

May 26, 2016

Virginia:

AT A CONTINUED MEETING of the Nelson County Board of Supervisors at 7:00 p.m. in the General District Courtroom located in the Nelson County Courthouse, in Lovingston Virginia.

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

Absent: Constance Brennan, Central District Supervisor

I. Call to Order

Mr. Hale called the meeting to order at 7:01 PM, with four (4) Supervisors present to establish a quorum and Ms. Brennan being absent.

II. Public Hearings

A. Joint Public Hearing with VDOT: 2017-2022 Secondary Six Year Road Plan and Construction Priority List (R2016-32 Approval of FY17-22 SSYP and Priorities)

Supervisors were provided the following information for consideration:

Total Telefee Funds available for distribution are estimated to be approximately \$286,164 for FY17-FY22 and total State CTB Formula Unpaved Road Funds available are estimated to be approximately \$1,526,899 for the six year plan period.

Secondary Road Improvement Priorities for Fiscal Year 2017 are proposed as follows:

<u>Priority</u>	<u>Route #</u>	<u>Name</u>	<u>Distance</u>	<u>Mileage</u>
1	640	Wheeler's Cove Rd.	Rte. 623 to Rte. 620	0.70 Mi.
2	756	Wright's Ln.	Rte. 623 to Dead End	0.90 Mi.
3	634	Old Robert's Rd.	Rte. 619 to Rte. 754	1.70 Mi.
4	654	Cedar Creek Rd.	1.0 mi W Rte. 655 to 2.0 Mi. W Rte. 655	1.00 Mi.
5	680	Cub Creek Rd.	0.51 W Rte. 699 to 2.99 Mi. W Rte. 699	2.48 Mi.
6	654	Falling Rock Dr.	1.0 Mi. E Rte. 657 to Rte. 661	1.90 Mi.
7	814	Campbell's Mtn. Rd.	0.99 Mi. N. Rte. 56 to 1.99 Mi. N. Rte. 56	1.00 Mi.
8	617	Buck Creek Rd.	0.23 Mi. N Rte. 29 to Dead End	1.40 Mi.
9	625	Perry Ln.	Rte. 623 to Dead End	2.00 Mi.

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10	653	Wilson Rd.	Rte. 655 to Rte.710	2.83 Mi.
11	645	Aerial Dr.	Rte. 646 E to Rte. 646 W	0.20 Mi.
12	721	Greenfield Dr.	Rte. 626 to 0.50 Mi. N Rte. 626	0.50 Mi.

Estimated Allocations

Fund	FY2017	FY2018	FY2019	FY2020	FY2021	FY2022	Total
CTB Formula - Unpaved State	\$315,523	\$372,055	\$427,989	\$411,332	\$0	\$0	\$1,526,899
Secondary Unpaved Roads	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TeleFee	\$47,694	\$47,694	\$47,694	\$47,694	\$47,694	\$47,694	\$286,164
Residue Parcels	\$0	\$0	\$0	\$0	\$0	\$0	\$0
STP Converted from IM	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Federal STP - Bond Match	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Formula STP	\$0	\$0	\$0	\$0	\$0	\$0	\$0
MG Formula	\$0	\$0	\$0	\$0	\$0	\$0	\$0
BR Formula	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Other State Match	\$0	\$0	\$0	\$0	\$0	\$0	\$0
State Funds	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Federal STP	\$0	\$0	\$0	\$0	\$0	\$0	\$0
District Grant - Unpaved	\$0	\$0	\$0	\$0	\$577,543	\$577,543	\$1,155,086
Total	\$363,217	\$419,749	\$475,683	\$459,026	\$625,237	\$625,237	\$2,968,149

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PRIORITY	ROUTE	NAME	FROM	TO	LENGTH	TC - VPD	NOTES	
1	640	WHEELERS COVE RD	RTE 623	RTE 620	0.70 Mi.	90	FUNDED FY 16/17	\$175,000
2	756	WRIGHTS LANE	RTE 623	DEAD END	0.90 Mi.	116	FUNDED FY16/17	\$180,000
3	634	OLD ROBERTS RD	RTE 619	RTE 754	1.70 Mi.	110	FUNDED FY 17/18	\$340,000
4	654	CEDAR CREEK RD	1.0 MI. W. RTE 655	2.0 MI. W RTE 655	1.00 Mi.	120	FUNDED FY 17/18	\$340,000
5	680	CUB CREEK RD	0.51 W RTE 699	2.990 MI W RTE 699	2.48 Mi.	71	FUNDED FY 18/19	\$496,000
6	654	FALLING ROCK DR	1.0 MI.E. RTE 657	RTE 661	1.90 Mi.	127	FUNDED FY 19/20	\$380,000
7	814	CAMPBELL'S MT RD	0.99 MI. N. RTE 56	1.99 MI. N. RTE 56	1.00 Mi.	109	FUNDED FY 20/21	\$200,000
8	617	BUCK CREEK RD	0.23 MI. N RTE 29	DEAD END	1.40 Mi.	140	FUNDED FY 20/21	\$280,000
9	625	PERRY LANE	ROUTE 623	DEAD END	2.00 Mi.	118	FUNDED FY 21/22	\$400,000
10	653	WILSON RD	RTE 655	RTE 710	2.83 Mi.	60	PARTIALLY FUNDED FY 21/22	\$461,675
11	645	AERIAL DR	RTE 646 E	RTE 646 W	0.20 Mi.	55	NOT FUNDED	\$40,000
12	721	GREENFIELD DR	RTE 626	0.50 Mi. N RTE 626	0.50 mi.	51	NOT FUNDED	\$100,000

Mr. Don Austin of VDOT noted that the Tele-fees allocation could be used for anything that the Board decided. He added it did not have to be used on unpaved roads but could be used to improve site distance and road widening etc. He noted that these had previously been used for unpaved roads because there were no other projects. Mr. Austin then advised that there were some funds from previous years left and he mentioned the use of safety operations funds to be used for widening Tan Yard Road in Massies Mill. He then advised that they were waiting to see if additional funds could be used for it and he would know in July. He stated that he thought they could get an additional foot on each side of the road. He clarified that he was referring to the section that went out to Route 56 and it was not included in the budgeted funds presented.

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

Mr. Austin advised that the priority list would be kept as advertised this time since the Board had made adjustments up to this point. He noted again that these could be shifted next year as long as funds were not allocated to the project.

Mr. Bruguiere then moved to approve resolution **R2016-32**, Approval of FY17-FY22 Secondary Six Year Road Plan and FY 16/17 Construction Priority List and Mr. Saunders 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:

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RESOLUTION R2016-32
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF FY17-FY22 SECONDARY SIX-YEAR ROAD PLAN
AND FY16/17 CONSTRUCTION PRIORITY LIST

WHEREAS, Sections 33.2-331 and 33.2-332 of the 1950 Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan, and

WHEREAS, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2016/17 through 2021/22) as well as the Construction Priority List (2016/17) on May 26, 2016 after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List, and

WHEREAS, Don Austin, Virginia Department of Transportation, appeared before the Board and recommended approval of the Six-Year Plan for Secondary Roads (2016/17 through 2021/22) and the Construction Priority List (2016/17) for Nelson County,

NOW THEREFORE BE IT RESOLVED, that since said Plan appears to be in the best interests of the Secondary Road System in Nelson County and of the citizens residing on the Secondary System, said Secondary Six-Year Plan (2016/17 through 2021/22) and Construction Priority List (2016/17) are hereby approved, as amended as applicable at the public hearing.

Mr. Austin then reported that the signs that Ms. Brennan had requested at the stop light had been installed. He added that they were reviewing Rt. 56 and the area in Colleen for installation of flashing light signs etc. as well as access management there at Rt. 655. He noted that more accidents were related to the cross overs there and this project would be approved by the Commonwealth Transportation Board in June.

Mr. Austin also reported that the Route 151 safety projects would be advertised by the end of the year and that the Native Missions Right of Ways were unresolved at this point. He noted that they may construct a ditch rather than a retention pond for E&S controls; however it would get resolved.

B. FY16-17 Budget: Fiscal Year 2016-2017 Budgets for the Following Funds:
General, Debt Service, Capital, School Division, Textbook, Piney River
Water & Sewer, and Courthouse Project

There being only one member of the public present; Supervisors agreed by consensus to forgo a staff presentation on the budget. Supervisors and the public were provided the following public hearing notice regarding the FY16-17 budget:

The proposed 2016/2017 Fiscal year budget includes the Real Estate Tax Rate (inclusive of mobile homes taxed at the Real Estate Tax Rate), Personal Property Tax Rate, and the

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Machinery and Tools Tax Rate as established on April 12, 2016 to be effective January 1, 2016. All tax rates are levied per \$100 of assessed value as follows:

	<u>2015</u>	<u>2016</u>
Real Property Tax	\$0.72	\$0.72
Tangible Personal Property	3.45	3.45
Machinery & Tools Tax	1.25	1.25
Mobile Home Tax	0.72	0.72

PROPOSED 16/17 GENERAL FUND BUDGET

Anticipated Revenue (Local)

General Property Taxes	\$24,268,531
Other Local Taxes	4,364,508
Permits, Fees, and Licenses	198,250
Fines and Forfeitures	365,600
Interest and Rentals	50,000
Charges for Services	244,750
Expenditure Refunds	15,000
Miscellaneous	25,600
Recovered Costs	669,137

TOTAL ANTICIPATED LOCAL REVENUES \$30,201,376

Anticipated Revenues (State)

Non-categorical Aid	645,000
Categorical Aid	4,061,010

TOTAL ANTICIPATED STATE REVENUES \$4,706,010

Anticipated Revenues (Federal)

Non-categorical Aid	54,000
Categorical Aid	527,737

TOTAL ANTICIPATED FEDERAL REVENUES \$ 581,737

Transfer from Other Funds

175,000

Year Ending Balance

1,833,516

TOTAL AVAILABLE REVENUE \$37,497,639

Proposed Expenditures

General Government Administration	1,950,437
Judicial Administration (including debt)	1,374,229
Public Safety (including debt)	5,492,664

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Public Works (including debt)	2,501,594
Health & Welfare	2,293,019
Education (including debt)	17,936,591
Parks and Recreation	204,297
Community Development	568,062
Non-Departmental	2,714,447
Capital Outlay	782,000
Contingency Reserve	1,680,299

TOTAL PROPOSED EXPENDITURES
AND RESERVE \$37,497,639

PROPOSED 16/17 DEBT SERVICE BUDGET

TOTAL ANTICIPATED REVENUE	\$ 3,581,397
TOTAL PROPOSED EXPENDITURES	\$ 3,581,397

PROPOSED 16/17 CAPITAL FUND BUDGET

TOTAL ANTICIPATED REVENUE	\$898,230
TOTAL PROPOSED EXPENDITURES	\$898,230

PROPOSED 16/17 SCHOOL DIVISION BUDGET

Anticipated Revenue (Local)

Transfer from General Fund	14,985,887
Transfer from General Fund (School Buses)	190,000
Transfer from General Fund (School Nursing)	235,000
Transfer from General Fund (Facility Improvements)	325,000
Other Local Funds	1,075,916

TOTAL ANTICIPATED LOCAL REVENUE \$16,811,803

Anticipated Revenue (State)

State Aid	6,601,776
State Sales Tax	2,194,986

TOTAL ANTICIPATED STATE REVENUE \$8,796,762

Anticipated Revenue (Federal)

Categorical Aid	1,718,747
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TOTAL ANTICIPATED FEDERAL REVENUE \$1,718,747

TOTAL ANTICIPATED REVENUES \$27,327,312

Proposed Expenditures

Major Categories Combined \$27,327,312

TOTAL PROPOSED EXPENDITURES \$27,327,312

PROPOSED 16/17 TEXTBOOK FUND BUDGET

TOTAL ANTICIPATED REVENUE \$587,409

TOTAL PROPOSED EXPENDITURES \$587,409

PROPOSED 16/17 PINEY RIVER WATER/SEWER BUDGET

TOTAL ANTICIPATED REVENUE \$218,279

TOTAL PROPOSED EXPENDITURES \$218,279

PROPOSED 16/17 COURTHOUSE PROJECT BUDGET

TOTAL ANTICIPATED REVENUE \$2,392,092

TOTAL PROPOSED EXPENDITURES \$2,392,092

FY16/17 BUDGET SUMMARY AS PROPOSED

REVENUES BY FUND

General Fund	\$37,497,639
Debt Service Fund	3,581,397
Capital Fund	898,230
School Division	27,327,312
Textbook Fund	587,409
Piney River Water & Sewer Fund	218,279
Courthouse Project Fund	<u>2,392,092</u>
	\$72,502,358

EXPENDITURES BY FUND

General Fund	\$37,497,639
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Debt Service Fund	3,581,397
Capital Fund	898,230
School Division	27,327,312
Textbook Fund	587,409
Piney River Water & Sewer Fund	218,279
Courthouse Project Fund	<u>2,392,092</u>
	\$72,502,358

Mr. Hale noted that State revenues were lower than anticipated and therefore the State was talking about cuts. He then inquired how that would relate to the December 1st increase in compensation. Ms. McCann noted that the indication from the State was that they would not know if they were meeting their revenue targets until the end of July. She advised that the impact for the School system was \$59,000 and for the County it was \$10,000. She added that there was a lesser amount related to Social Services; this was relatively minimal and would have to be absorbed. Mr. Hale then asked if the County would have to amend its budget to cover it and Ms. McCann noted this to be unlikely. She explained that the expense side would already be appropriated and the revenue shortfall would be made up in some other way.

Mr. Carter assured Supervisors that staff was aware that the State revenue targets were not on track to be met and if they weren't, the State raise would not go through for December first.

Ms. McCann noted that staff had not received a number from Social Services to make the raise effective in July; however that adjustment could be made to the VPA fund when it came up for adoption.

There being no other questions from the Board the public hearing was opened and the following persons were recognized:

1. Ed McCann, High School Teacher, FFA Advisor, and Resident of Roseland VA

Mr. McCann commended the Board for their work done on the budget and thanked them for their support of the Nelson FFA program. He noted that an FFA student was to receive the top honors that an FFA member could have in June and he asked them to continue their support. He added that the Board affected the lives of students by recognizing and commending them. He then thanked the Board again on behalf of all teachers.

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

Mr. Hale commented that it was a reflection of what staff had put together that there was not an outcry from the public and the Board must be doing a satisfactory job.

He then suggested that funds for a night deposit box for the Treasurer's Office be added to the budget. He noted that in speaking with staff and security; people wanted to pay taxes in person; however they did not like how far it was to come all of the way into the building. He

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added that the Treasurer had found one that cost under \$2,000 and he thought this should be added to the budget. He noted that he had spoken with Paul Truslow about its placement and they had come up with placing it at the north entrance where the two storage rooms were beside the Jefferson Building.

Mr. Harvey then noted that people that came in to pay taxes did so to socialize since they could be paid by mail. Mr. Saunders indicated he did not have a problem with the idea; however he was still unsure about its location.

Ms. McCann noted that from what the Treasurer had previously said on this matter, most people that used these had to put disclaimers on the boxes. Mr. Harvey and Mr. Brugiure expressed reservations regarding having this noting it could create a bottleneck near the parking area. Mr. Hale noted that other jurisdictions did have these so that payments could be made outside of business hours.

Ms. McCann noted that staff could bring information on this back for them to look at and no action was taken by the Board.

Mr. Hale then noted for the public that the Board would not be adopting the budget until their June 14th meeting in order to comply with State Code restrictions.

III. Other Business

C. USDA/RUS Community Connect Broadband Grant Application & Funding

Mr. Carter noted that the work done thus far on this was very preliminary. He added that the County was getting more inquiries regarding broadband from its current marketing effort.

Mr. Carter noted that the consideration for the Board was a preliminary commitment of the required 15% local match for the grant. He briefly noted some of the grant criteria such as the project area must be designated as unserved or having poor broadband speeds. He added that the County would have to provide 25/5 Mbps service to that area. He noted that applications could be for a minimum of \$300,000 up to a maximum of \$3,000,000. He then advised that staff had been consulting with Design Nine regarding potential projects and they had suggested a combination of two things: upgrading all towers and extending the fiber network from Colleen down Route 56 to Route 151 and going to the Piney River post office for a total of 8.1 miles. He then noted that Staff had asked questions of RUS regarding the program and have backed off of the tower upgrades because they would be outside of the designated area; so the focus was on the fiber extension.

He added that there was a question mark regarding the requirement for a community center to be located in the project area and the provision of two (2) years of free internet access. He noted that it was possible to use the library for this; however it had to be available after business hours. He added that the Library was not in the designated project area either so he was not sure it would work.

Mr. Carter then noted that staff had looked at this every year and had not previously pursued it because of the extensive work it would take and the likelihood of it not being worthwhile.

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He advised that the program was nationwide and there was stiff competition for \$12 Million Dollars in grant funds. He then noted that if they had monies come back from previous years, the available dollars could total \$18 Million. Mr. Carter noted though that it was possible the County could be successful. He noted that the County's application would be for approximately \$1,089,000 and would require a 15% match of \$163,000 and he asked if the Board was willing to commit to this local funding.

Mr. Bruguere asked if the grant was in any way tied to Low-to-Moderate Income populations and Mr. Carter noted that it was, in that it would provide an advantage in scoring of the application. He noted that all of the homes and businesses along the route would have to be connected and staff had identified 220-266 of these. He added that some of these were pretty far off of the road and staff needed to know the threshold for connections. He added that it was questionable as to how many would actually get service.

Mr. Hale asked if there were any wireless service opportunities on the fiber route and Mr. Carter noted that the focus was to extend the fiber network at this point. He added people would be hooked up for free but they would not be provided service.

Mr. Carter then advised that staff needed to better understand more about the grant parameters as there was not a lot of detail provided by RUS. He further noted that he had not spoken to VDOT to see if there was sufficient right of way either. He noted that GIS mapping had been used to identify the Route 56 west corridor and it was hoped that the fiber could be put in the same right of way as the water and sewer there. He noted that the application was likely an uphill proposition; however the primary consideration was whether or not the Board was willing to put up the 15% local match. He added that the General Fund could sustain this and doing so would not harm the county.

Mr. Hale supposed that it could cost \$5,000 per connection and he questioned the cost if all 200 connected. It was noted that without having work done on the take rate, it was doubtful the County would have these connections. Mr. Carter advised that the County would have to put together a five-year financial forecast for the application. He noted that he thought they would see more participation on the current expansion in process; although the marketing effort was providing a lot of inquiries; with many from unserved areas.

Mr. Bruguere asked if more wireless could be done and Mr. Carter noted that this could be discussed; however the concern was acceptance of a project area and the area where the towers were would not be considered unserved.

Mr. Hale then noted that it seemed to him that with the tower at CVEC in Collen; wireless service ought to hit everything along Route 56 west. Mr. Bruguere noted that they would have to look at the topography. It was noted that there were six (6) county towers and one (1) in Gladstone available to the County to use.

Mr. Saunders then noted that if the application was submitted, it demonstrated that the County was trying to expand broadband.

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Mr. Bruguieri then stated he was willing to commit the funds and it would be good if the County got the grant. Mr. Carter reiterated he could not guarantee it would be successful and the due date was June 17th. Mr. Saunders agreed the County should go forward.

Mr. Bruguieri then suggested the County put up towers and provide rent-free space to ISPs.

Mr. Hale noted that he was not in favor of the proposal; however there was a majority consensus to go forward.

Mr. Carter then commented that he was not sure they could accurately project a take rate and Mr. Hale noted he felt that data was needed to move forward.

Staff then confirmed that the Board agreed by consensus it would provide the local match if staff proceeded with the application and it were successful.

Introduced: Mr. Saunders

Mr. Saunders inquired about the correspondence from Mr. McGinnis regarding the building and Mr. Carter advised that it would be on the June meeting agenda.

Mr. Saunders noted he spoke with Sheriff Hill and he suggested that he meet with Supervisors 2x2 so that they better understood what was going on in the department and he asked for the Board's opinion on that. Mr. Bruguieri noted he thought this was okay and noted that the Board needed to resume 2x2s with the School Board as well. Mr. Saunders noted there were a lot of new things for them to hash out. Mr. Hale then encouraged all Board members to discuss things with Constitutional Officers and note that they were willing to sit down and listen to what they had to say.

Mr. Saunders and Mr. Harvey then agreed to meet with Sheriff Hill and Mr. Hale would meet with him separately.

Mr. Saunders then advised that Paul Whitney of Jamerson-Lewis Construction had suggested having a border of carpet around the exterior of the heart pine floor in the Courtroom to aid in the acoustics and Mr. Carter noted this would likely be discussed at the progress meeting the following week.

Mr. Harvey noted that he wanted to see things done right as it was a one-time opportunity.

IV. Adjournment

At 7:50 PM, Mr. Harvey moved to adjourn the meeting and Mr. Bruguieri seconded the motion. There being no further discussion, Supervisors voted unanimously by voice vote to approve the motion and the meeting adjourned.