

May 10, 2016

Virginia:

AT A REGULAR MEETING of the Nelson County Board of Supervisors at 2:00 p.m. in the General District Courtroom located on the third floor of the Nelson County Courthouse, in Lovingston Virginia.

Present: Constance Brennan, Central District Supervisor
Allen M. Hale, East District Supervisor – Chair
Thomas H. Bruguiera, Jr. West District Supervisor
Larry D. Saunders, South District Supervisor
Thomas D. Harvey, North District Supervisor – Vice Chair
Stephen A. Carter, County Administrator
Candice W. McGarry, Administrative Assistant/Deputy Clerk
Debra K. McCann, Director of Finance and Human Resources
Tim Padalino, Director of Planning and Zoning
Phillip D. Payne, IV, County Attorney

Absent: None

I. Call to Order

Mr. Hale called the meeting to order at 2:05 PM, with all Supervisors present to establish a quorum.

- A. Moment of Silence
- B. Pledge of Allegiance – Ms. Brennan led the pledge of Allegiance

II. Consent Agenda

Mr. Hale noted the items for consideration on the consent agenda and there being no discussion, Ms. Brennan moved to approve the consent agenda as presented. Mr. Bruguiera seconded the motion and there being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following resolutions were adopted:

- A. Resolution – **R2016 -28** Minutes for Approval

**RESOLUTION R2016-28
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF MEETING MINUTES
(April 7, April 19, and April 29, 2016)**

RESOLVED, by the Nelson County Board of Supervisors that the minutes of said Board meetings conducted on **April 7, April 19, and April 29, 2016** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

- B. Resolution – **R2016- 29** FY16 Budget Amendment

**RESOLUTION R2016-29
NELSON COUNTY BOARD OF SUPERVISORS**

May 10, 2016

**AMENDMENT OF FISCAL YEAR 2015-2016 BUDGET
NELSON COUNTY, VA
May 10, 2016**

BE IT RESOLVED by the Board of Supervisors of Nelson County that the Fiscal Year 2015-2016 Budget be hereby amended as follows:

I. Appropriation of Funds (General Fund)

<u>Amount</u>	<u>Revenue Account</u>	<u>Expenditure Account</u>
\$10,000.00	3-100-001901-0015	4-100-012130-5420

II. Transfer of Funds (General Fund)

<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
\$16,735.00	4-100-999000-9901	4-100-012040-3002
\$2,500.00	4-100-999000-9901	4-100-011010-3007
\$3,000.00	4-100-999000-9905	4-100-013020-1003
\$22,235.00		

C. Resolution – **R2016- 30** COR Refunds

**RESOLUTION R2016-30
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>
\$97.02	2014 PP Tax	Laushella Arline Tabb 3330 Tye River Rd. Amherst, VA 24521-4535
\$185.19	2015 PP Tax	Courtney Haston Monroe Kaye Elvetta Monroe 61 Mockingbird LN Afton, VA 22920-2430

D. Resolution – **R2016- 31** Acceptance of Conveyance – Lovingston Healthcare Center Property

**RESOLUTION R2016-31
NELSON COUNTY BOARD OF SUPERVISORS**

May 10, 2016

**AUTHORIZATION FOR ACCEPTANCE OF CONVEYANCE
LOVINGSTON HEALTHCARE CENTER PROPERTY – MEDICAL FACILITIES
OF AMERICA XXXII, LP**

RESOLVED, by the Nelson County Board of Supervisors that the County Attorney, Philip D. Payne, IV is hereby authorized to accept the conveyance of property on behalf of the Nelson County Board of Supervisors from Medical Facilities of America XXXII (32) Limited Partnership via deed, dated April 20, 2016 and recorded as instrument number 160000962 in the Nelson County Circuit Court Clerk's office. The Conveyed property being Tax Map Parcel 58-A-38A, approximately 7.259 acres in the Lovingston Magisterial District together with all buildings and improvements thereon.

III. Public Comments and Presentations

Mr. Hale then indicated that he had invited Commonwealth Attorney, Jerry Gress, to introduce his new staff member. Mr. Gress introduced Sarah Childress, the new Assistant Commonwealth's Attorney. He noted that she had worked as a Magistrate in Roanoke and an Assistant Commonwealth's Attorney in Amherst. He further noted she was a UVA graduate and started work at the County at the end of March. Mr. Gress noted that Beth Cunningham also started in March and had replaced Jonae Buckley as the Victim Witness Coordinator. He added that Ms. Cunningham had been on the Domestic Violence Task Force for the past two (2) years and had shadowed Ms. Buckley. He noted that additional funding from the State for the position had allowed it to go from three (3) days per week to full time.

The Board welcomed them to the Commonwealth's Attorney's Office.

A. Public Comments

1. Denise Bonds, VDH Director

Ms. Bonds noted she was in attendance on behalf of a consortium of local agencies. She noted that they had reviewed existing health data and were now asking residents about their thoughts on the health services provided in the County. She noted that they were at a community breakfast and had fourteen (14) attendees complete the survey. She added that they would be at Unity in Community and other meetings as well as reaching out to other community organizations with the survey. She noted that they would continue to work with the consortium to come up with a plan to address the issues in the fall or early winter.

Mr. Harvey suggested that they utilize the County's medical facilities to help disseminate the surveys and Ms. Bonds noted she would reach out to them on this. She noted that the surveys were open for anyone to complete and they wanted any and all input.

2. Scott Leake, Congressman Hurt's Office

Mr. Leake noted that it was the 50th anniversary of ground troops in Vietnam and the Congressman wanted to honor those that had served. He noted that they had recognized over

May 10, 2016

three hundred (300) people and Mr. Saunders was one of those. Mr. Leake then presented the honor to Mr. Saunders on behalf of Congressman Hurt.

Mr. Bruguire then noted to Mr. Leake that the Roseland Post Office was slated to be closed on June 4th and may be moved to Piney River. He noted that this was a smaller office and was an absurd location. He added that he had asked Esther Page for help and he was now asking him to check into it. Mr. Bruguire then noted that the move was opposed because it was a smaller office, was at a dangerous intersection, and was not safe for the number of people that used it. He then suggested that there was another location that might be a possibility (Warren Raines's building). Mr. Leake asked if they knew if this was part of the post office closure plan or if there was another reason. Mr. Bruguire indicated he was not sure and Mr. Leake supposed it could be a landlord issue because he thought the post office closure plan was complete.

Mr. Saunders shared that all of the Post Office leases were now handled through private companies.

3. Sheriff Hill

Sheriff Hill thanked the Board for their consideration and noted that although he was not invited to the last meeting; he would be glad to speak to the Board and answer any questions they had regarding the use of vacancy savings. He then noted that there was a liability in driving vehicles with high mileage and that came back to him. He noted that he could not do what he promised the citizens and he was also asking to use those funds to supplement staff to address the major drug problem in the county. He noted that Nelson was the only locality that did not have an officer on the Drug Task Force and they could not go above and beyond their duty because they were answering calls that stemmed from the drug problem in the county. He noted that he was asking if he could use the 5% previously requested for him; for his department.

Mr. Hale noted that the previous meeting was not a closed meeting; rather it was a budget workshop and was open to the public. He added that the Board relied upon Staff to present the request that he has mentioned and that was the best route to follow on these things. Mr. Harvey added that the Board may want to start meeting with Constitutional Officers in the future.

Sheriff Hill noted that he was not asking for more money, but that he be allowed to use what was already in the budget.

No further discussion or action was taken on the matter.

B. Presentation – Region Ten Community Services Board

Mr. Robert Johnson, Executive Director of Region Ten addressed the Board and introduced Nelson Board members, Patricia Hughes, and Dwight McCall.

Mr. McCall noted he has been in the county for fifteen (15) years now, he had retired from Region Ten, and he was delighted to fill the Board Vacancy. He added that he was

May 10, 2016

interested in hearing what the needs were so he could work back through Region Ten to address things.

Mr. Johnson agreed with Sheriff Hill's sentiments on the drug problem in Nelson County; which he noted he would speak to as well. He then noted that Region Ten served 9,000 individuals in its area. He noted that they offered mental health first aid which was an educational program on mental illness recognition and referral and they had served 1,034 individuals now. He then noted that in FY15, they had served 619 individuals, 7% of the total population at an expense of \$2,500. He then thanked the Board for providing the requested budget funds from the County. Mr. Johnson noted that they had a \$41 million budget for FY17 and the return on investment was \$23 for every \$1 received. He advised that their top priority was case management, medical services (which operated at a deficit), and emergency services which had skyrocketed. He attributed the increase in emergency services to heightened awareness, and an increase in those asking for help and coming in. He then noted that they were overwhelmed and bursting at the seams and needed new spaces for child and family services. He added that demand was outstripping their capacity and they needed more space every two (2) years.

Mr. Johnson then noted the opiate and prescription drug epidemic that was occurring. He noted that they were seeing more clients coming in that were addicted to heroin. He supposed that they were starting with other things but ending up with addictions to prescription drugs and street heroin. He noted that small pockets existed in the county.

Mr. Johnson then noted he wanted to make them aware that they were putting together a women's treatment center and were raising funds for this. He noted the center would serve the entire Region Ten area and that 5% came from Nelson County. He advised that they hoped to open in 2017 and they would allow women with two (2) kids to be served. He added that the site was on Old Lynchburg Road in Albemarle County and would be connected to Child and Family Services. He then noted the Board would be invited to its grand opening.

Mr. Johnson then noted the need for child services, in particular tele-psychiatry and he noted they were hiring a new child psychiatrist. He noted also that nurse practitioners were needed and that the 3%-5% from Nelson would increase and they wanted to make a difference in alcohol and drug addiction. He then noted that in terms of where their industry was headed; they had forty (40) Community Services Boards across the State and they were striving for standardization and were working towards national certification. He added that the intent was to be able to do treatment on demand and they were working to cut the no-show rate as well.

Ms. Francee Laverty, Director of the Nelson Counseling Center then addressed the Board.

She noted the services provided as follows: Horizon House; a psycho-social rehab program of forty (40) adults and Therapeutic Day Treatment Program in Schools; fourteen (14) counselors for eighty (80) kids. She noted that they were proud of four (4) kids who had graduated from the program and one (1) was going to continue their education at a local Community College. She added that they would have a summer program at NCHS. She then spoke to the child psychiatry need for tele- psychiatry; noting that they had gotten

May 10, 2016

equipment installed and could provide this starting in June. She added that they were working on a partnership with Blue Ridge Medical Center and now had a Doctor's Office and two (2) exam rooms available. She advised that they would have a Doctor there one day per week and would start this service in the next couple of months. She explained that they were working on the integration of their services with medical services as medical health impacted mental health.

Ms. Lafferty then asked the Board what services they wanted to see provided in the community. Mr. Hale noted the difficulty in understanding the reality of the existence of these issues because he lived in an area where it was not really observed.

Mr. Bruguiere supposed that if everyone in the court system knew all of the participants and could track them, major things might not happen. Therefore, he would recommend enhancing intercommunication between agencies. Ms. Lafferty noted that the Crisis Intervention Team (CIT) met with the Sheriff, Wintergreen Police, Schools, Department of Social Services, EMS Departments, and OAR to discuss individuals who were in crisis in order to increase awareness for all that may be in contact with that person or just to collaborate on how to improve responses.

Mr. Harvey noted the issue of balance in speaking with someone who may be turned over to the police. It was noted this had been an issue and without a release they could not disclose anything about that person unless they were in crisis. It was noted that law enforcement could be different because they did not have the same confidentiality laws as some of the other agencies.

Mr. Johnson spoke to this and noted that they would not have to honor this confidentiality if a threat was made. He added that Region Ten working with law enforcement had really helped to de-escalate a lot of incidents and he hoped that CIT would be continued to be supported as it has made the biggest difference. Mr. Johnson agreed that it was difficult for most to see the problems that existed; however one in four families was either directly involved or on the fringe of dealing with these issues. He added that training the public made a big difference.

Mr. Harvey noted that in the event of a mass casualty situation, one could always look back and see where things went wrong; he then questioned why this could not be foreseen before it happened. Mr. Johnson noted that was the most difficult thing and they strived to help people to reach self-improvement. He noted there was no way to know how many tragedies they had prevented but it was easy to see when things went wrong.

Mr. Harvey noted there seemed to be a mixed message being portrayed now that the judicial system was treating Marijuana offenses with a slap on the hand and it seemed to incite confusion and worked against Region Ten's mission. Mr. Johnson noted that they worked with those in trouble with drugs and saw people in trouble with so-called safe drugs and gateway drugs. He added that addicts did not necessarily start with Marijuana and he noted alcohol to be the most lethal drug out there and those addicts were the most difficult to work with. He added that they had to teach them about responsible drinking and when they were not responsible, teach them to stop.

May 10, 2016

Mr. Hale thanked them and noted their work was invaluable. He added he did not think incarceration was the answer and he appreciated their work.

C. VDOT Report

Mr. Austin reported that the HB2 projects, including the Route 664 turn lane, had not yet been approved by the Commonwealth Transportation Board; however he thought they would be by the end of June. He then reported they were anticipating a November advertisement for the two (2) turn lane projects being done on Route 151. He then advised that the public hearing on the Secondary Six Year Plan would be held on May 26th and they could discuss the draft plan at that time.

Mr. Hale asked if Mr. Austin was required to attend the SSYP public hearing and he noted he was in order to answer questions from the public and it was not an issue for him to be there. Mr. Austin noted that the Board could revise the priority list after the public hearing if it wished to. He added they could also let Ms. McGarry know of any changes and the Board agreed by Consensus that there were none.

Mr. Austin noted that he had seen the Emily Harper email regarding the canoe launch at the Rockfish River and he advised that they would look to see how it could be established. Mr. Carter confirmed that the Board had authorized these to move forward.

Supervisors VDOT Issues:

Mr. Harvey and Mr. Saunders had no VDOT issues to discuss.

Ms. Brennan noted she wanted signs for the flashing yellow arrow at the stop light and she asked VDOT to keep looking at the lines on Route 6 west. Mr. Austin confirmed that these had been requested.

Mr. Hale asked if VDOT could fix the depression on the Calohill Drive shoulder and he noted that the other hole there had thankfully been patched.

Mr. Hale then referenced the bridge off of Route 617, near Drumheller Hollow and the Ligencha Institute and asked if old concrete footings like the ones there were ever used for anything. Mr. Austin noted that sometimes they could be used, however doing so usually increased the cost. He added that replacing bridges required closing the road and Mr. Hale noted that the surface had been fixed. Mr. Saunders then inquired about VDOT's experiment with prefabricated bridges and Mr. Austin noted that they did still have these; however they were very expensive. It was noted one of these was used on a bridge in the south district. Ms. Brennan then asked if the Route 617 bridge project would be held up if they could not use Drumheller's bridge for the concrete trucks. Mr. Austin noted that they could reinforce the other bridge for higher weight capacities; however he was not sure what they would do there. He added that they were trying to get deficient bridges up to standards.

IV. New Business/ Unfinished Business

A. Planning Commission Request for Extension – Floodplain Ordinance

May 10, 2016

Mr. Padalino noted that in a May 4th memo, the Planning Commission had requested an extension of one hundred (100) additional days to continue their review process, which would provide them with additional time to continue developing modifications to the referred amendments, to conduct a properly-advertised public hearing, and to vote on formal recommendations to the Board.

Mr. Bruguere noted that he had advised the Planning Commissioners that granting the extension would not be an issue. He then moved to approve the extension request and Ms. Brennan seconded the motion. Mr. Bruguere reiterated that it was a legitimate request and Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

Mr. Padalino then noted that Mr. Banks from DCR had discussed having a workshop for County Officials on the Community Rating System (CRS). He noted that CRS would reduce flood insurance premiums county-wide.

Mr. Carter noted that staff had guidance from FEMA or DCR on its 2015 audit of the County's program and Mr. Padalino added that they had provided a chart that showed certain things would reduce premiums by certain amounts and that DCR could provide workshops for localities on this.

Ms. Brennan asked if they could do a workshop at a meeting and Mr. Padalino noted they were flexible. She added that she thought it was worth looking at if it could reduce costs to taxpayers.

V. Reports, Appointments, Directives, and Correspondence

A. Reports

1. County Administrator's Report

Mr. Carter reported on the following:

1. Courthouse Project Phase II: The most recent project progress meeting was conducted on May 4th. The project is proceeding well, as no major concerns/issues were presented at the meeting. County Administration, Finance and HR and Information Systems are scheduled to move to the reconstructed second floor area in late July. A pending item is conclusion of a contract with BT Solutions for providing/installing AV equipment in the Circuit Courtroom (approval of Judge Garrett and Ms. Smythers is pending). Architectural Partner's most recent Field Report (4-12-16) was previously forwarded to the Board. Mr. Carter added that the project may be a month behind; however the contractor was working on that. He also noted the A/V company name was BT Conferencing not BT Solutions.

2. Broadband: A) Expansion Project – The current project completion schedule provided by CCTS is 6-22-19 (all 3 phases). Estimated new service connections in Phase 1 only are in the 36-50 range (possibly 50+). A conservative estimate for Phase 2 and 3 is 15-25+ (minimum).

B) Broadband Planning Project - A project meeting with Design Nine (Dr. A. Cohill) was conducted on April 14th. Discussion was multi-faceted, including the draft network

May 10, 2016

expansion plan, possible re-structuring of the network's fee structure, a ten year financial pro forma and overall network operations. A work session with the NCBA is tentatively planned for late June.

The local project team, inclusive of Messrs. Hale and Strong and County staff met on May 5 for an internal review of the project's status and discussion of the many subject's the project currently entails. Everyone felt the project was moving forward satisfactory with much work to be completed.

C) Broadband Other – 1) A third ISP may very soon provide services on the local fiber network. 2) The network marketing plan, web based and periodic media advertisements, continues to produce requests for services, which are transmitted to all of the current service providers for follow up (ISP and WISP). 3) Nelson Cable has indicated it cannot currently provide services due to no IP addresses. It is uncertain when this status will change. 4) County staff in conjunction with Design Nine is currently planning to develop and submit a grant proposal to USDA-RUS/RD for the agency's Community Connect. The submission date is June 17. 5) County staff will have a conference call with federal NTIA staff on 5-13 to discuss possible areas of technical assistance NTIA may provide to the NCBA/Nelson County.

3) Mr. Carter further explained that Nelson Cable had a bank of addresses for the Wintergreen Network but could not use them otherwise. He added that once they obtained more IP addresses, they had to test them etc.

3. BR Tunnel Project: Messrs. Hale and Saunders and County staff met with Woolpert staff (A. Pack on G. Harnish) on 4-19 for an in depth discussion of the project. The meeting was very productive. Woolpert, Inc. staff has substantially completed the construction submittals to VDOT to enable the project to be approved for construction bidding. The submittals included revised construction plans and cost estimates (Phase 2, Tunnel Rehab = \$1,581,433, which is approximately \$10K above available funding; Phase 3 – Western Trail & Parking Area = \$1,170,539 – Funding is pending). VDOT staff (Lynchburg & Staunton Districts) are reviewing both the revised construction plans and estimates. The Commonwealth Transportation Board will tour the western side of the Tunnel on 5-17 accompanied by County representatives, VDOT staff and BBRR personnel. A decision on funding for overall project completion is anticipated by not later than 6-30.

4. Lovingson Health Care Center: The property has been deeded to the County by MFA. County staff has established accounts for electrical, water and sewer services.

A meeting was conducted on 4-21 with the owners of Valley Care Management to discuss the company's interest in owning the Center and re-establishing it as an assisted living and memory care operation. As conceived, VCM's project would entail a \$3.9 million capital cost (the estimate requires further refinement), would provide a 12 memory care rooms (6 private & 6 semi-private – 18 total beds) and 24 assisted living units (22 private and 10 semi-private – 42 total beds; an overall total of 60 beds). The projected number of employees is 30 (full and part time). VCM's owners noted they were amenable to more formal discussions with the County (the 4-21 meeting was the first such session with VCM).

May 10, 2016

However, VCM's owners also stated that an actual purchase of the property would likely preclude their interest in the property. VCM's preliminary financial pro forma does denote a financial ability after year three but further discussion is required. Otherwise, per Ms. Brennan's input, staff reached out to both PHA and Region Ten on the possibility of a collaborative project for the Center. A response has not been received yet on this inquiry. **Guidance from the Board is needed on this subject.**

Mr. Carter added that the County had updated its mowing contract to include this property in order to keep it up. Ms. Brennan inquired as to whether or not the County would have to pay new service connection fees and Mr. Carter noted probably not. He added that if the building were sold, the County would try to leave the meter in place and simply transfer the service.

5. Radio Project: (From Info. Services Report) - Motorola is currently preparing a report and budgetary pricing for a new radio tower site to improve radio system coverage in the Rockfish Valley. Preliminary discussions have indicated that the site best suited to providing coverage improvements will be the tower site located at Rockfish Valley Fire Department. I have been assured that this report and pricing will be received in the next few weeks.

Black and Veatch has identified the necessary radio frequency (it was determined that the previous frequency was not suitable) for the Digital Vehicular Repeater Systems for Rockfish, Wintergreen and Montebello. Motorola and Future Comm have approved the frequency and B & V is working to license the frequency. It is expected that a contract will be signed within two weeks.

Mr. Carter reported that he has relayed to the consultants that this needed to move to closure. Mr. Harvey added that this part of the project should have taken six (6) weeks and they were no closer to a solution than they were six (6) months ago. Mr. Carter noted that the problem was with the two (2) consultants as one would analyze the other's work. Mr. Harvey noted Motorola's guarantee that if it did not work, they would take it back. Mr. Carter added that they were also working to license frequencies.

Augusta County has made a formal request to collocate on the County's Devils Knob tower site. A draft lease document is being prepared for consideration by the Board. The project will include replacement of the County's generator at the site with a generator appropriately sized to serve both Nelson and Augusta equipment shelters. The cost of purchase and installation will be paid by Augusta County.

6. Region 2000 Service(s) Authority: The Authority met on 4-27 and provided approval of the FY 16-17 Budget and the construction of an odor/gas management system. Nelson's representative voted no on both items citing the projected distribution of \$1.3 million+ in excess revenues to Lynchburg and Campbell County as the basis of opposing both measures. Consideration of a property purchase program and adding a non-voting citizen representative (from Campbell County) were tabled for further review. The Authority's Work Group (C. McGarry is the County's representative) on future operations continues to meet and may have recommendations for next steps at the Authority's meeting on 6-23, which is the first on a new bi-monthly meeting schedule, rather than a quarterly schedule, the Authority agreed to on 4-27.

May 10, 2016

Mr. Carter briefly explained the property purchase program favored by other members and noted that the Roanoke Regional Authority's model was the basis of it. In terms of the proposed non-voting citizen representative; he noted that he had related to the Service Authority Board the example that Nelson was not adding a citizen opposed to the pipeline to sit with the Board and make decisions.

7. Region 2000 – Regional Water Supply Plan: Staff (S. Carter) attended on 4-25 (in Lynchburg) the initial work session on the required updating by 2018 of the Regional Water Supply Plan. Tammy Stephenson of VA-DEQ facilitated the meeting, including presenting a power point presentation on next steps associated with the regional plan's updating. Ms. Stephenson noted that DEQ is working to complete modeling tool, VA Hydro, that localities and regions will be able to utilize to assist with the required plan updates. Ms. Stephenson noted that the R2K Plan may be completed by each local government rather than a collective project of all participating localities. NCSA staff did not attend the meeting. Next steps are still TBD.

8. Atlantic Coast Pipeline Project – Request for Nelson Technical Advisory Team: The following request was received from Ms. Susan King of Dominion Power on 4-26: **“Would you have some time to meet on May 11 or May 13 to talk about the potential organization of a Nelson County technical group? This would be a group of local representatives to provide input and feedback to the ACP construction project team.”** Staff did not agree to the meeting but has continued to confer with Ms. King, per her input, on the ACP's request, which entails a local work group that would assist the ACP, should the proposed project be approved, with coordination and logistical, etc. needs. Staff requested a draft list of proposed team members and received the following on 5-9 from Ms. King: **Here's a list of county representatives, but we welcome suggestions:**

**County Administrator and/or Planning and Zoning staff member
School Superintendent (Or David Johnson, supervisor for transportation)
Emergency Services Coordinator/Fire and Rescue
Service Authority
Sherriff's office
Soil and water conservation district**

County staff will introduce this subject for consideration at the Board's 5-10 regular meeting.

Mr. Hale noted that doing this seemed premature and Mr. Bruguiere added that construction was now being put off until mid-2017; however, they would need to have people advising them on the impacts to school routes etc. Ms. Brennan agreed if the permit was approved; however she did not think it was necessary to do this now. The Board agreed by consensus to not take any action at this point. Mr. Carter noted that the request was to introduce the idea to the Board and he would appropriately advise Ms. King.

9. Maintenance: Nelson Memorial Library – Painting of the new siding (wester wall) has been completed. Staff (Maintenance and Bldg. Official) met the week of 4-25 at NML with the regional Fire Marshall and, as an outcome, is now in process with some minor code

May 10, 2016

compliance updates. Maintenance staff continues to towards JMRL recommendations for accessibility to NML these include restrooms, parking, service counter and entryway.

New Maintenance Facility – One bid proposal was received on 5-2 from Arrington based Asset Enterprises, Inc. for the Maintenance Building Project. The bid amount was \$27,590. The bid will be accepted. A contract will be issued to the company, which indicated it will begin the project in July and require 12 days for its completion.

Ms. Brennan inquired as to all of the expenses incurred on the building and Ms. McCann noted that there was \$71,000 to be carried forward to complete these projects, which included HVAC work.

10. Lynchburg Juvenile Detention Center: A new member use agreement is in process. A draft agreement has been in circulation for several months. Completion and local approval of the updated agreement is projected for July 2016. The agreement, as drafted, does not have significant change or financial impact on Nelson County.

11. Meeting with NCSA: Staff (S. Carter) met on 5-5 with NCSA staff, including the Authority's Chairman, R. Otis. Staff had requested the meeting, which was a general discussion of the Authority's operations. Staff will draft a report to the Board on this meeting and subjects discussed therein.

12. Department Reports: Included with the BOS agenda for the 5-10-16 meeting.

Other:

Mr. Bruguiere asked about the Circuit Courtroom floor and Mr. Saunders and Mr. Hale noted it would have heart pine flooring instead of carpet.

Mr. Carter then noted the draft letter to the School Board regarding their continued use of the network approved by the Broadband Authority and noted he would like approval from the Board of Supervisors as well. He explained the purpose of the letter and noted the potential loss of revenue of \$48,000 per year for the Broadband Authority and also the Schools as an anchor institution. He added that the current service provider to the schools was Shentel. He then noted a couple of revisions made to the draft letter by the Authority Board.

Mr. Bruguiere then moved to send the letter from the Board regarding the School's using the Broadband Authority's network and not anyone else's and Mr. Harvey seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following correspondence was approved:

12 May, 2016

Dr. Jeff Comer, Division Superintendent Nelson County Public Schools
84 Courthouse Square
P.O. Box276
Lovington, Virginia

May 10, 2016

Dear Jeff:

I am writing on behalf of the Nelson County Board of Supervisors and the Nelson County Broadband Authority to communicate the Board's and the Authority's very strong position that the Nelson County School Division maintain its broadband services through use of the Nelson County Broadband Network.

As you and the members of the Nelson County School Board may know, Nelson County is the owner of the Nelson County Broadband Network (the Network) and the Nelson County Broadband Authority is the operator of the Network. The Network was constructed through the award of federal America Recovery and Reinvestment Act grant funding, which was significantly matched by Nelson County. The overall cost of the Network exceeded \$3.0 million dollars. The Network currently consists of 31 miles of fiber optic cable and four communications towers. The County and NCBA are currently in process with a construction project that will add 8.1 miles to the fiber network. And, the County and NCBA are also currently working with a nationally recognized consultant to complete a strategic plan for the Network's continued expansion.

The Nelson County School Division was a "Community Anchor Institution" for the ARRA grant funded network construction project. An outcome of the ARRA funded project was the connection of each of Nelson County's schools (elementary, middle and high school) to the completed fiber optic network. The School Division's wide area network (WAN) is accomplished through the local Network.

The County and the NCBA are concerned that the School Division may consider the use of a network other than the local Network (Nelson County and NCBA). It is the County's and the Authority's position that all future Request for Proposals by the School Division for provision of broadband services specifically require the use of the local (County/NCBA) Network by an incumbent or any future (broadband) service provider or vendor. More specifically, the County and the NCBA consider the use of the local Network as a continuous and ongoing requirement of the School Division. The local Network is technically capable of delivering any services that the School Division may require.

Please provide the members of the School Board with a copy of this correspondence.

I am available at your convenience should you require additional input on the subject of this communication.

Thank you and the members of the School Board for your continued assistance and cooperation, which is very much appreciated.

Respectfully,
Stephen A. Carter County Administrator

Cc:
Board of Supervisors

May 10, 2016

Nelson County Broadband Authority

2. Board Reports

Mr. Harvey:

Mr. Harvey reported that he did not attend the Service Authority meeting; however they approved their budget and agreed to cut in half the connection fees in Lovingston as part of that approval. He noted these now matched Piney River; however it did not include Wintergreen. Mr. Hale then asked if a rebate to the Mexican restaurant could now be considered and Mr. Harvey advised the County could do what it chose with this. Mr. Hale then recommended that the County look at the most recent connections in this calendar year for possible rebates to match their current connection fee. Mr. Harvey then recommended that this wait until it became official in July and he added that it still needed to be officially endorsed by the Board. Mr. Carter advised that the County should wait for a letter saying that they had changed the rates. Mr. Harvey noted that the Service Authority was asking for a letter of support from the Board to them prior to them taking effect July 1st.

Mr. Hale then recommended that they send a letter to the NCSA saying that the Board supported the new rates. Mr. Harvey then noted that they also needed to set a uniform distance for mandatory connections. Mr. Saunders then inquired if the minimum water and sewer usage in Gladstone cost \$90 per month. Mr. Hale advised that he thought it was and was the same for minimum usage as in other areas; which was too high.

Mr. Bruguiere then moved to send the Service Authority a letter endorsing the action of cutting the rates as was included in their adopted budget. Mr. Saunders seconded the motion and there being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion

Mr. Saunders:

Mr. Saunders reported his attendance of the Courthouse Progress meeting, Blue Ridge Tunnel meetings, and TJPDC meetings.

Ms. Brennan:

Ms. Brennan reported her attendance of: CIT meeting, Lovingston Healthcare Center meeting, Rockfish Valley Area Plan meeting where surveys were being disseminated in the County, Community Criminal Justice Board meeting, and Library meeting.

She noted that at the CCJB meeting: the Planner was doing so much work and at the Library meeting, they met with an architect to look at the building and there was a lot to take into consideration.

May 10, 2016

Mr. Hale:

Mr. Hale noted his attendance of the Courthouse Progress meeting and Blue Ridge Tunnel meetings. He added that he had met with staff and Gary Strong on Broadband and he noted Mr. Strong to be a strong participant and they were fortunate to have him.

B. Appointments

Ms. McGarry noted that a seat on the Agricultural and Forestal District Advisory Committee expired in May and she had not yet heard from Mr. Halversen if he wished to be reappointed. She added that no other interest in the seat had been received.

She then noted the list provided to Supervisors of seats that were expiring in the month of June.

C. Correspondence

Mr. Saunders noted he had been asked by a local congregation if the Board would do a resolution honoring their minister who had been their minister since 1975. He added that he had advised them he would consult with the Board. Mr. Hale advised that it generally had been the Board's policy to limit resolutions to those who had served in local government and it could lead to trouble if this were broadened.

D. Directives

Mr. Saunders had no directives.

Mr. Bruguere:

Mr. Bruguere stated he would like a letter to be sent to Congressman Hurt from the Board regarding the potential move of the Roseland post office to Piney River. He noted that four mail carriers would have to work in that building and there was no room or parking. He added that there was a lumberyard next door and there have been numerous accidents at that post office location. He added that the owner of the Roseland building, that housed the post office, had sold it and it was slated to close on June 4th. He noted that he had spoken with Warren Raines and he preferred to sell his building to someone that would rent it to the Post Office.

Mr. Harvey suggested that the letter ask that the move be put on hold and he questioned there being five (5) Post Offices on Route 151 which was only thirty-one (31) miles long.

Ms. Brennan suggested that both the Piney River and Roseland Post Offices be combined and housed in Warren Raines's building.

Mr. Bruguere then moved to have a letter sent to Congressman Hurt's Office asking them not to move the Roseland Post Office to Piney River until other alternatives could be explored.

May 10, 2016

Ms. Brennan seconded the motion and Mr. Carter added that he would follow up with the USPS in Greensboro to see what was going on.

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

Ms. Brennan:

Ms. Brennan noted she was interested in having the workshop on the Flood Plain issues suggested by Mr. Padalino.

Ms. Brennan suggested setting up meetings with Constitutional Officers to come report at regular meetings.

Ms. Brennan asked about the landscaping project at the intersection of Route 29 Business and Route 56 east and Mr. Carter advised that this was in Karla Murray's hands.

Ms. Brennan then asked if one would have to use a lot right for a cemetery plot and Mr. Haled advised one would as it was considered a division of property; however, he advised her to speak to Mr. Padalino about it.

Ms. Brennan then asked if the County had any outstanding lawsuits and Mr. Carter advised there were none against the County; however, there were County enforcement proceedings that were currently in process.

Mr. Hale:

Mr. Hale requested that staff follow up with Stewart Computer Services to see if or how what they were doing at the Sugarloaf tower site would affect what the Broadband Authority was doing.

Mr. Harvey:

Mr. Harvey advised that he wanted to revisit the pay raises that were approved at the previous work session that he could not attend. He added that he was opposed to doing a raise in January as it was complicated and was not really doing anything for the employees.

Ms. Brennan noted that they had made that decision because that was what the State had approved. Mr. Saunders noted that his issue was with using a percentage method as it benefitted those making higher salaries and he thought there was a better way to do this.

Mr. Hale advised that the decision had already been made and unless a new motion was introduced, the Board would move on.

In response to questions, Ms. McCann noted that it would cost \$172,965 to provide the raise to the Schools and County in July and she noted the remaining contingency amounts to be approximately \$1.7 Million after taking this into account.

May 10, 2016

Ms. Brennan asked for clarification on how this would work. Ms. McCann noted that the State was providing revenue and Mr. Carter advised that the County's supplement policy would kick in for Constitutional Officers if the raise were given in July. Ms. Brennan then noted that there were sufficient funds to cover this.

Mr. Hale noted that if a raise were given and a certain number of employees were excluded from receiving it, there would be an implication that those employees were not doing a good job and he thought that was a problem. He added that the easiest thing to do was to apply a flat percentage raise or they could do a bonus.

Mr. Harvey stated that those in higher paying positions did not get there overnight and should not be penalized for doing what others did not want to do. He added he did not disagree with Mr. Saunders and Mr. Hale in theory; however he was unsure as to how to make it work. He added that the way it had been done over the years had worked and they had done bonuses in the past which was not a recurring benefit.

Mr. Carter then stated that if they showed favoritism to lower paying jobs, then that meant that the value of those in positions of more responsibility was not considered to be that valuable. He added that he knew that Supervisors did not mean it that way; however, that was how it was taken. He advised that the County could implement a system of merit pay if the Board wanted; however, he thought it would be very subjective and hard to manage.

Mr. Harvey then moved that the Board provide the raise effective July 1st and Ms. Brennan seconded the motion. There being no further discussion, Supervisors voted (4-1) by roll call vote to approve the motion with Mr. Hale voting No.

VI. Adjourn and Continue Until May 26, 2016 at 7:00 PM in the General District Courtroom for the conduct of a public hearing on the FY16-17 Budget and Secondary Six Year Plan and Priority List.

There being no evening session, at 5:40 PM, Mr. Harvey moved to adjourn and continue the meeting until May 26, 2016 at 7 PM in the General District Courtroom and Mr. Bruguere seconded the motion. There being no further discussion, Supervisors voted unanimously by voice vote to approve the motion and the meeting adjourned.