

June 14, 2011

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 in the Nelson County Courthouse.

Present:

Allen M. Hale, East District Supervisor
Constance Brennan, Central District Supervisor
Joe Dan Johnson, South District Supervisor – Chair
Thomas D. Harvey, North District Supervisor
Stephen A. Carter, County Administrator
Candice W. McGarry, Administrative Assistant/Deputy Clerk
Debra K. McCann, Director of Finance and Human Resources
Linda Staton, Finance Technician II
Susan Rorrer, Director of Information Systems
Andrew Crane, Information Systems Specialist

Absent: Thomas H. Bruguere, Jr. West District Supervisor - Vice Chair

I. Call to Order

Mr. Johnson called the meeting to order at 2:07 pm, with four (4) Supervisors present to establish a quorum and Mr. Bruguere being absent.

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

II. Consent Agenda

Ms. Brennan and Mr. Hale suggested minor changes to the presented sets of minutes for approval and then Mr. Hale moved to approve the consent agenda as amended. Mr. Harvey 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 resolutions were adopted:

- A. Resolution – **R2011- 40** Minutes for Approval

RESOLUTION-R2011-40
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF MEETING MINUTES
(April 12, 2011, April 21, 2011, April 26, 2011, and April 28, 2011)

RESOLVED, by the Nelson County Board of Supervisors that the minutes of said Board's meetings conducted on **April 12, 2011, April 21, 2011, April 26, 2011, and April 28, 2011** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

June 14, 2011

B. Resolution – **R2011- 41** FY10-11 Budget Amendment

**RESOLUTION R2011-41
AMENDMENT OF FISCAL YEAR 2010-2011 BUDGET
NELSON COUNTY, VA
June 14, 2011**

BE IT RESOLVED by the Board of Supervisors of Nelson County that the Fiscal Year 2010-2011 Budget be hereby amended as follows:

I. **Appropriation of Funds (General Fund)**

<u>Amount</u>	<u>Revenue Account</u>	<u>Expenditure Account</u>
\$ 6,564.00	3-100-002404-0060	4-100-081020-3007
\$ 55,000.00	3-100-002404-0040	4-100-091030-5665
<u>\$ 61,564.00</u>		

II. **Transfer of Funds (General Fund)**

<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
\$ 15,000.00	4-100-999000-9901	4-100-011010-3151
\$ 27,000.00	4-100-999000-9901	4-100-012040-3002
\$ 15,000.00	4-100-999000-9901	4-100-033010-6001
<u>\$ 57,000.00</u>		

C. Resolution – **R2011- 42** Designation of JAUNT Annual Meeting Proxy

**RESOLUTION-R2011-42
NELSON COUNTY BOARD OF SUPERVISORS
DESIGNATION OF JAUNT ANNUAL MEETING PROXY**

RESOLVED, by the Nelson County Board of Supervisors that Stephen A. Carter or his designee is hereby appointed as proxy to act and vote all shares of the Nelson County Board of Supervisors at the annual meeting of the shareholders of JAUNT, Inc., a Virginia Public Services Corporation on Wednesday, July 13, 2011 and at any adjournments thereof, upon the election of directors, and, in his discretion, upon such other matters as may properly come before such meetings.

BE IT FURTHER RESOLVED, that this proxy shall be valid until otherwise designated.

D. Resolution – **R2011- 43** 2012 IPR Loan Program Sub-recipient Designation –NCCDF

**RESOLUTION-R2011-43
NELSON COUNTY BOARD OF SUPERVISORS
FY12 INDOOR PLUMBING REHABILITATION (IPR) LOAN PROGRAM FUNDS SUB-
RECIPIENT DESIGNATION**

RESOLVED, by the Nelson County Board of Supervisors that the Nelson County Community Development Foundation continues to be designated the sub-recipient and administrator of the County's

June 14, 2011

allocation of FY12 Indoor Plumbing Rehabilitation (IPR) Loan Program Funds, which provides state and federal funds for the rehabilitation of homes which lack complete indoor plumbing due to inoperable household plumbing facilities, resulting in no source of potable water or a lack of sewage treatment capability.

III. Public Comments and Presentations

A. Public Comments

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

1. Kenneth White, Roseland and VTA President

Mr. White distributed and read aloud the following prepared statement:

Mr. Chairman and members of the Board, my name is Kenneth White, 93 Shields Gap Road, Roseland, and I am President of the Virginia Taxpayers Association. Since the regular monthly meeting of your Board on May 11, 2011, when I commented on the UN's *Agenda 21*, there has been heavy coverage of this subject on a number of broadcasts over Charlottesville's very popular Radio WINA, and some further discussion of the same subject in the *Charlottesville Daily Progress*, and I am confident that many hundreds of Nelson County citizens now know that such a totalitarian blueprint now exists. As you know, Albemarle County Supervisor Kenneth C. Boyd is continuing his campaign for the Albemarle Board to rescind its membership in the UN-backed global organization that advises cities and counties on ways to reduce greenhouse gas emissions. He has been making the point that local governments here are being influenced in their operations by an agenda that is set up by this international organization.

In Virginia, this activity has now extended also from Arlington and Fairfax to Mathews County, where the Board of Supervisors has recently, without answering all questions, taken up international guidelines that are opposed by a number of county citizens there. You now know that the Virginia Taxpayers Association has saved Nelson County citizens a lot of money by pointing to similar higher government pressure from the state government in Richmond and the federal government in Washington to install full body scanners in the new enlarged Nelson County Courthouse. After we in VTA made clear that full body scanners involve dangerous carcinogenic radiation toward not only the persons who go through them but also personnel who operate these toxic machines, Supervisor Constance Brennan, then chairman of the Board, announced publicly that full body scanners will not be used in the new courthouse. This will prevent inevitable lawsuits with all their attorney costs against Nelson County, alleging personal injury to people forced to go through these machines.

You now know that national resistance has mushroomed against Transportation Safety Administration screeners who grope in the underwear of individuals refusing to go through these full body scanners. However, manufactured pressure from higher-up governments continues to insist that everyone be compelled to go through metal detector machines, and the Nelson County Board has unlawfully, without a publicly announced and required public hearing, decided that a walk-through metal detector machine will be placed in the new main entrance to the courthouse, to be manned full time during office hours Monday to Friday by three deputy sheriffs, all at extra and unnecessary costs. The official assumption here is that all citizens of Nelson County can be suspected of being secret "terrorists", which is

June 14, 2011

intolerable in a free society supported by the Virginia and U. S. Constitutions. This comes down from despicable FBI training of local law enforcement officers based originally on propaganda contained in the demonstrably fraudulent *9/11 Commission Report*, to the effect that (QUOTE) "Muslims with boxcutters" (UNQUOTE) were responsible for destruction of World Trade Center towers, which has been massively proved to be false.

VTA has pointed out that walk-through metal detector machines should be used only at entrances to district and circuit courtrooms when these courts are actually in session, to properly protect judges of these courts. This will constitute formal notice to this Board, which is already in violation of your solemn oaths to support the Constitutions of Virginia and the United States, that under no circumstances will I ever assent to going through a walk-through metal detector in order to pay a tax bill, check my property assessments or look over books or computers in the circuit court document room I am confident a number of other Nelsonians also will take the same position.

We again, therefore, demand that your Board withdraw and repeal the unlawful decision to place a walk-through metal detector in the new main entrance to the courthouse, manned by three deputy sheriffs, and provide that metal detectors shall be used only at entrances to district and circuit courts when the courts are actually in session, to properly protect judges of these courts. That concludes my Statement.

B. VDOT Report

Mr. Carter noted the report provided by Mr. Hamilton as follows:

MAINTENANCE
Over the next month, VDOT will focus on the following: <ul style="list-style-type: none">• Customer Service Requests• Preparing Roads for Surface Treatment and Plant Mix Schedules• Addressing Storm Damages from Recent Weather Events• Mowing operations commencing on the secondary system.• Route 617, Rockfish River Road over Ivy Run Creek, closed for bridge superstructure and deck replacement. A signed detour is in place.
CONSTRUCTION
(UPC 76552) Tye River - Build Bridge Rehabilitation, Project 0029-005-C501, B645 <ul style="list-style-type: none">• Northbound and southbound traffic will use the southbound lanes of Route 29 during the bridge rehabilitation. The work zone will be in place through late 2012. Route 29 North (748-653) and Route 29 South (615 to Albemarle Line) <ul style="list-style-type: none">○ Plant mix operations. Alternating lane closures, signage, flaggers and other safety devices will be in use.
TRAFFIC STUDIES/SPECIAL REQUESTS
<ul style="list-style-type: none">• Route 709 – Chapel Hollow Road / Pounding Branch Road 45 MPH Speed Limit signs installed on May 25, 2011 from the southern intersection of Route 151 to 1.53

miles north of the southern intersection of Route 151.

35 MPH Speed Limit signs installed on May 25, 2011 from the northern intersection of Route 151 to 1.10 miles south of the northern intersection of Route 151.

- Route 721 – Greenfield Road

35 MPH Speed Limit signs installed on May 24, 2011 from 0.07 miles east of Route 657 to 1.02 miles east of Route 657, a distance of 0.95 miles.

PROJECT STATUS

- No updates this month

Mr. Johnson asked Mr. Carter to find out what it would cost to post unpaved roads with 35 mph speed limit signs.

Mr. Harvey noted that on Rt. 709, Chapel Hollow Road / Pounding Branch Road, VDOT put the 35 mph speed limit signs on the wrong end of the road and people were complaining. He noted that they should've been placed at the southern end not the northern end.

Mr. Johnson noted having gotten complaints about speeding vehicles in the Arrington Rd and Phoenix Rd. area from Shipman back to the Corner Market, and the speed limit may be too high there. Mr. Harvey noted that he was told that VDOT measures the median speed on a road to set the speed limit, which was State policy or regulation.

Ms. Brennan noted that localities needed to have more control over secondary roads; and asked Mr. Carter to check the possibility of affecting regulations concerning speed limits. Mr. Harvey noted that he was in favor of placing speed limit signs as requested. Mr. Carter noted that all unpaved roads were 35 mph unless otherwise posted and that VDOT had published an ad to this effect. He suggested that an ad could be placed on the website and possibly at trash sites.

Mr. Hale reported that Cove Valley Road had been paved and Mr. Carter noted that Schoolhouse Lane was to be looked at for paving as well.

Mr. Johnson noted that VDOT was adding some shoulder width in the Southern end of the County and that Albemarle County had voted to do the bypass.

Ms. Brennan reported that VDOT was paving the northern part of Rt. 29, and asked Mr. Carter to call them that day to make sure they put reflectors back in there and wherever repaving occurs.

Members also noted seeing a lot of shoulder erosion on Rt. 29 north after the recent storms.

June 14, 2011

IV. New Business/ Unfinished Business

A. Adoption of FY11-12 Budget (R2011-44)

Mr. Carter noted the draft resolution providing approval of the FY12 budget as the Board had crafted.

Ms. McCann then noted that a change had been made to the advertised budget, such that monies related to the school project, \$300,500.00 that were budgeted but would not be used for the project, were now being transferred to the capital fund and put in a reserve account. She then noted that the required public hearing had been held on May 26, 2011.

Mr. Harvey then moved to approve resolution R2011-44 Adoption of FY11-12 Budget and Mr. Hale seconded the motion. Ms. Brennan then noted that she wanted to make it clear that the budget can be amended from time to time.

Supervisors then voted unanimously (4-0) by roll call vote to approve the motion and the following resolution was adopted:

**RESOLUTION 2011-44
NELSON COUNTY BOARD OF SUPERVISORS
ADOPTION OF BUDGET FISCAL YEAR 2011-2012
(JULY 1, 2011-JUNE 30, 2012)
NELSON COUNTY, VIRGINIA**

WHEREAS, pursuant to the applicable provisions of Chapter 25, Budgets, Audits and Reports of Title 15.2 of the Code of Virginia, 1950, the Board of Supervisors of Nelson County, Virginia has prepared a budget for informative and fiscal planning purposes only and has also established tax rates, as applicable, for Fiscal Year 2011-2012 (July 1, 2011-June 30, 2012); and

WHEREAS, the completed Fiscal Year 2011-2012 Budget is an itemized and classified plan of all contemplated expenditures and all estimated revenues and borrowing; and

WHEREAS, the Board of Supervisors has published a synopsis of the budget, given notice of a public hearing in a newspaper having general circulation in Nelson County and, subsequent thereto, convened a public hearing on the Fiscal Year 2011-2012 Budget.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Nelson County, Virginia that the Fiscal Year 2011-2012 Budget be hereby adopted in the total amount (all funds, revenues and expenditures) of \$69,761,340. The individual fund totals are denoted as follows:

<u>Fund</u>	<u>Budget</u>
General	\$ 32,862,782.00
VPA	\$ 1,925,909.00
Debt Service	\$ 3,798,141.00
CDBG	\$ 898,000.00

June 14, 2011

Capital	\$ 900,500.00
School	\$ 24,103,300.00
Textbook	\$ 578,859.00
Piney River (Operations)	\$ 220,314.00
Broadband Project	\$ 2,206,420.00
Courthouse Project	\$ 2,267,115.00

1)The General Fund includes \$17,256,932 in local funding transferred to the Broadband Project Fund (\$16,250), the Debt Service Fund (\$3,516,564), the Courthouse Project Fund (\$20,000), the Piney River Water & Sewer Fund (\$70,000), the Capital Fund (\$300,500 for School Capital Reserve) and the School Fund (\$12,405,418 for general operations, \$215,000 allocated for school nursing, \$296,028 for purchase of school buses and \$417,172 for facility improvement). Includes \$1,925,909 in local, state, and federal funds transferred to the VPA Fund.

2)The CDBG Fund includes \$200,000 transferred to the Broadband Project Fund.

3)The Capital Fund includes \$600,000 transferred to the General Fund.

BE IT LASTLY RESOLVED, that adoption of the Fiscal Year 2011-2012 Budget shall not be deemed to be an appropriation and no expenditures shall be made from said budget until duly appropriated by the Board of Supervisors of Nelson County, Virginia.

B. Appropriation of FY11-12 Budget (R2011-45)

Mr. Harvey moved to approve resolution R2011-45, Appropriation of FY11-12 Budget 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 R2011-45
NELSON COUNTY BOARD OF SUPERVISORS
FISCAL YEAR 2011-2012 APPROPRIATION OF FUNDS**

WHEREAS, the applicable provisions of Chapter 25, Budgets, Audits and Reports of Title 15.2 of the Code of Virginia, 1950 require the appropriation of budgeted funds prior to the availability of funds to be paid out or become available to be paid out for any contemplated expenditure; and

WHEREAS, the Nelson County Board of Supervisors has heretofore approved the Fiscal Year 2011-2012 Budget (July 1, 2011 to June 30, 2012) for the local government of Nelson County and its component units; and

WHEREAS, the Board of Supervisors now proposes to appropriate the funds established in the Fiscal Year 2011-2012 Budget;

NOW, THEREFORE, BE IT RESOLVED by the Nelson County Board of Supervisors that the Fiscal Year 2011-2012 Budget be hereby appropriated on an annual basis by fund category, as follows:

June 14, 2011

<u>Fund</u>	<u>Revenue(s) (All Sources)</u>	<u>Expenditure(s) (All Departments)</u>
General	\$ 32,862,782.00	\$ 32,862,782.00
VPA	\$ 1,925,909.00	\$ 1,925,909.00
Debt Service	\$ 3,798,141.00	\$ 3,798,141.00
CDBG	\$ 898,000.00	\$ 898,000.00
Capital	\$ 900,500.00	\$ 900,500.00
School	\$ 24,103,300.00	\$ 24,103,300.00
Textbook	\$ 578,859.00	\$ 578,859.00
Piney River (Operations)	\$ 220,314.00	\$ 220,314.00
Broadband Project	\$ 2,206,420.00	\$ 2,206,420.00
Courthouse Project	\$ 2,267,115.00	\$ 2,267,115.00
	\$ 69,761,340.00	\$ 69,761,340.00

BE IT FURTHER RESOLVED by the Board of Supervisors that:

1. The General Fund appropriation includes the transfer of \$1,925,909 (4-100-093100-9201) to the VPA Fund (3-150-004105-0001), \$3,516,564 (4-100-093100-9204) to the Debt Service Fund (3-108-004105-0100), \$300,500 (4-100-093100-9110) to the Capital Fund (3-110-004105-0001), \$13,333,618 (4-100-093100-9202/Nursing \$215,000, 4-100-093100-9203/Operations \$12,405,418, 4-100-093100-9205/Buses \$296,028, 4-100-093100-9206/Capital-Major Repair \$417,172) to the School Fund (3-205-004105-0001), \$16,250 (4-100-093100-9114) to the Broadband Project Fund (3-114-004105-0100), \$70,000 (4-100-093100-9207) to the Piney River Water & Sewer Fund (3-501-004105-0001), and \$20,000 (4-100-093100-9209) to the Courthouse Project Fund (3-106-004105-0100). The amounts transferred from the General Fund to the VPA Fund, Debt Service Fund, Capital Fund, School Fund, Piney River Water & Sewer Fund, Broadband Project Fund and Courthouse Project Fund are also included in the total appropriation for each of these funds.
2. The Capital Fund appropriation includes the transfer of \$600,000 (4-110-093100-9100) to the General Fund (3-100-004105-0110). The amount transferred from the Capital Fund are also included in the total appropriation of the General Fund.
3. The CDBG Fund appropriation includes the transfer of \$200,000 (Account 4-503-094710-9114) to the Broadband Project Fund (3-114-004105-0503). The amount transferred from the CDBG Fund are also included in the total appropriation of the Broadband Project Fund.
4. The Textbook Fund appropriation includes the allocation of \$81,256 from the School Fund.
5. The appropriation of funds to the School Fund, Textbook Fund, and VPA Fund shall be in total and not categorically.
6. The appropriation and use of funds within the General, Debt Service, CDBG, Capital, Piney River Water & Sewer, Courthouse Project and Broadband Project funds shall adhere to the amounts prescribed by the Board of Supervisors for each department therein unless otherwise authorized by the Board of Supervisors.

C. Line of Duty Act (LODA) (R2011-46)

Mr. Carter deferred to Ms. McCann in attendance to overview this item.

Ms. McCann noted that the General Assembly has now deferred the cost of LODA coverage to localities, and that the County had the option of going with the state program managed by VRS or obtaining its own coverage to provide these benefits. She reported that currently, the County participated in VACORP for all other insurance and they offered LODA coverage as well. She then referred to the price comparison of rates provided in the Board's packets and noted that the County would achieve significant savings over time with VACORP. She noted that the FY12 difference in cost between the two to be \$5,400. She then recommended that the Board opt out of participating in the VRS program, via the resolution provided and authorize staff to execute an addendum to the VACORP member agreement, to add this coverage.

Ms. Staton, Finance Technician added that this does include health insurance and death benefits for those covered. Ms. Brennan questioned whether or not the health insurance coverage for a surviving spouse would go until age 65 when they became Medicare eligible and Ms. McCann noted that it was likely. Ms. Staton noted that the death benefit was \$100,000 if the deceased was not within three (3) years of retirement and then \$25,000 thereafter.

Ms. McCann reported that VACORP was filing a lawsuit challenging the VRS interpretation of some of the liability that may be incumbent upon former members; however VRS required use of their resolution language in order to opt out. She added that VACORP was recommending use of their cover letter in transmitting the resolution, noting objection of this.

Ms. McCann then noted that if the County remained with VRS, that by FY15, the rates would be \$27,000 more than VACORP's because the smaller localities were opting out, leaving VRS with the high claim localities. She then noted that Nelson County has no claims.

Ms. Staton then reported that the numbers presented take into account the possibility of a claim in the next five (5) years and if no claims occur, the County would get a refund or dividend back from VACORP, whereas the County would not with VRS. She added that VRS was also borrowing against the fund to pay claims and this payback was built into their rates. Additionally, she noted that a portion of funds set aside for possible liabilities in 2006-2011 could come back to the county by dividend and they may reduce rates.

Mr. Hale asked if the County could set up and administer its own fund and Ms. McCann noted that it would be hard for the County to administer this on its own.

Mr. Harvey confirmed that \$24,318 was the premium for FY12 and it was noted that the future premiums were based on projections and may differ based on experience.

Mr. Carter added that the County may be able to opt out from VACORP in the future but would be locked in with VRS if it did not opt out now. Mr. Carter noted that pooled coverage insurance programs have been beneficial so far for the County.

June 14, 2011

Ms. Brennan concluded discussion by noting that VACO has urged VACORP to do this and she thinks it would be a good thing.

Ms. Brennan then moved to adopt resolution R2011-46; Irrevocable Election Not to Participate in Line of Duty Act Fund and Mr. Harvey seconded the motion. Mr. Carter asked that the motion include the authorization to amend the VACORP agreement and members agreed by consensus to do this under a separate 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 R2011-46
NELSON COUNTY BOARD OF SUPERVISORS
IRREVOCABLE ELECTION NOT TO PARTICIPATE IN LINE OF DUTY ACT FUND**

WHEREAS, pursuant to Item 258 of the Appropriations Act, paragraph B, the Virginia General Assembly has established the Line of Duty Act Fund (the “Fund”) for the payment of benefits prescribed by and administered under the Line of Duty Act (Va. Code § 9.1-400 et seq.); and

WHEREAS, for purposes of administration of the Fund, a political subdivision with covered employees (including volunteers pursuant to paragraph B2 of Item 258 of the Appropriations Act) may make an irrevocable election on or before July 1, 2012, to be deemed a non-participating employer fully responsible for self-funding all benefits relating to its past and present covered employees under the Line of Duty Act from its own funds; and

WHEREAS, it is the intent of the County of Nelson to make this irrevocable election to be a non-participating employer with respect to the Fund;

NOW, THEREFORE, BE IT RESOLVED that **effective July 1, 2011**, the County of Nelson hereby elects to be deemed a non-participating employer fully responsible for self-funding all benefits relating to its past and present covered employees under the Line of Duty Act from its own funds; and

BE IT FURTHER RESOLVED that the following entities,

The county sheriff, deputy sheriffs, correctional officers, other law enforcement officers and members of the following volunteer fire departments and volunteer rescue squads are hereby recognized as an integral part of the official safety program of the county, pursuant to Section 2.1-133.5 et seq., of the Code of Virginia of 1950 as amended:

Roseland Rescue Squad, Inc.	Wintergreen Volunteer Rescue Squad, Inc.
Nelson County Rescue Squad, Inc.	Wintergreen Volunteer Fire Department, Inc
Gladstone Rescue Squad, Inc.	Rockfish Valley Volunteer Fire Department, Inc.
Gladstone Volunteer Fire Department	Piney River Volunteer Firemen’s Association
Faber Volunteer Fire Department	
Montebello Fire and Emergency Services, Inc.	
Nelson County Volunteer Firemen’s Association (Lovingston Fire Department)	

to the best of the knowledge of the Nelson County Board of Supervisors constitute the population of its past and present covered employees under the Line of Duty Act; and

June 14, 2011

BE IT FURTHER RESOLVED that, as a non-participating employer, the County of Nelson agrees that it will be responsible for, and reimburse the State Comptroller for, all Line of Duty the State Comptroller on behalf of the County of Nelson on or after July 1, 2010; and

BE IT FURTHER RESOLVED that, as a non-participating employer, the County of Nelson agrees that it will reimburse the State Comptroller an amount representing reasonable costs incurred and associated, directly and indirectly, with the administration, management and investment of the Fund; and

BE IT LASTLY RESOLVED that the County of Nelson shall reimburse the State Comptroller on no more than a monthly basis from documentation provided to it from the State Comptroller.

Ms. Brennan then moved that staff modify the current agreement with VACORP to provide LODA coverage and Mr. Harvey seconded the motion. There being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion.

D. Region 2000 Water Supply Plan Schedule

Mr. Carter noted that staff had received information from Draper Aden Associates (DAA) and Region 2000 regarding the schedule for adoption of the water supply plan. He added that DEQ has approved the plan and now the proposal was to have the Board's public hearing at its second august meeting; however prior to that DAA could come and brief the Board and the public on the plan. He noted that there were provisions in the plan to enact a Draught Ordinance which was a mandatory obligation of the water supply plans. He then noted that he would distribute the full plan to the Board on a disk.

Mr. Hale noted that the Board will need to study this carefully.

Mr. Johnson suggested that the Board address provisions limiting watering athletic fields with non-potable water, the impact on things related to the Chesapeake Bay, increasing wetlands, and things related to spraying.

Mr. Carter suggested taking a wait and see approach on things related to the Chesapeake Bay as these were to be determined. He then suggested that they advertise the public hearing, distribute information, and possibly have DAA come to brief the Board prior to the public hearing.

Upon conclusion of this item no action was taken by the Board.

E. Board Retreat

Mr. Carter inquired if the Board wanted to assign members to work on the retreat with staff and the consensus was that Mr. Harvey and Mr. Johnson were the logical ones to help organize the retreat.

It was noted that July 8th and 9th were the dates set and that the details needed to be worked out. Members discussed arriving on Friday afternoon and having a work session Friday night. It was noted that there was a store nearby that could cater a lunch. They then discussed going out for dinner on Friday night and heading home on Saturday evening or Sunday. It was noted that the agenda would be worked out with staff.

V. Reports, Appointments, Directives, and Correspondence

A. Reports

1. County Administrator's Report

A. Courthouse/Government Center Project: The project is moving to completion. Blair Construction stated at the May 26th construction meeting that they project a mid-July (substantial) completion date for the courthouse addition. This excludes renovation of the Jefferson Building and the second floor bridge between the east and west wings of the (existing) Courthouse. Blair is also in process with replacement of the entire raised floor system in the Emergency Communications office. Testing and room turnover to the County (equipment, communications, etc.) is in process. New furniture is to be delivered for the entire facility at the end of June. County staff is working diligently to coordinate systems installation and integration (E911, radio communications, networking, etc.), which is a complex set of tasks. Relocation of the offices that will occupy the new facility is in the planning and coordination phase. If Blair is able to turn the new facility over to the County by mid-July then staff's goal is to fully occupy the building by mid-August and not later than September 1 (i.e. as soon as possible). The Board's input is requested regarding a ribbon cutting ceremony (planning for the event might be assigned to the project committee).

Mr. Carter noted that staff needed to work with the Board committee on the table for meeting in the courtroom and that Mr. Campbell; the furniture provider could be involved. Mr. Hale suggested that Mr. Campbell give them a sketched layout for tables etc. and that he would recommend their preference to have the Board in a semicircular configuration with staff at a table to one side and the press at a table on the other side. He suggested that the layout include a place for where the podium and the A/V screen would be. He added that Lunenburg was a model to look at. Mr. Carter noted that the A/V aspects of the room were in state of flux. He noted that W&W was not successful in coordinating this and that Smarter Interiors had connections in Richmond that might be able to help. Mr. Johnson noted that he had connections in Charlottesville for this also. Mr. Carter noted the difficulty in trying to situate the screen so that the Board and the public could see. Mr. Johnson suggested that they could look at having two projectors.

Mr. Hale then inquired as to how long the tower construction would delay completion of the parking lots and entrance and Ms. Rorrer noted that they were starting on site that day and should be done in a week; with the shelter to be in place shortly thereafter. She added that she would check and see how long it will be. Mr. Hale suggested that they could plan the opening ceremony when this is known.

Ms. Brennan inquired as to what kind of fencing would go around the tower and Ms. Rorrer noted that she thought it would be chain link and that the landscaping has been a moving target. She noted that the site was fairly tight and that they could make these decisions based on the final configuration. Ms. Brennan noted that she would like to be involved in this.

B. Broadband Project: Proposals and/or sealed bids have been received and are being evaluated by the Broadband Committees' subcommittee, county staff and Icon Engineering for 1) Network Operation(s), 2) Outside Plant Construction (installation of the fiber optic cable, overhead and underground) and 3) Fiber Optic Cable purchase (144 and 288 count; the 288 count is for a specified amount to be installed in the Lovingson area with a decision pending on purchasing 288 count entirely

June 14, 2011

i.e. project cost considerations). Each of these project elements are near a final decision. However, one of the companies (FiberLight, LLC) responding to the Network Operations RFP has submitted an alternate proposal to partner with the County and the NCBA for all of the projects elements (design, construction, operation and services). FiberLight's proposal was distributed on 6-9 to the project team denoted herein with an ensuing meeting scheduled for June 15th to review and, if possible, decide on next overall steps. Work is also in process to finalize agreements with CVEC (tower co-locations and make ready construction, which entails re-constructing CVEC's infrastructure to accommodate fiber optic cable installation) and VDOT (underground fiber cable installation in the road right of ways). The schedule for project completion has slipped somewhat to the September-October (approximate) time period and is much predicated on purchase of fiber optic cable, which is currently in a long delivery cycle due to supply shortages worldwide. Tower acquisition is in process albeit a final Massie Mill location is pending. Budgetary allowances are not a present concern albeit infusion of additional local funding may be either necessary or a consideration to provide for project enhancements (i.e. 288 count fiber).

Mr. Carter reported that FiberLight was to respond to questions from the subcommittee by the next day and he added that this prospect had dimmed somewhat.

He then noted that there was high demand for fiber in the marketplace right now and that the low bidder had a turnaround time of 4 weeks. He added that the County would have the option to increase the fiber count after the next week if the Board decided to change this.

Ms. Brennan then inquired as to whether or not FiberLight wanted to be a Service Provider and Mr. Carter noted that their primary goal was to be a carrier with control of all of the fiber. He added that there was no closure on the specifics of their proposal as it was very broad. He noted that the subcommittee has asked for specific responses and that they were now in Charlottesville and wanted to come south. He added that they had offices in DC and may be headquartered in Georgia.

C. Local Innovation Grant-Broadband (CDBG): County staff met on June 9 with staff of VA-DHCD to complete a final pre-contract review of grant responsibilities incumbent upon the County to complete as requisite conditions for issuance of a project contract. The review was successful with minor follow up necessary and issuance of a grant contract by DHCD anticipated the week of June 13, which will provide the County with \$200,000 in additional grant funding for the Broadband Project.

D. Blue Ridge Medical Center – CDBG Project: In process.

E. Blue Ridge Tunnel & Blue Ridge Railway Projects: (Tunnel) – Woolpert, Inc. has completed and submitted a project summary memo and a power point presentation on the project. Each has been distributed to the Board for review. Staff is working on acquisition of an easement for the eastern trailhead (Nelson County side). It is anticipated that the deed will be completed and submitted to the property owner in the ensuing two weeks. The County was not successful in securing a second 210-11 grant from VA-DCR for use in acquiring a trail easement on the west side of the Tunnel. **(Railway Trail)** – Initiation of the 2010 TEP grant funded project (renovation of the train depot and rail line resources) is in the very initial stage of development.

June 14, 2011

E. Have funding to proceed, need concurrence from the property owner. Deed Instruments are being developed.

Should have final design and construction documents by early fall and may see funding come our way then.

F. Region 2000 Water Supply Plan – The project’s final “Briefing Package has been received from R2K Local Government Council and Draper Aden Associates and distributed to the Board for review. A CD of the final regional plan (all elements) has been requested from DAA and copies will be distributed to the Board upon receipt. The schedule for conducting the County’s public hearings to enable final approval consideration of the plan and an associated drought ordinance has been moved to the August 25th regular session. R2KLG and DAA staff will attend the meeting on 8-25 and are available (DAA staff) to brief the Board, if so requested, at a regular session prior to the 8-25 meeting.

G. Tower(s) and Microwave (PSIC) Project: **1) Courthouse** - Construction of the tower at the Courthouse complex began on 4-11 but was delayed due to lack of depth for the structure’s foundation. A change order has been received to address this situation with work anticipated to resume on the tower’s construction the week of 6-13 and require up to six weeks for completion. **2) Devils Knob** – Only one proposal to the County’s RFP for construction of the Devils Knob Tower was received on 5-12. As such, the RFP will be re-advertised the week of 6-13 for the minimum ten days required by law. Thereafter, County staff will proceed with negotiations with respondent companies, even if only one response is again received. **3) Micro-wave** - Completion of the microwave project will follow the installation of the herein referenced towers.

Mr. Carter noted one proposal was received for the tower at Devil’s Knob at a cost of \$300,000. He added that the County was going back out to bid and then if only one proposal was received again, the County would work with that one. He noted that they had allowed 10 days for responses per the code. Ms. Rorrer added that they should be under contract by early July.

Mr. Carter reported that on the Micro-wave system, they had targeted August to begin installation. He added that the towers at Sugarloaf, High Top, and the courthouse should be ready but that they may have to accommodate a delay in the Devils Knob tower.

Mr. Carter then noted that staff would develop a plan for implementing the radio project after July 1st. He noted that he had met with Congressman Hurt’s Representative who told him that earmarks were now off the table and the County probably would not get any funding from them.

H. FY 10-11 and FY 11-12 Budgets: – The Fiscal Year 10-11 Budget is proceeding to conclusion on 6-30. Preliminary YTD analysis is indicative of the fiscal year concluding successfully (i.e. in balance) and providing for projected carry over funding include in the FY 11-12 Budget, which is scheduled for approval on 6-14. A summary of revenues and expenditures through May 2011 is included in the Department of Finance and HR’s monthly report.

Ms. McCann added that staff was watching the revenues closely and the budget report provided was through the end of May and did not reflect the large collections in June. She added that she thought that the County was probably ahead of last year. She added that the tax bills went out late due to a lag in

June 14, 2011

including the decals; which the billing company did not tell the Treasurer's Office about; which may mean a collection lag.

Mr. Hale noted that in light of this, he would like to see the citizens have more time to pay their taxes. It was noted that the collection deadline was the same.

Mr. Johnson noted that all of the Treasurer's candidates were in favor of modernization and bank drafting so citizens were not paying twice a year but more often.

I. Nelson Memorial Library HVAC Project: Engineering and construction services were retained using the small purchases procedure approved by the Board in May. The expense of both services is approximately 4/5s (\$40,000) of the amount (\$50,000) authorized by the Board. The low bid contractor (Moore's) will begin the project (per the request of local and regional library staff) in August and require approximately 3 weeks to complete the building's HVAC systems.

Mr. Harvey suggested that if anything were to happen, staff needed to move in the contractor to do the work. Mr. Carter noted that he had advised the Director accordingly and Ms. McCann noted that the budgeted funds for this may be carried over if they were not paid out in this fiscal year now.

J. DSS Office Renovation: Bid quotations were also received for minor renovation of the DSS office building. The objective of the project, which was requested by DSS staff with design by County staff, is to provide a more secure environment for public access to the facility, inclusive of internal work areas. The project's expense, which is being paid from DSS funds, is less than \$10,000.

Mr. Johnson described the changes to be made to the entryway and reception area.

K. Health Department Building: The Board's Courthouse Committee met with staff on May 25 to continue planning work on the proposed renovation of the "Health Department Building". Staff has also conferred with VDH and VA-DGS (Department of General Services) staff on committee questions regarding space requirements and associated state funding. While the information provided by state personnel was not conclusive it does provide for an ensuing meeting of the committee to work towards a final recommendation to the full Board.

Mr. Carter noted that they had been looking at the VDH OSQ closely and that staff may need another meeting with the building committee and Dr. Peake. He noted that he had spoken with the State representative; who could not say what they would do if they did not get the space they wanted. He added that Dr. Peake has been very responsive to questions and willing to work with Mr. Vaughn and the committee and that she probably had some influence with the state.

Introduced:

L. Redistricting Plan: Mr. Carter noted that the Justice Department had given its blessing of the County's redistricting plan.

Mr. Johnson added that the Registrar was working on adjustments to accommodate the split in precincts created by the new House Districts. Ms. Rorrer noted that the proposed plan followed the County's

June 14, 2011

newly drawn lines, but she was not sure what the new plan would result in. She added that if they used old lines to do theirs, there may be discrepancies; and that staff would need to research this.

Members and staff discussed not wanting split precincts and suggested that this be a top priority to see how these matched up. It was suggested that the Registrar look at what was out there now on the new boundaries. Mr. Hale inquired as to whether or not a map of the new district lines could be provided; with Ms. Rorrer affirming that it could.

M. Sweetbriar Sports Complex: Mr. Carter noted that Sweetbriar staff invited the Board to come tour their facility anytime.

2. Board Reports

Mr. Hale reported the following:

1. He is following the Blue Ridge Tunnel project and noted that as soon as the County can obtain easements, he hoped that the County could do something on the East end to take care of the safety of the entrance itself and take care of the drainage issue. He noted that he thought that the County could take these issues on locally. He added that he had spoken to Jacobs, the tunnel structural engineering consultants and they were positive as to how the County could incrementally make the tunnel a public feature of the county. He noted that it could take years to obtain the funding to do the whole project.

Ms. Brennan inquired as to there being any publicity about the Tunnel Foundation and Mr. Hale noted that Board members were being recruited and the County was waiting to get the final design plans and easements in order to market it. He added that he had spoken to the head of the Buckingham Branch Railway and they noted that they were interested in the project but did not want to serve on the Board. Mr. Johnson suggested that the Board should look at making the tunnel more cell phone friendly via wireless in order to enhance its attractiveness.

2. Suggested that the Board needed to work out the conclusion as to where VDH was going to go.

Ms. Brennan reported the following:

1. JABA had a new enterprise project to bring in more revenue which was the conversion of an area of their building into a childcare center. She noted that they were already successfully doing this in Louisa County. She noted that she would like to see an inter-generational program at the Nelson Center. She then reported that the JABA CEO, Gordon Walker would be retiring in 1.5 years. She added that JABA revenues were down a little bit and the demand for services was increasing.

Mr. Hale inquired as to why JABA was expanding into other businesses and Ms. Brennan noted that they were providing the highest quality services for seniors and inter-generational activity was part of that. She added that all of their businesses were elder related and that JABA LLC did the enterprise side; where projects went through an arduous evaluation process. She added that the non-profit side provided oversight for the for-profit side.

2. Attended TJCCB session and noted that Anthony Martin had attended also. She noted they did a presentation on evidence based pretrial to save money; where they evaluate someone when they come

June 14, 2011

into the Magistrates office to see if they need to go to jail immediately or not. She added that they look at several parameters to gauge this.

3. Reported on the Planning Commission meeting and noted that she had some comments on Fred's comments on the Tower Ordinance.

4. Attended TJPDC meeting at which the Director, Steve Williams's contract was extended.

5. Attended Piedmont Sustainable Woods meeting, and noted that they were looking at protecting forests, helping loggers manage forests, and using wood to produce high quality products.

Mr. Harvey reported that the Rockfish Seniors were now located at the Rockfish Firehouse and things were going very well. He added that the two churches provided food and he was not sure what they were doing at the other times.

Mr. Johnson reported that the DSS services side continued to rise in state rankings and was now third in the state and first in the region, which was a complete flip from three years ago.

B. Appointments

Ag Forestal District Advisory Committee:

Ms. McGarry reported that the Ag Forestal District Advisory Committee terms were expiring and that letters had been sent out to incumbents. She noted that Mr. Eddie Embrey had indicated that he did not seek reappointment and that Ms. Bo Holland and Ms. Barbara Barton had not sent in a response. She noted that one application had been received from Billy Newman, who worked as a forestry consultant.

Ms. Brennan then moved to reappoint all of the incumbents and appoint Mr. Billy Newman, the new applicant to the Ag Forestal District Advisory Committee 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 appointments.

Nelson County Economic Development Authority:

Ms. McGarry noted that there were two seats expiring, one being that of P. Erwin Berry, III and the other being that of John Bruguere. Ms. McGarry noted that Mr. Berry was not seeking reappointment since he was moving to Waynesboro and Mr. Bruguere had indicated he would like to be reappointed. She then noted that no new applications had been received.

Ms. Brennan then moved to reappoint Mr. John Bruguere to the EDA and Mr. Harvey seconded the motion. There being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion and the appointment. Members then discussed looking at the make-up of the EDA to see what is needed in terms of membership.

Nelson County Library Advisory Committee:

June 14, 2011

Ms. McGarry noted that the Central District seat on the Library Advisory Committee was expiring and that Ms. Jane Strauss was seeking reappointment. She noted that no new applications had been received. Mr. Hale then moved to reappoint Ms. Jane Strauss as the Central District representative on the Library Advisory Committee and Mr. Harvey seconded the motion. There being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion and the appointment.

Nelson County Social Services Board:

Ms. McGarry reported that the South District seat on the DSS Board was expiring and the incumbent, Mr. Curtis Truesdale had served the limit of two terms. She then noted that an application had been received from Mr. Joe Williamson, who had been in special education in the schools. Mr. Johnson confirmed this and noted that he may now be the homebound education coordinator.

Ms. Brennan then Moved to appoint Mr. Joe Williamson to the DSS Board and Mr. Harvey seconded the motion. There being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion and the appointment.

Thomas Jefferson Community Criminal Justice Board:

Ms. McGarry reported that Mr. James E. Hall was finishing his second term as the representative of this Board and that no applications had been received. She noted that the code allowed that the citizen representative term was three years, with a two consecutive term limit unless no other person meets the criteria for the position. She noted that Mr. Hall has indicated that he would continue to serve at the pleasure of the Board.

After brief discussion regarding procedure, Members agreed by consensus to leave Mr. Hall in place until a suitable appointment could be made and no action was taken.

Ms. McGarry then noted the existing vacancy on the JAUNT Board that continues to be advertised.

C. Correspondence

Mr. Hale referenced the correspondence from the Department of Justice noting no preliminary objections to the County's redistricting plan and pointed out the wording of the disclaimer that was included. He then noted that the correspondence regarding the status of the Verizon litigation was incomprehensible.

Mr. Johnson reported correspondence from the US Department of Interior, inviting the Board to a ceremony to be held on June 25th at Big Meadows for the 75th Anniversary celebration.

Mr. Johnson inquired as to whether or not the VRS rates were in line and Ms. McCann noted that they were indeed the same.

Mr. Johnson noted correspondence from the Chesapeake Bay Advisory Committee asking for comments. He then read locations of the Governors appointees and pointed out that there was no one from the interior of the state.

June 14, 2011

Mr. Johnson noted that he was dealing with Verizon on several issues and would bring a few matters back to their lawyers and the legislators.

Mr. Johnson noted having received a letter that stated that the demographic profile of the general population for 2010 was now online. He suggested that the Board look at this prior to the retreat in July.

Mr. Johnson noted that people can get a new Library card until the end of the month for free and after that it will cost \$1.

Mr. Johnson noted having received a letter from the USDA regarding the comment period for the draft Environmental Assessment related to the revised land use plan for the George Washington National Forest.

D. Directives

Mr. Harvey noted that he thought it was worth mentioning all of the good things listed in the paper about the student, Kirsten Ellis, who was killed in the recent car accident and what a tragedy that was. Mr. Johnson added Mr. Belcher's recent comments regarding her having been a good person.

Ms. Brennan had the following directives:

1. Inquired as to the status of the noise meter, noting that Mr. Adell had sent out a letter to everyone on their petitions about the Festy ; which said nice things about the County and that Steve Crandall was trying to resolve the issues. She noted that the letter mentioned that she was having it fixed.

Mr. Carter noted that it has been fixed and calibrated, but that he was not sure about the training. Mr. Harvey and Mr. Carter both noted that it was virtually impossible to violate the noise ordinance.

2. Inquired about the article regarding reporting animal incidents and Mr. Carter noted that staff was working with Ray on the article for the paper.

3. Inquired as to the resolution of the Dispatch issues and Mr. Carter noted that the Committee was working on this.

Mr. Hale noted that a current home business called Wildlife Rehab Center toward Schuyler wanted to expand and they were currently looking at a piece of property in the County to run a similar type of operation as Waynesboro's. He noted that they would not have medical facilities, but in order for them to proceed, they will need to get an SUP and there is currently no definition provided for this in the current Zoning Ordinance. He noted that they have proposed one, and that the procedure would be to refer to this to the Planning Commission for consideration.

Mr. Hale then moved to send the proposed definition of a Wildlife Rehabilitation Center to the Planning Commission for consideration and Ms. Brennan seconded the motion.

Mr. Hale then read aloud the following proposed definition:

June 14, 2011

A Wildlife Rehabilitation Center exists for the purpose of the care, rehabilitation, and release of orphaned and injured Virginia native wildlife. Wildlife rehabilitation centers are regulated by the Federal Fish and Wildlife Department, the Virginia Department of Game and Inland Fisheries, and the National Wildlife Rehabilitation Association. A wildlife rehabilitation center must be supervised by a wildlife rehabilitator with valid permits from the Virginia Department of Game and Inland Fisheries and the Federal Department of Fish and Wildlife. Wildlife rehabilitation centers are inspected by the Virginia Department of Game and Inland Fisheries as a condition of obtaining a permit. Finally, a separate Federal permit is required for the care of migratory birds and birds used for education purposes.

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

Mr. Johnson reported that the NCHS graduation went off nicely and that the new High School principal had been named and he was from Louisa County. Members noted how nice the grounds looked from Route 29 over the weekend. Ms. Brennan suggested that the Board send a letter to Ms. Wardlaw upon her retirement.

Mr. Harvey noted that he would like to be updated by Ray Uttaro on the status of dispatch employees.

Prior to adjournment, the Board considered other business introduced as follows:

1. James River State Park Resolution

Mr. Carter noted that he had received a request for the passage of a resolution celebrating the 75th anniversary of Virginia State Parks and designating June 18th as James River State Park Day. He noted the draft resolution was distributed to the Board for consideration.

Mr. Hale then moved to approve resolution R2011-48, A Resolution of Congratulations on the 75th Anniversary of Virginia State Parks and James River State Park. Ms. Brennan 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 R2011-48
NELSON COUNTY BOARD OF SUPERVISORS
A RESOLUTION OF CONGRATULATIONS ON THE
75TH ANNIVERSARY OF
VIRGINIA STATE PARKS AND JAMES RIVER STATE PARK**

WHEREAS, James River State Park, named because three miles of the park boundary front on the middle James River remaining the focal point of cultural and natural interpretation; and

WHEREAS, James River State Park makes up 1,557 acres with the original 849 acres purchased from Douglas Branch in 1993 to spur economic development; and

WHEREAS, Virginia was the first state to open six state parks simultaneously on June 15, 1936, with James River State Park being the 32nd park dedicated on June 20, 1999; and

June 14, 2011

WHEREAS, Virginia's State Park's have been recognized nationally as the best managed park systems in the country; and

WHEREAS, James River State Park features panoramic views, fishing, hiking, biking, and equestrian trails, picnicking, cabins, camping, boating, educational, environmental and historic interpretive programs, along with a multitude of programming including: the Summer Festival, the Fall Festival and Haunted Wagon Ride and a venue for outdoor recreation and weddings; and

WHEREAS, James River State Park draws visitors from far and wide thus contributing to the economical and recreational opportunities for Buckingham County, the Town of Wingina, the Town of Appomattox, and the Town of Farmville; and

WHEREAS, James River State Park allows individuals to reconnect with nature, an essential part of a healthy lifestyle, by providing a tonic for the mind, body, and spirit; and

WHEREAS, James River State Park shares hands-on learning through Standards of Learning-based environmental education programs enhancing comprehension for thousands of students annually.

NOW, THEREFORE, BE IT RESOLVED, the Nelson County Board of Supervisors hereby congratulates Virginia State Parks and James River State Park on the occasion of its 75th Anniversary and extends best wishes for many years to come.

BE IT FURTHER RESOLVED, Saturday June 18, 2011 is designated as "James River State Park Day" in the County of Nelson.

Mr. Johnson inquired as to whether any members could attend and Ms. Brennan indicated that she would attend and present the Board's resolution.

2. Gladstone Rescue Squad

Mr. Carter noted that no response had been received from the Gladstone Rescue Squad on the Board's request for information. He then noted that there were two steps to be considered in the process and the proposed resolution established a deadline for the order to be complied with and if not, authorized the County Attorney to obtain an order from the Circuit Court. Members discussed the deadline for compliance to be inserted into the draft resolution and agreed by consensus to use a deadline of June 22, 2011

Mr. Harvey then moved to approve resolution R2011-47; inserting a June 22, 2011 deadline and Ms. Brennan seconded the motion.

Members discussed that the reason the EMS Council did not deal with this was because the County funds flowed through them from the County and that the County had a legal ability to do it. Mr. Hale indicated that while he agreed in principle, he did not want to spend a lot of money on it.

There being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion and the following resolution was adopted:

June 14, 2011

**RESOLUTION R2011-47
NELSON COUNTY BOARD OF SUPERVISORS
ORDER OF GLADSTONE RESCUE SQUAD
TO PRODUCE FINANCIAL RECORDS**

WHEREAS, a request was made by this Board to the Gladstone Rescue Squad for the delivery of certain papers to the County Administrator;

WHEREAS, the papers have not been delivered by the date established; and,

WHEREAS, this Board may order such papers pursuant to Section 15.2-1409 of the Code of Virginia.

NOW, THEREFORE, BE IT RESOLVED, that the Nelson County Board of Supervisors orders Gladstone Rescue Squad to produce in the office of the County Administrator on or before June 22, 2011 all financial records, including but not limited to, checking account registers and statements, ledgers, contribution and income logs, and invoices, and the minutes of Squad meetings, for the period beginning January 1, 2006 through the date of delivery.

BE IT FURTHER RESOLVED, that in the event the Gladstone Rescue Squad should fail to honor the foregoing order in any respect, then the County Attorney is directed to seek a subpoena duces tecum for the papers from the Circuit Court.

The Clerk is directed to mail by certified mail, return receipt requested, a certified copy of this resolution to each the President and Treasurer of the Gladstone Rescue Squad.

3. Broadband Project

Mr. Carter reported that ICON Engineering has developed several scenarios to be discussed regarding the use of underground or aerial fiber deployment as well as 144 vs 288 count fiber. He stated the Board may need to read the information and meet again either before next Thursday or decide on Thursday. He added that because lead times on getting fiber have been increasing, ICON has advised the County to order 144 ct fiber which could be changed to 288 ct if the Board decided to do so.

Mr. Carter then noted the scenarios presented as follows:

Scenario # 1A&1B =Base Case	Scenario # 2A&2B =Expanded UG	Scenario #3A & 3B =Case III
This was the original design with an added calculation for using 288 count fiber instead of 144. This scenario envisioned an 80% aerial and 20% underground deployment using 1 1/4" and 2 1/2"	This scenario expanded the underground to approximately 45% and decreased the aerial to approximately 55%. The underground remains buried at 36". This scenario reflects the decrease in Make Ready	This scenario has all of HWY 29 underground which changes the aerial to 30% and the underground to 70%. The underground remains buried at 36" depth but is all 2 1/2" conduit. This scenario reflects

<p>conduit buried at 36". Scenario #1 includes both 144 count and 288 count fiber cases. <i>Given the costs for Make Ready construction and the preference for deploying more of the plant underground, the subcommittee did not recommend either.</i></p>	<p>Construction due to decreasing the number of CVEC poles affected. 144 and 288 count are both included. <i>2A is recommended as the second consideration.</i></p>	<p>a further decrease in the Make Ready Construction due to decreasing the number of affected CVEC poles further. 144 and 288 count are both included. <i>3A is recommended as the first consideration and 3B as the third.</i></p>
---	--	--

Mr. Carter noted that in scenario 1A, the original plan, the make ready costs were high and could not be negotiated down any more. He noted that this cost had prompted ICON and staff to re-look at the cost differential between aerial and underground installation. He then noted that the Scenario 2A, Expanded Underground deployment, would cost an additional \$88,270 including a 10% contingency and Scenario 3A and 3B would be an additional cost of \$305,748 and \$569,761 respectively, both including a 10% contingency.

Mr. Johnson asked about the costs of fiber per foot, and Mr. Carter noted that he had the bid matrix and would provide this.

Members and staff discussed the enabling of connections and what count of fiber was needed. It was noted that NCBA in conjunction with the consultant and Network Operator would make connection decisions and that 144 count should be sufficient for the County's needs for a while. Staff noted that in discussing these scenarios with ICON, using a larger conduit would enable the County to either pull more fiber in the future or lease conduit space as a revenue source. Staff also noted that for this reason, Mr. Bowers thought it more important to use a larger conduit than a higher fiber count. Members and staff also discussed the possibility that by the time more fiber was needed, there would be sufficient revenue and/or capital reserve to be able to pay for more fiber.

Staff then discussed the options presented, noting that the more underground fiber that was used, the lower the make ready costs. It was noted by staff that it might behoove the County to invest funds in its own infrastructure rather than that of CVEC by doing more of the fiber underground. It was noted that Option 3A was the first choice of the subcommittee, with 2A being the second, and 3B the third. The pros and cons of option 3A as presented by ICON were discussed as follows:

Case 3A: Highway 29 in 2 1/2" conduit, all 144 count fiber

Pros

- Highway 29 is the most likely route for long haul fiber connections between Charlottesville and Lynchburg.

June 14, 2011

- 2-1/2 inch conduit would allow additional fiber from other providers without the necessity for them to permit and build an entire additional project within the County. *This is revenue positive either from leasing dark fiber to others or by leasing conduit space for their fiber to be placed in the Nelson conduit.*
- 144 count fiber meets the needs of the NCBA for the foreseeable future1.
- If additional fiber for Nelson County is required in the future, areas with conduit only requires paying the labor and materials to place and connect the new fiber within the existing conduit. The expense to pull or blow the fiber into this conduit would be considerably less than burying additional fiber.

Cons

- Although the flexibility is higher than for the original project, the cost exceeds the original budget including additional CDBG funds by approximately **\$26,842** excluding 10% contingency funds.

Ms. McGarry then noted that the unit price quotes received from the low bidder for 144 ct and 288 ct fiber were \$0.985 and \$1.749 respectively, with it being noted that the cost of 288 ct was almost double the cost of the 144 ct. The Board then agreed by consensus to purchase 144 ct. fiber.

Members and Staff then discussed getting pricing on an all underground fiber option and proceeded to discuss long term maintenance differences between aerial and underground deployment. It was agreed upon that in terms of maintenance, underground fiber would require less over time.

Mr. Harvey and Mr. Hale agreed that scenario 3A, doing all underground fiber on Hwy 29 using 144 ct fiber and 2 1/2 inch conduit was the optimum solution and Mr. Carter noted that the County had the funds if the Board decided to go with this option. Mr. Johnson noted that this option would provide more opportunity for redundancy with other providers.

The Board agreed by consensus that they wanted to proceed with option 3A, but also wanted to price all underground fiber, and then look at a way to recover the investment.

4. Closed Session:

Mr. Carter noted that motions had been prepared for the Board to go into closed session to discuss a personnel matter involving the County Attorney if the Board was so inclined.

Mr. Harvey then moved that the Nelson County Board of Supervisors convene in closed session to discuss the following as permitted by Virginia Code, Section 2.2-3711(A) (1): discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body.

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

June 14, 2011

Members conducted the closed session and upon its conclusion, Mr. Hale moved to reconvene in public session and Mr. Harvey seconded the motion. There being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion and lawfully reconvene in public session

Upon reconvening in public session, Mr. Hale moved that the Nelson County Board of Supervisors certify that, in the closed session just concluded, nothing was discussed except the matter or matters specifically identified in the motion to convene in closed session and lawfully permitted to be discussed under the provisions of the Virginia Freedom of Information Act cited in that motion. Ms. Brennan seconded the motion and there being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion and lawfully certify the closed session

Following certification of the closed session, no action was taken by the Board.

VI. Adjournment

At 5:45 PM, Ms. Brennan moved to adjourn and reconvene at 7:00 PM. There was no second recorded and Supervisors voted unanimously by voice vote to approve the motion.

EVENING SESSION

7:00 P.M. – NELSON COUNTY COURTHOUSE

I. Call to Order

Mr. Johnson called the meeting to order at 7:00 PM, with four (4) Supervisors present to establish a quorum, Mr. Bruguere being absent, and Ms. Wanda Staton filling in as Deputy Clerk in Ms. McGarry's absence.

II. Public Hearings & Presentations

- A. **Public Hearing** – Proposed Ordinance to Repeal and Reenact Article 20 (Tower Ordinance of Appendix A. Zoning, of the Code of Nelson County, Virginia, 1989, As Amended. **(O2011-03)**)

Mr. Johnson asked Mr. Boger to present the staff report. Mr. Boger then stated that nothing had changed since the last meeting. He stated that Ms. Schweller would speak on the ordinance and that she was part of the committee that developed the first draft that was submitted to the Planning Commission. Mr. Johnson asked Mr. Boger to go over the major changes. Mr. Boger reported that the major changes included the following:

Section 20-4 This Section was updated to add new definitions that have been identified over the past years and for broadband facilities.

The height of Class I, II, and III towers has been revised. The maximum height of the Class I Tower was increased from 80 feet to 85 feet, whereas, the Committee recommended a height of 90 feet. A Class II Tower height was increased from 95 feet to 130 feet. Towers that will be higher than 130 feet

would be Class III Towers requiring a Special Use Permit from the Board of Supervisors. **Mr. Boger stated that as written, there are safeguards in the Ordinance that limit the height of the Tower. (i) 10 feet above the tree line; (ii) if the tower is designed for collocation, the height is limited for only those antennas that will be made operational upon completion of construction. When additional providers want to collocate on the Tower, the height can then be increased. If these safeguards remain, then the Class II Tower could be eliminated and all towers 130 feet or less could be administratively approved. This would significantly reduce the time period for approval of towers higher than 85 feet.**

Section 20-5-5 Multiple Towers: Requiring a 200 foot separation between towers will have a significant impact on Wintergreen which is trying to cluster the towers in several areas of the resort. Also, there are other sites in the County with cluster towers (3 or more towers). Clustering communication towers has been shown to work, provided the antennas are 10 feet above the tree height. A 200 foot separation between towers will have a greater impact on the adjacent area by spreading out the visual encroachment over a larger area. Our recommendation is to delete this section from the ordinance.

Section 20-5-4 Plans and Drawings: The majority of the information required in this section is less than what is required for a major site plan. The average height of trees used to establish the height of a tower has been revised to include a 50 foot distance from the tower. Under the current ordinance it is a judgment call how far from the tower the tree height measurements are to be made to determine the average tree height in the area in order to establish the tower height. Item (c): The existing and proposed topography of the site is now provided as part of the application. After further thought, the required topography beyond the site should be reduced to 200 feet unless additional topography is required by state regulations.

Section 20-5-17 Standards for Siting and Construction: This requirement has been revised to place all siting and construction requirements in one section.

Item (a) Existing requirement

Item (b) Existing, revised, and new requirements.

- (1) New requirement for metal towers to permit height increase for collocation.
- (2) Revised requirement inserting a standard color to use.
- (3) New requirement reflecting current practices by cellular providers.
- (4) New requirement that reflects current practices.
- (5) A revised standard for attachment of antennas to the tower, included is a provision modification of this standard by the approving authority.
- (6) New requirement to address sites where an E&S Plan is not required. The slope standard is the same as required by the E&S requirements.

New requirement which reflect current practices:

Item (c) Setbacks-Viewsheds. New requirement for setbacks for towers in Viewsheds 1 and 2. In the current ordinance it requires an exception from the Board of Supervisors to locate a tower in one of the viewsheds. The required setback is based upon a set distance for every two antennas. This requirement should be changed to three antennas since providers generally have three types of technologies to deploy. The number of antennas can be reduced but their size will be significantly larger.

Section 20-9 Removal and Reporting: This is a revised section to include an annual report. Presently we have a biannual inspection and a fee. The purpose of the report is to monitor the tower to ensure antennas have not been added without the required permit. The burden is on the owner of the tower to provide the report. **Mr. Boger stated that consideration should be given to deleting the reporting requirement.**

Section 20-13 Class I Communication Tower: The conditions for approval of a Class I Tower are provided in this section. **Mr. Boger stated that consideration should be given to increasing the height of a Class I Tower to 90 feet or taller.** A decision of the Planning and Zoning Director was revised to comply with State Code, i.e. to the Board of Zoning Appeals instead of the Planning Commission.

Section 20-15 Class III Communication Tower: This is a new section for towers higher than 135 feet. The procedure to be used is to request a Special Use Permit for these high towers. **Mr. Boger stated that consideration should be given to inserting a specific time period the application must be acted on. The FCC requires an application for a tower permit to be acted upon within 150 days for a new tower. This restriction was taken into account when placing a deadline for the Commission to act. The SUP procedure does not require the Board to act within a specific number of days. The Planning Commission is required to act within 90 days from the date of their first meeting on an application. On a Class III application, the Board of Supervisors will have 60 days to make a decision on the application. This was discussed during the Commission's review of the draft Ordinance and they felt that the Commission's role is to hear the concerns of the community and try to resolve them before the application is sent to the Board. The potential problem is that the Board may have less than 60 days to act on an application should the Commission take the full 90 days to act on the SUP application due to advertisement requirements and meeting dates of the Board. As of this date, applicants have agreed to an extended review period for a decision to be made on a request. However, there is always the potential that if the County fails to act within 150 days, the applicant has the right to proceed to court for a decision. The Board should carefully consider the time restraint for Commission action and inserting a time restraint for the Board to act.**

Section 20-17 Broadband, License Exempt Provide This is a new section to address broadband providers that are not required to be licensed by the FCC. This section was developed with the help of a local broadband provider and two Board members. The section is designed with minimum requirements for broadband antennas attached to a building with an attachment pole or a radio mounted to the side of a structure. Standards are also included for a free standing 40 foot monopole. As designed the approval process is done administratively with the exception when antennas are attached to County owned property. Approval must be obtained from both the Nelson County Broadband Authority and the Planning and Zoning Director.

Mr. Johnson then opened the Public Hearing and the following persons were recognized:

June 14, 2011

1. Ms. Lori Schewller, Attorney with LeClair Ryan, Charlottesville,

Ms. Schweller thanked the Supervisors for the opportunity to comment on the Ordinance. She noted that Verizon Wireless appreciated all of the opportunities they have had to participate in the last few years working on the Ordinance. She stated that the current Ordinance reflected the goals of trying to provide the best service while keeping the towers hidden as much as possible. She stated that she feels the Ordinance reflects the changes that were most needed. She stated that Verizon Wireless agrees with all of the suggestions in the May 5, 2011 staff comments to streamline the process even more and to remove impediments to approvals. She discussed her comments for further improvements on the "Height, Class II Height, Topography, Two Tower Maximum within 200', and Consultant Fees." She gave Board members a copy of the June 14, 2011 letter which discussed in detail Verizon Wireless's suggestions.

There were no questions from the Board and there being no other persons wishing to be recognized, Mr. Johnson closed the Public Hearing.

Mr. Johnson stated that Mr. Bruguere had requested that no action be taken until he returned. Mr. Hale then stated that he was not in favor of clustering. He noted that the Ordinance stated that it can be done in Section 25-5 but an exception has to be granted and then it would come before the Board of Supervisors. He added that the Ordinance did state that if specific conditions were met, the waiver would be approved.

Mr. Harvey stated that he agreed with all of Mr. Boger's recommendations. He stated that with the Wintergreen situation, clustering is the best option. He noted that if you put the towers all in one place and look at them from a 360 degree view it would be better than placing them 200' apart where you would see each one.

Mr. Harvey then moved to defer a decision on these Ordinance changes until July 12, 2011. Ms. Brennan seconded the motion and there being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion to defer action.

B. Public Hearing - Proposed Ordinance to Amend Articles 3,4,5,6,8,8A,8B,9, AND 18, Of Appendix A, Zoning of the Code of Nelson County, Virginia 1989, As Amended. (O2011-04)

Mr. Boger stated that the changes in the Ordinance came from a request from a county resident that wanted to put in a windmill higher than what was currently allowed. He reported that the appeal was heard by the Board of Zoning Appeals and they denied the variance; but felt that consideration should be given to change the Ordinance. The Board of Zoning Appeals decided that a taller windmill could be granted with a Special Use Permit which would allow adjoining neighbors to come in and voice their concerns. He noted that the primary focus of the amendments to Articles 3,4,5,6,8,8A,8B,9, and 18 was to provide a mechanism for permitting small wind energy systems that would have a height greater than 100 feet. The remaining amendments to these Articles defined the number of towers, "two or more" instead of saying "additional" and clarifying the term "wooden poles".

Mr. Boger stated that Mr. Dan Boyle, a wind energy provider, was responsible for requesting the changes and that Mr. Boyle supported them.

June 14, 2011

Following Mr. Boger's introduction, Mr. Johnson then opened the Public Hearing and the following persons were recognized:

1. Mr. Aaron McFarland, general contractor for wind turbine installation.

Mr. McFarland stated that wind energy was a great opportunity if it was approached in a way that it could be used. He stated that to receive the most energy output, you would need to have the wind turbine 20 ft. above any surface in order to get a full stream of wind. He noted that he fully agreed with having to obtain a Special Use Permit and having adjoining neighbors included in the process. He stressed the importance of having the height for wind energy to be useful. He stated that in this area there was not a lot of spots that have a high enough wind speed and it was important to be able to take advantage of the spots the county does have. He then asked the Board if they had any questions.

There were no questions from the Board and Mr. Johnson then closed the Public Hearing.

Ms. Brennan then moved to adopt the proposed Ordinance, **O2011-04** to Amend Articles 3, 4, 5, 6, 8, 8A, 8B, 9 and 18, of Appendix A, Zoning of the Code of Nelson County, Virginia 1989, as amended 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 Ordinance was adopted as follows:

ORDINANCE O2011-04
NELSON COUNTY BOARD OF SUPERVISORS
ORDINANCE TO AMEND Articles 3,4,5,6,8,8A,8B,9, AND 18, OF APPENDIX A, ZONING OF
THE CODE OF NELSON COUNTY, VIRGINIA 1989, AS AMENDED.

BE IT HEREBY ORDAINED, by the Nelson County Board of Supervisors that Articles 3,4,5,6,8,8A,8B,9, and 18, of Appendix A, Zoning, of the Code of Nelson County, Virginia 1989 as Amended be amended as follows:

ARTICLE 3. CONSERVATION DISTRICT C-1

3-1-a *Uses – Permitted by Special Use Permit only*

3-1-1a Two or more small wind energy systems on a single tract of land, per requirements in Article 22 of these regulations.

3-1-1b Small wind energy system(s) on a parcel of land 20 acres or larger in size with a height greater than 100 feet but less than 199 feet.

3-7 *Height Limitations.*

Any structure erected up to a height greater than thirty-five (35) feet from grade requires a special use permit with the following exceptions: Single family dwellings, two family dwellings, boardinghouse, tourist home, wooden poles for electric, telephone lines and similar lines/cables_ public and semipublic uses such as churches, libraries, museums, schools, hospitals, parks, playgrounds, and post offices, agriculture, fire departments and rescue squad facilities, and water storage tanks.

ARTICLE 4. AGRICULTURAL DISTRICT A-1

4-1-a *Uses – Permitted by Special Use Permit only*

4-1-1a Two or more small wind energy systems on a single tract of land, per requirements in Article 22 of these regulations.

4-1-1b Small wind energy system(s) on a parcel of land 20 acres or larger in size with a height greater than 100 feet but less than 199 feet.

4-6 *Height Limitations.*

Any structure erected up to a height greater than thirty-five (35) feet from grade requires a special use permit with the following exceptions: Single family dwellings, two family dwellings, boardinghouse, tourist home, wooden poles for electric, telephone lines and similar lines/cables, public and semipublic uses such as churches, libraries, museums, schools, hospitals, parks, playgrounds, and post offices, agriculture, fire departments and rescue squad facilities, and water storage tanks.

ARTICLE 5. RESIDENTIAL DISTRICT R-1

5-1 *Uses – Permitted by right.*

5-1-7 Public utilities: -lines, distribution transformers, pipes, meters and other facilities necessary for the provision and maintenance of public utilities, including water and sewage facilities, and water storage tanks.

5-6 *Height regulations*

5-6-3 Church spires, belfries, cupolas, monuments, chimneys, flues, flagpoles, water storage tanks, wooden poles for electric, telephone lines and similar lines/cables are exempt. Television antennae, and radio aerials pursuant to the provisions of Article 20 are also exempt. Parapet walls may be up to four (4) feet above the height of the building on which the walls rest

ARTICLE 6. RESIDENTIAL DISTRICT R-2

6-1 *Uses – Permitted by right.*

6-1-8 Public utilities: lines, distribution transformers, pipes, meters and other facilities necessary for the provision and maintenance of public utilities, including water and sewage facilities, and water storage tanks.

6-6-3 Church spires, belfries, cupolas, monuments, chimneys, flues, flagpoles and wooden poles for electric, telephone lines and similar lines/cables are exempt. Television antennas and

radio aerials pursuant to the provisions of Article 20 are also exempt. Parapet walls may be up to four (4) feet above the height of the building on which the walls rest.

ARTICLE 8. BUSINESS DISTRICT B-1

8-1 *Uses—Permitted by right.*

8-1-15 Public utilities: lines, distribution transformers, pipes, meters and other facilities necessary for the provision and maintenance of public utilities, including water and sewerage facilities and water storage tanks.

8-2 *Height regulations.*

8-2-3 Church spires, belfries, cupolas, monuments, chimneys, flues, flagpoles, water storage tanks and wooden poles for electric, telephone lines and similar lines/cables are exempt. Television antennas, and radio aerials pursuant to the provisions of Article 20 are also exempt. Parapet walls may be up to four (4) feet above the height of the building on which the walls rest.

ARTICLE 8A. BUSINESS DISTRICT B-2

8A-1 *Uses—Permitted by right.*

8A-2-3 Church spires, belfries, cupolas, monuments, chimneys, flues, flagpoles, wooden poles for electric, telephone lines and similar lines/cables and water storage tanks are exempt. Television antennas and radio aerials pursuant to the provisions of Article 20 are also exempt. Parapet walls may be up to four (4) feet above the height of the building on which the walls rest.

ARTICLE 8B. SERVICE ENTERPRISE DISTRICT SE-1

8B-2 *Regulations for SE-1 zone.*

8B-2-1 *Height:* The maximum height of any building shall be thirty-five (35) feet from grade. Church spires, belfries, cupolas, monuments, water storage tanks, chimneys, flues, flagpoles and wooden poles for electric, telephone lines and similar lines, are exempt. Television antennas and radio aerials pursuant to Article 20 are also exempt.

ARTICLE 9. INDUSTRIAL DISTRICT M-2

9-1 *Uses—Permitted by right.*

9-1-22 Public utility: Generating, booster or relay stations, transformer substations, transmission lines with support structures, wooden poles for electric, telephone lines and similar lines and other facilities for the provision and maintenance of public utilities, including railroads and facilities, water and sewerage installations and water storage tanks.

9-1-a *Uses—Permitted by Special Use Permit only.*

9-1-11a Two or more small wind energy system(s), per requirements in Article 22 of these regulations

9-1-13 Small wind energy system(s) on a parcel of land 20 acres or larger in size with a height greater than 100 feet but less than 199 feet.

ARTICLE 18. LIMITED INDUSTRIAL M-1

18-1 *Uses—Permitted by right.*

18-1-4 Public utility: Generating, booster or relay stations, transformer substations, transmission lines with support structures, and other facilities for the provision and maintenance of public utilities, including railroads and facilities, water and sewage installations, water storage tanks, and wooden telephone poles for electric, telephone lines and similar lines.

18-3 *Uses—Permitted by Special Use Permit only.*

18-3-8 Two or more small wind energy system(s), per requirements in Article 22 of these regulations

18-3-9 Small wind energy system(s) on a parcel of land 20 acres or larger in size with a height greater than 100 feet but less than 199 feet.

18-9 *Height regulations.*

18-9-1 Buildings may be erected up to a height of thirty-five (35) feet. Parapet walls may be up to four (4) feet above the height of the building on which the walls rest.

BE IT FURTHER ORDAINED, that this Ordinance is effective upon adoption.

III. Other Business (As May Be Presented)

There was no other business considered by the Board.

IV. Public Comments

June 14, 2011

Mr. Johnson opened the floor for public comment and there being no persons wishing to be recognized, the public comments session was closed.

V. Adjournment

At 7:35 PM, Mr. Johnson made a motion to adjourn. There was no second and Supervisors voted unanimously by voice vote to approve the motion and the meeting adjourned.