Phillip D. Payne, IV, County Attorney

Absent: Constance Brennan, Central District Supervisor

I. Call to Order

Mr. Harvey called the meeting to order at 2:07 pm, with four Supervisors present to establish a quorum and Ms. Brennan being absent due to travel outside of the County.

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

II. Consent Agenda

Mr. Hale questioned the Budget Amendment that appropriated funding for the Cider Apple Study Grant and inquired as to whether or not that was something the County applied for. Staff confirmed it was and Mr. Bruguere added that the grant will provide for a study of which types of apples were better suited for cider making and if it was feasible for local growers to grow these certain types in the County.

Mr. Hale then moved to approve the consent agenda and Mr. Saunders seconded the motion. There being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion and the following resolutions were adopted:

- A. Resolution – **R2012-12** COR Refunds

**RESOLUTION-R2012-12
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.

February 14, 2012

<u>Amount</u>	<u>Category</u>	<u>Payee</u>
\$ 96.63	2011 Personal Property Tax and 2011 Vehicle License Fee	Melinda D. O’Sullivan 5380 Tye River Rd Amherst, VA 24521
\$ 60.52	2011 Personal Property Tax	Jonathan and Elmore Hartman 979 Campbell’s Mountain Rd Tyro, VA 22976

B. Resolution – **R2012-13** FY13 Local Government Challenge Grant

**RESOLUTION-R2012-13
NELSON COUNTY BOARD OF SUPERVISORS
2012-2013 LOCAL GOVERNMENT CHALLENGE GRANT**

BE IT RESOLVED, By the Nelson County Board of Supervisors that the County Administrator is hereby authorized to execute and submit an application for 2012-2013 Local Government Challenge Grant funding to the Virginia Commission of the Arts.

BE IT FURTHER RESOLVED, said application is to include a local match of \$5,000.00 to be confirmed upon formal adoption of Nelson County’s Fiscal Year 2012-2013 Budget by the Board of Supervisors.

C. Resolution – **R2012-14** FY11-12 Budget Amendment

**RESOLUTION R2012-14
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF FISCAL YEAR 2011-2012 BUDGET
NELSON COUNTY, VA
February 14, 2012**

BE IT RESOLVED by the Board of Supervisors of Nelson County that the Fiscal Year 2011-2012 Budget be hereby amended as follows:

I. Appropriation of Funds (General Fund)

<u>Amount</u>	<u>Revenue Account</u>	<u>Expenditure Account</u>
\$ 5,000.00	3-100-001401-0001	4-100-031020-1007
\$ 22,500.00	3-100-003303-0240	4-100-081020-7050
<u>\$ 27,500.00</u>		

II. Transfer of Funds (General Fund)

<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
---------------	---------------------------	--------------------------

February 14, 2012

\$ 50,000.00	4-100-999000-9905	4-100-012040-3002
\$ 20,000.00	4-100-999000-9905	4-100-081020-3012
<u>\$ 70,000.00</u>		

III. Public Comments and Presentations

A. Public Comments

1. Glenda Cahoon, Tye River and VTA Representative.

Ms. Cahoon distributed and read aloud a prepared statement that noted the VTA's opposition the Federal Aviation Administration's announcement that it would have 30,000 drones in American skies within ten years and demanded that the Board of Supervisors pass a resolution opposing this.

2. Chris Neiderbaugh, Wintergreen

Mr. Neiderbaugh noted the financial difficulties faced by Wintergreen Partners Inc. (WPI) and reported attending an emergency meeting of WPI at which these troubles were discussed. He added that he wanted to bring this to the Board's attention to see if there was any assistance the Board and County could offer.

3. Scott Lee, Charlottesville, Staff from Congressman Hurt's office

Mr. Lee introduced himself and offered Congressional office assistance to the Board and the County.

Mr. Carter then noted for the public that WPI Management has apprised staff and the Board regarding the resort's financial situation and of how they were working to address it. He reiterated that he had been in contact with them and that was the status at this point.

B. VDOT Report

1. Mr. Don Austin, Residency Administrator introduced Robert Brown, Maintenance Manager overseeing Nelson County. He noted that Mr. Brown would attend Board meetings when he could not. He added that he was also located in Appomattox with him. Mr. Austin then noted that the new Bryant Headquarters Superintendent was Joe Poppy from Campbell County and that Kenny Burnley was still at the Shipman Headquarters.

Mr. Austin then reported that the Tye River Bridge was done; they were replacing the one at Rucker's Run now; which would not require a detour and would take six to eight months to finish.

He also reported that there had been some pipe failures on Shields Gap Road, so they closed the road and had fixed these over the past couple of days. He added that there were several others that were being replaced within the county such as one on Duncan Hollow Road, Rockfish River Road, Twin Poplar Loop, Norwood Road, and Ennis Creek Road. He noted that on primary routes, Rt. 56 and Rt. 151 pipe failures were also being replaced and may require lane closures. He added that they were also doing some pipe liner replacements on Rt. 655 and Rt. 722. He noted that they were spending maintenance money other places and would use any snow removal funds on the roads if it did not get used.

February 14, 2012

Mr. Austin then noted they were doing brush cutting on Rt. 29 to clean up and some shoulder work on secondary roads. He noted that they would check on a pipe on Rt. 29 where there was a large hole as described by Mr. Harvey.

He then noted that they would be doing work at the Rt. 602 railroad crossing and would have to close the road for a couple of days in April. He added that the railroad was doing the work to replace the crossing.

He then reported that they were trying to reinstate the Rural Rustic Roads program; however he was not sure if it would proceed. He noted that he hoped to see a couple of these in the next couple of years.

Mr. Saunders asked if there was a bad pipe on Route 29 in front of the County maintenance shop, just south of the Maintenance building and Mr. Austin noted that there was a weight/structure restriction on it and that he would check. He added that it may be on the schedule to be fixed and would see.

He then asked if there was any funding to surface treat gravel roads and Mr. Austin noted that this was historically done through the Rural Rustic Program and the County only had \$56,000 for this coming to it directly.

Mr. Hale had no VDOT issues to discuss.

Mr. Bruguere requested for Mr. Brown to ride around with him and look at the West District roads with him and the new superintendent in Bryant.

Mr. Harvey suggested that they needed to ride down Route 151 and Route 6 as there were a lot of old trees that were dead and leaning towards the highway. He requested that they be proactive on this instead of waiting until they fell. Mr. Austin noted he would speak to the road maintenance folks and try to get the bigger ones first. Mr. Harvey then noted one on Coon Hill and on Route 6 above the Duncan Hollow Loop end towards Route 151.

Mr. Fred Boger noted that when completing the Rt. 29 Bridge, VDOT had destroyed part of the trail and had not fixed it correctly. He added that this needed fixing and the correct type of stone and the proper amount needed to be used. Mr. Austin noted he would check on this.

2. Mr. Rick Youngblood of VDOT introduced himself and noted that he was the District Transportation Planning Manager and that part of his responsibilities included program administration and oversight of the Thomas Jefferson PDC Rural Transportation Plan and Program. He added that Mr. Boger had asked him to speak to the Board regarding the Rural Long Range Transportation Plan and the projects identified for Nelson County as a part of that.

He noted that part of the project was to perform ride along opportunities for staff, VDOT, administration, and Board of Supervisors members. He noted this was beneficial so that concerns could be expressed and projects looked at. He noted that Mr. Hamilton was also in attendance since he has worked with the County on the six year plan which would incorporate use of the Rural Long Range Transportation Plan. He added that they were trying to use data analysis to identify projects and justify them. He added that they would probably be having meetings in the near future to work through the

February 14, 2012

Secondary Six Year Plan. He recommended that the members take advantage of the ride along opportunity associated with the PDC's work.

Mr. Boger then noted that there was a bill in the Legislature that would require a road to be listed in all of the plans local, state, and regional in order to get done.

It was noted that the planning process for the Rural Long Range Transportation Plan started in 2008 and they had issues with the CTB and funding, so it took three years and now were working with Parsons. He noted that each PDC had a plan for their jurisdiction. In 2008, a long range transportation plan was created and localities could use the data for the update of the Comprehensive Plan, which Mr. Boger has done for Nelson County. He added that they were reselling the idea of the plan and its importance as a technical document to identify priority secondary six year projects. He noted added information and justification for project selection.

Mr. Harvey noted that he wished that VDOT had reported to them prior to the PDC because when they came, the Board felt that the process was redundant and they did not understand its purpose which resulted in the PDC not being very well received.

Mr. Youngblood noted that they were trying to get back to the way things used to be done and having a better working relationship; which was why Mr. Hamilton would be the local liaison working with the Board on the six year plan and then he in turn would work with Don Austin and him. He acknowledged that it did seem redundant but it would be more streamlined as it went forward. He noted that the only new money they were seeing was when projects in other states were dropped and funds were reallocated to Virginia for shelf ready projects (ready within 180 days) that were through the preliminary engineering phase. He noted that these were coming out of the Long Range Transportation Plan and the local Comprehensive Plans.

Mr. Youngblood confirmed that these funds were limited to mostly structural projects and primary roads and some safety and operational projects.

Mr. Randy Hamilton noted the continued fluidity of VDOT due to its reorganization. He added that he would be working on the development of the Secondary Six Year Plan and would come back in early March to set up a workshop with the Board. He noted he intended to be ahead of the plan this year.

IV. New Business/ Unfinished Business

A. Request for Tax Credit Application Assistance – GEM Management, Lovingson Ridge Apartments (R2012-15)

Mr. Carter noted that he had suggested to the GEM representatives that they need not be present and advised them that if the Board had questions, they would carry the matter over to the second meeting.

Mr. Carter then reiterated that the Lovingson Ridge Apartments were seeking tax credit funding from VHDA for \$2.2 million to be used to renovate 64 apartment units and make other improvements. He added that they were requesting support for their application which was competitive and would be ranked through a scoring process. He noted that they have asked for four things and noted these as follows: a Locality CEO Support Letter, Revitalization Area Certification, Tax Abatement Letter, and a

February 14, 2012

Zoning Certification. Mr. Carter noted that the Zoning Administrator had completed the certification and had no issues in doing so. He added that as far as the tax abatement letter, he explained that the request was not to abate present taxes but was a request to not get an increase in taxes on the new value of the property until the construction was finished. He noted that the Commissioner of Revenue would not assess the new value until they had final occupancy and that this would not be detrimental to the County as there was no actual tax abatement. He added that staff had discussed this with their representative and noted that whatever the Board did with the tax rate for 2012 was not applicable to this situation. He then noted that the CEO letter of support helped score points for the application.

Mr. Carter noted the prepared resolution for the Board's consideration and members discussed adding language that would require them to use local labor; however they agreed by consensus to have staff send them a letter encouraging the use of local labor if at all possible. It was noted that they may have to advertise for minority owned businesses and may be able to also solicit local businesses. Mr. Carter added that these types of advertisements were done for the Ryan School Apartments; who had also used VHDA tax credit funding.

Following discussion, Mr. Saunders moved to approve resolution **R2012-15**, Authorization to Submit Local Certification and Support Forms For the Virginia Department of Housing Development Authority (VHDA) Tax Credit Application for Lovington Ridge Apartments. Mr. Hale seconded the motion and there being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion and the following resolution was adopted:

RESOLUTION-R2012-15
NELSON COUNTY BOARD OF SUPERVISORS
AUTHORIZATION TO SUBMIT LOCAL CERTIFICATION AND SUPPORT FORMS FOR
THE VIRGINIA DEPARTMENT OF HOUSING DEVELOPMENT AUTHORITY (VHDA) TAX
CREDIT APPLICATION LOVINGSTON RIDGE APARTMENTS

BE IT RESOLVED, by the Nelson County Board of Supervisors that the County Administrator is hereby authorized to complete and submit the following forms in support of the tax credit application to be submitted to the Virginia Housing Development Authority (VHDA), by Lovington Ridge Apartments, intended to secure financing for the rehabilitation of the Lovington Ridge Apartment Complex, 9A Ridge Circle; Lovington, VA 22949.

1. Locality CEO Support Letter
2. Revitalization Area Certification
3. Tax Abatement Letter
4. Zoning Certification

B. Gladstone Fire & Rescue Services Property Conveyance – Draft Agreement

Mr. Harvey noted that the three acres of the ball field was not in the document presented to the Board and the consensus was that it was their intention to deed all of the property at the same time while maintaining authority on the communications tower there.

Mr. Payne noted that the deed would include the back three acres, would go in the same instrument and now the County would not need an easement. He added that they would not be selling the property for at

least twenty years because of the reversion right and it was used in last documents. Mr. Hale then suggested using a permanent reversion, which was briefly discussed and it was noted that should they become disbanded, the assets would have to be used for another charitable purpose. The Board then agreed by consensus to go with a permanent reversion clause and remove the twenty year reversion from the document.

Mr. Saunders then moved to approve the document with the changes discussed and give the County Administrator authority to execute the documents for the conveyance and Mr. Hale seconded the motion. Mr. Carter then noted the tax map # and clarified that he would have the authority to make the transaction happen for all three instruments other than what the Broadband Authority had to approve. The Board confirmed this and there being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion.

V. Reports, Appointments, Directives, and Correspondence

A. Reports

1. County Administrator's Report

Mr. Carter reported the following:

A. Reports: The monthly reports from County offices and departments are being provided by separate submittal.

B. Courthouse/Government Center Project: The second floor bridge connector is projected to be completed the week of 2-20 and the replacement of the front steps off Court Street by not later than 2-29. Blair is also continuing work on outstanding punch list items (Blair's and WileyWilson's) necessary for project completion. Installation of signage for the new facility is pending but in process. The primary item requiring resolution is completion of the renovation of the Jefferson Building. Blair Construction has submitted a change order proposal for complete renovation of the building at a cost of \$193,711 including adding three months to the project schedule to complete the renovation. Funding is available but the proposed expense was higher than anticipated and staff recommended proceeding with acceptance of Blair's proposal to insure timeliness of completion, coordination of work under the project contract, warranty provision, etc. in lieu of the County endeavoring to subcontract the work on its own volition.

Mr. Carter noted that staff was working with Blair on reducing the Jefferson Building costs but had only gotten it down to \$112,000. He noted that staff needed committee input and feedback from the Board. He added that he thought that letting Blair finish it out would be the best option and that the funds were budgeted in the Courthouse project fund.

Mr. Hale noted that the architect had made a lower estimate initially and he felt that the cost estimate to finish the walls was very high. He added that his understanding was that there was not much else to do in there and Mr. Carter noted that the estimate included windows, outside windows and doors etc. He noted that when the roof was removed, it was realized that there were two roofs there and the one that was removed was keeping the exterior roof tied on; therefore they would need to strap it back to something and secure it to the building. He noted that some structure needed to be added to be able to strap to as they were concerned that the brick was not adequate to hold the strapping.

February 14, 2012

Mr. Carter then noted that the architect did not anticipate the extent of the work to be done and that the details of the costs have been provided in a change order that can be reviewed. He noted that one of the substantial costs of the proposal was their personnel costs of \$50,000 for three months. He suggested that the Board have Blair and Wiley Wilson come to meet with staff and the committee. Mr. Carter and Mr. Hale confirmed for the members that just the interior partitions were removed.

Mr. Harvey suggested that the exterior be finished and sealed up and then the County hires local contractors to finish it. Mr. Saunders indicated that he would like to see the breakdown of the change order. Mr. Hale stated that the documentation of the structure from Mr. Hallock was needed and that the Historical Society was ready to make its contribution but wanted to see the finished product.

Members and staff discussed that the intended occupant should be decided before finishing the inside and potential occupants were discussed. One option discussed was moving the Commonwealth Attorney's Office in there and then moving Dr. Collins and Ms. Hughes into their space, freeing up the bridge area office for a conference room. Another was to go with the previous decision to relocate the Registrar's Office there. It was suggested that the Registrar might be able to be relocated into the Moyer Building if it was still available to lease and Mr. Carter noted he would have to check and would also need to confirm whether or not the Registrar needed to be in a County owned facility. Mr. Hale strongly suggested that the Board stick with its original decision as they want voters and staff be able to come in during elections on the weekends through the entrance on the side.

Mr. Bruguire noted that the Board had tentatively agreed to relocation before the Moyer place became an option. Mr. Harvey noted that he thought that the Moyer building would be better since they have a lot of traffic and weekend ingress and egress was a problem. Mr. Hale indicated that he did not like the idea of the Commonwealth Attorney going in there and suggested that they find out the Registrar's view on this. Mr. Carter noted that he had spoken with the Registrar and had indicated that a move to the Jefferson Building was put on hold. Mr. Hale then noted that putting the Registrar in the Moyer Building would add annual rent costs.

The Board then agreed by consensus to get the Registrar's comments in connection with the whole proposal agreeing that there was no rush except to decide what to do with completing the building.

It was noted that the remainder of the landscaping would be done by Blair in spring.

C. Health Department Relocation: Blue Ridge Medical Center has assumed full responsibility for this initiative. BRMC's plan is to allocate finished space they had planned to use for their operations in lieu of the build out of floor space the County had proposed to complete. This work is in process but a timetable for completion is pending receipt. As presently re-established, BRMC would lease the space to the state Department of General Services with the County then responsible only to provide its percentage share (approximately 33%) of the annual lease expense.

Mr. Carter described the new plan for the Health Department to occupy the new space to be rebuilt instead of the other space previously discussed. He added that they were working with Daggett & Griggs directly on the build out and with the state DGS on the specifics of the lease etc. He noted that they would move sometime in summer and that the new lease amounts should not exceed the current

February 14, 2012

amounts established at \$60,000-\$70,000 per year. He reported that the space would be leased between BRMC and the State and the County will pay its 33% share of the costs. He added that the available escrowed funds would mainly be used for AE services, furniture, and relocation. He supposed some would be used to pay \$3,400 of the Daggett & Griggs bill received by the County.

D. Broadband Project: Mastec has installed approximately 4.8 miles of conduit (from Colleen north towards Lovington) of the planned 31 miles of conduit enclosed fiber optic cable. Installation of fiber optic cable is currently being scheduled. Mastec has 2-4 crews working each work. Completion of this phase of the project is projected to be by the end of May 2012. An RFP for project electronics was issued on February 9 with responses due on March 6 by 4 p.m. Bid documents for tower construction are being drafted. Icon Engineering will be in the County the week of 2-20 and will work with County staff on operational planning and meet with prospective service providers. Project completion is tentatively scheduled for not later than mid summer 2012.

Mr. Carter noted that different technologies could be proposed and then the County would choose the best fit. He clarified that service providers meant those who would provide services to the network and the County.

Mr. Bruguere reiterated that the Massies Mill tower site needed to be a priority.

Mr. Carter noted that in terms of Prospective Service Providers, there were two locals that the County was aware of and speculatively, within the next several weeks, the County would finalize things with them but staff was narrowing down who would provide the backhaul and transport. He added that once this was nailed down, staff would be able to contract with Service Providers. He noted that there was growing interest and if the County could accomplish bridging over from Martin's Store to connect to a service provider to the Wintergreen community, it could be advantageous to the network and the provision of services.

E. Gladstone Rescue Squad: Gladstone Volunteer Fire Department is now reorganized as Gladstone Volunteer Fire and Rescue Service.. The report of the Court appointed Receiver is pending submittal.

Mr. Carter reported that as of that morning the report was not finished and members agreed that this needed to be moved along.

F. Refunding of Lease Revenue Bond, Series 2002: Responses to the County's RFP are to be received on February 16 by 10 a.m. Assuming receipt of an acceptable proposal, the bond refunding is planned for closing by March 16.

G. 2012 Radio Project (Narrowbanding): County staff have completed and submitted an application to the VA Resources Authority for \$1.8 million in loan funds of a projected \$3.0 million project cost (\$1.2 in direct County funding represents the balance of the funding). Scheduling of a due diligence conference with VRA and the County's bond counsel by 2-23 is in process. Implementation of the project is planned utilizing Henry County's contract with Motorola, Inc. through a cooperative procurement agreement included in Henry County's solicitation and formal agreement. It is anticipated that Motorola will begin work on a Rough Order of Magnitude (ROM) similar to a preliminary

February 14, 2012

engineering report within the ensuing three weeks. The ROM will form the basis of final project components and expense. An 18 month completion schedule is projected.

H. High Top Tower (Lease Agreement): County Attorney Payne spoke by conference call on 2-9 with representatives of the Nature Conservancy and WCVE regarding lease provisions that would enable Nelson County to lease the existing High Top Tower. Per Mr. Payne (on 2-10), the Nature Conservancy's legal counsel is drafting a revised lease agreement for submittal to WCVE and to the County.

Mr. Carter noted that there was space for radios on the High Top State Police Tower but that they were reluctant to allow broadband equipment on it. He added that CVEC may have taken their tower down but that AEP, the State Police and WCVE have towers there.

I. Recreation PER: Moseley Architects teaming with Timmons and Saunders Surveys has been selected to complete a preliminary engineering report to provide initial planning information for a recreation facility that would encompass construction of indoor outdoor facilities (i.e. swimming pool(s), athletic facilities and support functions. The primary work to be initially completed is determining the feasibility of using property at NCHSINMS as the project location, inclusive of incorporating (and improving) existing athletic/recreation facilities at NCHSINMS. Alternative locations for the project will also be explored. Other project outcomes include schematic plans and cost estimates. Next steps with this initiative will be predicated on the acceptability of the PER's determinations and the availability of funding with which to move forward with further planning.

Mr. Carter added that the consultants will look at properties on either side of the road if the County owned site would not work. He noted that conceptually, the plan included an indoor pool and some outside facilities. He noted that the County is in contract negotiations now and using funds approved by the Board to secure the work. He added that the primary objective was seeing if the site would work and how to integrate it into the schools. He noted that they were looking at the Larkin property as potential alternative sites. He noted that a local realtor went to college with Mr. Larkin and that he had asked Mosely to incorporate the realtor into their team.

Mr. Saunders questioned if the reason for placement at the schools was so they could use it and he inquired as to how that would work with public use. Mr. Carter answered affirmatively and noted that the challenge would be to make it all work. He added that the thought was to create facilities that would help the schools and benefit the public. He further explained that the County property being looked at was adjacent to the bus garage and just north of the High School property. He added that the east side parcel that was looked at for an industrial site was the optimum site for this and other things.

Members agreed that the topography was questionable and that it was good to have Massie Saunders on board; who has mapped most of that property.

Members and staff discussed that this was all very preliminary and that they did not want to engage the public until these specifics could be nailed down.

J. Budget: Staff is working to complete the draft FY 12-13 Budget. Submittal is tentatively planned for the March 13th• The Nelson County School Division has submitted its budget proposal for FY 12-13. The Division's request would require \$1,685,853 in additional local funding above the FY 11-12 local

February 14, 2012

allocation of \$12,405,418 (i.e. \$14,091,271). Copies of the Division's budget are presently available or can be retained until staff's submittal of the FY 12-13 Budget draft.

Mr. Carter noted that the School request included new VRS monies. He added that the Senate Finance Committee has moved a bill on that would require their employees to pay the 5% VRS and that it could be phased in. He added that it had been amended to require localities to provide an equal pay increase to offset employees paying the 5%. Mr. Carter then noted that staff has communicated to the legislators that it was more complicated and was placing the burden on the wrong people.

2. Board Reports

Mr. Bruguere and Mr. Saunders had no report.

Mr. Hale noted having met with the County's Commonwealth Transportation Board member, Mark Peake, on funding for the Blue Ridge Tunnel project. He added that subsequent to that, the Tunnel Foundation was organized on the 24th and officers were elected. He noted that he was elected President and there was participation from Albemarle and Augusta counties. He added that they had established a quarterly meeting schedule and fundraising was beginning.

Mr. Hale then noted he had attended a Senior Advisory Committee meeting and they expressed concern about the impact of the reassessment to seniors and lower income folks. He then requested that the details of the Elderly Tax Relief Program be forwarded to him. Staff noted that it dealt with income, net worth and home value and that these applications may need to be filed annually. It was noted that letters had gone out on this and it could be put on the website.

Mr. Hale reported attending a TJPDC Meeting with Mr. Boger and there was a lot of talk about the importance of commuting by bicycle and then reviewing VDOT entrance standards.

Mr. Hale reported that the financial plight of WPI had put the Service Authority's raw water projects on hold. He reported that they were putting in a 12 inch water line to replace an 8 inch line and that their source water capacity had improved to 57%. He clarified that their system was losing water and that this was now being corrected.

Mr. Harvey reported that he had attended Ms. Eggleston's retirement party and that she was totally surprised. He noted that her whole family was there and that Ms. Linda Staton's band played and were very good.

B. Appointments

Ms. McGarry noted that there were two incumbent Keep Nelson Beautiful Council members requesting reappointment, Ms. Paulette Albright and Mr. Patrick Parrish. She then added that applications had been received for the Thomas Jefferson Resources Protection Foundation seat from William "Andy" Wright, and for the EDA from Mark B. Robinette. Ms. McGarry then noted Mr. Robinette's qualifications as submitted and noted that he was currently employed as Bedford County's Assistant Commonwealth Attorney.

February 14, 2012

Mr. Bruguere moved to put Mr. Robinette on the EDA and Mr. Hale seconded the motion. Mr. Bruguere noted that Mr. Gress was an attorney and he thought it would be wise to have another. He added that his wife is Cyndy Wilson who works at the Tourism and Economic Development Office.

There being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion.

Mr. Hale then moved to appoint Andy Wright to the Thomas Jefferson Water Resources Protection Foundation and Mr. Bruguere seconded the motion. There being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion.

Mr. Hale then moved to reappoint Paulette Albright and Patrick Parrish to KNB and Mr. Saunders seconded the motion. There being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion.

Mr. Hale noted that there were a significant number of seats expiring in June and that the Board needed to work on finding applicants ahead of time.

C. Correspondence

1. Nelson County Community Development Foundation (NCCDF) (2)

Mr. George Krieger, of NCCDF addressed the Board and noted that he was requesting the following:

1. The waiver of tipping fees for 2012 anticipated to be \$2,000 or less

Mr. Krieger noted that the Board had agreed to waive tipping fees for them some years ago for the waste associated with the demolition of substandard structures. He noted that the state was no longer providing funding for Indoor Plumbing Rehabilitation projects and they were not looking at very many projects of this magnitude. He added that he would still like to take debris to the landfill but that there wouldn't be as much this year and they were experiencing cut backs in pots of money for projects and he appreciated the Board's support.

2. Contribution of up to \$5,000 for the surface treatment of a new commercial entrance off of Oak Ridge Road currently under construction by NCCDF.

Mr. Krieger noted a tentative agreement in 2006 to do this when they and the County jointly purchased land in Shipman for the County's use as a solid waste center on Rt. 56 and the remaining acreage to be used by NCCDF. He noted that there had been an attempt to engineer a joint entrance off of Rt. 56 and that did not work, so now they were planning to come off of Oak Ridge Rd. He noted that he had obtained the permit to do the commercial entrance and was asking for the County to cover paving of up to 40 feet back for up to a \$5,000 contribution. He reported that the project work was awarded to Rodger's Enterprises for the subcontracting of the hard surfacing of the road and he hoped that the Afton business would get the work. He noted that otherwise they would have to go outside of the county.

February 14, 2012

Mr. Saunders questioned if the project was publicly bid and Mr. Krieger noted that it was not but was sent to selected bidders. He clarified by noting that their programs required that potential bidders be pre-qualified and placed on a bidders list; therefore it was not advertised locally. Mr. Saunders noted that he thought that it should have been.

Mr. Harvey suggested the Board handle consideration of both requests together and Mr. Hale moved to authorize expenditures of \$2,000 or less for the waiver of tipping fees and \$5,000 or less for paving the entrance of the Shipman property for NCCDF.

Mr. Bruguere seconded the motion and Mr. Hale pointed out that it was NCCDF that was instrumental in the County acquiring that land for its collection site; otherwise the County would have had to buy the whole site and he commended the work that they do.

Mr. Harvey noted his agreement with Mr. Saunders that NCCDF should give all locals a shot at the work.

Mr. Krieger noted that they advertise in the paper annually, in July to qualify contractors for their jobs; however they would be more proactive going forward. He noted that the complexity of the documents used for their projects was a significant issue for a lot of local contractors; however his experience was that locals were less expensive.

There being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion.

Members questioned whether or not the houses located before the new road were uninhabited and Mr. Krieger stated that they were and Mr. Boger noted that they were owned by Lenny Loving. Mr. Hale noted that he thought that he had plans to save them; however Mr. Krieger noted that they were beyond rehabilitation.

D. Directives

Mr. Saunders noted that his meeting with the Treasurer yielded some concerns regarding their lack of office security and the lack of workspace. Members and staff discussed various reworks of the office space to remedy these concerns. Mr. Carter noted that staff could evaluate it and/or have contractors submit a design and proposal and it was the consensus of the Board that they would like to address these concerns.

Mr. Hale indicated that he may be interested in conducting some Town Hall meetings in order to explain about the reassessment and the options that were available to people.

Mr. Carter noted that if budget was completed and submitted in March, the timeline for the Board's work would be abbreviated somewhat.

Mr. Bruguere stated that he thought it would be a good idea to submit a letter to the NC Times for the community Forum section from the Board regarding the reassessment and its process or give a press release to the paper for publication.

February 14, 2012

Mr. Harvey requested that the Board's badges allow them access to anywhere in the building. He noted that he thought that some of the State Troopers who have done IDs did not have access. Mr. Carter noted that he would check on this, but that he thought that all of the local ones did and that the only ones who did not were ones that were not assigned to Nelson and only came over here once in a while. He added that they had full access to the Rockfish Fire Dept. for bathroom use or whatever.

Mr. Harvey then inquired as to the plans for the metal steps that were removed and in the courtyard and Mr. Carter reported that they would be recycled by Blair Construction as they likely contractually belonged to them and could not be stored by the County for future use.

E. Other Business Introduced:

Mr. Carter reported that there was a Verizon break and that 911 and the 263 and 277 exchanges had been out of service and that the County has provided alternative phone numbers for the public.

Mr. Carter reported that at the next session the Board would have a group report on Stormwater Management Requirements that were coming down the pike. He noted that their immediate consideration was would these regulations be administered locally or by the state. He added that pending Legislation may be enacted that mandated that the program be locally administered.

Mr. Carter noted that the revised Tower Ordinance had been distributed and may be a consideration in March so that there was more time to review it.

In response to questions, Mr. Carter noted that the County did do the ENS program per the State and that the County did not have a storm water ordinance but has put in place some storm water management measures that were voluntary. Mr. Bruguere indicated that he would rather administer it locally because the state would take forever to do it.

Mr. Harvey invited Ms. Jane Taylor from Afton to address the Board regarding Uranium Mining in Virginia.

Ms. Taylor noted that Uranium Mining in Virginia was a nontechnical summary document developed by the National Research Council and was now available. She showed the Board a map of Virginia and that Nelson County was on the map as having Uranium deposits. She noted that currently Coles Hill in Pittsylvania County was being targeted by developers. She noted that the map pinpointed major occurrences and that it noted five sites in Nelson County and she showed them on the map. She noted that there was only one other County in the state that had more than Nelson.

It was noted that the General Assembly has acknowledged the report and has tabled lifting the moratorium for now.

Ms. Taylor pointed out three sites on the ridgeline near Wintergreen that would affect four Counties, one in the South District along the Tye River, one in the lower part of Chapel Hollow Road, and one near Batesville. She noted that the report was available on the internet and was very nontechnical and understandable. She noted that it gave some history and was worthwhile reading.

February 14, 2012

In conclusion, she noted that this may be fifteen years down the road but if the ban was lifted then the County would be impacted and private land owners needed to know what was involved in these mining leases.

VI. Recess and Reconvene for Evening Session

It was noted that the evening session was cancelled and at 4:30 pm, Mr. Hale moved to adjourn. Mr. Bruguiere seconded the motion and there being no further discussion, Supervisors voted unanimously by voice vote to approve the motion.

DRAFT