

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 – Vice Chair
Thomas H. Bruguiera, Jr. West District Supervisor
Larry D. Saunders, 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
Tim Padalino, Director of Planning and Zoning
Susan Rorrer, Director of Information Systems

Absent: None

I. Call to Order

Mr. Saunders called the meeting to order at 2:05 PM, with four (4) Supervisors present to establish a quorum and Mr. Harvey joining the meeting shortly thereafter.

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

II. Resolutions Commending Public Service

A. The Late Martha F. Conner (R2015-89)

Mr. Saunders read aloud the proposed resolution honoring the late Martha F. Conner for her public service. Mr. Hale then moved to approve resolution **R2015-89**, Resolution Recognizing the Community Service of the Late Martha F. Conner 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 R2015-89
NELSON COUNTY BOARD OF SUPERVISORS
RESOLUTION RECOGNIZING THE COMMUNITY SERVICE OF
THE LATE MARTHA F. CONNER**

WHEREAS, Mrs. Martha F. Conner, longtime Nelson County community servant has recently passed; and

WHEREAS, Mrs. Conner’s outstanding leadership and extensive commitment to Nelson County and its citizens was evident not only through her kindness toward the less fortunate but also through her public service as a charter member and Advanced Life Support volunteer for many years with the Nelson County Rescue Squad in Faber; running thousands of calls; and

WHEREAS, Mrs. Conner served several years as a member of the County's Litter and Recycling Council and being an educator, was dedicated to the education of children; having opened a private kindergarten at Trinity Episcopal Church in Oak Ridge and later the Nelson County Childcare Center, a non-profit organization that served the County for over twenty-five years;

NOW, THEREFORE, BE IT RESOLVED, that we, the Nelson County Board of Supervisors wish to hereby recognize and commend the late Martha F. Conner for her many years of public service and community activism that served to greatly enhance the Nelson County Community.

B. John J. Bradshaw (R2015-90)

Mr. Saunders read aloud the proposed resolution honoring Mr. John J. Bradshaw for his public service. Mr. Hale then moved to approve resolution **R2015-90**, Resolution Recognizing the Community Service of John J. Bradshaw and Mr. Bruguiera 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 R2015-90
NELSON COUNTY BOARD OF SUPERVISORS
RESOLUTION RECOGNIZING THE COMMUNITY SERVICE OF
JOHN J. BRADSHAW**

WHEREAS, Mr. John J. Bradshaw has recently resigned his seat on the Nelson County Board of Zoning Appeals (BZA), a seat which he held for twenty-four (24) consecutive years from 1991 to 2015; and

WHEREAS, Mr. Bradshaw not only served on the BZA, he was a member of the Litter Control and Recycling Council and was the Circuit Court appointee to serve as the East District Supervisor for the unexpired term of office vacated by Leon Brandt, Jr. from July 1, 1989 to December 31, 1989; and

WHEREAS, additionally, Mr. Bradshaw serves the Nelson County Community as a member and officer of the Nelson County Chamber of Commerce, the Cove Valley Recreation Center, and is a founding member of the Nelson County Rescue Squad; and

WHEREAS, the Nelson County Board of Supervisors wishes to honor Mr. Bradshaw's unwavering diligence and service to Nelson County citizens;

NOW, THEREFORE, BE IT RESOLVED, the Nelson County Board of Supervisors hereby recognizes, thanks, and honors Mr. John J. Bradshaw for his many years of volunteerism and dedication in serving the citizens of Nelson County.

III. Consent Agenda

Ms. Brennan noted that she had some minor formatting changes for Ms. McGarry and Mr. Hale noted the misspelling of Joanna Salidas's name.

Ms. Brennan then moved to approve the Consent Agenda as presented with the changes mentioned and Mr. Bruguiera seconded the motion.

Mr. Hale noted his yes vote would be for all but the minutes; as he was not present for that meeting. 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 – **R2015-91** Minutes for Approval

**RESOLUTION R2015-91
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF MEETING MINUTES
(October 13, 2015)**

RESOLVED, by the Nelson County Board of Supervisors that the minutes of said Board meeting conducted on **October 13, 2015** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

B. Resolution – **R2015-92** COR Refunds

**RESOLUTION R2015-92
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>
\$155.00	2012-2015 License Fee	Mr. & Mrs. Dewey Henson 309 Payne PL Gladstone, VA 24553-3117
\$223.94	2012-13 PP Tax & Vehicle License Fee	Pamela A. Toliver 34 The Pines LN Arrington, VA 22922
\$367.53	2015 Business PP Tax	Subway Sandwiches Pranav A. Shah 2417 Abington DR Charlottesville, VA 22911
\$4,441.08	2013-2015 Disabled Veteran Exemption	Bruce A. Moyer 141 Bryant LN Roseland, VA 22967
\$207.76	2015 Disabled Veteran Exemption	William B. Rutherford 939 Peavine LN Shipman, VA 22971

C. Resolution – **R2015-93** FY16 Budget Amendment

**RESOLUTION R2015-93
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF FISCAL YEAR 2015-2016 BUDGET
NELSON COUNTY, VA
November 12, 2015**

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>
\$14,394.00	3-100-003303-0008	4-100-031020-3033
<u>\$74.00</u>	3-100-002404-0007	4-100-082050-6008
\$14,468.00		

IV. Public Comments and Presentations

A. Public Comments

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

1. Louis Jay Rostow, Wingina -Former Farmers Market Board Member

Mr. Rostow asked the Board not to adopt the Proposed Ordinance pertaining to Wayside Stands and Farmers Markets. He noted that he had a petition with seventy-nine (79) signatures from customers and vendors in support of not adopting the ordinance.

He then noted the following supporting points:

He noted that the Farmers Market depended on income from all vendors to pay for its expenses and without the income of non-agricultural vendors this would suffer. He noted that the Farmers Market served as an attraction along Rt. 151 and many people came for the market and then went to other attractions. He noted that even tour groups stopped off there and went on to other attractions. He noted that it provided opportunities for vendors to expose their products to outside residents and it served as a business incubator. He noted that the current language of the Ordinance worked against the American Dream as defined by James Truslow Adams in 1931.

Mr. Rostow further noted that the proposed ordinance would restrict commerce in the county by restricting wayside stands and he gave the example of a produce stand. Mr. Rostow then noted that Farmers Markets had internal rules to keep them from becoming a flea market and becoming a flea market was contrary to what they wanted to do. He added that there had been no consulting with Farmers Market people on this and he thought enforcement would be a problem. He concluded by noting that the Farmers Market should not be held to higher standards than a grocery store.

2. Bo Holland,

Ms. Holland questioned the intent and goals behind the proposed ordinance regarding Farmers Markets and Wayside Stands. She noted she was concerned about the lack of public involvement even though it was properly advertised. She then suggested that affected businesses be notified by county staff as she thought a newspaper notice was not enough.

Ms. Holland then recommended that the Comprehensive Plan be looked at to address the growth occurring in the County.

Ms. Holland concluded by asking that the Board not to vote on the proposed ordinance regarding Farmers Markets and Wayside Stands. She recommended using broad and simple definitions such as 50% or greater sell agricultural products at Farmers Markets. Ms. Holland added that the Farmers Market grossed over a half million dollars in revenue last year. She added it was very successful and popular and this was based upon there being a variety of vendors including arts and crafts.

3. Charlie Wineberg, Ennis Mountain Road

Mr. Wineberg suggested that the Board look at things broadly rather than narrowly. In reference to the recently approved Monarch Inn and Farm special use permits, he noted that they had three special use permits for a property that would now not be owned by the applicants. He then suggested that the process was flawed and that these should be tied to the individuals rather than the property.

4. Jeannie Scott, Shipman

Ms. Scott noted she was co-owner of a farm with Gary Scott. She noted that Mr. Scott had been in correspondence with Mr. Padalino and had returned some suggested language to him for the Farmers Market and Wayside Stands ordinance. She noted that she objected to the specific nature of the ordinance as it was written, specifically selling purchased things for resale. She noted that she liked the simple language contained in Loudon County's ordinance. She then noted that the Secretary of Agriculture and Forestry sited farming as the top industry in the state in the private sector and tourism as the second. She added that she would not want to make the ordinance so binding that these entities could not make money. Ms. Scott concluded by noting it was incumbent upon the Board to not squelch agriculture and tourism and the language as is should be scrapped.

5. Jim Saunders, Piney River – Saunders Brothers

Mr. Saunders stated that the language in the new Farmers Market and Wayside Stand ordinance seemed to be overly restrictive and they needed to allow accessory products to be sold that complimented what was already being sold at the Farmers Market. He noted he would be glad to help in any way in drafting new language. He added that it was currently too restrictive and they should continue to allow agriculture to be #1 in the state of Virginia.

6. Anne Buteau, Shipman

Ms. Buteau noted that she thought the Farmers Markets should get back to being for farmers. She noted that Farmers were not processors and farmers had different concerns and timelines. She added that if the Farmers Market was not primarily governed by farmers, there could be a conflict of ideas. She noted that she supported other vendors, crafters, bakers etc.; however, it should be primarily for farmers.

She then noted in terms of Wayside Stands, the products sold should be yours or your neighbors, and definitely Nelson County produce being sold.

Ms. Buteau then asked if there was anyone with agricultural knowledge on the Planning Commission and suggested if not, there should be, since agriculture was so prominent in the county.

7. Brian Raynor, Charlottesville

Mr. Raynor noted that he has been a vendor at the Farmers Market since 2007 and has sold at others as well. He noted he held dear the Nelson Farmers Market because of its diversity and the people that attend. He noted that he would like to see the proposed ordinance language revisited on items for resale; however he thought it was important for them to be farmer oriented (50%). He noted that it typically was; however people came to it and it was popular because of the whole experience; not just the agriculture.

8. Michael LaChance, Extension Agent

Mr. LaChance echoed what others had said regarding their concerns about the proposed Farmers Market and Wayside Stand ordinance. He added that there was a continuum of agriculture production in the county, and the county had to come to grips with production and marketing. He noted that in selling honey, for example, it was hard to build a shop just for that. He reiterated that the changes in the ordinance wording were counter-productive and he recommended that the Board revisit this.

9. Shelby Bruguire, Nellysford

Ms. Bruguire noted that she was speaking regarding the proposed Wayside Stand ordinance provisions and noted that she recently went through the wayside stand permitting process. She noted that the Board should minimize the process that people went through to be able to sell their products. She advised that it took her six months to get the permit and she had to pay \$4,000 for an engineer to show on the plat, where a tent would go. She added that if she were to continue the permit the following year, she would have to implement a plan at a cost of \$25,000 that involved building a commercial entrance for a tent.

There being no other persons wishing to be recognized, Mr. Saunders closed the public comment session.

Mr. Bruguire then asked if the Board could discuss agenda item V. A -Proposed Zoning Ordinance Amendments "Wayside Stands" & "Farmers Markets" at that point. The Board agreed by consensus to do so and Mr. Bruguire added that he proposed that a decision not be made that day and he suggested having a work session with public input. He added that they could notify some that would like to volunteer.

Mr. Hale noted that it was clear that it was not something that was ready to be adopted and he agreed with Mr. Bruguere. He added that it should be looked at carefully and it was currently far too restrictive. He added that many have spoken to him about this and that two of the most successful markets, Nellysford Farmers Market and Saunders Brothers Market would not meet the criteria if they were located in other places. He noted that there was no ill intent on the part of the Planning Department and the Planning Commission, however the County's Zoning Ordinance did not have a definition of Farmers Market in it anywhere. He noted that in fact, it was something that should be added to the definitions as a use provided for in the Agricultural District. He added that technically, if someone applied today for a Farmers Market, it would not be permissible. He concluded by noting that he thought the current proposal was inadequate and he agreed with Mr. Bruguere that it should be relooked at. He noted that Wayside Stand was defined but was not provided for in the current Zoning Ordinance.

Ms. Brennan thanked everyone for coming to speak on the issue. She noted that the intent was not to restrict agriculture or tourism in any way and they would come up with something that would be inclusive and not exclusive. She noted that the Planning Commission had worked hard on this and the suggestion that people should be notified of changes could not happen the way it was suggested because it had been done before and there were issues with who was notified and who was not. She recommended that citizens go on the website and look at the agenda for the Planning Commission and the Board. She then suggested that a work group be set up, people identified to participate, and then a County work session be held.

Mr. Carter inquired as to whether or not Mr. Padalino should overview the ordinance as proposed by the Planning Commission and then the other language that was proposed after the Planning Commission's recommendations. He reiterated that Farmers Market was not currently allowed and Wayside Stand was defined but there was no guidance to go along with it and staff was having to wing it.

Mr. Saunders noted that he was on the Planning Commission and they had been working on this for over a year. He noted that they tried to get it down to be as least restrictive as possible. He added that they had held two public hearings and no one showed up and now everyone was here and their work had gone down the drain.

Mr. Harvey noted that this was prompted because Farmers Markets was not in the current ordinance. He noted the unnecessary extensive time and effort put into the draft language and noted that the County had not had any issues related to this so far. He noted that everything had to be run through VDOT and it was very subjective and he did not understand why they went to extremes. He added that he understood that the wayside stands needed to be safe; however they were using a giant to kill an ant and it was creating bigger problems. He noted that he agreed with Mr. Saunders that a great deal of time had been spent on it thus far, with no public input, and they were now being bombarded that day. He noted he appreciated the input but it was before the Board to vote on it. Mr. Harvey then recommended that they approach this from a Board perspective and question whether or not they wanted to get into these issues so deeply. He added that the Zoning Ordinance could not make everything black and white and he thought it needed a lot of work before they did anything.

Mr. Padalino noted that staff recognized the level of public concern and interest and understood the importance of remaining agricultural. He noted that the County addressed on-farm activities last year according to state code and that moving forward, Farmers

Markets and Wayside Stands were off-farm sales. He noted that these were somewhere between off-farm sales and a grocery store and that they wanted to come up with an in-between use that was neither not regulated or over regulated. He noted that wayside stands were only allowed in the A1 District and the goal was to establish clear criteria. He noted that there were two wayside stands that were happening on the same stretch of Route 151 and his office was getting calls about safety concerns and so these became a focus. He noted that for these, a sketch would be required, not a site plan done by an engineer. He added that he generally agreed with the public concern about restrictiveness and he thought that adding the word "processed" to the farmers market definition could alleviate most of the concerns noted that day.

Following discussion, Mr. Bruguiere volunteered to chair a committee to look into this issue. It was noted he would hand pick members from the farmers market or those from the farming community. It was noted that Mr. Padalino and Ms. Kelley would be included since the Artisans Trail network may have an impact on this. No action was taken the proposed amendments.

B. Presentation - TJPDC 2016 Legislative Program (R2015-94) (D. Blount)

Mr. Blount, TJPDC Legislative Liaison, presented the following draft legislative plan:

Public Education Funding

PRIORITY: The Planning District localities urge the State to fully fund its share of the realistic costs of the Standards of Quality without making policy changes that reduce funding or shift funding responsibility to localities.

The State will spend about \$5.6 billion on public education in FY16; however, K-12 state direct aid funding remains below its 2009 peak and does not reflect the true costs of local K-12 education. Localities go beyond state mandates to meet Standards of Learning and Standards of Accreditation requirements, having spent nearly \$7 billion for school division operations in FY14. This amount represents 56% of State/local K-12 funding and is \$3.6 billion above the state-required effort. A spring, 2015 survey of school divisions revealed they have been reducing staff and adding additional duties to remaining staff; over 70% have increased class sizes and 20% have reduced employee compensation in recent years.

Reductions in state public education dollars the last four to five years have been accomplished mainly through policy changes that are decreasing the state's funding obligations moving forward. The State also made policy changes (e.g. mandatory teacher 5% for 5%) to the Virginia Retirement System (VRS) that increased local costs and did nothing to reduce the unfunded teacher pension liability. Education expenditures are expected to continue increasing, as the percentage of at-risk students climbs (now about one-third of students) and state and local VRS contribution rates will drive additional spending in the coming years.

Equalized Revenue Authority

PRIORITY: The Planning District localities urge the governor and legislature to equalize the revenue-raising authority of counties with that of cities.

A number of state-level studies, dating back as far as the early 1980's, have noted that the differences between city and county taxing authority exist due to historical distinctions in the services provided, and that they should be eliminated. This distinction has become less

prevalent with increased urbanization and suburbanization, as a growing number of counties now provide levels of services similar to cities. Levels of funding, the degree of service responsibility and standards related to delivery of such services often are topics of debate between the State and localities. Local governments cannot be expected to bear the expenses related to the imposition of new funding requirements or the expansion of existing ones on services delivered at the local level without a commensurate increase of state financial assistance or new local taxing authority.

The real property tax relied upon by localities is providing a smaller percentage of local resources and likely will not grow commensurate with local needs. To compensate, many localities have increased or adopted new taxes and fees and have taken significant actions to control spending. This proposal essentially removes the caps that currently apply to county authority to levy the meals, lodging, cigarette and amusement taxes, as well as the requirement that meals taxes in counties be subject to approval by referendum. It stands to help diversify and broaden the revenue base of counties by further reducing dependency on real property taxes. We believe that, at a minimum, equalizing revenue authority for counties with that of cities should be “on the table” as Virginia examines modernizing its tax system to comport with the realities of a global, information-driven economy, which will rely less on federal and other government spending and more on new, private sector business models.

State Mandates and Funding Obligations

PRIORITY: The Planning District localities urge the governor and legislature to 1) not impose financial or administrative mandates on localities; 2) not shift costs for state programs to localities; and 3) not further restrict local revenue authority.

Locality budgets remain challenged by slowly-recovering local revenues, recession riddled state funding and additional requirements. While state general fund appropriations have increased by about \$2.8 billion since FY09 (from \$15.9 billion to nearly \$18.8 billion in FY16), state assistance to local government priorities has remained stagnant (at about \$8.2 billion). More state dollars continue to flow for Medicaid expenditures (now 21% of the general fund budget) and debt service (where expenditures have doubled the past 10 years and will reach nearly \$700 million in FY16).

Accordingly, we take the following positions:

→We urge policymakers to preserve existing funding formulas rather than altering them in order to save the State money and/or shift costs to localities.

→We oppose unfunded state and federal mandates and the cost shifting that occurs when the State fails to fund requirements or reduces or eliminates funding for state-supported programs. Doing so strains local ability to craft effective and efficient budgets to deliver services mandated by the State or demanded by residents.

→The State should not alter or eliminate the BPOL and Machinery and Tools taxes, or divert Communications Sales and Use Tax Fund revenues intended for localities to other uses. Instead, as previously noted, the legislature should broaden the revenue sources available to localities.

→Finally, we believe the State should examine how services are delivered and paid for in the future as a different economy takes hold in Virginia.

Other Priority Items

Water Quality

PRIORITY: The Planning District localities support the goal of improved water quality, but as we face mounting costs for remedies, including stormwater management, we believe major and reliable forms of financial and technical assistance from the federal and state governments is necessary if comprehensive improvement strategies are to be effective.

As local governments are greatly impacted by federal and state initiatives to reduce pollutants into state waters, it is imperative that aggressive state investment in meeting required milestones for reducing Chesapeake Bay pollution to acceptable levels occurs. This investment must take the form of authority, funding and other resources to assure success, and must ensure that cost/benefit analyses are conducted of solutions that generate the greatest pollution reductions per dollar spent. This includes costs associated with stormwater management, for permitted dischargers to upgrade treatment plants and for any retrofitting of developed areas, and to aid farmers with best management practices.

Specifically concerning stormwater management, we support adequate funding and training to enable the State and local governments to meet ongoing costs associated with local stormwater management programs that became effective on July 1, 2014. Any proposed legislation to streamline the State's stormwater and erosion/sediment control programs should recognize that localities need funding and technical assistance to implement the changes. We will oppose proposals that would result in new or expanded mandates or requirements, including elimination of current "opt-out" provisions, or financial burdens on local governments.

We oppose efforts that would require re-justification of nutrient allocations for existing wastewater treatment facilities in our region or that would reduce or eliminate nutrient allocation or related treatment capacity serving the region.

Transportation Funding and Devolution

PRIORITY: The Planning District localities urge the State to continue to enhance funding for local and regional transportation needs. We also oppose legislation or regulations that would transfer responsibility to counties for construction, maintenance or operation of current or new secondary roads.

We urge the State to remain focused on providing revenues for expanding and maintaining all modes of our transportation infrastructure that are necessary to meet Virginia's well-documented highway and transit challenges and to keep pace with growing public needs and expectations. As the State continues to move forward with the prioritization process established by HB 2 (2014) and the new distribution formula for highway construction projects established by HB 1887 (2015), it should be focused on the goal of getting money flowing to important local and regional projects in the state's nine VDOT construction districts. Further, we support additional authority to establish mechanisms for funding transit and non-transit projects in our region.

We believe that efficient and effective transportation infrastructure, including the secondary road system, is critical to a healthy economy, job creation, a cleaner environment and public safety. Accordingly, we oppose shifting the responsibility for secondary roads to local entities, which could result in vast differences among existing road systems in different

localities, potentially placing the State at a competitive economic disadvantage with other states when considering business and job recruitment, and movement of goods.

Finally, while we opposed closing of VDOT's Louisa residency facilities and support its reopening, we also support the option for the locality to purchase the property if available.

Land Use and Growth Management

PRIORITY: The Planning District localities encourage the State to provide local governments with additional tools to manage growth, without preempting or circumventing existing authorities.

In the past, the General Assembly has enacted both mandated and optional land use provisions. Some have been helpful, while others have prescribed one-size-fits-all rules that hamper different local approaches to land use planning. Accordingly, we support local authority to plan and regulate land use and oppose legislation that weakens these key local responsibilities. Current land use authority often is inadequate to allow local governments to provide for balanced growth in ways that protect and improve quality of life. Therefore, we believe the General Assembly should grant localities additional tools necessary to meet important infrastructure needs. These include the following: 1) impact fee and proffer systems that are workable and meaningful for various parties, without weakening our current proffer authority; 2) impact fee authority for costs for facilities other than roads; and 3) authority to enact adequate public facility ordinances for determining whether public facilities associated with new developments are adequate.

We support ongoing state and local efforts to coordinate land use and transportation planning, and urge state and local officials to be mindful of various local and regional plans when conducting corridor or transportation planning within a locality or region.

Finally, concerning land preservation, we request state funding and incentives for localities, at their option, to acquire, preserve and maintain open space.

Legislative Positions and Policy Statements

Children's Services Act

The Planning District localities urge the State to be partners in containing costs of the Children's Services Act (CSA) and to better balance CSA responsibilities between the State and local government. Since the inception of CSA in the early 1990's, there has been pressure to hold down costs, to cap state costs for serving mandated children, to increase local match levels and to make the program more uniform by attempting to control how localities run their programs.

CSA Administration:

We request increased state dollars for local CSA administrative costs, as localities pay the overwhelming majority of costs to administer this shared program. State dollars for administration have not increased since the late 1990's, while at the same time, costs have jumped due to additional data collection and reporting requirements.

Pool Expenditures:

- The State should provide full funding of the state pool for CSA, with allocations based on realistic anticipated levels of need.

- The State should establish a cap on local expenditures in order to combat higher local costs for serving mandated children, costs often driven by unanticipated placements in a locality.
- Categories of populations mandated for services should not be expanded unless the State pays all the costs.

Efficiency:

- The State should be proactive in making residential facilities and service providers available, especially in rural areas.
- In a further effort to help contain costs and provide some relief to local governments, we recommend that the State establish contracts with CSA providers to provide for a uniform contract management process in order to improve vendor accountability and to control costs.

Economic and Workforce Development

The Planning District's member localities recognize economic development and workforce training as essential to the continued viability of the Commonwealth. We support policies and additional state funding that closely links the goals of economic and workforce development and the State's efforts to streamline and integrate workforce activities and revenue sources. We encourage equipping the workforce with in-demand skill sets so as to align workforce supply with anticipated employer demands. We also support continuing emphasis on regional cooperation in economic, workforce and tourism development.

Economic Development:

- We support efforts to grow and diversify the private sector in each region, with the State serving as a catalyst and partner to provide financial incentives, technical support and other incentives for economic development, job creation and career readiness.
- We support legislation that dedicates income and sales tax revenues generated by corporations and limited liability companies within an economic development project to such locality in cases where the locality has expended local funds for such project and state grant funds or incentives were not involved.

Broadband:

We encourage and support continuing state and federal efforts and financial incentives that assist communities in deploying universal, affordable access to broadband technology, particularly in underserved areas. We believe such efforts should include:

- A focus on correcting the accuracy and availability of statewide broadband maps;
- Support for linking broadband efforts for education and public safety to private sector efforts to serve businesses and residences;
- Provisions that provide for sharing utility and road right of way easements for expanding broadband;
- Maintaining local land use, permitting, fees and other local authorities; and
- Development of a statewide comprehensive plan for broadband and state support for local governments that are developing local or regional broadband plans.

Planning District Commissions:

- We support increased state funding for regional planning district commissions.
- We encourage opportunities for planning districts to collaborate with state officials and state agencies on regional programs and projects, and support funds for the Regional Competitiveness Act to initiate and sustain such efforts.

Agricultural Products and Enterprises:

We encourage state and local governments to work together and with other entities to identify, to provide incentives for and to promote local, regional and state agricultural products and rural enterprises, and to encourage opportunities for such products and enterprises through a balanced approach.

Education

The Planning District's member localities believe that state funding for K-12 education in Virginia should recognize actual needs, practices and costs of local school divisions; otherwise, more of the funding burden will fall on local taxpayers.

School Division Finances:

- We believe that unfunded liability associated with the teacher retirement plan should be a shared responsibility of state and local government, with the Virginia Department of Education paying its share of retirement costs directly to VRS in order to facilitate such sharing.
- The State should not eliminate or decrease funding for benefits for school employees.
- We support legislation that 1) establishes a mechanism for local appeal to the State of the calculated Local Composite Index (LCI); and 2) amends the LCI formula to recognize the land use taxation value, rather than the true value, of real property.

Literary Fund:

- The State should discontinue seizing dollars from the Literary Fund to help pay for teacher retirement.
- We urge state financial assistance with school construction and renovation needs, including funding for the Literary Loan and interest rate subsidy programs.

Environmental Quality

The Planning District's member localities believe that environmental quality should be funded and promoted through a comprehensive approach, and address air and water quality, solid waste management, land conservation, climate change and land use policies. We are committed to protection and enhancement of the environment and recognize the need to achieve a proper balance between environmental regulation and the socio-economic health of our communities within the constraints of available revenues. Such an approach requires regional cooperation due to the inter-jurisdictional nature of many environmental resources, and adequate state funding to support local and regional efforts.

Chesapeake Bay Preservation Act:

We oppose legislation mandating expansion of the Chesapeake Bay Preservation Act's coverage area. Instead, we urge the State to 1) provide legal, financial and technical support to localities that wish to comply with any of the Act's provisions, 2) allow localities to use other practices to improve water quality, and 3) provide funding for other strategies that address point and nonpoint source pollution.

Bio-solids:

We support legislation enabling localities, as a part of their zoning ordinances, to designate and/or reasonably restrict the land application of bio-solids to specific areas within the locality, based on criteria designed to further protect the public safety and welfare of citizens.

Alternate On-Site Sewage Systems:

We support legislative and regulatory action to 1) ensure operation and maintenance of alternative on-site sewage systems in ways that protect public health and the environment, and 2) increase options for localities to secure owner abatement or correction of system deficiencies.

Dam Safety:

We support dam safety regulations that do not impose unreasonable costs on dam owners whose structures meet current safety standards.

Water Supply:

The State should be a partner with localities in water supply development and should work with and assist localities in addressing water supply issues, including investing in regional projects.

Noxious Weeds:

We support changes to the *Code* and to the Virginia Invasive Species Management Plan that direct efforts to prevent and control damage caused by invasive species.

Program Administration:

The State should not impose a fee, tax or surcharge on water, sewer, solid waste or other local services to pay for state environmental programs.

Finance

The Planning District's member localities believe the State should refrain from establishing local tax policy at the state level and allow local governments to retain authority over decisions that determine the equity of local taxation policy.

Local revenues:

The State should not confiscate or redirect local general fund dollars to the state treasury. It should reverse action taken in 2012, and then expanded in 2015, which directed to the Literary Fund a portion of fines and fees collected at the local level from the enforcement of local ordinances.

Fiscal Impacts:

We support reinstatement of the "first day" introduction requirement for bills with local fiscal impact.

Transient Occupancy Tax:

The State should ensure the appropriate collection of transient occupancy taxes from online transactions.

General Government

The Planning District's member localities believe that since so many governmental actions take place at the local level, a strong local government system is essential. Local governments must have the freedom and tools to carry out their responsibilities.

Local Government Operations:

- We oppose intrusive legislation involving purchasing procedures; local government authority to establish hours of work, salaries and working conditions for local employees;

matters that can be adopted by resolution or ordinance; and procedures for adopting ordinances.

- We support allowing localities to use alternatives to newspapers for publishing various legal advertisements and public notices.
- We oppose attempts to reduce sovereign immunity protections for localities.

Elections:

As elections administration has become more complex and both federal and state financial support for elections has been decreasing, we urge funding to address coming critical shortfalls in elections administration dollars and urge state funding for voting equipment replacement, as many older voting machines are exhibiting end-of-life problems.

Freedom of Information Act:

- We request that any changes to the Virginia Freedom of Information Act (FOIA) preserve 1) a local governing body's ability to meet in closed session, 2) the list of records currently exempt from disclosure, and 3) provisions concerning creation of customized records.
- We support changes to allow local and regional public bodies to conduct electronic meetings as now permitted for state public bodies.

Quality of Life Issues:

- We oppose any changes to state law that further weaken a locality's ability to regulate noise or the discharge of firearms.
- We support expanding local authority to regulate smoking in public places.

Health and Human Services

The Planning District's member localities recognize that special attention must be given to developing circumstances under which people, especially the disabled, the poor, the young and the elderly, can achieve their full potential. Transparent state policies and funding for at-risk individuals and families to access appropriate services is critical. The delivery of such services must be a collaborative effort by federal, state and local agencies

Funding:

- We oppose changes in state funding or policies that increase the local share of costs for human services. We also oppose any shifting of Medicaid matching requirements from the State to localities.
- The State should provide sufficient funding to allow Community Services Boards (CSBs) to meet the challenges of providing a community-based system of care. We believe children with mental health needs should be treated in the mental health system, where CSBs are the point of entry.
- We support increased investment in the MR waiver program for adults and young people and Medicaid reimbursement for children's dental services.
- We urge state funding to offset any increased costs to local governments for additional responsibilities for processing applications for the FAMIS program.
- We support sufficient state funding assistance for older residents, to include companion and in home services, home-delivered meals and transportation.

Social Services:

- We support the provision of sufficient state funding to match federal dollars for the administration of mandated services within the Department of Social Services, and to meet the staffing standards for local departments to provide services as stipulated in state law.

- We believe the current funding and program responsibility for TANF employment services should remain within the social services realm.

Prevention:

We support continued operation and enhancement of early intervention and prevention programs, including school-based prevention programs. This would include the Virginia Preschool Initiative and the Child Health Partnership and Healthy Families program, as well as Part C of the Individuals with Disabilities Education Act (infants and toddlers).

Childcare:

The legislature should provide full funding to assist low-income working and TANF (and former TANF) families with childcare costs. These dollars help working-class parents pay for supervised daycare facilities and support efforts for families to become self-sufficient.

Housing

The Planning District's member localities believe that every citizen should have an opportunity to afford decent, safe and sanitary housing. The State and localities should work to expand and preserve the supply and improve the quality of affordable housing for the elderly, disabled, and low- and moderate-income households. Regional planning and solutions should be implemented whenever possible.

Affordable Housing:

We support the following: 1) local flexibility in the operation of affordable housing programs and establishment of affordable dwelling unit ordinances; 2) creation of a state housing trust fund; 3) grants and loans to low- or moderate-income persons to aid in purchasing dwellings; and 4) the provision of other funding to encourage affordable housing initiatives.

Homelessness:

We support measures to prevent homelessness and to assist the chronic homeless.

Historic Structures:

We support incentives that encourage rehabilitation and preservation of historic structures.

Green Buildings:

We encourage and support the use of, and request state incentives for using, environmentally friendly (green) building materials and techniques.

Public Safety

The Planning District's member localities encourage state financial support, cooperation and assistance for law enforcement, emergency medical care, criminal justice activities and fire services responsibilities carried out locally.

Funding:

- We urge the State to make Compensation Board funding a top priority, fully funding local positions that fall under its purview. It should not increase the local share of funding constitutional offices or divert funding away from them, but increase money needed for their operation.

- We support returning funding responsibility for the Line of Duty Act (LODA) to the State. In the absence of that, we support efforts to improve the administration of LODA and to ensure the long-term fiscal stability of the program.
- We urge continued state funding of the HB 599 law enforcement program in accordance with *Code of Virginia* provisions.
- The State should increase funding to the Virginia Juvenile Community Crime Control Act program, which has cut in half the number of juvenile justice commitments over the past decade.
- We support funding for mental health and substance abuse services at juvenile detention centers.

Jails:

- The State should restore per diem payments to localities 1) for housing state-responsible prisoners to \$14 per day, and 2) for housing local responsible offenders to \$8 per day.
- The State should not shift costs to localities by altering the definition of state-responsible prisoner.
- The State should continue to allow exemptions from the federal prisoner offset.

Offender Programs and Services:

- We support continued state funding of the drug court program and the Offender Reentry and Transition Services (ORTS), Community Corrections and Pretrial Services Acts.
- We support continued state endorsement of the role and authority of pretrial services offices.
- We support authorization for the court to issue restricted driver's licenses to persons denied them because of having outstanding court costs or fees.

Body Cameras:

We support the ability of local governments to adopt policies regarding law enforcement body worn cameras that account for local needs and fiscal realities.

Mr. Blount noted that the draft list contained three top priorities. He noted that public education funding was the top priority and that the General Assembly was poised to put more money into it because it was a re-benchmarking year. He noted we could expect to see additional funds included in the Governor's budget as this was his top priority as it was for the Virginia Association of Counties (VACO) and the Virginia Municipal League (VML).

Mr. Blount then noted that the Equalize Revenue position was a perennial defensive position concerning the state's obligation to fund state mandates and opposition to the shifting of costs to localities.

Mr. Blount then noted that the education funding priority talked about what school divisions have been doing in response to declining funding. He noted that they have made the simple request that the state look at Standards of Quality (SOQs) and fund them.

Mr. Blount noted that the overall program looked the same from past years, however there were about twelve new position statements or new language added to those existing.

He noted for example in relation to water quality, there was new language pertaining to the need for support for additional funding to localities and to DEQ for stormwater management. He added that language was included opposing the elimination of the local authority to opt out of administering the Stormwater Management Program; which was a VACO position as well.

Mr. Blount advised that the statement regarding economic and workforce development asked for the legislators to support efforts to get the state to be the catalyst to growing the economy and to support the "GO Virginia" initiative. He noted new language was added to strengthen the broadband position; emphasizing funding from the state and in support of private-public partnerships.

He then noted a general statement relative to Election Administration and Equipment noting that since the Win-Vote machines were de-certified; localities wanted dollars from the state for voting machines. He noted that there should be money included in the budget to reimburse those that had already paid for this upgrade; such as Nelson.

Ms. Brennan inquired if staff should let legislators know that Nelson County was compliant and Mr. Blount advised to do this after the Governor makes his budget introduction. He added this would be likely to be in a General Fund line item than removal of debt.

Mr. Blount then noted the expansion of an existing position relative to forcing a certain portion of fines and fees on local ordinances, be remitted back to the State. He noted this was an approximate \$14,000 impact to Nelson County. He noted that this had been communicated to the Governor that the provision be taken out of the budget; and make sure it is not included. He added that there was no rationale for the decision that was made.

Mr. Blount then noted that the stage of the process was getting approval from all localities and then the program would be presented at the Annual Legislative forum on December 1st in Charlottesville. He noted that they would get a formal invitation and that Chris Lloyd, a top expert in the state on Economic Development and Infrastructure would present on "Go Virginia".

Mr. Bruguiere inquired if the State Legislators for Nelson were on board with this and Mr. Blount noted they would find out when it was presented to them. He noted that they were largely aware of the positions; however he could not say they were in support of everything the program contained.

Ms. Brennan noted that Virginia was the twelfth wealthiest state in the nation but was below average in funding K-12 education.

Mr. Harvey noted that Nelson County's funding of schools was way higher than those in surrounding areas and Mr. Blount confirmed that everyone in Region Ten was funding schools at 1.5 times the SOQ. He added that the Local Composite Index (LCI-school funding formula) would be redone this year as well and if real estate values had not recovered, then it could shift the percentages in favor of localities. Ms. Brennan asked if there was much chatter to change the formula and Mr. Blount noted there was some. He noted mostly in asking for the allowance to appeal the LCI and address the Land Use Valuation issue; where the LCI uses the true value of real estate, whereas localities that had Land Use Valuations were only realizing the amount paid on the lower land use values.

Following discussion, Mr. Hale moved to approve resolution **R2015-94**, Approval of 2016 Thomas Jefferson Planning District Legislative Program 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 R2015-94

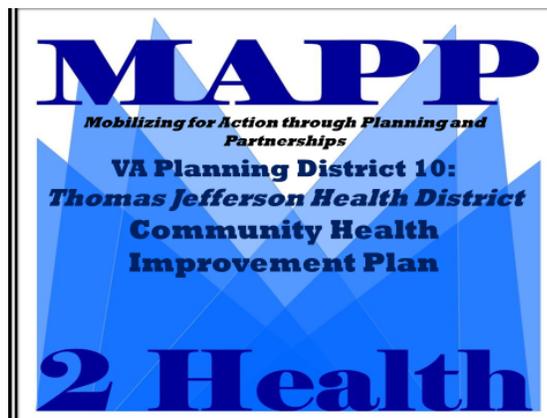
**NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF 2016 THOMAS JEFFERSON PLANNING DISTRICT
LEGISLATIVE PROGRAM**

RESOLVED, by the Nelson County Board of Supervisors that the 2016 Thomas Jefferson Planning District Legislative Program be and hereby is approved by said governing body with the legislative program to serve as the basis of legislative positions and priorities of the member localities of the Thomas Jefferson Planning District Commission for the 2016 Session of the Virginia General Assembly, with amendments presented by Mr. Blount on November 12, 2015 as well as incorporation of the recommendations put forth by the Board as applicable.

Mr. Hale noted that it was the things that Mr. Blount did not let happen that made a difference and they were fortunate to have him in place.

C. Presentation – Virginia Dept. of Health (Dr. Denise Bonds)

Dr. Denise Bonds gave the following PowerPoint presentation:



District Priority Issues
1. An increasing rate of obesity
2. Insufficient access to mental health and substance abuse services for segments of the population
3. Large and insufficient prenatal care and racial disparities in pregnancy outcomes
4. Tobacco use above the Healthy People 2020 goal

Source: Thomas Jefferson Health District

Priority 1: Obesity

Objective:

By 2017, reduce the percentage of adults living in PD10 who are **physically inactive** from 24% to **20%**.

Percent of Adults in Nelson
Who Reported Not Participating in Any
Physical Activities during the Past 30
Days - 2014

20%

(95% Confidence Interval = 15 - 27%)

Source: 2015 County Health Rankings Virginia Data – v3
Accessed: <http://www.countyhealthrankings.org/>

Access to Exercise Opportunities

47%
Live within 3
miles of a
recreational
facility

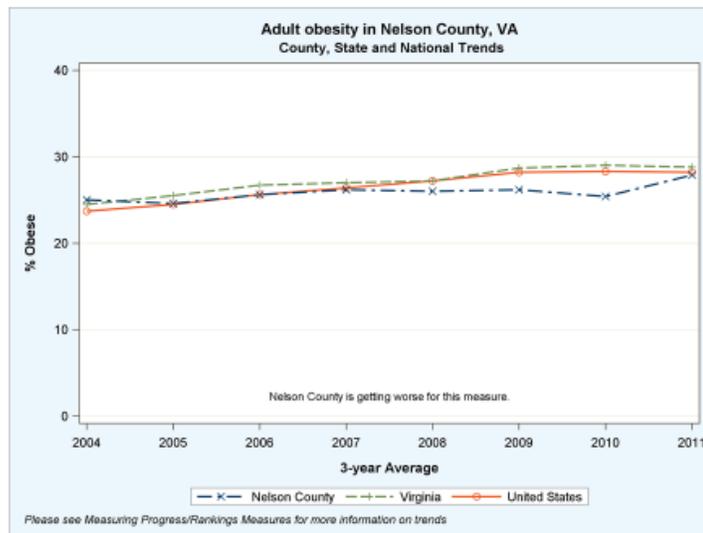


Dr. Bonds noted that access to exercise opportunities included parks, trails, gyms etc.

Priority 1: Obesity

Objective:

By 2017, **stop** the trend of the percentage of PD10 residents who are **overweight or obese** from **increasing**.



Source: US County Health Rankings & Roadmaps; www.countyhealthrankings.org/

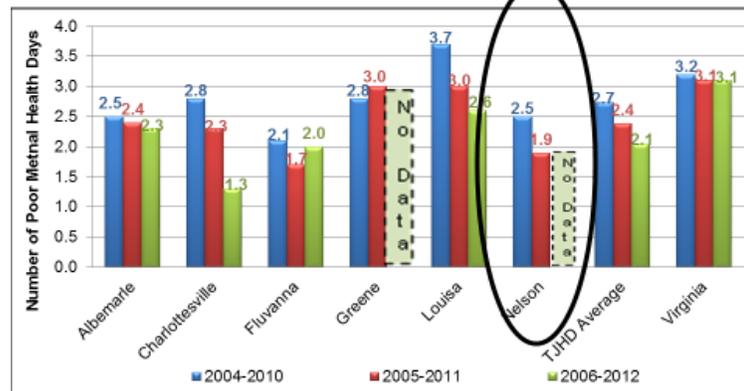
Dr. Bonds noted that this data was a rolling three year average and that for many years, Nelson was below the US and VA average which was a good thing.

Priority 2: Mental Health

Objective:

By 2017, decrease the number of self-reported poor mental health days.

Average Number of Poor Mental Health in the Last 30 Days in TJHD, 2004-12



*Numbers are self-reported
Source: County Health Rankings

Dr. Bonds noted that fewer poor mental health days were being reported in Nelson. She noted this was trending in the right direction; however better data would be great. She added that this data was self-reported and they did random phone calls to landlines and cell phones.

Priority 2: Mental Health

Objective:

By 2017, among PD10 residents **decrease stigma and fears** associated with mental health, as demonstrated through pre/post surveys from educational programs.

Region Ten trained

364
People

in **Mental Health First Aid**

in Fiscal Year **2014**

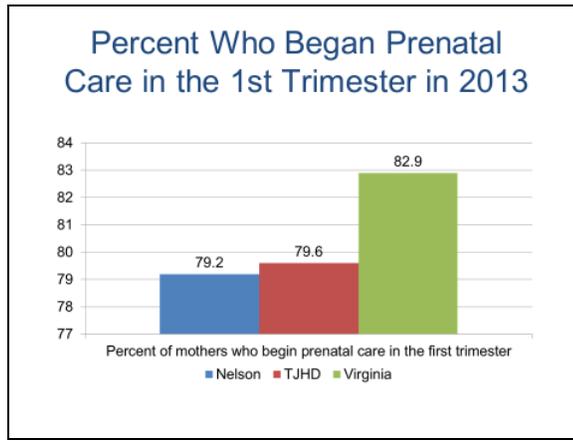
Data Source: Region Ten, 2/2/2015



Priority 3: Prenatal Care

Objective:

By 2017, increase the percentage of pregnant women who receive 10 or more prenatal care visits from 66% to 75% of PD10 pregnant women.



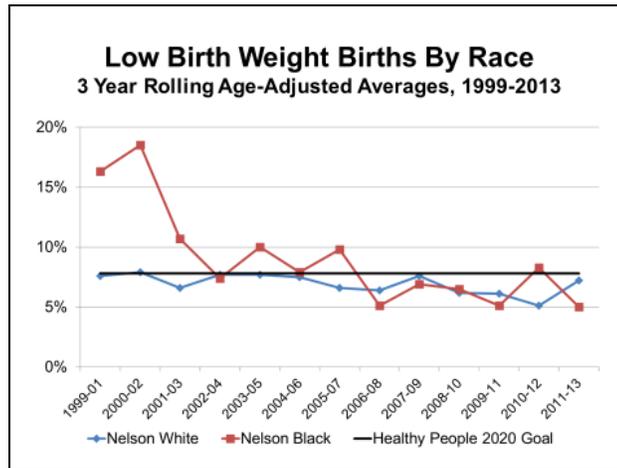
Dr. Bonds noted that this was overall prenatal care; which was not provided at VDH anymore.

Priority 3: Prenatal Care

Objective:

By 2017, decrease the percentage of low birth weight black infants from 12.5% to 10% of PD10 black births.

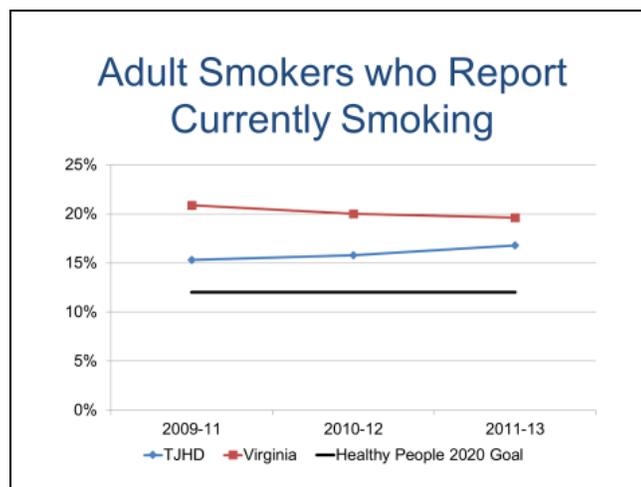
Dr. Bonds noted that this was a huge disparity when looked at before.



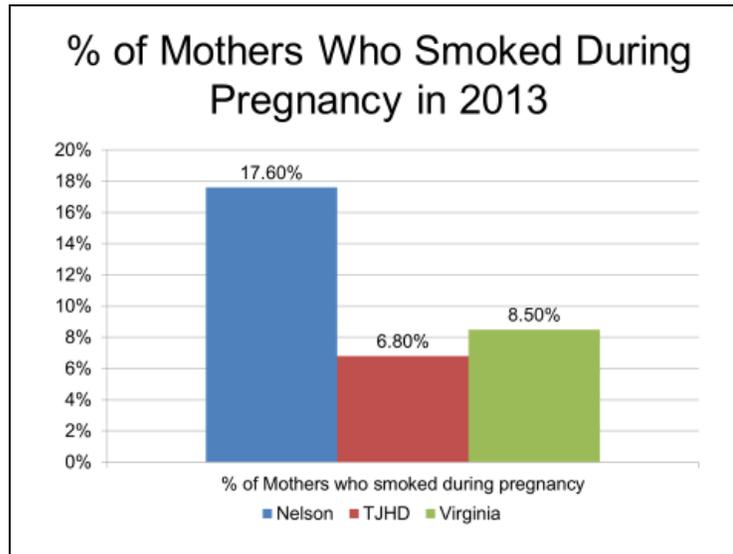
Dr. Bonds noted that these numbers were at or below the 2020 goal for both and the disparity had stabilized between races. She added that the sample size was pretty small and fluctuated a lot.

Priority 4: Tobacco use

Objective:
Decrease the percent of persons who use tobacco in PD10.



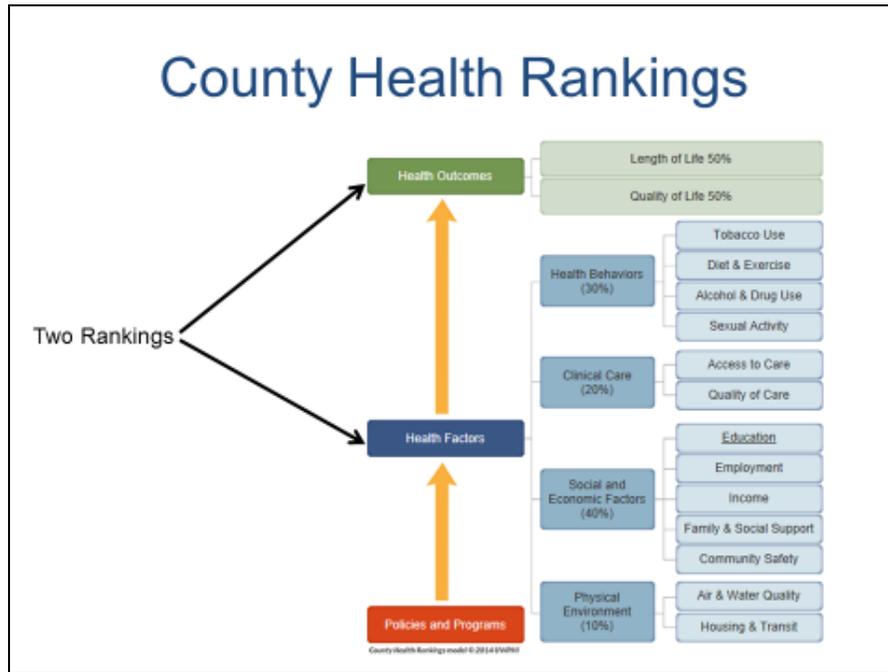
Dr. Bonds noted that it was hard to get county specific data; so she used the Planning District. She noted that 1 in 4 used tobacco in Nelson County and she would like for this to decrease.



Dr. Bonds noted they would continue to work on this; and smoking during pregnancy could correlate with low birth weights in large populations.

She added that they run a stop smoking class in Albemarle and Louisa and could start this in Nelson. She noted that they started at the High Schools and got kids to pledge to not start smoking. She added that they would try this in the next 6-12 months.

The screenshot shows the homepage of the County Health Rankings & Roadmaps website. At the top, there is a navigation bar with the following elements: a logo for 'County Health Rankings & Roadmaps' with the tagline 'Building a Culture of Health, County by County', a search bar, and a list of menu items: 'HEALTH RANKINGS', 'ROADMAPS TO HEALTH', 'RWJF CULTURE OF HEALTH PRIZE', and 'MORE'. Below the navigation bar, the main content area is divided into two columns. The left column features a large map of the United States with the heading 'HOW HEALTHY IS YOUR COMMUNITY?' and a search box labeled 'Search by county or select a state'. A button labeled 'SEARCH' is positioned to the right of the search box. Below the map, there is a text box that says 'Choose a state to begin'. The right column contains two promotional cards. The top card is titled 'HOW CAN ROADMAPS TO HEALTH HELP YOU?' and features an image of a person's feet running on a path, with a text box that says 'GET STEP-BY-STEP GUIDANCE FROM THE ACTION CENTER'. The bottom card is titled 'RWJF CULTURE OF HEALTH PRIZE' and features an image of children playing on a playground.



Dr. Bonds encouraged the Board to go to the website to see these definitions etc. and she would leave them with the Nelson County data. She noted the following rankings were out of 133 counties and cities in Virginia.

Nelson County

RANKED 63RD IN HEALTH OUTCOMES

RANKED 63RD IN HEALTH FACTORS



Dr. Bonds advised that free flu shots were given on Tuesday night, that they would always come out and give these, and they had more available.

You are invited to participate in:

MAPP 2016
Kick-off Leadership Meeting
November 30, 4-6 PM
Water Street Center,
Charlottesville

Dr. Bonds noted that they did community health assessments and went through the MAPP process. She noted that this was being accelerated to meet the needs of their hospital partners. She added she would love some participation and she would be speaking with the Inter-agency Council on this.

Following the presentation, Mr. Harvey asked if belly fat was more a problem than obesity. Dr. Bonds noted that when a person carried fat around their abdomen, it was indicative of fat around the organs and was worse for you and caused more problems. She noted that there was some evidence to support that and a lot had to do with how fit you were. She noted that they worked on getting the trend of obesity down, however health was more than body weight.

Mr. Bruguere asked how obesity was defined and Dr. Bonds noted it was a body mass index (BMI) above 30. She noted that BMI looked at height and weight together, which gave a better indication of people who are proportionately too heavy for their height; she noted it was a good proxy measure.

D. Presentation - Nelson County School Division, NCHS Accessibility Improvements

Ms. Shannon Irvin, School Division Assistant Superintendent noted that they were there to bring the Board up to date on the status of the Office of Civil Rights Review. She noted that

since the review, the OCR issued a report in June 2014 and they had undertaken ways to meet their concerns within their regular operating budget. She noted for example they had replaced doorknobs and locks, and changed out elevator controls. She noted they had also re-lined the high school parking areas to make more handicapped spots in front of the building and had changed the curbing at the high school entrance to accommodate wheelchairs. Ms. Irvin added that they had also worked to lower the countertops and sinks in the various program areas and had accomplished all of the basic remedies.

She then explained that they had sought out an architectural firm to help with the more complicated issues and chose BCWH. She noted that Mr. Charles Tilley would speak to their plan noting that the rest of the fixes either had programmatic implications or were of high cost. She added that they had taken off the table the Title IX issue of the locker room, as they were waiting for state and federal law suits to shake out regarding gender identity.

In response to questions, Ms. Irvin noted that they had gotten someone more reasonable from the state to work with on this.

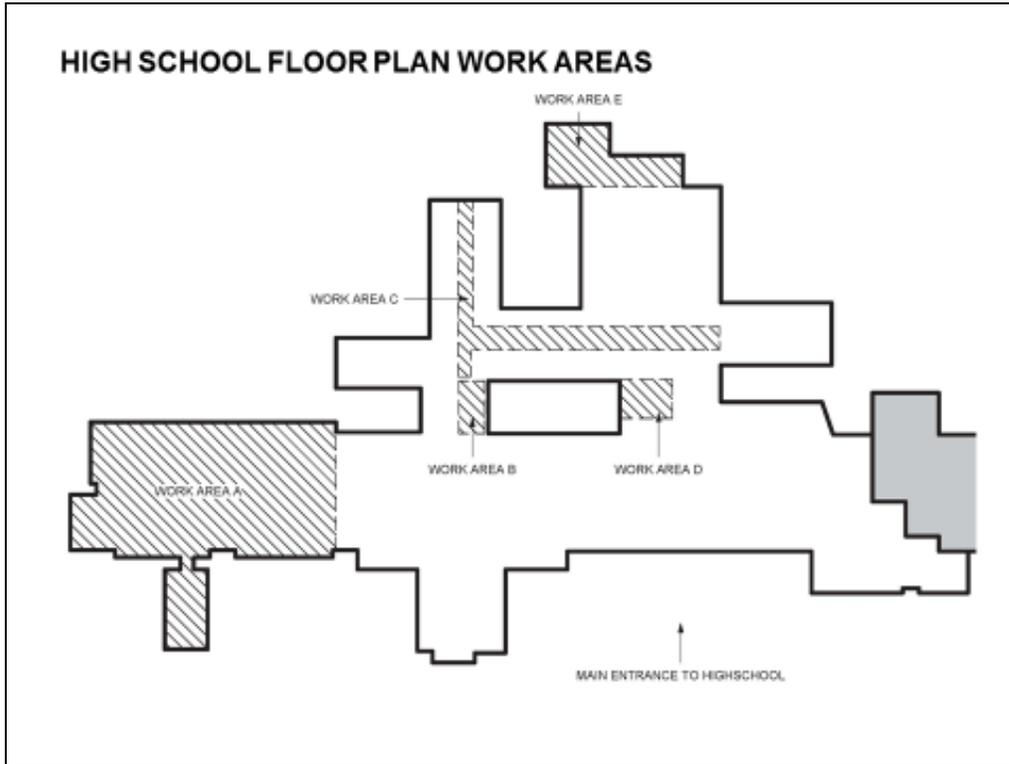
Ms. Irvin then introduced Charles Tilley of BCWH, who gave the following PowerPoint:

ACCESSIBILITY AND TITLE IX IMPROVEMENTS - OVERVIEW

OCR Accessibility and Title IX Equal Access Review completed by VDOE

- Identified 16 ADA compliance issues that require action
 - NCPS have internally addressed 11 of these conditions
 - accessible parking
 - door closers
 - accessible seating
 - signage
 - grab bars
 - BCWH study reviewed 4 conditions
 - drinking fountains
 - corridor and Career and Technical Ed lab ramps
 - accessible restrooms on Career and Technical Ed corridor
 - automotive tech lab equipment accessibility
 - Greenhouse accessibility and Locker Rooms still need to be addressed

Mr. Tilley noted that there were sixteen ADA compliance areas identified; however he would be addressing four of these; the drinking fountains, corridor and Career and Technical Ed lab ramps, accessible restrooms on the Career and Technical Ed Corridor, and the automotive tech lab equipment accessibility.



DRINKING FOUNTAINS

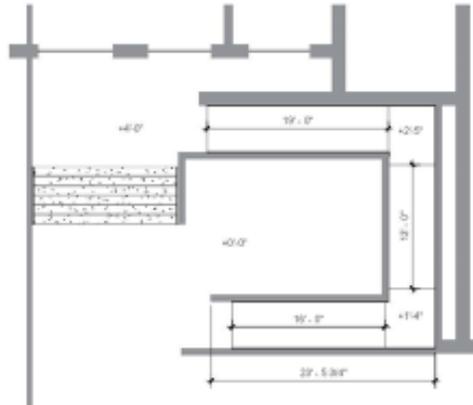
Finding#5:
Less than 50 percent of the drinking fountains on each level of NCHS are accessible. Additionally, the accessible drinking fountains that have been installed are mounted with their leading edges greater than 27 inches above the floor, thereby causing them to be inaccessible for persons who are blind.

The block contains three photographs of drinking fountains in a school hallway. The walls are tiled with light-colored square tiles and have a teal-colored decorative border. The floor is also tiled with light-colored square tiles. The first photo shows a fountain mounted on the wall. The second photo shows a fountain with a wooden ramp placed against it to reach the spout. The third photo shows a fountain next to a display cabinet.

CORRIDOR RAMPS

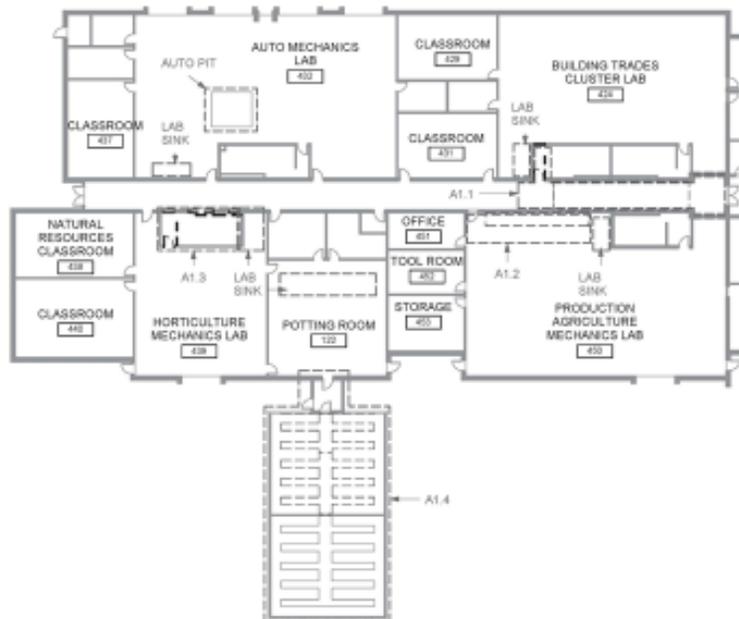
Finding #6:

The middle and top runs of the ramp at gymnasium two (old gym), the top run of the ramp at the commons, the ramp in the hallway of the CTE labs, and the ramp at the entry door of the agriculture lab and classroom have inaccessible running slopes. Additionally, the top run of the ramp in the commons is missing a second handrail, and there is no edge protection on the ramp at the entry door of agriculture.



Mr. Tilley was asked if the corridor ramps had a % slope allowable and he noted that there was an acceptable range and the gym ramp was just above the highest steepness of the range. He noted it to be 5.5% where the threshold was 5%.

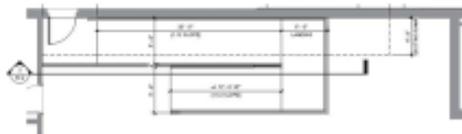
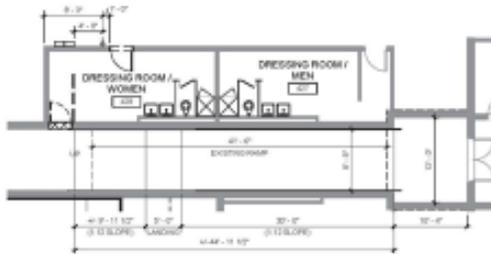
CTE LAB WORK AREAS



CTE LAB RAMPS

Finding #6:

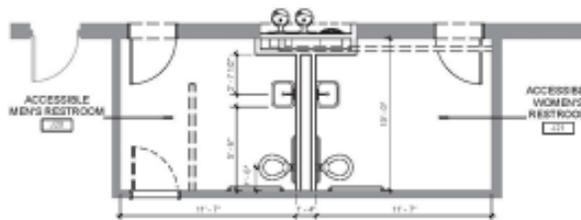
The middle and top runs of the ramp at gymnasium two (old gym), the top run of the ramp at the commons, the ramp in the hallway of the CTE labs, and the ramp at the entry door of the agriculture lab and classrooms have inaccessible running slopes. Additionally, the top run of the ramp in the commons is missing a second handrail, and there is no edge protection on the ramp at the entry door of agriculture.



CTE RESTROOMS AND SINKS

Finding #10:

There are no fully accessible restrooms on this wing, within the labs or on the hallways. The industrial sinks in the CTE labs that are used as laboratories do not have adequate knee clearance for forward accessibility. Additionally, the paper towel dispensers are mounted too high or have inaccessible dispensing controls.



CTE SINKS



INDUSTRIAL SINK AT BUILDING TRADES LAB



INDUSTRIAL SINK AT AGRICULTURE LAB



INDUSTRIAL SINK AT AUTOMOTIVE LAB

CTE INDUSTRIAL SINKS- EXISTING CONDITIONS

FINDING #1: THERE ARE NO FULLY ACCESSIBLE RESTROOMS ON THIS WING, WITHIN THE LABS OR ON THE MALLWAYS. THE INDUSTRIAL SINKS IN THE CTE LABS THAT ARE USED AS LABORATORIES DO NOT HAVE ADEQUATE KNEE CLEARANCE FOR FORWARD ACCESSIBILITY. ADDITIONALLY, THE PAPER TOWEL DISPENSERS ARE MOUNTED TOO HIGH OR HAVE UNACCESSIBLE DISPENSING CONTROLS.

REQUIRED ACTION: PROVIDE ACCESSIBLE RESTROOMS FOR MALES AND FEMALES ON THIS WING WITHIN AN ACCESSIBLE WALKING DISTANCE FROM EACH LAB; PROVIDE SINKS THAT HAVE ADEQUATE KNEE CLEARANCE FOR FORWARD ACCESSIBILITY IN THE CTE LABS WITH UNACCESSIBLE INDUSTRIAL SINKS. ALSO, REMOVE OR REPLACE THE PAPER TOWEL DISPENSERS AT THE SINKS IN ORDER TO MAKE THEM ADA ACCESSIBLE.



WORK SINK AT POTTING ROOM



INDUSTRIAL SINK AT HORTICULTURE LAB

Mr. Tilley noted that the Career and Technical Education (CTE) lab areas, ramps, and sinks needed to be addressed. He noted that they would need to add a ramp landing to the CTE lab ramps. He noted that the Ag lab was similar and needed a landing and return.

He then noted that the CTE restrooms and sinks were not accessible. He noted that they proposed to take a shop locker room that was not fully utilized and reconfigure it to have two accessible restrooms off of the CTE hallway. He noted that all labs had utility sinks that were not accessible and that they would replace the drinking fountain with an accessible sink.

AUTOMOTIVE LAB EQUIPMENT

Finding #10:

In the automotive technology lab the alignment service equipment is in a 4'-6" deep pit that is only accessible by stairs. Additionally, the pit is not properly gated or marked to prevent visually impaired or blind persons from falling into this space.



Mr. Tilley then noted that in the auto lab, the recessed pit was not accessible. He noted that they had discussed filling this in and providing a surface mounted lift.

PROJECT PLANNING SCHEDULE	
Design Drawings	2 months
Bidding	1 month
Award/Contract	1 month
Construction	5 months
Assumptions:	
<ul style="list-style-type: none"> • All work at one time – over one summer • Contract Award No Later Than April for summer work 	

Mr. Tilley noted the project Planning Schedule and indicated that all of the proposed work would be done over the summer; given a contract was awarded in April with a construction time of five months.

PROJECT PLANNING BUDGET	
Finding 5 – Drinking Fountains	\$21,300
Finding 6 – All Ramp Construction	\$72,600
Finding 10/11 – CTE Restrooms/Sinks/Automotive	\$129,500
A/E Fees and Expenses	\$50,788
Total – Construction Budget	\$274,188
Assumptions:	
<ul style="list-style-type: none"> • Amounts for construction work • All work is single phase – by a single contractor • Construction contingency of 15% included in the cost for the Work • Hazardous materials identification and removal not included 	

Mr. Tilley noted that the Planning Budget for construction totaled \$274,188. Ms. Irvin then noted that this figure did not include \$49,430 for addressing the bleachers in the old high school gym.

Ms. Irvin then addressed the second part of their funding request; which was the \$25,000 local match for the \$100,000 security grant to install more and newer cameras at the middle and high schools. She noted that the cameras would have remote access capabilities so their footage could be seen by EMS, Administration etc.

Ms. Brennan asked if these cameras would be exterior and interior cameras and Ms. Irvin noted that some would be exterior for the outside of the buildings. Mr. Harvey then confirmed that these cameras could be accessible to the dispatch center and it was noted that there would be 24-53 cameras in NMS. Dr. Comer added that there would be few blind spots and that this had been a top priority based on the safety committee outcome. He noted that they were also starting to connect the elementary schools.

Mr. Carter noted that County and School Division staff met in order to move this forward and he noted that based on their information, the costs were a total of \$348,618 and as of June 30, 2015, they had returned approximately \$338,889 that was not factored into the budget. He added given this they would need \$9,730 more and the contingency had a balance of just over \$1.4 million dollars. He clarified that they did not expend all of their local funding at the end of FY15, so those funds remained part of the General Fund balance.

Ms. Irvin noted that there had always been a gentlemen's agreement that if there were end of year savings, they would return it to the County.

Mr. Harvey stated that he thought those funds needed to go back to the schools for capital improvement projects and to fund this project. He noted this would give them more opportunity to be proactive.

Mr. Harvey asked how the funds would be appropriated and Mr. Carter noted it would just be a supplemental appropriation to their budget. He added this would be \$348,618 in local dollars and \$100,000 would be state monies for a total of \$448,618.

Mr. Hale then moved that the Board of Supervisors is willing to fund the outlined projects at the final figures they come in at. He noted the projects were the ones outlined in response to the OCR review and security enhancements for the cameras.

Mr. Carter noted that the actual costs would be subject to bidding results.

Mr. Harvey noted that he knew they were not in a position to do all of the school capital projects; as there was at least a couple of million in projects to be done. Mr. Hale noted that he was only talking about the required improvements per the review done and the security grant.

Mr. Saunders noted that the intent is for the Board to fund these; but an exact dollar figure is unknown. Mr. Carter noted that the Board could give them the authorization to move forward.

Ms. Brennan then confirmed that the contingency would now be about \$1 Million and Ms. McCann noted that the \$338,000 was additional monies that was not already in the budgeted contingency.

Mr. Carter noted that the key action was authorizing them to proceed. Ms. Brennan noted she wanted a rough figure and Ms. McCann noted that the funds would come from fund balance and the contingency would remain as is. It was suggested that they work with the School Board to develop the project and bring it back. Ms. Irvin indicated that they could come back to the Board with a five year plan.

Mr. Saunders then reiterated that they were asking the Board to fund the projects discussed that day. Ms. McCann reiterated that these funds would need to be appropriated.

Ms. Irvin noted that the security grant had to be wrapped up by March and Mr. Carter indicated that the appropriation could be brought back to the Board in December.

The motion on the table was then re-read by Ms. McGarry and Mr. Bruguere seconded the motion. Mr. Saunders clarified that the motion was to pay for whatever the costs come in at. Mr. Carter noted that staff would not put them in jeopardy and would handle the details. Mr. Hale noted that a portion of the grant was the county match and Ms. Brennan confirmed that the \$348,000 being discussed did include the bleacher replacement.

Ms. McCann then asked if the Board's intent was for the money to come out of the contingency and leave the money returned to the county in the General Fund. Mr. Carter noted that it made no difference and the Board's consensus was to have it come out of the General Fund at this point.

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

Mr. Harvey then moved that they put the \$338,000 returned savings from the School Board into a capital improvement fund that they could draw off of and Mr. Bruguere seconded the motion.

Mr. Hale noted he would like to see a plan of what that would be used for and Mr. Harvey noted they had a broad plan.

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

Dr. Jeff Comer thanked the Board and noted that when he was in Norton, he asked the City Council if they would consider putting any money returned into a capital fund for the school so that they would be able to plan long term projects. He noted that this was approved after he left. He noted that they were open to this concept because it gave them incentive to look at cost savings throughout the year. He added that many School Divisions had this arrangement and the Board could establish the parameters for its use.

Mr. Carter noted that there was money in the budget set aside for the Tye River Elementary School improvements and he asked if this should be added to the \$338,000. Members agreed by consensus to hold those funds there.

Mr. Hale then questioned how the Schools had that much in funding left over and it was noted to be mostly savings in fuel costs.

In conclusion, it was reiterated that if the costs came in higher than projected, the Board would cover it and if not, the excess funds would be returned.

E. VDOT Report

Mr. Don Austin was not present at the meeting and there was no VDOT report given.

V. New Business/ Unfinished Business

A. Proposed Zoning Ordinance Amendments (O2015-11): “Wayside Stands” & “Farmers Markets”

This item was considered under Public Comments.

B. Consideration of Board Retreat

Mr. Carter noted that the Board had said to work towards the first or second week of December for conduct of the retreat. He noted that Mr. Boyles could do it in that timeframe and they could have it at Veritas Winery at no expense and they were open then. He noted they could have a one-day session or could wait until the budget.

Mr. Saunders noted that they had things on the list that they really needed to talk about. Supervisors then discussed their schedules and decided by consensus to hold the retreat on Tuesday, December 15th at 8:30am. Mr. Carter suggested that they should continue the meeting from December 8th to the 15th and he would reconfirm availability with Veritas and Chip Boyles.

VI. Reports, Appointments, Directives, and Correspondence

A. Reports

1. County Administrator’s Report

Mr. Carter gave the following report:

1. Courthouse Project Phase II: Construction is in process. The first monthly project progress meeting was conducted on 10-29. Signatory closing with VRA on the project’s financing will be completed on 11-5.

Mr. Carter noted that there were some heating issues in the Courtroom to be decided and that 2.85% was the all in rate for a 15 year term; which was within the budgetary amount projected.

2. Broadband: A) Local Innovation Grant Project: Permits for Phase 1 (Rt. 6/151 to Rt. 151/664) have been approved by VDOT. Construction of Phase 1 is to start on 11-9. Phases 2 (Rt. 151 N to County line) and 3 (Rt. 6/151 to Saddleback Lane) to follow thereafter. Staff has worked with Sen. Warner’s office towards “possible” FCC Connect America Program funding directly to the County/NCBA, which may not be possible but, if success, could provide a significant funding source for network expansion.

Mr. Carter explained that the FCC money was given to telecoms in under/unserved areas; however, Verizon had turned down \$1.3 Million that could be used in Nelson and the County was trying to get the funds. He added that Century Link had accepted funds to do something in the Schuyler area.

3. BR Tunnel: A Phase 3 (Western Trail & Parking Area) TAP grant application (\$962,600) was submitted to VDOT on 11-2. A funding decision is not anticipated until spring 2016. Woolpert is working towards completing VDOT approval for bidding of Phase 2 (Tunnel Rehab & Bulkhead Removal) with project advertisement projected to be issued early in the first quarter of 2016. Staff (S. Carter) conducted a site visit to the Tunnel on 10-21 with VA- DCR staff, as a requirement of the allocation of RTP grant funding (\$250,000) to the County for the BRT.

Ms. Brennan asked for a time line or chart on what was happening when with the project. Mr. Carter explained that it was possible that if DCR funds were not utilized by others, the County may be able to get those for the project. He related that he and DCR staff, Synthia Waymack went into the East side of the tunnel on the site visit and that he had been working with her through DCR since 2007.

4. Lovingson Health Care Center: The previously referenced Harrisonburg based company is expected to decide in the next “few” weeks on submitting a proposal to the County on acquiring (or not) the Center from the County. Subject to this outcome, both PHA and Region Ten remain prospective entities for ownership and reuse of the facility.

5. Radio Project: County staff are working with Motorola, RCC and Clear Communications staffs to complete a) close out of the overall radio project, which is in operation, and, b) to define provision of additional services to assist the County with enhancing network coverage areas (specifically the Rockfish Valley/151 Corridor to Nellysford) and for the County’s acquisition of additional equipment that will also enhance localized coverage (see S. Rorrer report).

Mr. Carter noted that the County was looking at purchasing digital vehicular repeater systems for Rockfish, Montebello, and Wintergreen Departments; which would enhance communications in the vicinity of the vehicle they were installed in. He noted that this would cure some of the coverage gaps. He then stated that a proposal from Motorola had been received and staff was now looking at the budget. He advised that the cost was \$52,000 and the budget had \$51,000 to commit to this. He noted that they planned to go ahead with the purchase unless the Board objected. It was noted by staff that there were no objections.

Mr. Carter then reported that the County may be able to access a State Police tower in Albemarle, called Bear Den Mountain; which could be the answer to improving communications along the Route 151 corridor.

6. CDBG Grant Application for Sewer Line Extension: VA-DHCD, by letter dated 10-23, has requested the provision of additional project information by 11-20 to provide for a final grant funding decision. County staff are working to complete the required response. prior to the end of FY 15-16.

7. Region 2000 Service Authority: The Authority approved on 10-28 proceeding with the development of construction plans and bidding for a lateral extension project (bridging the area between 2 permitted landfill cells) project that will enable the use of the Livestock Road facility to continue to 2027 +/- . The Authority also discussed long term options for operations, including identifying options for locations for a new landfill.

Mr. Carter reported that there has been significant input from Campbell County residents opposed to the landfill’s expansion and the Authority was discussing long term options. He then asked the Board if a property was identified in Nelson; would they be amenable to

siting a landfill here. Mr. Harvey supposed it would not be feasible for other localities to come to Nelson because of the distance. Mr. Carter added that it would have to be a huge site and that it was just something to think about; nothing had been identified. He advised that he had already noted to the Authority that the County still had a transfer station and he stated that anything could change including the Campbell County Board etc.

Mr. Carter then described the sequence of events from purchasing the property through the application for the special use permits to expand the landfill; which were then tabled at the Campbell County Board level. He added that the purchase of the property was still worthwhile due to the value of the soils therein being more than the purchase price.

8. Nelson County Public Schools (Office of Civil Rights Follow-Up): This subject is an agenda item for the Board's 11-12 meeting.

9. FY 14-15 Audit Report (CAFR): In process.

10. Personnel: Interviews with two applicants for the Assistant Building Code Official/Building Inspection position were completed on 11-4. A final decision is pending.

Mr. Carter noted that none of the applicants were certified; however one had a contractor's license and was self-employed as an electrician and the other had a degree, had management experience, and a construction background. He noted that either could work under the current Building Official and easily get certified and step up in the future as the Building Official. He noted that the preferred candidate was a Nelson County resident.

10. VDOT HB2 Applications: County staff (T. Padalino) will represent the County on 11-9 at the Lynchburg District's transportation summit on HB 2 projects. The County previously submitted 3 applications to VDOT for HB2 funding in 2016.

Mr. Carter noted that VDOT had submitted a HSIP project for the sidewalks in Lovingston. He noted the application only applied to the area from Main Street up to Front Street and the other sections would have to be worked on as time progressed.

11. Department Reports: Included with the BOS agenda for the 11-12 meeting.

12. Introduced-Dominion Response:

Mr. Carter advised that staff had received the response to questions from Dominion that afternoon and was asked about meeting with them. He noted that he told them he would have to check on that.

Ms. Brennan noted that she would like to read their response before deciding to meet. Mr. Carter then advised that the Board could have a called meeting in between meetings if the current one was not continued.

2. Board Reports

Ms. Brennan:

- Attended VACO and went to the Stormwater Session; at which revocation of the local ability to opt out of locally administering the program was a serious concern. She noted she also attended the budget session and noted that the state will have a surplus and a percentage of this will go to the rainy day fund. She reported that she

also attended a session on illegal drugs, which is a growing concern. She advised that the last year, there were over 250 deaths from Heroin overdose and that the drugs were coming from Southwest VA, the northern part of the state was getting them from Baltimore and also from the Norfolk area from overseas. She added she would like to discuss this at the retreat. Additionally, she advised that the next 5th District representative to the VACO Board is Anne Mallek.

- Attended a CIT meeting and advised that they had done a lot of dispatcher training and there was only 1 left to train. She noted that replacements for Lucy who was retiring and Jesse who was leaving would need training. She advised that she had met the new School Resource Officer, Brian Sites and noted that he had done a good job de-escalating a fight situation at the High School. She then suggested that he be introduced to the Board. She added that mental health training was going very well.
- Reported that things were going well at the Department of Social Services.
- Attended a Virginia GIS meeting and discussed the use of drones in communities. She advised that there was Federal legislation that will regulate these. She added that John Watkins hopefully will continue on this Board.
- Attended JABA meeting and noted that Leonard Lohman was retiring and a new person has been hired.
- Attended a memorial service for Francis Fife.

Mr. Bruguire:

- Attended VACO and noted he spoke with Steve Garner of Motorola about the County's radio communications issues. He noted that the towers were putting out less wattage because of narrow-banding and that was part of the problem. He added that he had spoken with broadband consultants and that he had related to them that the County had applied for funding for a study. He noted they suggested that the County try to get broadband people in the business to help with the plan. Mr. Carter noted that he had inquired about the broadband planning grant funds and he noted he was not optimistic about it; but the County still had local funding to be used for this.

Mr. Hale:

- Attended VACO session on the new ethics laws. He noted they were so complicated that no one could figure them out. He noted that an ethics commission had been established and they could call them with questions.
- Received the communication from Monarch Development that the development there would not happen. He noted the possibility that maybe one of the reasons the financing did not come through was due to the uncertainty of the location of the pipeline; since the first route had it in the vicinity initially. Mr. Carter noted that there were concerns about whether or not it would work and they would have to discuss the associated special use permits. He added that staff had discussed putting in that the approvals were limited to the property or to the applicant; however Mr. Payne may not allow that; but it was an ongoing question to be explored. Mr. Carter noted that in Craig County, they regularly limited SUPs to the applicant; however

laws may have changed and staff needed to look at it. Ms. Brennan stated that the pipeline was going to disrupt traffic flow on Route 151.

Mr. Harvey:

- Attended VACO and went to a session on security, where the main speaker was the Chief of Police in Henrico County. He discussed the use of body cameras and noted that the cameras should not come first, but rather the policies governing their use should come first. He noted that Henrico County had gotten 400 cameras and issued out 25 at a time because the officers had to complete training first. He noted that their training stressed that at stops, they were to inform those stopped who they were, why they had stopped them, and that they were being recorded by body camera. He noted that the second speaker was in charge of State of VA Emergencies. Ms. Brennan inquired as to whether or not the officers were safer with the cameras and Mr. Harvey noted he was not sure as there were pros and cons.
- Asked if the rent money for towers had been sent out and noted that Rockfish Valley Fire Department had not received theirs yet. Ms. McCann noted she would check.
- Advised that Rockfish Fire Department's turn was up on a new fire truck, they had gotten the endorsement of the EMS Council, and were ready to sign the order on a new truck. He noted the cost was \$319,000 for a new tanker and the County would contribute 80% with the Department furnishing 20%. He added that they had discussed prepaying it and he noted he did not recommend it. Mr. Carter noted that he had not received the letter from the Council on it. Mr. Harvey added it would be in the FY16-17 budget and that Piney River was in line also. Mr. Harvey clarified that an agency could have a land loan and a vehicle loan; but vehicle loans needed to be paid off. He noted there was no money from the state on fire trucks; but the Board would match state funds on ambulances.

Mr. Harvey then asked the Board to give them the authority to sign the order on the fire truck and Mr. Hale moved that the Board authorize the Rockfish Valley Fire Department to purchase a new fire truck. Ms. Brennan seconded the motion and Mr. Harvey clarified that the County would pay 80% of \$319,000. He noted this was a tanker with a 200,000 gallon capacity and a 1250 pump because they wanted to keep it short.

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

Mr. Hale noted he wanted to revisit the Board's policy after they finish this rotation. He noted it seemed to him that the amount committed needs to be related to the activity of the department. Mr. Harvey noted his disagreement with that as it took the same equipment to run one call as it did many.

Mr. Saunders:

- Attended VACO and the stormwater session.
- Attended the Grand Opening of the Virginia Distillery.

B. Appointments

<u>(1) New Vacancies/Expiring Seats & New Applicants :</u>					
<u>Board/Commission</u>	<u>Term Expiring</u>	<u>Term & Limit Y/N</u>	<u>Incumbent</u>	<u>Re-appointment</u>	<u>Applicant (Order of Pref.)</u>
Board of Zoning Appeals - Alternate * Previously applied and interested in Alternate Vacancy	3/30/2020	5 Years/No Limit	Ronald Moyer	N-Appointed to Fulfill K. Cash Term	*David Hight *Shelby Bruguere

Ms. McGarry noted that Mr. Ronald Moyer had been certified by the Circuit Court for appointment to the BZA fulfilling Kim Cash’s term which left the vacancy in the alternate position. She noted that both David Hight and Shelby Bruguere had indicated their interest in the alternate position.

Mr. Bruguere noted that he thought Ms. Bruguere ought to be appointed and that other members had relatives that served on Boards. He then moved to appoint Shelby Bruguere to be the BZA Alternate; and noted that she was no blood relation to him.

There was no second or further discussion and the Chair called for the vote. Supervisors then voted unanimously (5-0) by roll call vote to approve the motion.

C. Correspondence

1. Planning Commission – Request for Extension of Time for Amendment Review

Mr. Carter referenced the letter from the Planning Commission requesting three (3) more months from the December 4th deadline to complete their review of an ordinance pertaining to “Temporary Events, Festival Grounds, and Out-of-Doors Accessory Uses”.

Mr. Carter noted that staff has discussed this issue extensively; so they probably have not had sufficient time to thoroughly review it.

Mr. Hale then asked Mr. Saunders if the extension should be granted and he noted that the Planning Commission needed to work on it more and if the extension was granted, it would not come back to the Board until March.

Mr. Carter noted that the ordinance was clearing up some things and the largest things coming up was LOCKN and FESTY, aside from other smaller things.

Mr. Hale then moved to give them the extension requested.

He added that it was essential that staff and the Planning Commission consult with parties required to comply with whatever comes about. Mr. Harvey noted that this was trying to fix immediate problems and foresee others that may come in. Mr. Saunders noted that the language would have to be pretty broad and Mr. Harvey added that they were trying to narrow everything down and it was a problem. Mr. Carter noted that the Zoning Ordinance would not always include everything that could come up.

Ms. Brennan then seconded the motion and there being no further discussion, Supervisors voted (4-0-1) by roll call vote with Mr. Saunders abstaining.

Introduced: Accessory Building Issue

Mr. Bruguere noted his knowledge of a piece of land that someone wanted to put an accessory building on in order to store materials in and that Mr. Padalino had denied this because one cannot have an accessory building before the primary building. Mr. Carter noted that it had to be on the same site as a residence. Mr. Bruguere noted that they intended to build a residence and wanted to store things in the shed. Staff noted this had been an issue in the past where when it was allowed; people ended up living in the shed. Mr. Carter advised that they were told what was in the current ordinance and how to apply to amend the ordinance language if they wished.

D. Directives

Ms. Brennan:

Ms. Brennan advised that the seniors were having lunch on the 17th at the Nelson Center at noon and would like the Board to RSVP.

Ms. Brennan advised that the High School One Act Play did not place at regionals for the first time in a long time and they would be performing the play the following Thursday night at 7pm.

Ms. Brennan noted she would like to reinstitute the Litter Control and Recycling Council and there was no discussion or action taken.

Ms. Brennan then asked if the Schools had any County flags at their sites and it was noted that this was doubtful but Mr. Carter could check.

Ms. Brennan inquired as to where the County was on the Rockfish Valley Area Plan and Mr. Carter noted that staff had submitted a planning grant application through the AFID grant program to jump start the project. She then asked if staff could provide the first part report.

Ms. Brennan asked if they had the ability to video Board meetings and Mr. Carter noted they did. There was no discussion or action taken.

Ms. Brennan inquired about the surplus furniture auction and Mr. Carter noted that staff was trying to solicit another proposal from a local auctioneer. He added that he had given it verbally; however they needed it in writing. It was noted that one proposal was to sell it over the Internet and Mr. Harvey noted he thought that might bring the best pricing.

Ms. Brennan asked about a consulting party for Historic Resources and she then noted she would check with Bob Carter.

Mr. Carter confirmed that he had sent the Lovington report to VDOT on the sidewalks.

Ms. Brennan noted that she would like to go to an Albemarle Board meeting to get consensus to move the pipeline to a more responsible route. She noted that Creigh Deeds had requested that FERC do a Programmatic Environmental Impact Statement and she thought the Board should look at requesting this. There was no discussion or action taken.

Ms. Brennan inquired about cameras at the Overlook and it was noted that none were in place yet. Mr. Carter then noted that nothing was happening with the photos of people vandalizing the tunnel trail and he added that the County was not trying to prosecute anyone unless they were damaging something.

Mr. Harvey noted that the Hensley benefit in Massies Mill had raised \$38,000. He noted that this was for a local three year old boy with leukemia and that they felt that it was a curable cancer.

VII. Adjournment – The Evening Session Has Been Cancelled

At 5:35 PM, Mr. Hale moved to adjourn and Mr. Harvey seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by voice vote to approve the motion and the meeting adjourned.