

May 26, 2011

Virginia:

AT A REGULAR SCHEDULED MEETING of the Nelson County Board of Supervisors at 7:00 p.m. in the Circuit Court room located in the Nelson County Courthouse.

Present:

Allen M. Hale, East District Supervisor
Constance Brennan, Central District Supervisor
Thomas H. Bruguere, Jr. West District Supervisor - Vice Chair
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
Fred Boger, Director of Planning and Zoning
Debra K. McCann Director of Finance and Human Resources

Absent: None

I. Call to Order

Mr. Johnson called the meeting to order at 7:02 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. Secondary Six Year Plan Workshop – VDOT

Mr. Randy Hamilton of VDOT addressed the Board concerning the proposed SSYP and noted that it was essentially a continuation of the previous plan. He noted that he had seen where money was transferred in 2008 and was sitting in the Rt. 617 Rockfish River Road project; which has now been taken out.

He then reviewed the cover sheet showing that the minimal revenues coming in were from Telefees. He then reviewed each page noting that on page 2, the first four items were budgeted for and included rural additions. He noted that by Code 5% of funds can go towards these projects. He then noted that the bottom of page 2 and all of page 3 listed the priority road projects. He added that Pigeon Hill Road would be fully funded this July and S. Powells Island Road would be fully funded next July.

He noted that they would look at secondary projects for closeout funds that could be applied to these and that he would come back to the Board with any balances to be allocated.

In response to questions, Mr. Hamilton noted that the trench widening on Rt. 29 was a maintenance item and that Dickie Road was probably paved, widened and surface treated under county-wide maintenance. Mr. Bruguere noted that he would like this done on some other roads.

May 26, 2011

Mr. Hamilton noted that the proposed plan document was a working draft and Mr. Carter added that Mr. Hamilton has bunched money up to get something done. Mr. Hamilton reiterated that if any funds were found, he would let Mr. Carter know and come back to the Board for advisement.

Ms. Brennan inquired about the Board's opportunity to add to the list and Mr. Hamilton advised that they only liked to add projects if they have adequate funding.

Mr. Hamilton then advised the Board that VDOT wanted to get all of these approved by June and that he would like to have a work session with the Board afterwards to see what the needs/wishes were.

Mr. Hamilton then reported that River Rd. and Irish Rd. were adding turn lanes using secondary funding and that VDOT had worked with Mr. Carter to find the necessary resolutions authorizing this. Mr. Hale noted that he would like to see a turn lane at Laurel Rd.

The traffic counts listed were briefly questioned and discussed and Mr. Hamilton noted that he would verify these with Mr. Carter.

Mr. Carter noted that staff intended to go to public hearing with the proposed plan at the first meeting in June unless there were any objections. Being that there were no objections, Mr. Hamilton noted he would check the date with his schedule and the work session concluded.

III. Public Hearings

A. FY11-12 Budget

Mr. Carter noted that Ms. McCann was ready to make a presentation to the Board on the proposed FY11-12 budget. The Board opted to forgo the PowerPoint presentation and Ms. McCann briefly noted the following amounts in the proposed budget:

General Fund \$32,862,782
Debt Service Fund 3,798,141
CDBG Fund 898,000
Capital Fund 600,000
School Division 24,403,800
Textbook Fund 578,859
Piney River Water & Sewer Fund 220,314
Courthouse Project Fund 2,267,115
Broadband Project Fund 2,206,420
Total all Funds: \$67,835,431

Mr. Johnson noted that all of the property taxes had remained the same and Mr. Carter added that it was a balanced budget with no revenue enhancements and he reiterated that the tax rates had remained the same.

Mr. Johnson then opened the public hearing and there being no persons wishing to be recognized, the public hearing was closed.

May 26, 2011

Mr. Carter then advised that the Board would have to wait until June 14th to adopt the budget due to statutory provisions.

IV. New/Unfinished Business

A. COR Refunds (**Resolution-R2011-39**)

Mr. Hale moved to approve resolution R2011-39 Approval of Commissioner of Revenue Refunds, and Ms. Brennan seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following resolution was adopted:

**RESOLUTION-R2011-39
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>
\$ 1,415.70	Real Estate Taxes	Mr. Allan Smith 612 W. Franklin St. Unit 3-E Richmond VA 23220

V. Public Comments

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

1. Anthony Martin, Nelson Resident:

Mr. Martin noted that he was the Assistant Commonwealth's Attorney in Amherst, currently lives in Colleen and was pleased to be in attendance to introduce himself.

VI. Closed Session Pursuant to Code of Virginia, 1950 as Amended Sections 2.2-3711 A (1)

Mr. Harvey moved that the Nelson County Board of Supervisors convene in closed session to discuss the following as permitted by Virginia Code § 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.

Mr. Bruguere seconded the motion and Ms. Brennan noted that the current Board has been good about going into closed session for specific things and that the subject fit the allowed criteria.

May 26, 2011

There being no further discussion, Supervisors voted (4-1) by roll call vote to approve the motion with Mr. Hale voting No.

The closed session was conducted and upon its conclusion, Mr. Hale moved to reconvene in open session 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 lawfully reconvene in open session.

Upon reconvening in open 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 (5-0) by roll call vote to approve the motion and lawfully certify the closed session.

Other Items Introduced:

FFA Certificate of Appreciation:

Mr. Johnson reported having received a certificate of appreciation from the Nelson FFA.

Draft Correspondence to Gladstone Rescue Squad

Mr. Carter noted that draft correspondence to the Gladstone Rescue Squad was sent out to the Board for review and he would like their consensus to forward it to the intended recipients.

Mr. Johnson suggested that they also ask for their Board meeting minutes and have a copy of the letter sent to their attorney of record.

Mr. Harvey then moved to authorize the County Administrator to forward the correspondence as discussed to Gladstone Rescue Squad and Ms. Brennan seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion

Tye River Elementary School Project

Ms. Brennan inquired as to what action was needed on the elementary school projects and Mr. Carter reported that to date the schools were proceeding with window replacement at RRES and have the money on hand in the budget. He noted that they were advised to go ahead with this so they would not be delayed and could finish before the next school year.

He reported that proceeding with the windows, bathrooms, and sheetrock replacement at TRES had been okayed by the Board. He noted that the remaining question was what to do about the moisture barrier issue. He added that he had spoken with Dr. Collins and Chuck Wray about this who had resent the previously presented documents over by email that said that the best solution was to remove all of the brick veneer and metal covering and replace all of the windows to achieve the best long term solution.

May 26, 2011

Mr. Carter reported that he had conferred with the committee (Mr. Harvey and Mr. Hale) on this and had followed up and had another Architect look at this and he concluded that without further investigative work he agreed with Mr. Wray's recommendations.

The Board and staff discussed the probability of having to do this eventually and some members indicated that they wanted a temporary fix (would do around the windows) that would last fifteen years and they were not willing to spend \$1.6 million now.

Mr. Carter noted that he had not advised the schools of what to do on this yet and he added that if the Board proceeded with replacement and then did the whole fix later, that might mean re-doing it all at that point as the deterioration time frame is indeterminate.

Mr. Carter noted that the proposed FY12 budget included funding to do the smaller scope solution; but that he had not spoken to Dr. Collins yet.

Mr. Harvey suggested that he would like to put money aside for this each year until it is needed and Mr. Carter noted that the previous estimate had not really changed; but was not final and that AE fees may or may not be included. He reiterated that the estimated complete solution cost was \$1.6 million.

Members and staff discussed the ramifications if they did not do anything around the bottom of the building at TRES given that it has been related by the Architect that moisture is getting through and sits there due to there being a lack of building envelope and flashing. Mr. Harvey noted the potential to use wicks in the brick to draw out moisture in those areas. Mr. Johnson suggested that the area would deteriorate over the next 10-15 years and it should be dealt with now or eventually they would have to replace the entire building fascia. Mr. Hale and Mr. Harvey noted that it could be twenty years before that needed to be done and Mr. Johnson reiterated that the Architect has noted how tight the brickwork was done there and that he was hesitant to tear all of the brick off and replace it.

Following discussion, Ms. Brennan clarified that the consensus was to not address the building envelope issue at TRES right now and that funds would be saved up until needed. Members confirmed this and noted the basis being that there would not be significant damage done there over the next few years. It was noted that the school may undergo expansion at some point in the near future and it was further reiterated that the air quality inside the building was better than outside at this point. Mr. Carter suggested that the Board may have to appropriate additional funds for this year so that they could proceed with the project sooner; however the full solution would be postponed for now and the Board would set any extra money aside in a fund for future use.

VII. Adjournment

At 8:00 pm, Mr. Hale moved to adjourn and Ms. Brennan seconded the motion. There being no further discussion, Supervisors voted unanimously, by voice vote to approve the motion and the meeting adjourned.