

July 10, 2012

Virginia:

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

Present: Thomas H. Bruguire, Jr. West District Supervisor- Vice Chair
Larry D. Saunders, South District Supervisor
Constance Brennan, Central District Supervisor
Thomas D. Harvey, North District Supervisor – Chair
Stephen A. Carter, County Administrator
Candice W. McGarry, Administrative Assistant/Deputy Clerk
Debra K. McCann, Director of Finance and Human Resources
Fred Boger, Director of Planning and Zoning
Tim Padalino, Planner

Absent: Allen M. Hale, East District Supervisor

I. Call to Order

Mr. Harvey called the meeting to order at 2:05 pm, with four (4) Supervisors present to establish a quorum and Mr. Hale being absent.

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

II. Consent Agenda

Mr. Bruguire moved to approve the consent agenda and Ms. Brennan 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 - **R2012-51** Minutes for Approval

**RESOLUTION-R2012-51
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF MEETING MINUTES
(June 12, 2012)**

RESOLVED, by the Nelson County Board of Supervisors that the minutes of said Board's meeting conducted on **June 12, 2012** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

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B. Resolution – **R2012-52** COR Refunds

RESOLUTION-R2012-52
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>
\$ 69.45	2010-2011 Personal Property Tax	Martin Escobedo-Javier 212 Paloma Farm Lane Afton, VA 22920
\$ 217.80	Real Estate Tax	James Erskin 693 Truslows Lane Nellysford, VA 22958
\$ 956.10	2012 Real Estate Tax	Corelogic Attn: Refund Dept. P.O. Box 961250 Fort Worth, TX 76161
\$ 166.96	2010-2012 Personal Property Tax	Troy L. Roebuck & Tania C. Grasso 991 Afton Mountain Rd. Afton, VA 22920
\$ 171.94	2011 Personal Property Tax	Queen, Marshall P. & Queen, Joshua P. 407 Fork Mountain Lane Montebello, VA 24464

III. Public Comments and Presentations

A. Public Comments

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

1. Reverend James L. Rose, Wingina

Reverend Rose reviewed a list of concerns with the Board that included: His previous request that VDOT do a speed limit study to lower the speed limit on Route 56 East from the Wingina Fire Dept. to Route 626, his concern regarding the lack of sight distance at the intersection of Route 56 East and Findlay Mtn. Road, he would like to see members of the Board come to observe the needs of the County's citizens at the Blue Ridge Area Food Bank, his concern

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regarding the lack of businesses coming into the County to provide jobs, his concern that citizens do not know who their Board members are due to the lack of meetings held in Supervisors' districts to hear concerns. In conclusion, Reverend Rose noted that he hoped his concerns would be addressed and that the Board would respond to him in a timely manner. Reverend Rose noted that he had shown the intersection at Findlay Mtn. Road to Mr. Saunders.

2. Glenda Cahoon, Tye River Rd. Representative of Virginia Tax Payers Association

Ms. Cahoon began by saying how much she appreciated the response by citizens during the recent storm.

She then read a prepared statement from VTA President Kenneth White that asserts that the Board is in violation of his fourth amendment rights by requiring him to pass through a metal detector upon entering the courthouse and demanding that the Board take up the matter of impeachment of President Barack Obama.

3. Roger Collins, Superintendent of Schools

Dr. Collins thanked the Board for its support and collaboration. He reported that 2012 had 146 graduates, 67% would attend a two (2) or four (4) yr college and 2% would enlist in the military. He noted that on scholarship night \$565,000 was given out to students and \$220,000 was local money. He then noted the 2012 Drama Team champs, the 4x100 Track champs, and championships in Band, Show Choir, and FFA, noting that there was a lot to be proud of. He added that Nelson has a student who was accepted into the NASA internship program.

Dr. Collins then noted that he had worked with PVCC to get the Early Scholars Program in place. He noted that there were four (4) parents and students who would pay for this program and there were thirty (30) more interested but that couldn't afford it. He added that they could not offer this program because of the low level of paying students. He then noted that this provided for a compacted curriculum so that students could get two (2) full years of college in High School. He noted that it would require \$30,000 to do the program. He then reported that most graduated with six (6) or eight (8) credits but that this program would allow for more and was a great pilot program to offer. He then invited the Board to join them to kick off the new school year on August 15th and that they would love for the Chairman to speak.

Dr. Collins then showed the Harry S. Harris Memorial Scholarship Fund award plaque that would be hung at the High School. He noted that contributions to the fund could be made at the High School and the funds would go into the account.

In conclusion, he noted that Margaret Clair was working on a public school foundation through the Charlottesville Community Foundation to support student learning not funded through operational and capital budgets.

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

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In response to questions from the Board, Dr. Collins noted that the individual cost for the Early Scholars program was \$2,000 per year per student and that there were up to thirty (30) students currently interested. He also noted that it would be too late to start the program for the current year and that they would have had to let PVCC know in order to schedule faculty. He added that they needed to know a semester ahead to start it and that they had to have a minimum of fifteen (15) students committed to participate.

Dr. Collins also noted that there was a much better chance of colleges accepting these credits if the student attended a Virginia college per PVCC President Frank Friedman.

Dr. Collins then reported that Stu Armstrong had started work on the foundation and that they were looking for ten (10) people with \$1,000 to contribute and they had six (6) of those now. Dr. Collins noted that he had volunteered to be the first \$1,000 donor. He noted that they needed \$10,000 minimum first to establish the fund and people could donate from there to grow the fund.

Mr. Harvey then asked if the Early Scholars program could start later in the year and Dr. Collins noted that they wanted to start at the beginning of the year to get a full years worth of credits but that he would ask Dr. Friedman if they could start in January. He added that they were thinking about matching funds being offered and Mr. Harvey suggested that students could get sponsors and that the Board would be interested to hear how this would work.

Mr. Saunders then responded to Reverend Rose's concerns involving VDOT issues and he referred to the June minutes where it was stated that the Board wanted Mr. Austin to look at certain things in the district including the speed limit study on Route 56 East and the sight distance at Findlay Mtn. Road. He added that the Board was doing something but it may take a while. Mr. Saunders then noted that while he does not attend the Food Pantry, he did contribute through his church. He concluded by noting that he had not forgotten Reverend Rose's concerns.

Mr. Boger then added that the Findlay Mountain Road intersection had been in the Secondary Six Year Plan and the previous Supervisor had taken it out.

Ms. Brennan noted that some of the Board members have been to the Blue Ridge Food Bank and that she had personally been there and was stunned to see the extent of the line. She added that contributions were made to the pantry and that the Board was aware of the poverty in the County; however she agreed that they should go more often.

B. VDOT Report

Mr. Don Austin of VDOT reported the following:

Mr. Austin noted that the speed study that Reverend Rose referred to on Route 56 East from the Wingina Fire Dept. to Route 626 had been submitted but was not done yet. He then noted that the sight distance issue at Findlay Mountain Road involved an old house. He added it was a grade issue and there was the dilapidated old house there and he would look back at the SSYPs to see what happened with it. He noted that money was limited though.

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Mr. Austin noted the truck restrictions from Augusta County that had come up. He noted that the three (3) routes: 664, 814, and 610 connected to Nelson County routes and that they wanted to know if the County wanted to do this too. He noted that he did not see a real advantage for the County to do this. He noted that the process would involve resolutions and public hearings and then asking VDOT to restrict it and it would include studies etc.

Mr. Harvey indicated that he did not want to restrict it as deliveries to Wintergreen come that way. Mr. Austin then clarified that if the trucks were stopping at Wintergreen, it would not be considered a through truck. Mr. Bruguere noted that he would endorse a length restriction there at route 814. Mr. Austin noted it was his recommendation to do nothing and the Board agreed by consensus to revisit this if it becomes an issue.

Mr. Austin then noted that all previous requests were still pending. Mr. Harvey noted that the Board wanted to give him an exact map of what they wanted done on Route 29 near the Food Lion intersection and he noted the three (3) car accident that occurred there the previous day.

Mr. Austin reported that they were heavily involved with storm cleanup now and were almost through opening the roads. He added that some crews from Buckingham and Cumberland were to assist in the area with cutting and chipping. Mr. Harvey noted that volunteers and citizens had really helped to clear the roads.

Ms. Brennan asked if they worked with the power companies when the lines were down and Mr. Austin noted that they worked with them some but most had their own crews that would cut the trees and if they got the okay to cut the trees they would. He added that it was a safety issue and if they knew the power was going to be off for a while they would assist.

Mr. Saunders inquired about the sinkhole on Arrington Rd. and Mr. Austin noted that they had not gotten down to do a permanent fix yet but that it did not look that bad. Mr. Saunders disagreed and said he thought it looked bad for a secondary road.

Mr. Saunders then questioned why they would be cutting grass and not cleaning up and Mr. Austin noted that they did not have all of the equipment that was needed so they were mowing etc. Mr. Saunders added that on Arrington road, people were cutting around the sinkhole into the other lane to avoid it; which was dangerous

Mr. Boger reiterated to Mr. Austin that in Foster Town the double line was paved over and a dotted line was put in, however there should be no passing there.

Ms. Brennan noted that she had met with Randy Hamilton to look at the Rt. 634 intersection and she would like to see a speed study done on that road in order to lower it from Rt. 29 to Adial Road. Mr. Austin noted that he would check to see if one had been done previously. Mr. Harvey then reiterated that he thought that the estimated costs to add the turn lane there were high and that he thought they could work a little on each side of the road and create some forgiveness there. He added that it would help if they could pave from ditch line to ditch line. It was noted that they were doing a motion activated sign there now and Ms. Brennan did not think it should be dropped. Mr. Boger noted that Mike McCormick had looked at it previously and Mr. Austin

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noted that once VDOT had gotten into the real design of it, there were more issues and the standards have changed.

Mr. Harvey then inquired as to who was in charge of making decisions related to the County's fiber optic cable installation and it was noted that Jeff Kessler was. Mr. Harvey noted that they had been terrible to work with and have cost the County a lot of money as they have stopped the project many times and the contractor has had to bore the whole length of Rt. 151. Mr. Carter and Mr. Austin commented that Georgia Huckabee may be in charge of the department. Mr. Carter then elaborated that they had been required to do three (3) test borings at Shady's when the contractor knew it would not work. He also noted that VDOT had required that if the pavement there was disturbed, the contractor would have to build it back to their standards.

IV. New Business/ Unfinished Business

A. Proposed Subdivision Ordinance Amendments

Mr. Boger noted that most of the proposed changes had come about in late 2010 and most were to remove the Board of Supervisors from the process and include the Board's agent or Planning Commission in making decisions. He noted that the Board could designate the Planning and Zoning Director as the agent. He noted that since 2010, the Board of Supervisors did not approve plats.

Mr. Harvey stated that the Planning Commission was not an elected position and should not have this authority. Mr. Boger noted that the subdivision process was administrative and there was a checklist to be followed. He noted that a person could appeal to the Planning Commission. He added that they had inserted items from the State Code on the number of days provided to process certain things. He noted that the Planning Commission had been inserted where previously the Board had authority regarding access management of shared driveways. He then noted the provisions for service driveways along dual lane roads to resolve the issue of building a road before getting a building permit because of VDOT requirements.

Mr. Saunders noted that he was not in favor of shared driveways and that it created problems. He noted that he understood the safety issues involved with many lots that had entrances along the highway. Ms. Brennan noted that she thought this to be a safety issue and would like to see what other localities do on this. It was noted that VDOT required that if an entrance was serving two (2) lots, they would have to have a lower grade commercial entrance.

Mr. Saunders noted that he had asked Mr. Morris Foster, a local surveyor, to attend the meeting to explain some concerns he had regarding division rights on large acreage. Mr. Boger noted that if any other sections were changed, it would have to go back to the Planning Commission for public hearing. He then noted that the overall division rights could not be increased when subdividing large acreage. Mr. Saunders noted that he thought this ought to be reviewed and the Board invited Mr. Foster to comment briefly.

Mr. Foster noted that the Board should look at the wording of the section on division rights. He noted that the intention of this section was to be able to assign division rights and not increase

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them or decrease them and he asked the Board to clarify the language to reflect its intent. He noted that he thought that as long as the total number of rights did not increase, then the rights should be able to be assigned to whichever parcel desired. Mr. Boger noted that a person can assign rights from the parent parcel to the parcel being divided off and Ms. Brennan noted that there was language that reflected this in the ordinance.

Mr. Foster reiterated that there needed to be some language added to clarify this and the Board agreed by consensus to study this further; with Mr. Harvey suggesting that the Board may need to schedule a work session on this soon.

B. Proposed Zoning Ordinance Amendment -Reinstatement of the Posting Requirement

Mr. Boger reported that the Planning Commission had asked that the requirement to post property be reinserted into the Zoning Ordinance. It was noted that in 2009, there was a court case on this and the Judge ruled that the Ordinance could not require someone to post signs. He added that the recommendation was to take this out of the Ordinance in order to limit the scope of attack on the County for this. Mr. Boger then advised that it would require more staff time to do this and it was also time consuming to monitor. Mr. Carter concurred and added that doing this would open the County up for attack and they currently did what the law prescribes.

Ms. Brennan suggested that this would not be required and questioned that there would be very many instances where posting would be done. She explained that the Planning Commission wanted to enhance notice to the community and would not require repair or reposting if something happened to the original signs. She added that some citizens in a community wanted to be notified even if they were not owners of contiguous properties. She further noted that people wanted to know what was going on in their community and she did not see it as requiring that much staff time.

Mr. Harvey suggested trying courtesy posting for six (6) months and seeing how it worked. He added that wipe off signs could be used and posted on the most travelled road near the property. Mr. Saunders then questioned what happened when the sign got removed and the County was attacked over not having the sign.

After this brief discussion, the Board agreed by consensus to also defer consideration of this Ordinance amendment.

V. Reports, Appointments, Directives, and Correspondence

A. Reports

1. County Administrator's Report

Mr. Carter reported the following:

A. Summer Storm (Power Outage): As of July 10th (a.m.) both CVEC and AEP/APCO have been able to restore 100% of electrical service(s) to customers within Nelson County. Nelson County's response entailed opening of eight cooling stations (which, as time ensued, were closed when conditions warranted), supporting the cooling stations with food (meals ready to eat),

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water, ice and cots (as needed), assistance to CVEC (coordination of food for crews, transportation and provision of ice) and provision of water and ice to the two areas of the County (Schuyler and Williamstown) that experienced the longest power outage.

B. Courthouse/Government Center Project: Blair Construction is working to address the project's current punch list. An ensuing walk through inspection is pending. Additionally: **1) Courthouse Display** - Proposals to complete the display that was required by VA-DHR to mitigate the visual impact of the communications tower at the Courthouse are to be received on 7-10. **2) Jefferson Building** – the Commonwealth Attorney has reiterated his office's interest in being relocated therein. Staff is ready to proceed with the completion of the structure's restoration with the Board's approval, inclusive of locating Mr. (Anthony) Martin's office therein. **3) Signage Project** - A request for quotations will be issued the week of 7-9 on the signage initiative for the overall Courthouse complex.

Mr. Carter noted that the Courthouse Display would be a historical profile of the original courthouse to present. Ms. Brennan then noted that there were still a lot of decisions to be made on the Jefferson Building and that the Board was not ready to proceed.

Mr. Carter noted that the request for quotes on the signage included the entire complex.

C. Health Department Relocation: Construction of the wing at BRMC that will house the local Health Department unit is in process. A lease agreement between BRMC and VDH (which will include Nelson County) is pending completion and is the responsibility of the VA Department of General Services and BRMC. An occupancy date has not been confirmed at present.

Mr. Carter noted that occupancy would likely be October. Mr. Saunders inquired about the other tenants of the building and Mr. Carter noted that the Dentist had been alerted and he has indicated he wanted to stay as long as possible and would move somewhere else if the County had space. Mr. Harvey suggested that it was his responsibility to find another place to do business.

Mr. Bruguire inquired if the Jefferson Building was big enough for the Registrar and Commonwealth Attorney and Mr. Carter noted it would not be a good match. Mr. Bruguire noted that he thought the Health Department building needed to be gone ASAP and that they would then only need to find a place for the Registrar to go.

D. Broadband Project: A project report encompassing the proposed rate structure and overall initiative is attached hereto (and will be discussed at the special meeting of the NCBA on 7-10). Negotiations with the Nature Conservancy on the High Top Tower location continue to be pending.

Mr. Carter added that the Nature Conservancy was expressing concerns over the Virginia Outdoors Foundation and that the County was ready to go with the final document.

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E. 2012 Radio Project (Narrowbanding): The project financing with the VA Resources Authority has been completed. Completion of contract agreements with RCC and Motorola, Inc. are pending completion but in process.

F. Recreation PER: The project report was presented to the Board on 6-28.

G. Maintenance Dept. Projects: **1) Law Office Retaining Wall** – Three bids were received on 7-3. The low bidder is Owen Building & Remodeling, Inc. of Bedford, VA at \$50,673.00 (the add alternate to complete a stamped finish to the wall was \$2,390.11). The other two bids were \$169,579.80 (with alternate totaling \$179,750.66) and \$195,735 (no alternate quote provided). A draft contract has been sent to the low bidder with completion of the agreement projected by 7-13. **2) Treasurer's Office** – A bid of \$19,280 was accepted from Kenneth Taylor (Taylor Cabinets) to complete the re-work of the Treasurer's Office. Preliminary work is in process with a projected completion date of August 19th. **3) Former Magistrate's Office** – Staff from VA Lime Works are scheduled to complete a second evaluation of the structure the week of 7-16 and will subsequently submit a proposal to restore the building. Nolen Frisa (structural engineering) will also assist with the restoration on an as needed basis.

Mr. Carter added that on item 1. the Engineer's wall estimate was \$34,000. In response to questions, Mr. Carter noted that Owens did the monument at the flagpoles at the High School, so the County had some experience with them having helped on that project. Mr. Bruguiere noted that \$50,000 should be more than ample and Mr. Saunders expressed concern with whether or not the building would stay up during the new wall construction and if these costs were built in. Mr. Carter noted that the other quotes were from local contractors, that David Thompson would be the inspector and Nolen Frisa would inspect also.

Mr. Carter then noted that on item 2 that while Kenneth Taylor's proposal was not the lowest, it was the one that the Treasurer was most happy with.

H. Blue Ridge Tunnel & Blue Ridge Railway Trail: A tour of the BR Tunnel with state and local officials was completed on 6-27 and is aimed at increasing the project's potential to receive state funding in 2013. The additional work on the Blue Ridge Railway Trail (depot restoration and trail enhancements) is being developed with a contract pending with Craddock-Cunningham to provide design services for the project's completion.

I. Massies Mill Recreation Center: Representative of MMRC has indicated the organization's intent to deed the property back to the County. No input provided on use/balance of County funding. A letter is forthcoming from MMRC on this overall subject.

Mr. Carter was then asked about the Massies Mill recreation center and Ms. Brennan noted that there was no Ordinance on dilapidated buildings and she suggested that if the County took the building back, they would have to pay to take it down. Mr. Carter noted that Phil Payne had advised that if a structure was deemed a danger to the general public then the Board could do something to address it. Ms. Brennan noted that she did not think anyone would buy it and there would still be a cost to the County to take it down. Mr. Carter noted that this building had the similar problem of brick deterioration as the old Magistrates Office building.

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J. Norwood Historic District Project: The cost share grant application has been submitted to VA-DHR for approval. Once approved an RFP will be issued to retain consultant services to complete the survey report and nomination for state and federal historic district recognition.

K. 2014 General Reassessment: Wampler-Eanes is projected to begin work on the 2014 General Reassessment in the ensuing 30-45 days. An office location has been assigned to them. Official appointment of Mr. (Gary) Eanes as the County's assessor is to be submitted to the Board for confirmation on 7-10.

L. FY 2011-12: A year end analysis is in process and will be reported to the Board upon completion.

M. Animal Control: A job description for the position of ACO Supervisor has been completed and will be submitted on 7-10 for approval consideration.

N. Added: Heritage Center Water Meter: Mr. Saunders inquired on the status of getting the meter changed at the Heritage Center and Mr. Harvey noted that the Service Authority Board had voted to pay for it and have it done. He added that the voted against it because he thought the County should pay for it.

2. Board Reports

Mr. Bruguire, Mr. Saunders, and Mr. Harvey had no reports.

Ms. Brennan reported the following:

1. Attended Kids in Parks event at Blue Ridge Trail.
2. Reported that DSS was now staggering the dates that they gave out food stamps over ten (10) days in order to avoid a rush at food stores. She noted it was doing away with fraud in that program.
3. Attended meeting with Randy Hamilton of VDOT.
4. Attended the big Wintergreen meeting when the members voted for the sale of the resort. She reported that only 17 out of 2,700 voted not to accept the merger. She added that Mr. Justice was not sure what he would do to change it around but he was committed to it. She noted that the Greenbrier was making money now and that he was committed to the resort's employees and would be making no dramatic changes right away. Mr. Harvey suggested that the Board write him a letter of welcome.

B. Appointments

Ms. McGarry noted that Dr. Benjamin Brown had submitted his resignation from the JABA Board of Directors and no applications had been received for the vacancy. She then noted the West District vacancy on the Library Advisory Committee also with no applications received.

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Ms. McGarry then reported that Mr. Michael Kelly was indeed eligible for reappointment to the Region Ten Community Services Board as his initial appointment was to fulfill an unexpired term. She noted that this would be his third full term should the Board reappoint him.

Ms. Brennan then moved to appoint Michael Kelly to the Region Ten Community Services Board. There was no second and Mr. Harvey called for the vote. There being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion.

The existing vacancies on the Ag Forestal District Advisory Committee and the Keep Nelson Beautiful Council were noted.

Mr. Carter then explained that the Board needed to appoint a Professional Assessor for its 2014 Reassessment, who would then be certified as qualified by the Department of Taxation per the Code of Virginia. He then introduced a resolution that would appoint Gary L. Eanes of Wampler-Eanes Appraisal Group as the Professional Assessor.

Mr. Bruguere moved to approve Resolution **R2012-54**, Appointment of Professional Assessor 2014 General Reassessment of Real Property and Ms. Brennan seconded the motion. 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-R2012-54
NELSON COUNTY BOARD OF SUPERVISORS
APPOINTMENT OF PROFESSIONAL ASSESSOR
2014 GENERAL REASSESSMENT OF REAL PROPERTY

RESOLVED, by the Nelson County Board of Supervisors that pursuant to §58.1-3275 of the Code of Virginia 1950 as Amended, that Gary L. Eanes of Wampler-Eanes Appraisal Group, Ltd. is hereby appointed Professional Assessor for the conduct of Nelson County's general reassessment of real property effective January 1, 2014.

BE IT FURTHER RESOLVED, that pursuant to §58.1-3275 of the Code of Virginia 1950 as Amended, Gary L. Eanes shall be certified by the Department of Taxation as qualified to serve as the County's Professional Assessor for the conduct of said general reassessment of real property.

C. Correspondence

1. Rockfish Valley Senior Group (RVSG)

Mr. Carter noted the letter received from RVSG requesting additional funding. He added that no other information was provided on participation etc. and the fiscal year has just begun.

Mr. Harvey noted that their numbers were up but that they only have meals twice a month. He added that he thought that they were in good shape given that they were not paying rent or

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utilities etc. Following this brief discussion, the Board agreed by consensus not to provide them with additional funding right now.

Mr. Carter then noted that staff had received a letter from the Sheriff late the previous day requesting \$75,000 for three (3) vehicles and satellite phones. Mr. Carter noted their department has received \$670,000 more than what the Comp Board provides for one year as of June 30, 2012. He noted that the Sheriff's number was as of 2008 and did not include any of the provided funding for vehicles in the past; which was shown in the budget under Motor Pool. Mr. Harvey confirmed that the Board had not put any funding for Sheriff's vehicles in the budget and no action was taken.

D. Directives

Board members noted having no directives; however Mr. Bruguere noted that he had attended a DEQ meeting on monitoring creeks in the West District. He noted that they brought up concerns about septic systems going into creeks. He noted that these were illegal; however there was no pot of money from the Health Department to allow people to put in septic systems. He noted that if they were not present, then they probably could not afford them and if the house was over sixty (60) years old the houses probably did not have them. Mr. Bruguere then noted that the study needed to do a more accurate accounting than the one done in Rockfish. He explained that they used census data there and it was not accurate. He suggested that they use the Health Department to find out who did not have a septic system and then find money to help them out. He added that they needed to help people put these in.

Ms. Brennan supposed there were housing funds that could be used for this and Mr. Carter suggested that the County could get a planning grant from DHCD/CDBG to possibly address this. He added that the threshold of providing benefit to the Low to Moderate Income population would probably be met.

Mr. Bruguere then noted that four (4) monitoring stations were not enough and more were needed. Ms. Brennan reiterated that the ones causing contamination needed to be identified and helped. Mr. Boger then noted that he assumed that they were identifying these based on the age of the house in the Rockfish area.

VI. Other Business (As May Be Presented)

Introduced: Animal Control Supervisor Job Description

Mr. Carter distributed the newly created job description for the Animal Control Supervisor position to be advertised and Members agreed to consider this during the evening session.

VII. Recess and Reconvene for Evening Session

At 4:06 pm, Mr. Saunders moved to adjourn until the evening session and Ms. Brennan seconded the motion. There being no further discussion, Supervisors voted unanimously by voice vote to approve the motion.

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EVENING SESSION

7:00 P.M. – NELSON COUNTY COURTHOUSE

I. Call to Order

Mr. Harvey called the meeting to order at 7:00pm, with four (4) Supervisors present to establish a quorum and Mr. Hale being absent.

II. Public Comments

There were no persons wishing to be recognized for public comment.

III. Public Hearings

A. 2013-2018 Secondary Six Year Road Plan and Secondary System Construction Budget (R2012-53)

Mr. Harvey noted the presence of Mr. Randy Hamilton of VDOT who distributed the finalized draft SSYP for 2013-2018. Mr. Harvey then opened the public hearing and there being no persons wishing to be recognized the public hearing was closed.

Mr. Hamilton then noted Virginia Code Sections 33.1-23.1 and 33.1-23.4 required a public hearing on the FY13-FY18 Plan. He noted that the plan showed Telefee income per year of \$48,265 in FY13 and \$53,122 from FY14-FY18 for a total amount of \$313,875. He added that these were the only revenues coming in to most localities. He then noted that the only changes from the original draft were related to the Rt. 634 intersection on River Road, where a warning sign with dynamic flashing lights would be installed and the remainder of these project funds would be moved to the Irish Road/ Rt. 639 project.

Ms. Brennan then thanked Mr. Hamilton for meeting with her at the Old Roberts Mountain Rd. intersection. She then noted that she wondered if there was something else that could be done to widen the lanes somewhat to give a margin of error where there was none right now. Mr. Hamilton noted that they did look at that some but with the rock cuts there it would be cost prohibitive compared to the amount of funding that was available.

Mr. Harvey suggested that they could pave from ditch to ditch; avoiding the creeks etc. but could get a little more pavement there. Mr. Hamilton reiterated that they would have to meet the current standards and it would be cost prohibitive.

Mr. Saunders asked if they could look at building up the outside where the rock did not exist and Mr. Hamilton stated that they had looked at both sides. Mr. Harvey then noted that the Board wanted something better than just putting the signs up. Mr. Hamilton agreed that going to the outside could take out the curvature of the road.

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At Mr. Harvey's request, Mr. Hamilton noted that he could arrange for the Board to meet with other VDOT supervisors to discuss this. Ms. Brennan then requested that they let her know when the speed study would be happening there.

Mr. Harvey noted that \$250,000 had already been spent on the Preliminary Engineering for this; which had been going on for the last ten (10) years. He noted that he would like to see more money spent on building these projects than on engineering and drawings.

Mr. Hamilton reported that the Irish Road project would be advertised in the next couple of years and it would include obtaining some right of way. He added that Utility work was grouped into the cost shown.

Mr. Bruguiere noted that there was only two (2) years worth of work on the unpaved roads listed. He added that a message needed to be sent to the state that more funding than that was needed and it was unfair.

Following this discussion, Mr. Bruguiere then moved to approve resolution **R2012-53** Six Year Road Plan and Construction Priority List. Ms. Brennan then seconded the motion, noting her reservations on the Route 634, Old Roberts Mountain Road project.

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 R2012-53
NELSON COUNTY BOARD OF SUPERVISORS
SIX-YEAR ROAD PLAN
AND CONSTRUCTION PRIORITY LIST**

WHEREAS, Sections 33.1-23.1 and 33.1-23.4 of the 1950 Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan, and

WHEREAS, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2012/13 through 2017/18) as well as the Construction Priority List (2012/13) on July 10, 2012 after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List, and

WHEREAS, Randy Hamilton, Virginia Department of Transportation, appeared before the Board and recommended approval of the Six-Year Plan for Secondary Roads (2012/13 through 2017/18) and the Construction Priority List (2012/13) for Nelson County,

July 10, 2012

Essential Responsibilities. The major responsibilities that must be performed in order to accomplish the purpose of the job and that account for the majority (75% to 95%) of the employee's time.

Percentage of Time. The percentage of the employee's time that is typically devoted to meeting the responsibility over the course of a typical week, month or year.

Importance. Following each essential responsibility, indicate its importance to the overall purpose of the job using the following scale:

Important 1 — 2 — 3 — 4 — 5 Very Important

	Essential Responsibility	% of Time	Importance Rating
1	Coordinates staffing and develops work schedules and assignments for Animal Control personnel.	5%	3
2	Prepares and implements policies and procedures related to animal control services and shelter operations.	5%	4
3	Enforces all local and state animal control regulations including dog licenses and rabies vaccinations. Issues summons and obtains appropriate warrants for animal control violations. Supervises and reviews animal cruelty cases inclusive of impoundment of animals; supervises cases of animal attacks inclusive of quarantine of such animals; provides court testimony as required.	30%	5
4	Promotes and ensures proper employee training and that required licensures/certifications are in compliance with local and state regulations; ensures that all equipment, materials and work conditions are adequately maintained.	5%	5
5	Responsible for all required record keeping for the department. Provides regular reports to Supervisor on the operations of the department.	10%	5
6	Manages daily operations of the animal shelter, including euthanasia of rabid and unclaimed animals, disposing of dead animals, cleaning the facility, feeding and caring of all animals, and opening the shelter to the public for animal adoption. Ensures that shelter operation is in accordance with local and state regulations.	30%	5
7	Responds to citizen complaints relating to animal control; investigates and handles difficult public relation situations.	10%	4
8	Prepares and manages departmental budget, inclusive of making required purchases according to county policies.	5%	3

Formal Supervisory Responsibility. Employee in the following position reports directly to the County Administrator.

Job Title of Direct Reports	Number of FTE Employees In The Job
Animal Control Officer	1.6
Animal Control Shelter Attendant	.75

July 10, 2012

Routine Decision-Making. The following reflect examples of specific decisions routinely made in this job.

Decides which animals are euthanized in accordance with state and local laws.
Determines work schedule of subordinate employees.
Decides when to issue summons for animal law violations.
Decides how budget resources are allocated and expended .

Formal Policy-Setting Responsibilities.

- No formal responsibility. The policies associated with the job's purpose and essential responsibilities are set by others.

- Formally responsible for providing input into policies associated with the job's purpose and essential responsibilities.

- Formally responsible for making recommendations regarding policies associated with the job's purpose and essential responsibilities.

- Formally responsible for setting policy associated with the job's purpose and essential responsibilities.

Required Knowledge.

Knowledge Or Information Required For Completely Satisfactory Performance
Knowledge of laws, ordinances, and regulations governing shelter maintenance and the control of domesticated animals and livestock.
Working knowledge of animal control techniques, equipment and pharmaceutical supplies
Working knowledge of geography, landmarks, and road systems in the county.
Basic knowledge of PC applications, bookkeeping and office management
General knowledge of workplace safety regulations

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Q8: Required Skills or Abilities.

Skills And Abilities Required For Completely Satisfactory Performance
Ability to legally operate a motor vehicle
Ability to perform basic mathematical computations
Ability to communicate tactfully with the public
Ability to use hand held radios
Ability to follow oral and written instruction
Ability to discern and recognize various physical conditions presented in encountered animals
Management skills

Formal Education. Formal education is usually associated (though not required) with completely satisfactory performance in this job.

- | | |
|--|---|
| <input type="checkbox"/> Less than a high school education | <input type="checkbox"/> Four-year college education |
| <input type="checkbox"/> High school education | <input type="checkbox"/> Graduate level education |
| <input type="checkbox"/> Technical or vocational school education | <input type="checkbox"/> Professional school (e.g., law, medicine, etc.) |
| <input checked="" type="checkbox"/> Junior college/two-year college training | <input checked="" type="checkbox"/> Other (Please specify) Certification in Basic Animal Control and Firearms |

Working Conditions.

Direct animal contact on a daily basis.

EEOC Classifications. The EEOC classification for this job is as noted below:

- | | |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | Officials and managers. Occupations requiring administrative and managerial personnel who set broad policies, exercise overall responsibility for execution of these policies, and direct individual departments or special phases of a firm's operations. Includes: officials, executives, middle management, plant managers, department managers, and superintendents, salaried supervisors who are members of management, purchasing agents and buyers, railroad conductors and yard masters, ship captains, mates and other officers, farm operators and managers, and kindred workers. |
|-------------------------------------|--|

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- Professionals.** Occupations requiring either college graduation or experience of such kind and amount as to provide a comparable background. Includes: accountants and auditors, airplane pilots and navigators, architects, artists, chemists, designers, dietitians, editors, engineers, lawyers, librarians, mathematicians, natural scientists, registered professional nurses, personnel and labor relations specialists, physical scientists, physicians, social scientists, teachers, surveyors and kindred workers.
- Technicians.** Occupations requiring a combination of basic scientific knowledge and manual skill which can be obtained through 2 years of post high school education, such as is offered in many technical institutes and junior colleges, or through equivalent on-the-job training. Includes: computer programmers, drafters, engineering aides, junior engineers, mathematical aides, licensed, practical or vocational nurses, photographers, radio operators, scientific assistants, technical illustrators, technicians (medical, dental, electronic, physical science) and kindred workers.
- Sales.** Occupations engaging wholly or primarily in direct selling. Includes: advertising agents and brokers, stock and bond salesworkers, demonstrators, salesworkers and sales clerks, grocery clerks, and cashiers/checkers, and kindred workers.
- Office and Clerical.** Includes all clerical-type work regardless of level of difficulty, where the activities are predominantly non-manual through some manual work not directly involved with altering or transporting the products is included. Includes: bookkeepers, collectors (bills and accounts), messengers and office helpers, office machine operators (including computer), shipping and receiving clerks, stenographers, typists and secretaries, telegraph and telephone operators, legal assistants, and kindred workers.
- Craft Workers (skilled).** Manual workers of relatively high skill level having a thorough and comprehensive knowledge of the processes involved in their work. Exercise considerable independent judgment and usually receive an extensive period of training. Includes: the building trades, hourly paid supervisors and lead operators who are not members of management, mechanics and repairers, skilled machining occupations, compositors and typesetters, electricians, engravers, painters (construction and maintenance), motion picture projectionists, pattern and model makers, stationary engineers, tailors and tailoresses, arts occupations, handpainters, coaters, bakers, decorating occupations and kindred workers.
- Operatives (semiskilled).** Workers who operate machine or processing equipment or perform other factory-type duties of intermediate skill level which can be mastered in a few weeks and require only limited training. Includes: apprentices (auto mechanics, plumbers, bricklayers, carpenters, electricians, machinists, mechanics, building trades, metalworking trades, printing trades, etc.), operatives, attendants (auto service and parking), blasters, chauffeurs, delivery workers, sewers and stitchers, dryers, furnace workers, heaters, laundry and dry cleaning operatives, milliners, mine operatives and laborers, motor operators, oilers and greasers (except auto), painters (manufactured articles), photographic process workers, truck and tractor drivers, knitting, looping, taping and weaving machine operators, welders and flame cutters, electrical and electronic equipment assemblers, butchers and meat cutters, inspectors, testers and graders, handpackers and packagers, and kindred workers.

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Laborers (unskilled). Workers in manual occupations which generally require no special training who perform elementary duties that may be learned in a few days and require the application of little or no independent judgment. Includes: garage laborers, car washers and greasers, groundskeepers and gardeners, farm workers, stevedores, wood choppers, laborers performing lifting, digging, mixing, loading and pulling operations, and kindred workers.

Service Workers. Workers in both protective and non protective service occupations. Includes: attendants (hospital and other institutions, professional and personal service, including nurses aides and orderlies), barbers, charworkers and cleaners, cooks, counter and fountain workers, elevator operators, firefighters and fire protection, guards, door-keepers, stewards, janitors, police officers and detectives, porters, waiters and waitresses, amusement and recreation facilities attendants, guides, users, public transportation attendants, and kindred workers.

Introduced: Recreation Center PER

Mr. Carter reported that Dr. Collins has requested that Ms. Harper present the Recreation PER at an upcoming School Board meeting. He noted that he related to Dr. Collins that he was hesitant to do that at this point and that he could provide the PER for their review and then answer questions. Members agreed by consensus with Mr. Carter's response.

Mr. Bruguire stated that in the next two (2) years, they needed to pursue getting a pool there for the County and Schools if it could be done within the present budget system.

Mr. Carter briefly noted that he had a face to face conversation with Mr. Larkin about the project and wanting to obtain some of his property and he had said he would get back to the County on it. Mr. Harvey then suggested naming it the Larkin building should the County be able to obtain property from him for this purpose. Members and staff concurred that this would be appropriate in that instance.

V. Adjournment

At 7:29 pm, Ms. Brennan moved to adjourn and Mr. Saunders seconded the motion. There being no further discussion, Supervisors voted unanimously by voice vote to approve the motion and the meeting adjourned.