

January 13, 2015

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, in Lovingston Virginia.

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

Absent: Thomas D. Harvey, North District Supervisor

I. Call to Order

Ms. Brennan called the meeting to order at 2:08 PM, with all Supervisors present to establish a quorum.

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

I. NCHS FFA Agronomy Team and Farm Business Management Team Ring Presentation

Ms. Brennan noted how proud the Board was of the two teams and that they appreciated the students’ and parents’ attendance of the meeting. She and Mr. Saunders then presented the National Runner Up rings as follows:

Farm Business Management Team:

Philip Saunders, Noah Fitzgerald, Zack Barnes, Deighton McClellan, and Coach Ed McCann.

Agronomy Team:

Jaime Conner, Ruth Fitzgerald, Colin Morris, Patrick Saunders, Jacob Saunders, and Coach Scott Massie

Ms. Ruth Fitzgerald spoke on behalf of the FFA students and thanked the Board for their support in sending them to the FFA Convention. She noted that their support was greatly appreciated and that the rings would be a reminder of this.

FFA members then presented the Board, Clerk and Deputy Clerk with miniature Louisville Slugger bats as a token of their appreciation.

II. Reorganization of the Board

Mr. Carter noted that State law required that the Board conduct an annual organizational meeting in the first regular meeting of the year that included the election of a Chair, Vice Chair, and the establishment of a regular meeting schedule.

A. Election of Chair

Mr. Carter opened the floor for nominations for Chair and Ms. Brennan nominated Mr. Larry Saunders. Mr. Hale seconded the motion and there being no other nominations, the nominations for Chair were closed. Supervisors then voted (3-0-1) by roll call vote to approve the nomination with Mr. Saunders abstaining; electing Mr. Saunders as Chair for 2015.

B. Election and Appointment of Vice-Chair

Mr. Carter opened the floor for nominations for Vice Chair and Mr. Bruguere nominated Mr. Allen Hale. Ms. Brennan seconded the motion and there being no other nominations, the nominations for Vice Chair were closed. Supervisors then voted unanimously (4-0) by roll call vote to approve the nomination and electing Mr. Hale as Vice Chair for 2015.

C. Resolution- R2015-01 Annual Meeting of the Board

Mr. Hale moved to approve resolution RR2015-01, Annual Meeting of the Board. He noted that the resolution established rules, made appointments, and denoted the regular meeting schedule. He advised that the following appointments were listed in the resolution for approval:

Thomas Jefferson Planning District Commission:	Allen M. Hale
Thomas Jefferson Planning District Commission:	Tim Padalino
Director of Emergency Services:	Thomas D. Harvey
Emergency Services Coordinator:	Jaime O. Miller
Piedmont Workforce Network Council:	Larry D. Saunders
Clerk to the Nelson County Board of Supervisors:	Stephen A. Carter
Deputy Clerk to the Nelson County Board of Supervisors:	Candice W. McGarry
Zoning Administrator:	Tim Padalino
Hazardous Materials Coordinator:	Jaime O. Miller
Thomas Jefferson EMS Council:	Jaime O. Miller
Nelson County EMS Council:	Thomas H. Bruguere, Jr.
Thomas Jefferson Community Criminal Justice Board:	Constance Brennan
Nelson County Social Services Board:	Constance Brennan
Nelson County Planning Commission:	Larry D. Saunders
Jefferson Area Disabilities Services Board:	Kelly Hughes

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Mr. Hale then noted that the meeting schedule was the same as in 2014, with a monthly meeting on the second Tuesday at 2pm, and then reconvening at 7pm.

Mr. Bruguiere 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 R2015-01
NELSON COUNTY BOARD OF SUPERVISORS
ANNUAL MEETING**

JANUARY 13, 2015

WHEREAS, pursuant to the applicable provisions of §15.2-1416 of the Code of VA and Chapter 2, Article 2 of the Code of the County of Nelson, VA, the Nelson County Board of Supervisors conducts an annual organizational meeting at the Board's first meeting in January of each year; and,

WHEREAS, matters to be determined by the Board of Supervisors in addition to the appointment of a Chairman and Vice-Chairman include the establishment of a schedule of regular and, as applicable, special meetings, the establishment of rules of order, the establishment of (a) meeting agenda(s), and the establishment of Board appointments, including a Clerk and Deputy Clerk to the Board of Supervisors, a Zoning Administrator and a Hazardous Material Coordinator.

NOW THEREFORE BE IT RESOLVED, by the Nelson County Board of Supervisors as follows:

Regular meetings of the Board of Supervisors shall be conducted during Calendar Year 2015 in the General District Courtroom located in the Nelson County Courthouse in Lovingston, VA on the second Tuesday of each month, beginning at 2:00 p.m., and reconvening thereafter at 7:00 p.m. Should the regular meetings fall on any legal holiday, the meeting shall be held on the next following regular business day, without action of any kind by the Board; unless otherwise cancelled. Should the Chairman or Vice Chairman (if the Chairman is unable to act) find and declare that weather or other conditions are such that it is hazardous for members to attend regular meetings; the meeting(s) will be continued on the following Tuesday. Such finding shall be communicated to the members, staff, and the press as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting(s) and no further advertisement is required.

Special meetings of the Board of Supervisors may be convened from time to time, as determined by the Board of Supervisors in accordance with the applicable provisions of the Code of VA and the Code of the County of Nelson, VA.

In accordance with the Code of the County of Nelson, VA, Robert's Rules of Order, shall be observed as the rules for conducting the business of the Board of Supervisors and the agenda

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for all meetings of the Board of Supervisors shall be established by the Clerk of the Board in consultation with the Chairman.

Board of Supervisors appointments for Calendar Year 2015 shall be as follows:

Thomas Jefferson Planning District Commission:	Allen M. Hale
Thomas Jefferson Planning District Commission:	Tim Padalino
Director of Emergency Services:	Thomas D. Harvey
Emergency Services Coordinator:	Jaime O. Miller
Piedmont Workforce Network Council:	Larry D. Saunders
Clerk to the Nelson County Board of Supervisors:	Stephen A. Carter
Deputy Clerk to the Nelson County Board of Supervisors:	Candice W. McGarry
Zoning Administrator:	Tim Padalino
Hazardous Materials Coordinator:	Jaime O. Miller
Thomas Jefferson EMS Council:	Jaime O. Miller
Nelson County EMS Council:	Thomas H. Bruguere, Jr.
Thomas Jefferson Community Criminal Justice Board:	Constance Brennan
Nelson County Social Services Board:	Constance Brennan
Nelson County Planning Commission:	Larry D. Saunders
Jefferson Area Disabilities Services Board:	Kelly Hughes

III. Consent Agenda

Ms. Brennan moved to approve the Consent Agenda as presented and Mr. Hale 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 – **R2015-02** Minutes For Approval

RESOLUTION R2015-02
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF MEETING MINUTES
(November 13, 2014 and December 9, 2014)

RESOLVED, by the Nelson County Board of Supervisors that the minutes of said Board's meeting conducted on **November 13, 2014 and December 9, 2014** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

B. Resolution – **R2015-03** FY14-15 Budget Amendment

RESOLUTION R2015-03
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF FISCAL YEAR 2014-2015 BUDGET
NELSON COUNTY, VA
January 13, 2015

BE IT RESOLVED by the Board of Supervisors of Nelson County that the Fiscal Year 2014-2015 Budget be hereby amended as follows:

I. Appropriation of Funds (General Fund)

<u>Amount</u>	<u>Revenue Account (-)</u>	<u>Expenditure Account (+)</u>
\$997.00	3-100-001899-0025	4-100-091030-5690

II. Transfer of Funds (General Fund)

<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
\$20,000.00	4-100-999000-9905	4-100-011010-3151

C. Resolution – **R2015-04** COR Refunds

**RESOLUTION R2015-04
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>
\$663.84	2014 Disabled Veteran Refund	Mr. Samuel C. Woodson 2936 James River Rd. Wingina, VA 24599

V. Public Comments and Presentations

A. Public Comments

1. James Ford

Mr. Ford noted he appreciated the support of those Supervisors that opposed the Atlantic Coast Pipeline. He referenced the upcoming Dominion meeting and noted that he hoped the other Supervisors got on board and opposed it. Mr. Ford noted that the pipeline would pass through the Davis Creek area which had been scarred in the past. He noted that the large right of ways would cause wind tunnels and would decimate the forests. He reiterated that he was opposed to the pipeline and he hoped that Mr. Bruguere and Mr. Saunders would also oppose it.

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Mr. Saunders clarified that he did not oppose the resolution of opposition adopted by the Board, rather he opposed the date it was set to be voted on.

B. Presentation – Report on Presentation to FERC by Nelson Residents

Ms. Janice Jackson addressed the Board and noted that over the past month, two groups of citizens from Nelson County had gone to Washington D.C. to meet with the Federal Energy Regulatory Commission (FERC) and representatives from these groups would present to the Board.

Ms. Jackson stated that it was important that citizens took their time to do this and they met with FERC Commissioner, Norman Bay, and current FERC Chair Cheryl LaFleur. She added that five (5) citizens gave presentations, five (5) citizens did the research, and all five (5) districts were represented. She noted that they all felt very strongly that the pipeline was not good for the County. She added that while she was not a personally affected landowner, she was volunteering time to oppose it.

Ms. Jackson then noted that she would share the highlights of her group's presentation. She then noted that the Commissioner was most interested in the County's steep slopes and landslide propensity, the Virginia law of Eminent Domain, and the potential impact to landowners and the impact to the County's historical and cultural treasures.

Ms. Jackson noted that as to the Historic and Cultural piece, there was tremendous potential impact on African American communities' burial grounds, Native American archeological sites, and the Norwood-Wingina Historic District. She noted that these impacts were required to be addressed by Dominion and that their review process was underway which was an opportunity for Nelson residents to be a consulting party. She added that according to the Department of Historic Resources, there were 178 archeological sites and 802 architectural resources identified in Nelson County. She acknowledged that the number that were on the proposed route was unknown, however it would affect the entire route.

Ms. Jackson then showed pinpoints on a map of the pipeline route that depicted areas where there were known African American and slave cemeteries, Native American sites, and historic resources. Ms. Jackson added that there have been significant archeological digs in Wingina and that it was estimated that only 10% of what was there had been dug and there was an estimated 62 sites per square mile. She noted that the Norwood-Wingina Historical District also had a series of cemeteries. Ms. Jackson then noted the St. Hebron Church cemeteries and others that the pipeline would be going through. She added that some of these lots dated back to 1887.

In conclusion, Ms. Jackson noted that Dominion was supposed to pick a route that impacted the least of these resources and they had not done that.

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Reverend James Rose addressed the Board and noted that his family had owned land in the Wingina area dating back to the late 1800s. He noted that his family had held onto it and they wanted to keep it in the family and did not want Dominion to disturb part of it.

Reverend Rose noted that the pipeline was concentrated in the African American community in Wingina and he reiterated the historical sites it would impact. He noted that he did not think it was right that the pipeline would come in and affect the same families. He reiterated that St. Hebron Church was the oldest African American church in the County and Dominion proposed to run the pipeline behind it. He added that the area was opposed to it and was doing their best to fight it. He noted that it was his right to fight for keeping his land in his family and added that there was a family cemetery and a spring there that would be affected. He noted that one of the lots of his family property had two house on it and the pipeline was proposed to run through it. He added that he had family that may want to come back there to build one day.

Ms. Susan McSwain then addressed the Board and noted she would report on one of Commissioner Day's topics of interest: landslide propensity.

Ms. McSwain reported that the National Oceanic and Atmospheric Administration has identified four (4) areas for debris avalanches (landslides) which were downhill flows of rock, trees, and other debris and one of these was areas was the Appalachians and eastern mountains of the Blue Ridge. She noted that once an avalanche began, an entire slope could move at once and these occurred on steep slopes where highly fractured bedrock was covered by shallow soils that become saturated by heavy rains or snow melt. She stated that a U.S. Geological survey noted 3,500 to 4,500 tons were in those during Hurricane Camille where 172,000 pounds or 86 tons flowed per second. She added that after Camille, there were 186 large debris scars counted with smaller ones being too many to count. She then noted that as debris avalanches went downhill, they ended up in streams, ravines and riverbeds; widening these along the way. She then noted that the Virginia Department of Mines, Mineral, and Energy projects that rain events that can trigger these occur in Virginia every 10-15 years. Ms. McSwain then noted that these occur in areas prone to mass movement and she quoted the Virginia Department of Emergency Management as follows: "soil movement associated with these landslides can destabilize the structural supports of pipelines possibly leading to pipeline ruptures. In Virginia, landslides can be expected to occur in conjunction with other hazardous events such as flooding or earthquakes which also pose independent risks to pipelines."

Ms. McSwain then noted that this area was so vulnerable to these events due to a weather phenomenon called orographic lifting, which was where heavy clouds from tropical moisture become trapped against the Blue Ridge Mountains and dump a lot of rain. She noted that this frequency coupled with steep slopes and unstable soils make events like Hurricane Camille in 1969 likely to happen again and she noted that in 1995, there was a similar event in Madison County.

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Ms. McSwain also reported that the building of the pipeline would clear cut a swath that may be as wide as 150 ft. in some sections and she compared this to the Lynchburg Bypass, which is 141 ft. wide. She added that after it was completed, a 75 ft. right of way would remain free of trees. She noted that after having been severely affected in previous landslide events, both Davis Creek and Eades Hollow were vulnerable to reoccurrence.

Ms. McSwain then referenced a letter from the Thomas Jefferson Soil and Water Conservation District that had been distributed and read the following quote: "While the land is extremely vulnerable in its natural, forested state, land disturbance exacerbates these problems significantly." She then noted that they reference a landslide that occurred due to land disturbance in 2003 where a snow tube park had been installed in Wintergreen and the grass that was planted to stabilize it was inadequate. Ms. McSwain then noted that the TJSWC requested that an alternate route be chosen for the pipeline that avoided the sensitive landscape, geology, and terrain that were characteristic of the proposed route through Nelson County.

Ms. McSwain then reported that Dominion had EPA violations in West Virginia on their G-151 pipeline and had an active consent order to clean up 8 streams and repair multiple slopes that had slipped. She concluded by noting that this pipeline was much smaller than the one proposed and traversed less steep areas than that of Nelson. She added that Nelson was the most mountainous county in Virginia east of the Blue Ridge and therefore is the most inappropriate location in Central Virginia for the pipeline.

Ms. Joanna Salidis addressed the Board and noted that she, James Bolton, and Ernie Reed had presented information to Ms. LaFleur, Chair of FERC.

Ms. Salidis reported that they discussed alternative routes that would cause less harm and noted that Dominion was required to look at this. She reported that FERC heavily weighed the use of eminent domain and she noted that they were pleased to tell them that 77% of affected landowners had not given Dominion permission to survey. She added that subsequently, Dominion had filed suit against 58 county landowners and most if not all were intending to fight it in court. She added that FERC considered eminent domain an important factor and used it as a metric of acceptance. She noted that landowners could get 78% more money for their easement when they went to court.

Ms. Salidis then noted that it was the law that alternative routes needed to be assessed and that it was important to push Dominion to do this. She reported that Dominion had given some cursory treatment to two (2) alternative routes using the right of ways of high voltage transmission lines and other pipelines. She advised that Dominion said that the terrain was too steep to go with ROWs having transmission lines; however this was not applicable to all parts of the route. She advised that they said they could not co-locate with the Columbia gas line because there was not enough room; however in the George Washington forest there was a 500 ft. right of way. She noted that they also noted they could not do this because the terrain was too steep; however Nelson County's terrain was steep.

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Ms. Salidis then noted that concluded their presentation and Mr. Saunders thanked them for their efforts and for their presentation.

**C. Presentation – Solarize Nelson County Initiative (Tim Leroux-LEAP)
(R2015-05)**

Mr. Tim Leroux of LEAP addressed the Board and introduced himself. He noted that LEAP was a small energy services nonprofit organization in Charlottesville, they intended to bring a Solarize program to Nelson County, and requested the Board's support through passage of the resolution provided.

He explained that the idea was that through public/private partnership, the cost of solar energy could be reduced to interested participants through bulk purchasing. He noted that they had conducted Solarize Charlottesville and were now doing Solarize Leesburg. He reported that the Charlottesville program had 1,800 people sign up that resulted in 93 contracts and a \$1.3 Million investment in the local community. He added that in Leesburg and Harrisonburg, they have had mixed results with 11 contracts and 50 contracts respectively.

Mr. Leroux then noted that there was good potential in Nelson County, prices were better than they have ever been, and the return on investment was around 6%, with the systems paying for themselves in 6-8 years. He added that the program only used American made panels and local installers from Nelson and Waynesboro companies.

Mr. Leroux then took questions from the Board as follows:

- Ms. Brennan asked if they did assessments as part of the program and Mr. Leroux noted that potential participants signed up through the website and then they did a google earth view of the home site for sun exposure. They then did a free estimate if the property was suitable and put together a free proposal on the cost/benefits of solar.
- Ms. Brennan asked if they did home energy analysis and Mr. Leroux replied that they can do it for free in Charlottesville because Dominion Power allows them to do it; however if it is outside of their territory, it is offered as a separate cost of \$100 and is outside of the solarize program.
- Ms. Brennan asked if Government buildings were eligible and Mr. Leroux noted that solarizing residential structures was the intent of the program; however he could facilitate a conversation about this with the installers.

Mr. Bruguiere then noted he was not sure why a resolution from the Board was needed and Mr. Carter explained that the resolution had been drafted at their request and it did not obligate the Board to anything. Mr. Leroux added that they could conduct the program without mention of the Board's endorsement if that was their preference; however it was their intent to show a public/private partnership.

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Mr. Hale then noted that energy was an important issue for all and solar energy offered great promise. He added that the solarize program seemed to be very useful and the resolution gave homeowners the Board's support. He read aloud the last statement "that the Nelson County Board of Supervisors does hereby proclaim its support for such efforts that assists its homeowners and urges the citizens of the county to consider whether or not solar is right for them." He noted that it was a resource for citizens and thought that the endorsement was a good thing.

Mr. Hale then moved to approve resolution **R2015-05**, Nelson County Board of Supervisors Endorsement of Solarize Nelson Initiative and Ms. Brennan seconded the motion.

Ms. Brennan then confirmed that the in the last "Whereas", it should say "county" and not "country".

Mr. Saunders then asked if there was any liability for the County associated with endorsing the program and Mr. Carter noted he would think not.

Mr. Bruguiere then noted he would like to have Mr. Leroux provide a chart that showed watts used and how many square feet of panels would be required to yield the same amount of energy supply. Mr. Leroux noted that this varied depending on panel angles etc. however he could send over some models.

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 R2015-05
NELSON COUNTY BOARD OF SUPERVISORS
ENDORSEMENT OF SOLARIZE NELSON INITIATIVE**

WHEREAS, Nelson County, Virginia has significant potential for solar energy; and

WHEREAS, the cost of residential solar has dropped by more than 60% since the beginning of 2011; and

WHEREAS, "Solarize" campaigns reduce prices for consumers further through the power of community bulk purchasing and have been conducted with great success around the country since 2011; and

WHEREAS, local citizens, in conjunction with the nonprofit Local Energy Alliance Program (LEAP) desire to run a "Solarize Nelson" campaign utilizing local installers and American made photovoltaic solar systems; and

WHEREAS, solar installations create jobs, increase county revenue, and are environmentally sound;

NOW, THEREFORE BE IT RESOLVED that the Nelson County Board of Supervisors does hereby proclaim its support for such efforts that assists its homeowners and urges the citizens of the county to consider whether or not solar is right for them.

D. VDOT Report

I. VDOT Request to Abandon & Add Segments of Route 655, Roseland Road (**R2015-06**)

Mr. Carter reported that Mr. Austin was not able to be present to report or discuss the proposed VDOT request to abandon and add segments of Route 655, Roseland Road. He added that he had not had a chance to find out if the abandoned segment reverted back to the property owner or to VDOT for maintenance purposes.

Mr. Bruguiere noted that he thought this was the area where the park and ride had been established and he supposed VDOT did not want to maintain this anymore.

Supervisors then agreed by consensus to table this item until Mr. Austin was able to discuss it and no action was taken.

VI. New Business/ Unfinished Business

A. New Voting Equipment Request, Nelson County Electoral Board

Ms. Jackie Britt, Registrar addressed the Board noting that the current voting equipment was old and out of date and that they had machines fail during testing and had repaired and used two spares that had been purchased from Leesburg. She added that the failures on Election Day had occurred in the Lovington and Roseland districts and that Nelson was one of 47 localities that had Election Day equipment problems.

Ms. Britt then noted that in a press release, the Governor described his budget proposal to buy new equipment across the state; however the elections community was doubtful this would pass in the General Assembly. She added that now was the time to replace the equipment because there would be no time to do this in 2016. She reiterated that there was no guarantee the funds would be forthcoming from the General Assembly.

Mr. Carter reiterated that the Governor made a recommendation to replace all of the equipment across the state; however it was indeterminate and if the County proceeded now, it may not realize a reimbursement. He further noted that it was a short General Assembly session and that what Ms. Britt proposed was that the County could work on procurement and then it would be known in a month and a half if the State would provide reimbursement and would be poised to move forward. He added that the cost was potentially \$120,000.

Ms. Britt noted that she and the Electoral Board recommended that vendors come and do demonstrations and that they be ready to decide. She then noted that they would like permission to proceed with this. She reported that the three quoting vendors could furnish

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the equipment within 30 days, 21 days, and 4-6 months if they proceeded now and did not wait until everyone was placing orders. She advised that there were currently three approved vendors right now and another vendor expected to be certified by February.

Ms. Brennan stated that she thought the County should be proactive and get going on it now and Mr. Bruguere agreed.

Ms. Britt reiterated that the current equipment was past its useful life and they were using Windows 2000. She added that the new technology operated by digital optical scan and produced a paper trail.

Mr. Carter noted to the Board that if the General Assembly fails to approve funding for this, and the Board wanted to go forward with it, staff was not concerned with the budgetary impact.

Ms. Britt reiterated that she was primarily asking to start the procurement process and the Board agreed by consensus to allow her to proceed.

Mr. Hale then noted that he thought the funds should come from the state. Ms. Britt advised that a problem with the Governor's proposal was that the state was looking at using only one vendor who would have the whole state and the election community was worried about that. She added that there was concern that there would be a lack of fairness between larger and smaller localities that had problems to be resolved.

B. Courthouse Project Phase II

Mr. Saunders noted that the committee had met and asked Mr. Vernon to present the options discussed to the Board. Mr. Carter added that staff had prepared some financing scenarios refined by Ms. McCann since the past Friday to show how the project could work financially.

Mr. Vernon briefly stepped through the evolution of the design process to date noting that they had begun with designing option A to create separated entrances to the Courtroom including a new public entrance, work would be done on all three levels, there would be new mechanical, electrical, and plumbing throughout, the tunnel would be extended from the new judicial center into the basement and a new inmate elevator would be installed. He noted that this design included new shell spaces in the basement. He noted that the design was sent to an estimator, TCT and this yielded a construction cost of \$8,370,471 (*CM fee excluded*) and a total Project Cost of \$10,002,712.

Mr. Vernon then noted that the committee thought the estimator's numbers were high and they were then vetted with some local HVAC companies for comparison. Upon their review, the HVAC/plumbing numbers were revised downward as were some of the allowances provided by the estimator. He noted that this became Option B which included a total reduction of \$734,760, a total revised construction cost of \$7,124,373, and a total project cost of \$8,513,625.

Mr. Vernon explained that the committee thought the Option B costs were still high and directed him to design to a budget of \$4.375 project cost - \$3.6 M in construction costs and this became Option C. He explained that this option was limited to the minimum required for the Circuit Court and Clerk, had no north addition, no work on other floor levels, no extension of the inmate tunnel and had the inmate elevator shaft only, minimal finish improvements elsewhere, and the public entry to the Courtroom remained as is for a construction cost of \$ 3,661,088 and total project cost of \$ 4,375,000. Mr. Vernon then noted that there was no separation of court circulation paths and this design was immediately dismissed by the Committee as having too many design compromises.

Mr. Vernon then noted that the Committee wanted to look at something that would meet a budget of \$6 Million and Option D was devised. He note that this option included the same cost reductions in Option B and brought the main floor design back to its original state as in A&B that separated circulation and provided for expansion. He added that there was no shell space in the basement, it included the tunnel and elevator, Information Systems would be in the Old Board Room, and there was no work done on the east side of the main corridor. He then noted that the following options could be considered as add-ons:

D-1. No second floor for north addition/ no single metering/ existing spaces like new (*all new finishes and MEP systems*)

D-2. Second floor for north addition/ single metering/ existing spaces as they are

D-3. Second floor for north addition/ no single metering/ minimum improvements for existing spaces

Mr. Vernon noted that any one of these options would provide for a construction cost of \$5,020,920 and a total project cost of \$6,000,000.

Mr. Vernon then noted that Mr. Carter had requested that they look at an option that would be between \$7 Million and \$9 Million and this became Option E.

Mr. Vernon explained that Option E went back to the main floor plan in option A that everyone liked, that kept the desired separation and expansion. He noted that the second floor plan was similar to that in Option A, with a second floor on the north addition. He noted that there were no basement shell space; however it included the extended tunnel and inmate elevator and mechanical area but no other improvements. He noted that the single metering was also included and the direct cost reductions were the same as in Option B. He noted that in this scenario, the east side of the main hall remained the same. Mr. Vernon advised that they were holding \$268,000 in project funds to take care of issues in the new courts building that was no longer needed because the issues had been addressed by Mr. Truslow and his staff. He noted that for Option E, the construction cost was \$6,039,768 and total project cost was \$7,217,523

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It was then noted that the total project cost figures included 5% for Construction Contingency, 9.5% for A&E fees, and 5% for FF&E -0.195 of Construction Cost.

Mr. Carter reported that Option E was presented to the Committee that past Friday and everyone liked it. Mr. Saunders added that it was the same as Option A; but without a lot of the unnecessary bells and whistles.

Mr. Hale thanked Architectural Partners for working on the project and for taking their time in coming up with a solution to a complicated problem. He noted that he thought that the principle functions of local government were provided in the complex, with Option C not meeting their needs. He noted that Option E would meet the needs of the Government and Courts for at least a generation and there were options for the future. He added that Option E had flexibility that would be there without great expense and he noted that Judge Gamble was enthusiastic about the plan.

Mr. Carter then noted that staff would be showing the Board how to use VRA financing, Fund Balance, and bridging the gap until other debt came off the books to pay for it.

Ms. McCann then reviewed the following financing chart, focusing on the example related to a project cost of \$7.5 Million (Option E):

Nelson County							
VPFP Series 2015A Sample Schedule Summary (Spring 2015)							
Estimated Rates as of 12/12/2014*							
VPFP Project Fund	Equity Contribution	Bridge Funding FY16-FY20	Term (yrs)	Estimated True Interest Cost	Estimated All-In True Interest Cost	Average Annual Debt Service	Additional Annual Cash Excess (Requirement) from Debt Decline-FY20
9,500,000	-	1,829,246	15	2.31%	2.42%	758,977	(116,250)
9,500,000	-	1,312,144	20	2.60%	2.68%	616,455	26,272
7,500,000	2,000,000	1,196,769	15	2.31%	2.42%	599,030	43,697
7,500,000	2,000,000	883,036	20	2.60%	2.68%	486,672	156,055
Option B							
8,500,000	-	1,498,227	15	2.31%	2.42%	680,226	(37,499)

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8,500,000	-	1,101,308	20	2.60%	2.68%	552,951	89,776
6,500,000	2,000,000	941,472	15	2.31%	2.42%	519,020	123,707
6,500,000	2,000,000	665,898	20	2.60%	2.68%	421,729	220,998
Option E							
7,500,000	-	1,196,769	15	2.31%	2.42%	599,030	43,697
7,500,000	-	883,036	20	2.60%	2.68%	486,672	156,055
5,500,000	2,000,000	685,749	15	2.31%	2.42%	440,146	202,581
5,500,000	2,000,000	498,148	20	2.60%	2.68%	357,792	284,935
6,500,000	-	941,472	15	2.31%	2.42%	519,020	123,707
6,500,000	-	665,898	20	2.60%	2.68%	421,729	220,998
4,500,000	2,000,000	470,060	15	2.31%	2.42%	360,120	282,607
4,500,000	2,000,000	386,708	20	2.60%	2.68%	292,739	349,988
Option D							
6,000,000	-	814,349	15	2.31%	2.42%	479,308	163,419
6,000,000	-	569,376	20	2.60%	2.68%	389,382	253,345
4,000,000	2,000,000	389,226	15	2.31%	2.42%	319,400	323,327
4,000,000	2,000,000	342,529	20	2.60%	2.68%	259,559	383,168
Current Debt Service	Available						
332,287.00	FY18						
70,467.95	FY19						
<u>239,971.88</u>	FY20						
642,727	Total						

Ms. McCann noted the above Current Debt Service and when it would come off of the books. She explained that the column labelled “Bridge Funding” showed the amount of money it would take to cover the debt service until the current debt service came off in FY16-20.

Ms. McCann then reviewed each option related to the \$7.5 Million example. She noted that the interest rates from VRA were in effect in December and were based on a spring 2015 financing. Mr. Carter advised that staff had discussed the potential for doing a summer issuance and would work with VRA to determine which was best, spring or summer. He noted that going with the summer issuance would allow more time for finalizing the design etc. He advised that the County could do a private issuance; however he thought VRA was the way to go. He added that Rural Development financing would require a historic review etc.

Staff then clarified that the “bridge funding” would be local funds from fund balance and that Ms. McCann had broken this out by year as follows:

Bridge Funding (\$7.5 million project) By Year							
Term	Project Fund	FY16	FY17	FY18	FY19	FY20	Total
15 yr	7.5 million	134,881.19	599,976.58	265,445.07	196,466.19	0.00	1,196,769.03
20 yr	7.5 million	155,655.74	487,685.06	153,819.51	85,875.54	0.00	883,035.85
15 yr	5.5 million	100,353.30	440,146.44	107,859.44	37,391.49	0.00	685,750.67
20 yr	5.5 million	114,851.20	357,792.14	25,505.14	0.00	0.00	498,148.48

She explained that FY16 was not as big a hit because the County would be paying interest only and FY17 was the largest amount of bridge funding required.

Ms. McCann then reviewed preliminary information on the General Fund balance and sixty day cash requirement as follows:

General Fund Balance & FY16 Sixty Day Cash Requirement	
General Fund- Fund Balance	
Cash Balance 6/30/2014	\$ 17,323,061.00
FY15 Estimated Revenue (assumes budget amt)	\$ 35,149,555.00
Year Ending Balance utilized in FY15 budget	\$ (2,333,388.00)
FY15 Estimated Expenditures	\$ (34,149,555.00)
Carryover allocated in FY16 Budget	\$ (1,000,000.00)
Estimated 60 day cash requirement for FY16	\$ (7,968,743.83)
Available non-recurring fund balance	\$ 7,020,929.17

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Ms. McCann advised that the chart assumed that recurring contingency would remain unspent and would be carried over to next fiscal year. Mr. Carter added that the balance after the sixty (60) day cash requirement would be the source of the \$2 Million equity contribution to the project.

Ms. McCann then noted the potential funds for Capital Projects (FY16) as follows:

Potential Funds for Capital Projects (FY16)	
Estimated unexpended non-recurring contingency @ 6/30/2015	\$350,000
Courthouse Project Fund (estimated balance after Architectural Partner's initial contract)	\$600,000
Capital Fund (after \$300,500 allocation for TRE)	\$597,430
General Fund Balance (Available after 60 day requirement)	\$7,020,929
Total	\$8,568,359

Staff then advised that if the Board wanted to put down \$2 Million towards the project, they had the ability to do it. He added that the Capital Fund balances would be sufficient to cover the bridge funding or they could use carryover for this. Mr. Carter reiterated that staff was confident in the numbers presented thus far.

Mr. Saunders noted that if they did Option E, the County would have space for the future, there would be enough Clerk's space, and the Court flow was fixed.

Mr. Carter then advised that if the Board chose an option, the next step would be to negotiate with Architectural Partners on the design process and move forward with it. Mr. Saunders noted that the timing would be ideal for a spring construction start.

Mr. Hale suggested that the Board go ahead with this and hold off on deciding on the financial aspect of it. He added that he wanted to move forward with Architectural Partners and authorize staff to negotiate with them. He added that he had confidence that they could make adjustments in design as they went forward; however overall it looked great to him.

Mr. Hale then moved to authorize staff to proceed with negotiating the design contract on the Courthouse project for Option E.

Ms. Brennan seconded the motion and there being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion.

Mr. Hale noted that he knew Mr. Harvey had been anxious that they do this and he would be in favor of going forward.

Ms. Judy Smythers, Circuit Court Clerk in attendance noted that Judge Gamble was very excited about it and she thanked the Board and Mr. Vernon for their work. She added that they had been fortunate that they had not had any security issues and the staff would be

eternally grateful. She then noted that Judge Gamble would retire on February 27th and would serve as a substitute thereafter until a permanent Judge was appointed.

VII. Reports, Appointments, Directives, and Correspondence

A. Reports

1. County Administrator's Report

1. Courthouse Project Phase II: The Project Committee and staff met with Architectural Partners (Mr. J. Vernon) on 1-9 to review project options and related estimated project costs, including an additional option requested by staff between the \$6.0 and \$9.5 million estimates. Staff also developed in conjunction with the VA Resources Authority a spread sheet of financing options from \$6.0 to \$9.5 million. The Project Committee on 1-9 endorsed a project scope at \$7.5 million with a financing plan to be decided.

2. Broadband: a) The NCBA will meet on 1-13 at 1 p.m. for the Authority's regular session, which will include the Authority's re-organizational meeting, public hearing on an amendment of the NCBA rate schedule (to eliminate connection discounts), input from Mr. Patrick on a proposed Authority definition of broadband and proposals to work on local and regional comprehensive broadband plans. b) The County's application to VA-DHCD for Local Innovation Grant funding is still being reviewed by the Department. c) High Top Towner – it is "understood" indirectly that SCS will now not proceed with locating on this facility

3. BR Tunnel and BR Railway Trail Projects: a) **BRRT** – K. Barber Construction has submitted material certification documents to VDOT, which once confirmed by the Department will enable the project to be closed out (final payment to KBC is being withheld pending this resolution). a) **BRT** – Construction of Phase 1 is in progress. The grant addendum for Phase 2's completion in the amount of \$405,994 was received on 12-5, has been executed and returned to the Department for signature and return to the County. It is anticipated that Phase 2's bid solicitation will be issued by 4-15-15. An application for Phase 3 funding (\$1.5 million) was submitted to VDOT on 10-31. Negotiations with ROLC for purchase of the easement for the western trail and parking area were completed in 12-14 and the easement deeds were closed (recorded) on 12-30 with ensuing notice to VDOT on completion of this project milestone.

4. Radio Project: The project is complete and the new radio system is in operation with staff and the project consultants working on punch list items.

5. Lovington Health Care Center: No additional progress has been made on this subject.

6. Solid Waste –Region 2000 Service Authority: The Authority's application(s) to Campbell County for zoning approvals to enable the recently acquired Bennett Property to be developed for future waste disposal is meeting public resistance from adjacent property owners. The County's Planning Commission did not endorse the Authority's permit applications and the Authority Board will consider the status of this subject at its regular meeting on 1-14.

Mr. Carter noted that the value of the soils on the property equaled or exceeded the expense of the property. He added that the Authority would also sell a section of the property that contained a residence. Ms. Brennan asked what would happen to the areas where the soil was taken from and Mr. Carter noted that there would be some type of restorative effort; however he would have to find out.

7. FY 15-16 Budget: In development. Initial meetings with School Division staff are in process.

Mr. Carter added that County staff and School staff would be meeting the following week.

8. Personnel: See Finance Department Report.

Mr. Carter reported that the Part Time Finance position had been filled by Linda Lovern from Amherst. He noted that she had a degree from Virginia Tech and would work three days per week (24 hours) and would be located in the same office with Sara and Grace. He then noted that the County was recruiting for a Part Time Animal Control Officer and Full Time Dispatch position.

9. Department Reports: Included with 1-13-15 BOS agenda.

2. Board Reports

Mr. Hale reported attending the Blue Ridge Tunnel monthly progress meeting where some issues were addressed and it was determined that the project would be delayed by the weather. He reported that the Tunnel Foundation had agreed to provide financing for a film to be done by the Wagners, and they had signed a contract and needed a check for this from the Foundation account. Mr. Carter then advised that he had not heard from Waynesboro on matching funds and he was waiting it out a bit. Mr. Hale noted that he thought Waynesboro ought to help out. He added that he had met the Governor and had given him fliers on the tunnel and had invited him to visit. Mr. Carter noted that he had been emailing those who could help with National Landmark designation of the tunnel and invited them to tour the tunnel. He noted he had had also invited the President as he could make the designation.

Ms. Brennan reported the following:

1. Everything was going well at the Department of Social Services.

2. No progress was being made with repurposing the Lovingson Healthcare Center once it's vacated. She noted that she and Mr. Carter met with the Rosewood Village owner, who were planning a facility in Stoney Creek that would impact this effort. She added that she had spoken with the Branchlands Manager who had related the difficulties had in getting it going.

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3. Attended the VA Geographic Information Network meeting. She noted that they were doing a flyover for the western half of the state (we are in eastern half) and she noted that she wanted to speak to Ms. Rorrer about getting Lydar maps that were helpful in looking at topography.

4. Attended a CIT Meeting. She noted that the meeting was attended by members of public safety, school resource, and mental health people. She noted that the CIT ensured that people get the mental health help they need. She noted that at the meetings, they discuss people in need that could be helped. She reported that they were working on two new projects: one was putting together information that could be given to someone on calling for help in a mental health crisis and the second was putting together cards to give to those who have mental health crises. She also noted a Louisa County grant that would provide money to care for the pets of those who have to be committed and this would be shared between the regional group members.

Mr. Bruguire reported that there was no Emergency Services Council meeting that month.

Mr. Saunders reported the following:

1. Attended Planning Commission meetings.
2. Attended a tour of the Blue Ridge Tunnel.
3. Attended Courthouse Committee meetings.
4. Met with a few landowners affected by the Atlantic Coast Pipeline.

B. Appointments

Ms. McGarry noted that a master listing of the appointments to be made in 2015 had been provided to the Board and that most occurred in the second half of the year. She then noted that there were no appointments to be made that day as no applications had been submitted for the two current vacancies: the Local Board of Building Appeals and the East District seat on the Library Advisory Council. Ms. Brennan inquired as to the receipt of an application from someone she recommended for the Library Advisory Council and Ms. McGarry noted that none had been received to date. She added that both Ms. Harvey and Mr. Thompson in the Building Inspections Department were working on finding a replacement for Mr. Craig.

C. Correspondence

Ms. Brennan noted having received correspondence from Dominion on the pipeline.

D. Directives

Mr. Bruguire and Mr. Saunders had no directives and Mr. Hale and Ms. Brennan provided the following:

Mr. Hale:

Mr. Hale noted the Green Earth Recycling correspondence and asked why there were two clothing bins at the Shipman collection site. Staff noted that all of the bins were Green Earth recycling containers and they were paying the County \$40 per month; however the current market had dried up. Mr. Hale noted that he thought the bins should be labeled as to whose they were.

Mr. Hale then inquired about the Solid Waste trucks and asked if the County was going to have two in operation and one spare. Mr. Carter noted that going into the budget, he understood that the County would buy a new truck and use the other one as a trade in. He advised that there was \$90,000 in the current fiscal year budget and staff was ready to move forward upon a Board decision. He noted that the trade-in offer was \$57,000 and if they bought a straight shift, there was enough budgeted; however the drivers now wanted an automatic, which would require another \$8,000.

Mr. Hale noted that he thought the newer truck was down and the County only had one operational truck. Mr. Carter advised that the older truck was in the shop for about a week. He noted that if there was a third truck kept at the transfer station, three of the four staff at the transfer station had CDLs and could drive it.

Mr. Carter noted that the truck they wanted cost about \$147,000 and he would package up the information for the Board's next meeting. Mr. Bruguere stated that he thought if the County could get \$47,000 to \$57,000 for the trade-in, they should go with that.

Mr. Carter then reported that he thought the 2009 trucks were lemons, however they were still in high demand. He added that the County got the first year of the production line and those trucks have had a lot of issues. He advised that one had already been traded in and the new one worked fabulously. He noted that Mr. Truslow was insistent that they did not need a third truck and Mr. Bruguere agreed; noting it would sit there and that was the worst thing that could be done with a diesel.

Members then agreed by consensus to discuss this further when Mr. Harvey was present.

Mr. Hale then asked how citizens could find out about how to dispose of electronic waste. Mr. Carter noted that open timelines of when this could be brought in were offered and he would check on this.

Mr. Hale then inquired as to what had been decided on replacing the two historical markers that were destroyed and he stated that the County ought to replace them. Mr. Carter noted that VDOT had reported that they would replace these if the Board paid for them; approximately \$1,400 each and the Board had not yet made a decision. It was noted that these were the ones that were at the Nelson Wayside and at Colleen (Cabells). The Board then agreed by consensus to proceed with the historic marker replacement at the aforementioned locations.

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Mr. Hale then noted that the Broadband Authority Members were not being paid currently and it seemed to him that citizens that served on this Board should be remunerated the same as the Planning Commission and Industrial Development Authority etc. Staff noted that the bylaws would have to be checked and Mr. Hale noted that he thought this should be brought forward.

Ms. Brennan:

Ms. Brennan inquired as to any more information being received from the Commission of Revenue regarding the revenue received from LOCKN and staff replied that no further information had been received.

Ms. Brennan directed staff to check in with Ms. Harper on the status of putting in a boat ramp at the Rockfish River at the Nelson Wayside.

Ms. Brennan asked if the entryway lights were now turned off at night and Mr. Carter noted that they were set to turn off at midnight. He noted this was because of the conduct of night meetings. He added that on weekends, staff would reprogram these to turn off at 5pm or 6pm. He noted that these particular lights were programmed to be light sensitive to natural light. He reiterated that the input from Dispatchers was that they were turning off.

Ms. Brennan inquired as to the status of the energy evaluation she requested and Mr. Carter reported that staff was working on this with Architectural Partners and Masters Engineering.

Ms. Brennan then inquired as to the status on the options to increase revenues from the EMS revenue recovery program and Mr. Carter noted that ESMC had provided the County with three proposals to look at. He added that staff needed to talk to the Treasurer as well to see if her office was an option in collection efforts. He noted that Mr. Payne had expressed an interest in it as well.

VIII. Adjournment – Evening Session Has Been Cancelled

At 5:45 pm, Ms. Brennan moved to adjourn the meeting and Mr. Hale seconded the motion. There being no further discussion, Supervisors voted unanimously by voice vote to approve the motion and the meeting adjourned.