

November 8, 2016

Virginia:

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

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

Absent: None

I. Call to Order

Mr. Hale called the meeting to order at 2:10 PM, with all Supervisors present to establish a quorum.

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

II. Public Hearing- Request for Modification Pursuant to Z.O. Article 20, Section 17 B-2-(v) (T-Mobile) 21 Fern Circle, Tax Map #11F-Open: Z.O. 17-B-2-(v) requires a minimum fall area setback distance between the base of a temporary tower and adjoining property lines of 150% of the temporary tower height. The proposed temporary tower is a sixty (60) foot tall “Cell on Wheels” (COW) telecom facility and modification from the required ninety (90) foot fall area setback is requested.

Mr. Padalino noted that temporary towers were administratively reviewed pursuant to Zoning Ordinance section 20-17-B. He noted that in looking at these, staff reviewed the proposed duration; which was a maximum of sixty (60) days, the proposed height; which was a maximum of 100 feet AGL, and the proposed location and distance(s) to adjoining property(s). He added that pursuant to ZO 20-17-B-2-(v): “The minimum distance from the base of a Temporary Tower to the property line(s) shall be a minimum of 150% of the Temporary Tower height.” He noted that this regulation meant that for a maximum height of sixty (60) feet, a minimum ninety (90) foot fall area setback was required.

Mr. Padalino then noted that per the Zoning Ordinance, the applicant was required to: site the temporary tower in a location that is compliant with setback requirements [ZO 20-17-B-2-(v)]; or obtain an easement or other recorded agreement with each/every affected property

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owner = administrative exemption of setback requirements [ZO 20-19-A]; or obtain a modification of location restrictions from the Board of Supervisors [ZO 20-20-A]

He then noted that per ZO 20-20-A: “The Board of Supervisors may modify the location or height restrictions, or both, upon determination that:

- i. the strict application of the ordinance would produce undue hardship or severely limit the provision of telecommunication services;
- ii. there are no commercially reasonable alternatives; and
- iii. the authorization of the modification will not be of substantial detriment to adjacent property and the character of the zoning district will not be changed by the granting of the modification.”

Mr. Padalino then showed several pictures of a cell on wheels (COW) and related equipment. He added that if the modification was approved, the applicant would have to modify the dates proposed.

He then showed several maps showing the location and proposed site in Fern Circle also known as Devil’s Knob. He also showed a simple sketched site plan and noted that an engineered drawing was not required.

Mr. Padalino next showed each property affected by the fall zone reduction; one was 10ft., one was 75ft., and the other was 60 ft. from the respective property lines. It was noted that other structures existed between the COW and other property lines.

Mr. Padalino reiterated that pursuant to ZO 20-20-A: “The Board of Supervisors may modify the location or height restrictions, or both, upon determination that: the strict application of the ordinance would produce undue hardship or severely limit the provision of telecommunication services; there were no commercially reasonable alternatives; and the authorization of the modification would not be of substantial detriment to adjacent property and the character of the zoning district would not be changed by the granting of the modification.”

Mr. Bruguiere asked if the distance from the COW to actual homes was measured and Mr. Padalino advised it was not. He added that the distances were measured from the COW to the adjoining property lines and that the dwellings were well outside of the required 90 foot fall zone.

Ms. Brennan then asked if they had considered the county-owned buildings. Mr. Carter noted that he supposed that the County's position was whatever the Board decided and he added that the County had the NCBA tower and radio network located there. It was then noted that a bond could be required related to removal of the tower. Ms. Brennan questioned that and Mr. Padalino noted that the request was for a temporary tower now; however T Mobile would like to have a permanent tower there affixed to the existing water tank. He noted that the COW was a stop-gap measure until they could proceed with using the existing water tank for a permanent installation.

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Mr. Hale then invited the applicant to speak and Mr. Rich Wagner representing T Mobile addressed the Board. He noted that there was limited coverage in the area and having the temporary site would enhance it for ski season. He confirmed their plans to attach to the water tank once the engineering was completed. He then noted for the Board that the COW shown in the previous pictures was not the actual height of the tower and theirs would be 60 feet or less, whatever would get them above the tree-line there.

Ms. Brennan then asked about their plan to adjust the number of days and Mr. Wagner noted they would like the maximum of sixty (60) days allowed by the Ordinance. It was noted that the permit would begin at the time of set up and the duration would be sixty (60) days from then. He noted they would possibly come back for another 60 days. Mr. Wagner further noted that they were working on engineering drawings for the attachment to the water tank and he hoped that would conclude within sixty (60) days. He added that they were working with the Nelson County Service Authority on the lease agreements etc. for the tank. Mr. Harvey indicated that as a member of the Service Authority Board, he was not aware of this and Mr. Wagner confirmed they were working with George Miller on it.

Ms. Brennan then asked if there would be bonding in place to protect the facilities in close proximity and Mr. Wagner noted they could put up a bond if it was required by the Board. Mr. Carter confirmed that the County would want that.

There being no further questions for the Applicant, Mr. Hale opened the public hearing and the following persons were recognized:

1. Curtis Sheets, Wintergreen Property Owners Association (WPOA)

Mr. Sheets noted that WPOA was in support of the project, they were aware of the intricacies of the site, and he noted it was impossible to meet setback requirements for anything on that site. He noted that that the timing was important and was a public safety issue since they would like for them to be online prior to ski season if possible. He added that T Mobile was going to collocate on an existing tower there; however the tower failed structural analysis. He noted that there were still clusters of utilities there at that location. Mr. Sheets then noted that the Board would be seeing an unrelated request in the near future for replacement of the Ntelos tower. He added that there was a lot of work going on at that site currently.

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

Mr. Bruguiere noted he had no issues with the request; however he would like a bond provided to the County; albeit would not be in danger of hitting private structures.

Mr. Bruguiere then moved to approve the temporary tower request #2016-13 for T-Mobile and Mr. Saunders seconded the motion.

Staff then advised that the Board was considering approval of the exception not just the application. Mr. Hale clarified that it was an exception to the fall zone requirement.

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Mr. Bruguere then amended his motion to approve the requested modification from local restrictions and Mr. Saunders seconded the amended motion.

Ms. Brennan then inquired if it was okay for them to ask for an extension of time and Mr. Padalino noted that the definition in section 4 allowed for an extension of another thirty (30) days and sixty (60) days was the maximum. Mr. Carter then supposed that T Mobil would not start until they could be sure to use their sixty (60) days effectively. Mr. Padalino noted he would work with Mr. Wagner and he could submit a start date to him; which would be handled administratively.

Ms. Brennan noted being okay with it as long as it could not fall on a house, she noted that there was no one present in opposition, and she felt comfortable with bonding in place.

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

III. Consent Agenda

Mr. Hale noted the items contained in the consent agenda being minutes for approval and an Ordinance that made language in those sections noted parallel to the State Code.

Ms. Brennan asked to pull the minutes for approval until the next meeting. She then moved to approve the consent agenda less the minutes and Mr. Saunders seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following Ordinance was adopted:

- A. Resolution – **R2016-68** Minutes for Approval (Deferred)
- B. Ordinance – **O2016-07** CH 11, Article 2 Div. 2, 11-43 Exemption for the Elderly & Disabled

**ORDINANCE O2016-07
NELSON COUNTY BOARD OF SUPERVISORS
REPEAL AND RE-ENACTMENT OF CHAPTER 11,
ARTICLE 2 REAL PROPERTY TAX, DIVISION 2
SEC 11-43 EXEMPTION FOR ELDERLY AND DISABLED
OF THE CODE OF NELSON COUNTY, VIRGINIA**

BE IT HEREBY ORDAINED BY THE NELSON COUNTY BOARD OF SUPERVISORS, that Chapter 11, Article 2 Real Property Tax, Division 2 Sec. 11-43, Exemption for Elderly and Disabled is hereby repealed and re-enacted as follows:

Sec. 11-43. Restrictions and conditions.

Any exemption from real estate taxes shall be subject to the following:

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(1) Such real estate shall be owned by, and be occupied as the sole dwelling of anyone (i) at least 65 years of age or (ii) found to be permanently and totally disabled as defined below. A dwelling jointly held by a husband and wife, with no other joint owners, may qualify if either spouse is 65 or over or is permanently and totally disabled. For purposes of this division, the term “permanently and totally disabled” shall mean unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment or deformity which can be expected to result in death or can be expected to last for the duration of such person’s life.

(2) For purposes of this division, the applicant must be (i) at least age 65 as of May 15 of the taxable year for which an application is made or (ii) is permanently and totally disabled. Under subparagraph (1), real property owned and occupied as the sole dwelling of an eligible applicant includes real property (i) held by the applicant alone or in conjunction with his spouse as tenant or tenants for life or joint lives, (ii) held in a revocable inter vivos trust over which the applicant or the applicant and his spouse hold the power of revocation, or (iii) held in an irrevocable trust under which an applicant alone or in conjunction with his spouse possesses a life estate or an estate for joint lives or enjoys a continuing right of use or support. The exemption is not applicable to any interest held under a leasehold or term of years. For purposes of this division, any reference to real estate shall include manufactured homes.

(3) The total combined income received from all sources during the preceding calendar year by:

a. Owners of the dwelling used as their principal residence; and

b. Owners' relatives who live in the dwelling shall not exceed fifty thousand dollars (\$50,000.00) provided, however, that the amount of six thousand dollars (\$6,000.00) of income of each relative who is not a spouse of the owner living in the dwelling and who does not qualify for the exemption provided in subparagraph (4) hereof shall not be included in the total combined income calculation, and further provided that the amount of six thousand dollars (\$6,000.00) income for an owner who is permanently disabled shall not be included in such total.

(4) The income of owners’ relatives living in the dwelling and providing bona fide caregiving services to the owner whether such relatives are compensated or not, shall not be counted towards the income limit set forth in the preceding subparagraph

(5) The net combined financial worth, including the present value of all equitable interest, as of December 31 of the immediately preceding calendar year, of the owners, and the spouse of any owner, excluding the value of the dwelling and not more than one (1) acre of land upon which it is situated, and the furniture, household appliances and other items typically used in a home, shall not exceed one hundred thousand dollars (\$100,000.00).

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

IV. Public Comments and Presentations

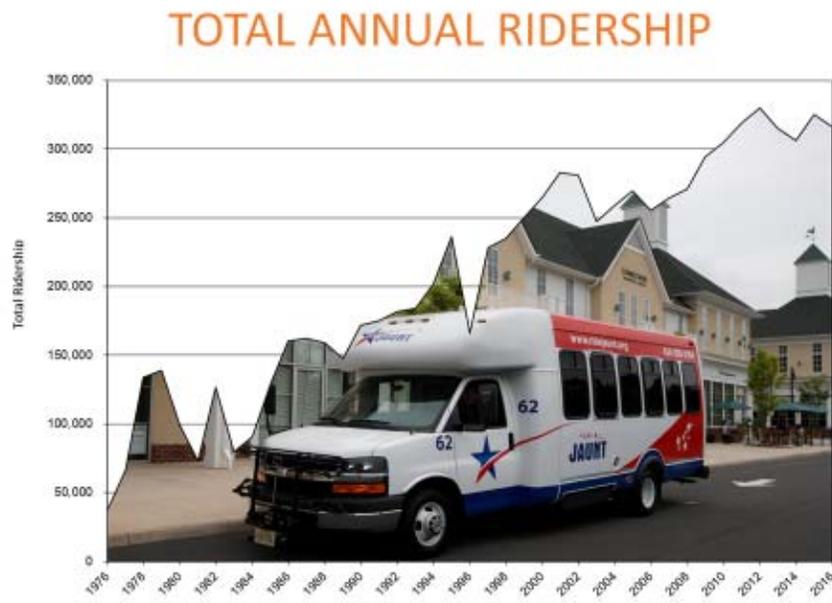
A. Public Comments

There were no persons wishing to be recognized for public comment.

B. Presentation - JAUNT Annual Report (B. Sheffield)

Mr. Sheffield thanked the Board for appointing Dee Dee Greene to the Board and he hoped that they would appoint Sarah Holman later in the meeting.

Mr. Sheffield gave the following presentation:



Mr. Sheffield noted that Ridership had dipped a little bit this year and was one of the challenges of a rural community.

JAUNT's Overall Performance

Operating Statistics

Total Passenger Trips	315,990
Total Revenue-Producing Hours	117,132
Total Miles Driven	2,186,599

Cost Performance

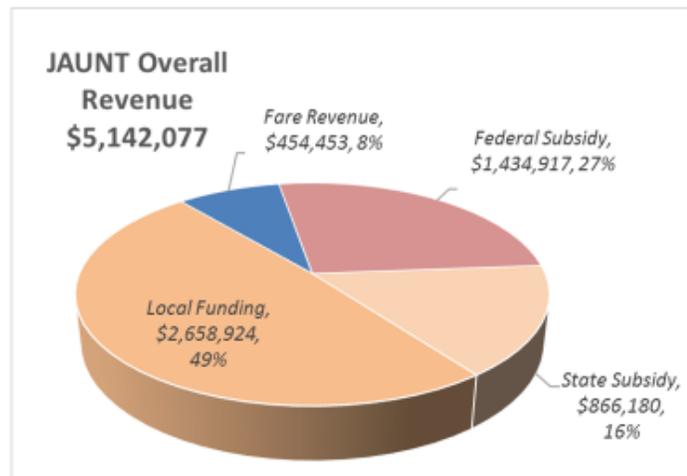
Operating Cost/Revenue-Producing Hour	\$41.67
Admin Cost/Revenue-Producing Hour	\$9.72
Total Cost/Revenue-Producing Hour	\$52.25
Operating Cost/Passenger Trip	\$14.81
Admin Cost/Passenger Trip	\$3.60
Total Cost/Passenger Trip	\$19.36
Total Cost/Mile Driven	\$2.69

Service Performance

Pass Trips/Rev Hour	2.70
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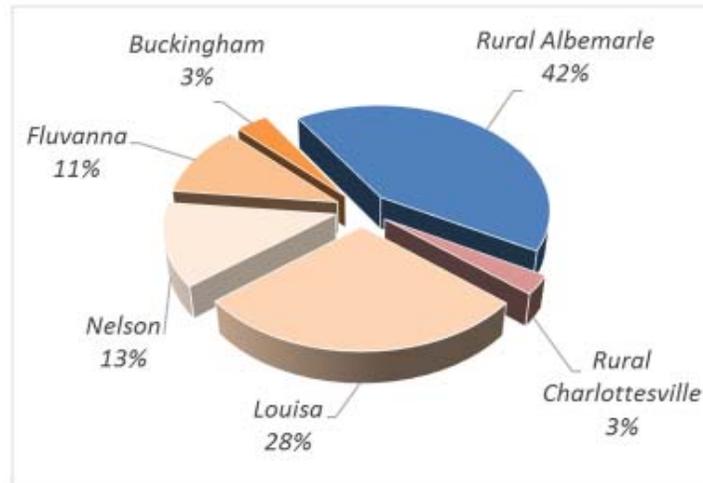
Mr. Sheffield noted JAUNT's overall performance; noting that miles driven was important and passengers per hour was an efficiency measure.

JAUNT Public Operating Revenues



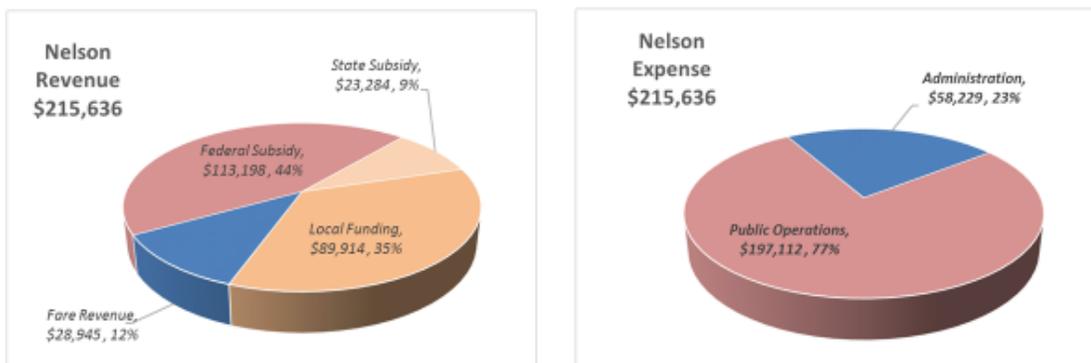
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Local Funding Distribution



Mr. Sheffield pointed out that Nelson was 13% of their overall local funding.

Nelson County Public Operating Revenues

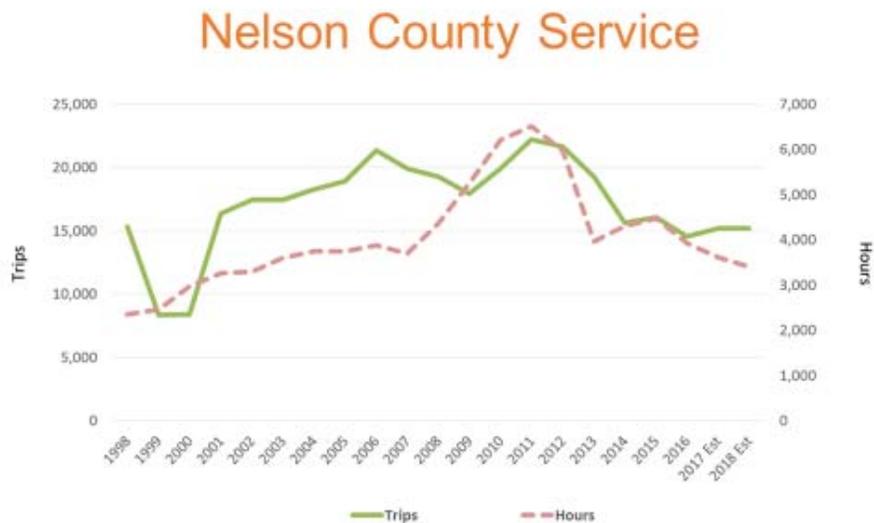


Mr. Sheffield clarified that the Local Funding shown above included the Wintergreen amount of approximately \$60,000.

Nelson County Service Summary

Nelson County	FY14	FY15	FY16	Change%
Public Service				
Piney River Route	3,488	2,845	1,728	-39%
Lovington Route	3,518	2,287	3,044	33%
Wintergreen Route	3,145	6,412	5,568	-13%
Midday to Ch'ville	1,420	1,476	2,043	38%
Intracounty & Misc.	4,083	3,062	2,172	-29%
Total Public	15,654	16,082	14,555	-9%
Agency	2,440	3,686	4,660	26%
Total	18,094	19,768	19,215	-3%

Mr. Sheffield advised that the Intracounty and Misc. decline was due to the midday grant funds running out. He added that they had seen a rebound in FY17 so far and were seeing more riders per hour.



Mr. Sheffield reported the following relative to the focus of FY17 and beyond:
 - Nelson County pays per hour of service, not per rider. As more people ride within the existing hours provided the better the performance of the service.

- Service hours need to be maintained to provide a sense of stability.
- With stability, JAUNT can work on better allocating the existing hours, which may improve ridership
- With the help of Nelson, JAUNT can regain ridership if there is a commitment to holding firm at the level of service currently provided.

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- For FY17 the County provided more funding to help maintain existing services. Based on a small amount of data (only three months), the result appears to be a slight increase in ridership over FY16.

- We face a similar challenge in FY18. To maintain the same level of service in FY18, Nelson County would need to provide approx. \$6,500 more in local funding. This accounts for the Wintergreen service.

- JAUNT needs to enhance its commuter route from Nelson. It has the capacity to carry some more riders, which would make that service more efficient.

- One approach is to “brand” the service to reflect the specialized purpose. This could help generate more interest and ridership.

- Additional ridership with no additional hours of service means Nelson generates more user revenues, and more state funding assistance (which offsets the local funding request). As the service performance improves (such as more riders per hour), the State’s allocation methodology provides more funding to Nelson.

Opportunities and Challenges

- Ridership has dropped, but the Pass/Hr has improved (2.90 to 3.19)
- FY17 ridership seems to be rebounding
- Stable service allows us to continue to maximize capacity, and improve ridership
- Increasing costs of insurance, workers comp and vehicle
- Enhance commuter service, fine tune what we provide

FY18 Draft Budget

- FY17 Approved Local Match = \$104,128
- Both FY18 options include Wintergreen service at approx. \$60,500 local share.
- FY18 Possible Local Match (Option 1) = **\$104,122**
 - Reduced service, 273 hours
 - JAUNT would explore reorganizing resources to match allocated hours to peak demand
- FY18 Possible Local Match (Option 2) = **\$110,637**
 - \$6,509 increase over FY17
 - Maintain existing services
 - JAUNT would still work to tweak existing services to maximize available capacity.

FY18 Proposed Budget

The budget below provides two FY18 service options, with correlating service and local funding impacts.

Option 1 – Assumes level funding from Nelson County, which may require JAUNT to reduce service hours and decline passenger trip requests.

Option 2 – Assumes existing service is maintained. This will require an increase in local funding by approximately \$6,500. And, allows JAUNT to focus on continuing to increase ridership, which increases the efficiency of the service.

Nelson County								
	FY15 Actual	FY16 Budget	FY16 Actual	FY17 Budget	FY18 Option 1	\$ Change	FY18 Option 2	\$ Change
Expenses								
Operations	\$ 259,547	\$ 252,977	\$ 221,910	\$ 283,023	\$ 273,747	\$ (9,276)	\$ 288,564	\$ 5,541
Administration	\$ 38,490	\$ 34,811	\$ 33,431	\$ 36,222	\$ 36,762	\$ 539	\$ 38,740	\$ 2,517
Total Expenses	\$ 298,037	\$ 287,788	\$ 255,341	\$ 319,245	\$ 310,508	\$ (8,737)	\$ 327,304	\$ 8,058
Revenues								
Farebox	\$ 44,816	\$ 50,975	\$ 28,945	\$ 43,300	\$ 43,300	\$ -	\$ 43,300	\$ -
Federal - 5311	\$ 126,611	\$ 118,406	\$ 113,198	\$ 137,973	\$ 133,604	\$ (4,369)	\$ 142,002	\$ 4,029
State	\$ 49,811	\$ 28,492	\$ 43,012	\$ 33,845	\$ 29,482	\$ (4,363)	\$ 31,365	\$ (2,480)
Local	\$ 83,495	\$ 89,914	\$ 89,914	\$ 104,128	\$ 104,122	\$ (6)	\$ 110,637	\$ 6,509
Total Revenues	\$ 304,732	\$ 287,788	\$ 275,069	\$ 319,245	\$ 310,508	\$ (8,737)	\$ 327,304	\$ 8,058
Performance Metrics								
<small>Note: Metrics include all days and hours of service (in addition to typical business hours JAUNT provides service on weekends, holidays, early mornings and late night service).</small>								
Annual Hours	5,535	4,665	4,565	5,061	4,788		5,060	
Cost/Hr	\$ 53.85	\$ 61.69	\$ 55.94	\$ 63.08	\$ 64.85		\$ 64.68	
Op Cost/Hr (excludes adm)	\$ 46.89	\$ 54.22	\$ 48.61	\$ 55.93	\$ 57.17		\$ 57.03	
Annual Trips	17,639	17,750	14,555	15,200	14,100		15,200	
Passengers/Hr	3.19	3.80	3.19	3.00	2.94		2.79	
Cost/Passenger	\$ 16.90	\$ 16.21	\$ 17.54	\$ 21.00	\$ 22.02		\$ 23.21	
Farebox Revenue/Pass	\$ 2.54	\$ 2.87	\$ 1.99	\$ 2.85	\$ 3.07		\$ 3.07	

Mr. Sheffield then noted the following:

\$ 64.85 Pays for One (1) Hr of Service

\$ 57.17 Operations

\$ 7.68 Administration

\$ 9.04 Comes From Fare box Revenue

\$ 27.90 Comes From Federal Assistance

\$ 6.16 Comes From State Assistance

\$ 21.75 Local Assistance

One (1) Local Dollar Creates -

Fare box Revenue \$ 0.42

Federal Revenue \$ 1.28

State Revenue \$ 0.28

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Upon conclusion of the presentation, Mr. Hale opened the floor for questions. He then asked what JAUNT services were provided on weekends and Mr. Sheffield noted that there were currently no weekend services in Nelson; however those services were provided in Charlottesville and Albemarle.

There being no further questions or comments from the Board, Mr. Sheffield noted that their FY18 budget request would include the \$6,500 needed to maintain current service levels.

C. Presentation – TJPDC 2017 Legislative Program & Priorities (R2016-69) (D. Blount)

Mr. David Blount addressed the Board and noted the top three (3) Legislative priorities as follows:

- 1) State Budget and Funding Obligations - \$1.5 Billion shortfall, preserve aid to localities
- 2) Public Education Funding – keep investments in K12 in 2016 Session
- 3) Local Revenue Authority – Equal Taxing

He then noted some new items included: Transient Lodging Legislation –Airbnb, Land Use Priority, General Government Section, and Local Authority. He noted the Wireless Infrastructure language workgroup was looking at permitting and approval and the ability to charge fees. He added that the industry was looking at providing additional capacity into suburban areas, and Proffer legislation

Mr. Blount then referenced the Legislative Policy Statements and noted that in the General Government section, there were new statements related to state supported positions.

He noted that in the Economic & Work Force Development section, they emphasized funding to localities for Broadband plans.

Mr. Blount then noted that the Legislative Forum would be held on November 29th.

Ms. Brennan asked about there being a session on stormwater at the conference and Mr. Blount said there would be a panel discussion with DEQ. He noted there was a sentence in the plan opposing new or expanding mandates including removing the storm water management opt out provisions.

Mr. Bruguire noted the concern that the numbers of state police were dwindling and the State should institute actions to bring levels back up to where they needed to be by increasing funding or possibly having a retention program. He noted he thought it was important to send a message to Richmond to help bolster State Police numbers.

Mr. Blount suggested amending the first bullet under Public Safety to include this. Mr. Hale noted he was unsure as to what shortfall or budget impact to the State Police has been. Mr. Carter reported that the State Personnel Association was encouraging the state to look at overall compensation for state employees. Mr. Hale noted that language to that effect was in the first paragraph; however it did not break it down to State Police.

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Mr. Carter added that the biennium budget funded more VSP positions; however he thought that had been backed out.

Supervisors then agreed by consensus to add a reference to the Virginia State Police in the plan.

Ms. Brennan then moved to approve resolution **R2016-69** Approval of 2017 Thomas Jefferson Planning District Legislative Program and Mr. Bruguere 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 R2016-69
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF 2017 THOMAS JEFFERSON PLANNING DISTRICT
LEGISLATIVE PROGRAM

RESOLVED, by the Nelson County Board of Supervisors that the 2017 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 2017 Session of the Virginia General Assembly, with amendments presented by Mr. Blount on November 8, 2016 as well as incorporation of the recommendations put forth by the Board as applicable.

1. Statutory Authority for Local “Opt Out” of VSMP Administration
(R2016-70)

Mr. Hale noted the related item pertaining to preserving the Statutory Authority for the Local Opt Out provisions of VSMP Administration. Mr. Carter explained that Middlesex County led the charge regarding a study commissioned on VSMP mandating localities that opted out to have to opt back in. He added that the resolution called for a more balanced composition of the committee and mirrored their resolution. He noted the statement that said Nelson was opposed to being required to locally administer the VSMP.

Ms. Brennan then moved to approve resolution **R2016-70** Support for Continued Statutory Right for Localities to “Opt-Out” in Administering Local Virginia Stormwater Management Programs and Mr. Bruguere seconded the motion.

Ms. Brennan noted that the main thing was that DEQ had to do it and should do it as it was a burden for smaller localities. She added that doing so did not lower standards.

There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following resolution was adopted:

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RESOLUTION R2016-70
NELSON COUNTY BOARD OF SUPERVISORS
SUPPORT FOR CONTINUED STATUTORY RIGHT
FOR LOCALITIES TO “OPT-OUT”
IN ADMINISTERING LOCAL VIRGINIA
STORMWATER MANAGEMENT PROGRAMS

WHEREAS, many localities are increasingly concerned over the Commonwealth of Virginia’s expanding reliance upon localities for the administration, implementation and enforcement of regulations promulgated at the state level; and

WHEREAS, over the past several years, many changes have been made to the environmental laws in the Commonwealth of Virginia, including legislation imposing unfunded and underfunded mandatory local obligations regarding erosion and sediment control, the Chesapeake Bay Act and most recently, the significant expansion of the Virginia Stormwater Management Program (VSMP); and

WHEREAS, many localities in Virginia expressed concern to their state government delegation about the reasonableness, efficacy and costs of implementing the Commonwealth’s expanded Stormwater Management Program and other environmental regulations at the local level; and

WHEREAS, many localities in Virginia have expressed concern regarding the liability they incur by becoming the VSMP plan approving authority, as well as the inestimable costs and responsibilities of the perpetual maintenance of abandoned stormwater facilities required or implied through the expanded Stormwater Management Program; and

WHEREAS, the Senate of Virginia and the Virginia House of Delegates, in response to local government concerns, both passed by wide margins amendments to the Virginia Stormwater Management Program under House Bill 1173 / Senate Bill 423, which amendments allow local governments to choose either to manage their own Stormwater Management Programs or to “Opt Out”, leaving the administration, implementation and enforcement of the Program to the Virginia Department of Environmental Quality (DEQ). These were both Omnibus Bills with broad and unequivocal support from DEQ, Environmental Groups and representatives from the Construction/Development community; and

WHEREAS, the Governor of the Commonwealth of Virginia signed House Bill 1173 / Senate Bill 423 on March 24, 2014, and the bill was enacted immediately with an emergency clause contained therein; and

WHEREAS, upon enactment, the Commonwealth of Virginia’s lead environmental regulatory agency, the DEQ was established as the Commonwealth’s VSMP Authority. The DEQ is the stormwater permitting authority and has the responsibility to implement,

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administer, and enforce the Commonwealth's environmental regulations in a uniform, consistent, efficient and timely manner across the Commonwealth; and

WHEREAS, the Board of Supervisors of Nelson County, along with 54 other localities in Virginia, voted in 2014 to "Opt Out" of administering their own stormwater management program, leaving the administration of the Program to DEQ; and

WHEREAS, following the 2014 legislation, a Stormwater Advisory Group was convened and charged with making recommendations regarding consolidation and implementation of the Virginia's Water Regulations, including Stormwater and Erosion and Sediment Control, to the 2016 General Assembly; and

WHEREAS, the Stormwater Advisory Group is largely comprised of representatives from the environmental community, engineers and DEQ staff and lacks sufficient representation from Virginia's "Opt Out" localities and Chesapeake Bay Act localities; and

WHEREAS, while the Stormwater Advisory Group should be commended for their months of hard work, and in particular for the work on consolidating various environmental programs into one program under DEQ administration, the Group has focused a significant amount of time recently and has become sidetracked of late with a discussion on the benefits to DEQ of repealing the statutory right to "Opt Out" provided by the 2014 legislative amendments to the Virginia Stormwater Management Program and thereby returning to localities the responsibility of plan implementation, administration, and enforcement; and

WHEREAS, a recommendation to repeal the statutory "Opt Out" constitutes nothing less than nullification by committee of the legislative action clearly embodied in the 2014 Omnibus legislation, nullification of a right guaranteed by both houses of the General Assembly and the Governor, and would require that each and every locality in the Commonwealth administer a separate version of the Virginia Stormwater Management Program, thus resulting in inconsistency, inefficacy and a cumulative burden that will increase both in size and cost each year, constituting nothing short of a significantly expensive and burdensome **unfunded or underfunded mandate**; and

WHEREAS, DEQ has opined that Chesapeake Bay localities who exercise the statutory right to "Opt Out" receive an additional burden not shared by other localities by being forced to administer a local Stormwater Program for land disturbance projects between 2,500 square feet and 1 acre; and

NOW, THEREFORE, BE IT RESOLVED, The Nelson County Board of Supervisors **STRONGLY OPPOSES** any recommendation or effort to reverse or amend the action taken by the 2014 General Assembly in affording to Virginia's counties and cities the statutory right to "Opt Out" of administering the Virginia Stormwater Management Program, and further respectfully requests that the Stormwater Advisory Group support and seek implementation of the current law; and respectfully requests that the Stormwater Advisory Group recognize and recommend that the statutory right to "Opt Out" be applied to all localities equally such that the Chesapeake Bay localities are not required to administer a

local Stormwater Program for land disturbance projects between 2,500 square feet and 1 acre.

BE IT FURTHER RESOLVED, the Nelson County Board of Supervisors strongly recommends that DEQ and the General Assembly impanel an additional stakeholder group, more representative of rural and Chesapeake Bay localities, to conduct a comprehensive review of the efficiency and efficacy of the implementation and delivery of state environmental regulations and programs, to make recommendation for revisions on the delivery and implementation of these programs, and, if appropriate, draft the subsequent statutory and regulatory revisions, especially where the objective is to grant “Opt Out” alternatives to all localities equally.

D. Presentation - Superintendent of Schools OCR Status Update (J. Comer)

Dr. Comer provided the following information regarding OCR and other improvements:

**Nelson County School Board
OCR PROJECT COSTS**

Finding1 - Handicapped Parking Spaces & Curb Changes	\$5,515.90
Step Repair/Replace - NCHS	\$14,903.00
Finding 2 - Interior Doors set at 5 lb or less to operate - measuring tool	\$50.00
Finding 3 - Elevator change from key operated to push button	\$1,120.00
Finding 4 - Rearrange furniture in media center	\$0.00
Finding 5 - Install 50% Handicapped Accessible Drinking Fountains	\$19,565.50
Finding 6 - Ramps and Handrails	\$3,055.00
Finding 7 - Accessible seating in Gymnasium	\$50,400.00
Finding 8 - Grab Bars, Pipe Wrapping , Benches with Back Support	\$1,367.95
Remount mirrors & make accessible shower	
Finding 9 - Signage, threshold change, dispensers, shower spray	\$1,110.43
Finding 10 - Door Knobs replaced with lever action handles	\$25,328.50
Finding 11 - Fill In Auto Pit & Replace Alignment Equipment	\$63,079.00
Finding 12 - Greenhouse aisles & threshold, doorknobs	\$0.00
(doorknobs part of Finding 10 above)	
Finding 13 - Sink & Countertop in FCS classroom	\$2,750.00
Finding 14 - Signage & 5 Assistive listening receivers	\$2,681.00
Finding 15 - Cafeteria Ala Carte Offerings too high	\$0.00
Finding 16 - Ambulatory Stall in restroom near auditorium	\$120.00
Comparable Facility Issue - Team Room Accessibility	\$8,164.00
Architectural & Engineering Fees including Reimbursable Expenses	<u>\$65,202.45</u>
Total Expenses for Project	\$264,412.73

Dr. Comer noted that several Legislators would be visiting the schools over the next few days and he invited the Board join them. He then recognized Shannon Irvin and Sandra McKenzie who had done all of the work related to his presentation.

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Dr. Comer then showed a PowerPoint of photos showing the completed OCR items. He noted that the number of handicapped parking spaces was based upon school population, the architect they hired used local people to complete the jobs, and in order to address the comparable facility issue, they installed a handicapped accessible shower for both boys and girls to be used by teams in season and they did not have to build something new. He then noted that they had added new scoreboards to the old gym using their funds.

Mr. Bruguere asked how many handicapped people were playing football and Dr. Comer explained that for example there could be students who could potentially throw a shotput from a wheelchair; noting that there were other more applicable sports than football.

Dr. Comer then discussed other items that had been done such as the signs added to the football field press box and the scoreboard. He noted that they had replaced the rooftop HVAC units at the High School out of the maintenance budget and had replaced the backstop at the baseball field.

Supervisors then inquired as to the status of the greenhouse at the High School and Dr. Comer noted that the state had backed off of the issues there. He noted that they had to rearrange some inside storage bins at no cost and there were some general maintenance issues to deal with. He added that they were looking into something smaller in the future that would provide the same benefits; noting that they were still looking at options but the current greenhouse was functional and working fine per Ms. Seaman.

Mr. Saunders noted that most of their expense was spent on AE fees - 33% of the budget. Dr. Comer acknowledged that and noted that the expense saved them much more than that long term; and that the solutions presented were highly cost effective. Mr. Saunders then noted that the state did not seem to have these rules for themselves.

Dr. Comer concluded by noting that the School Board was interested in looking at a joint meeting with the Board of Supervisors in December to potentially discuss long term facility issues or kick off the budget season. Mr. Hale noted he had spoken to their Board Chair and they were working towards a December meeting.

E. VDOT Report

Mr. Don Austin of VDOT reported the following:

1. 151/250 intersection – The Regional Traffic Division was handling it and their plan was to install a temporary signal there in March. He added that they had submitted Smart Scale and HSIP applications for a roundabout there. He noted that input would be welcomed once the projects were approved.

Supervisors expressed concern about trucks losing their brakes coming down the mountain and running the red light. Mr. Harvey supposed they would have to place signs back up the mountain alerting trucks to the stoplight. Mr. Austin agreed noting that there may be at least two (2) signs in between the top of the mountain and the light. He added that truck braking

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would certainly be considered. Mr. Harvey supposed that a traffic signal would work if other things were done first. Mr. Austin stated he would provide contact information for those who were working on it. He then noted that in 2018, that segment of road would be repaved and they were looking at using high friction pavement.

2. Lovington Sidewalk Project – There would be a notice put up on VDOT’s willingness to hold a public hearing for the sidewalk project in Lovington. He added that he thought there were signs up and posted in Lovington now and the notice would also be sent to adjacent property owners. He noted that they would advertise by March to do the work next summer.

3. Dark Hollow road repairs cost approximately \$300,000.

4. Fall Transportation Meeting- The meeting would be held on November 29th; they would hear what projects had been submitted for funding and it would be held at the District Office in Lynchburg.

Supervisors then discussed the following VDOT issues:

Mr. Harvey and Ms. Brennan had no issues.

Mr. Bruguere noted a request for 35 mph signs on the entire length of the loop of Pharsalia Road and Mr. Austin noted that it must be studied in order to change the speed limit. He added that if was not posted, the current speed limit was 55 mph.

Mr. Saunders noted that Reverend Rose had asked him multiple times about putting a sign up somewhere and he was not sure where he meant. Mr. Austin noted he thought he was talking about at the Heritage Center. He added that people coming north were missing the turn there because they could not see the main sign. Mr. Saunders then thanked him for VDOT cutting all of the dead trees on Wilson Hill Road.

Mr. Hale then asked if VDOT wanted to know about dead trees that could potentially fall across the road and Mr. Austin affirmed they did and that they would try to cut the dead trees that were in the VDOT right of way.

V. New Business/ Unfinished Business

A. Former Lovington Healthcare Center Building (Discussion)

Mr. Hale noted that the Board had two (2) directions before them to consider: Work with Region Ten or retain the building for County use.

He then noted he had done some research on the property noting that the acreage was 7.259 acres and of that about half (3.5 acres) was in the floodplain; which fronted all of the way to Route 29. He noted that about 400 feet of the property fronted on Route 29 and the property was a rectangular shape. He noted the floodplain area to be behind the mowed and paved areas of the property.

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Mr. Hale then noted the proposal from Region Ten; offering 75% of the assessed value to begin discussions. He noted that the property was valued at just under \$2 Million. He noted that Staff and the Committee had worked to see if they could attract a company to provide similar care to what was previously provided, but to no avail. He concluded that the only real potential buyer was Region Ten. Mr. then Harvey stated that the property had not actually been marketed for sale.

Mr. Hale then noted that the other option discussed had been the County converting it to County facilities to save rents paid on properties not owned by the County. He added that the County did own seventeen (17) acres that adjoined the current courthouse property that could be used for additional county space.

Mr. Hale then noted that the Board needed to decide which route to take. He advised that he had spoken to many people outside of county employees and universally the opinion heard was that it was a no brainer if they could sell the property for what had been offered, then they could utilize that money for other projects discussed. He noted for example, they could use the former Health Department building footprint and build a new Registrar's Office and that would take care of \$16,000 per year in rent and would move them to County property where they should be.

Mr. Bruguere reported that his constituents thought the County needed a nursing home/assisted living space and they say to sell the building. He noted he did not want to put money into the building and he would rather build on the adjoining seventeen (17) acres nearby. He added that he was not opposed to building as needed and keeping all of the County offices on the same campus.

Mr. Harvey stated that the Department of Social Services needed to do something else in the next five (5) years, as did the Building Inspections and Planning departments. He added that the Registrar's office needed to be done right away. He noted that the Lovington Healthcare Center lot was the most handicapped accessible space in Lovington and the County should utilize the building and figure out what departments worked best together there. He added that Social Services needed small rooms when they met with clients. He then noted that the costs to develop the adjoining seventeen (17) acre property would be enormous because of the creek and they would spend \$1 Million dollars dealing with that. He added that it would improve things in Lovington to make the former Healthcare Center building usable office space for a lot of offices that needed it.

Mr. Bruguere then inquired about the architect's estimate and Mr. Carter noted that a very cursory evaluation had been done by Architectural Partners and their estimate was \$4.5 Million.

Mr. Saunders noted that people have said to him that office space was needed and the rent the County paid for off-site offices was more than \$100,000. He added that Blue Ridge Medical Center (BRMC) would need the space occupied by the Health Department in 2019. He noted that he thought they could renovate the building in phases as needed. He acknowledged that the County did have the space where the old Health Department building

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was and could build a new building. He added that 90% of those he had spoken to had said to use the property already owned by the County. He then stated that he was not in favor of selling the building to Region Ten; noting that they proposed to pay the County over a period of time and he was not in favor of doing that.

Mr. Hale noted having spoken to Ms. Whitehead at BRMC and he was told that while they may need some of the Health Department space, they thought they could accommodate them within the current available space. He added that his impression was that they would not need to relocate them and he thought they were in the ideal location with BRMC.

Ms. Brennan noted that the Committee looked for an assisted living company to come in and that everyone she has talked to thinks the County should have something along those lines. She reiterated that they could not have a nursing home there because the beds were moved; however, they could have Region Ten assisted living. She added that this would also provide jobs locally. She reiterated that she thought Region Ten was a viable opportunity and that 75% of assessed value was a reasonable starting point and she thought they may do more. Ms. Brennan noted that the former Lovingson Healthcare Center building was old and it would cost a lot of money to rehabilitate it. She then noted that she liked the idea of building a new building for County offices perhaps in the old Health Department footprint; however she strongly supported the County working with Region Ten on their proposal.

Mr. Harvey then stated he did not think the clientele would line up under Region Ten's proposal and he supposed they would bring in folks from the whole region. Ms. Brennan noted that the Committee did speak to Piedmont Housing Alliance (PHA) who had partnered with Region Ten successfully in Charlottesville. She added that this was worth investigating before putting more tax dollars into the old building. Mr. Harvey reiterated that the building was the most accessible building around; which was acknowledged by Ms. Brennan; however she noted that the building had a lot of problems.

Mr. Saunders noted it was better to renovate an old building than to start over and the building was in a prime location. He reiterated that renovations could be done in phases and paid for as they went.

Ms. Brennan reiterated that the Region Ten proposal benefits were jobs and the provision of services to the community.

Ms. Brennan then moved to move forward with discussions with Region Ten on their proposal and Mr. Bruguire seconded the motion.

Mr. Hale then noted that any idea to go forward with a sale would have to be approved by the Board. Mr. Bruguire stated he did not like the County financing the deal and he thought Region Ten could get other bank financing. He then asked the size of old Health Department building footprint and Mr. Hale noted that in a previous plan, Wiley Wilson had put everyone there in a 29,000 square foot building. Mr. Harvey noted that not having enough parking was already a problem at the courthouse.

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Mr. Hale stated that the County has spent a lot of money on the courthouse complex and he thought it was time for the Board to have an architect look at planning for the future. He added he agreed it was time to plan for the future of other off site offices; however it needed to be planned over a number of years and he thought it would be wise to have an architect look at it over time.

There being no further discussion, Supervisors voted (3-2) by roll call vote to approve the motion with Mr. Harvey and Mr. Saunders voting No.

Mr. Hale noted the vote meant a decision had been made on which direction to go. Mr. Harvey reiterated that a building for the Department of Social Services was needed.

B. O2016-04, Appendix A Zoning, Article 24, Temporary Events, Festival Grounds, Out-of-Door Accessory Uses (Discussion)

Mr. Hale noted that a public hearing had been held followed by lengthy discussion on this matter and the Board needed to decide if it would do something on this or not.

It was suggested that the Board have a work session with staff and Supervisors agreed to have this for one hour at 1:00 pm prior to the December Board meeting. It was noted this would be set for December 13, 2016 at 1pm and the Board would need to adjourn the current meeting until then.

VI. Reports, Appointments, Directives, and Correspondence

A. Reports

1. County Administrator's Report

1. Courthouse Project Phase II: County staff (Administration, Finance and HR and Information Systems) will begin moving to their new office locations on 11-4. There is a two week schedule for this relocation and for the relocation of the Commissioner of Revenue's office to the current administration area, which will be updated (painting, new carpeting and furnishings). The project is proceeding very well in all areas. The current project contract amount is \$4,915,778, inclusive of \$35,787 in approved change orders (.0075% of total).

2. Broadband: A) Expansion Project – CCTS has advised Phase 3 will be complete by 11-4 (and therefore the overall project) with the company then working on new service connections that have resulted from the project. B) Broadband Planning Project – County and Design 9 staffs are working to complete the outcomes of the Authority's work session on 10-6 (final build out plan & cost estimate, including identification of served & unserved areas, issuance of an RFP for network operation services, and follow up on outside plant work. C) CVEC RFI – per input with CVEC staff, a County/NCBA proposal to the Co-Op's Broadband RFI will not be submitted. D) NCBA Customer Base: See Attached.

3. BR Tunnel Project: VDOT (Lynchburg & Staunton Districts) are completing final review and comment on the project's construction plans and specifications. Staff is optimistic that

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additional comments will be minimal (per previous responses to VDOT comments). County staff has also submitted a written response to the Dept. of Game & Inland Fisheries regarding a potential requirement to complete a conservation plan related to 2 species of bats. The County's position is that the project does not meet the Department's guidance document's requirements and, therefore, a conservation plan and time of year restrictions are not applicable to the project (a phone call today, 11-3, from DGIF staff noted that a plan is still required and staff will work to schedule a meeting with DGIF to discuss next steps).

Mr. Carter advised that a plan devised by the Department of Game and Inland Fisheries (DGIF) would save the County from having to hire an environmental consultant for \$10,000. He added that the County may not have a time of year restriction but he would know after the meeting on November 10th.

Mr. Hale noted that he and Mr. Saunders would like to study the project funding and how it lined up with the budget. Mr. Carter advised that VDOT had also asked for updated cost estimates. He noted that Matt Clark had advised him that he would be transitioning from the project to the VDOT Environmental Group.

4. Region 2000 Service(s) Authority & Solid Waste/Recycling: The Authority's strategic planning project continues to be in process (the purpose is to determine long term operational options). Authority staff are also continuing with the installation of gas and odor collection systems throughout the overall landfill area (a \$1.3 million+ expense). The Authority's meeting on 11-30 will include further consideration of a (private) property reimbursement plan and including a citizen representative from Campbell County on the Authority Board in an advisory capacity (staff is opposed to both of these proposals). Green Earth Recycling (clothing) has closed its business and advised the County that its equipment is now the County's. As such, County staff are meeting with Goodwill Industries (Staunton) towards a new partnership to maintain this service.

Mr. Carter reported that staff met with the Region 2000 Executive Director and he had related to him that Campbell County should be responsible for funding the property protection plan; however that issue would likely be decided after the first of the year.

5. Radio Project: Motorola, Inc.: The work to equip and incorporate the tower at the Rockfish Valley Vol. Fire Department is in process (summer 2017 completion date). Delivery of the three Digital Vehicle Repeater Systems is scheduled for 11-10 with installation by late November. .

7. Economic Development & Land Use Planning: Local revenue receipts are submittals from the sponsors of the Festy and Hoopla sponsors. The Commissioner of Revenue's office is in contact with the sponsors and has advised them of the necessity to report and to submit collected local revenues to the County. TJPDC is the lead agency with County staff on the Rockfish Valley Area Plan and Route 29 Corridor Study (310 Ltd. is a sub-consultant on the later project). Both projects are in process. The County will receive a \$5,000 grant from AEP for the Rt. 29 study.

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CVEC has advised that its Board of Directors has approved the sale of 5 acres in the Colleen Business Park to Trager Brothers to provide for the company's planned expansion of its production and operational facilities. County and NCSA staffs participated in the initial meeting with the company that resulted in the Co-Op's decision.

In response to questions, Mr. Carter noted that the Trager Brothers operation would probably employ 10-20 people there and it would be operational in the next year. He added that it was to be determined if the Lovington issue would be resolved and it appeared to be a civil matter at this point. As to the new building, Mr. Carter noted it would be located on the left-hand side of the road before the Barrel House and that Trager would have to meet the minimum design standards of CVEC.

8. Maintenance Facility: Reconstruction of the facility is approximately 70%+/- complete with County staff currently restructuring the internal working areas of the building.

Mr. Carter advised that the roofing company was to finish in the next week or two and that Maintenance staff was reworking the inside of the building to make it more useful.

9. 2018 General Reassessment: A contract with Wampler-Eanes is completed and company staff has begun very preliminary work on the sales study for the assessment.

Mr. Carter noted that the old Finance Office would house the reassessment office.

10. Personnel: Dillon Driver has been employed as an ACO Shelter Attendant (part time) and began work on 10-17 (the ACO Department is now fully staffed). Linda Staton will transition to the County Administrator's office on 11-10. Recruitment of the Info. Systems position continues to be in process.

Mr. Carter noted that the IS position would be re-advertised with more emphasis on GIS responsibilities.

11. VDOT - Smart Scale (Formerly HB 2) Program: Two applications submitted on 10-5 (Routes 6 and 151 at Martins Store (intersectional improvements) and Rt. 29 at Colleen (access management and intersectional improvements).

12. Department Reports: See Agenda.

Mr. Carter reiterated the following numbers from the Broadband Network Operations report and noted that the network expansion was working very well. He added that the more the network was talked about the better. Mr. Harvey noted that the main barrier to overcome and get subscribers was the installation costs.

Report to Nelson County Broadband Authority

Meeting Date: 11/8/2016

Prepared by Susan Rorrer

I. Operational

Total Number of Customers on 8/31/16:	187
Installations for September and October:	33
<u>Pending Installations:</u>	<u>23</u>
Total Number of Customers on 10/31/16:	240

II. Administrative

Currently working with two neighborhoods that would add an estimated 52 customers on the initial neighborhood build. There are approximately 35 individuals to date seeking service along the Afton Mountain Road fiber extension.

III. Financial

Attached

2. Board Reports

Mr. Harvey:

Mr. Harvey reported attending the Nelson County Service Authority meeting and he noted that everything was running smoothly.

Mr. Bruguere:

Mr. Bruguere reported on the Planning Commission meeting and noted that the site plan had been reviewed and approved for cabins in Beech Grove.

Mr. Saunders:

Mr. Saunders reported his participation in the punch list walk through on the new courthouse spaces and he noted that Jamerson Lewis had done an excellent job.

Mr. Saunders reported attendance of the TJPDC meeting. He noted that he had asked Mr. Boyles about the Route 29 Corridor Study and he had noted they would finish this by February 28, 2017 and they were just getting started. He also reported that they had discussed why the Board needed two (2) members from each county and who they could be; with no conclusion reached. Mr. Saunders noted that Fluvanna had indicated having the

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same issues with Land Use taxation and they had discussed having a workshop explaining all of the land use taxation issues at TJPDC.

Mr. Saunders then asked if the Board would consider giving hunting permission on the Sturt Property. Mr. Hale noted he was not quite ready to do that and he noted that the property was surrounded by hunt club land. He added it would be difficult to issue permits etc. Supervisors took no formal action on the matter; however no one spoke in opposition to the response given by Mr. Hale.

Ms. Brennan:

Ms. Brennan reported attendance of the Social Services Board meeting and noted no changes there.

Ms. Brennan reported attendance of the Rockfish Valley Area Plan meeting and noted it was well done by Mr. Padalino. She noted that they had presented large maps showing the developable areas. She added that it was well attended.

Ms. Brennan reported attendance of Russell Otis's retirement party and she noted that Jay Roberts was his replacement. She added that he had been in attendance of the meeting with Mr. Sheets earlier in the afternoon. She noted that Mr. Otis was officially retiring at the end of the month and that she had spoken with Mr. Roberts and he was interested in restarting the 2x2 meetings. The Board indicated no objection to proceeding on this.

Ms. Brennan reported attendance of the One Act Drama Conference; where the team had won first place and would now compete in Regionals on Saturday.

Ms. Brennan reported attendance of the Friends of Nelson Revival on property rights and she noted that was well attended.

Mr. Hale:

Mr. Hale reported attendance of the Mayors and Chairs meeting at TJPDC.

Mr. Hale reported attendance of the Piedmont Workforce Network (PWN) meeting from Noon to 5pm and he noted that a consultant had been brought in on strategic planning. Mr. Saunders then noted that the TJPDC had discussed moving meetings around to different counties.

B. Appointments

Ms. McGarry reported that Mr. Goffrey Mile's term on the Board of Zoning Appeals (BZA) was expiring and he did not wish to be reappointed. She then noted having received an application from Angela Jones, who was Mr. Miles's daughter that had attended several meetings with Mr. Miles. She noted that she was employed as a Respiratory Therapist with Robert's Home Medical in Charlottesville.

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Ms. McGarry then noted that Sarah Holman, in attendance, had submitted an application for appointment to the JAUNT Board replacing Janice Jackson, whose term expired at the end of September. She added that this would be for a three year term.

Ms. McGarry then noted that there remained a vacancy on the Local Board of Building Code Appeals.

Ms. Brennan then moved to approve both Angela Jones and Sarah Holman to their respective Boards and Mr. Harvey seconded the motion.

Mr. Saunders asked if Sarah Holman wanted to say anything; she declined and Mr. Hale thanked her for stepping forward to serve on the JAUNT Board.

Staff clarified that for the BZA seat, this would be a recommendation from the Board to the Circuit Court. Supervisors and staff then agreed these may need to be done separately and Ms. Brennan then withdrew her original motion and Mr. Harvey withdrew his second.

Ms. Brennan then moved that Angela Jones be recommended to serve on the Board of Zoning Appeals to the Judge and Mr. Harvey seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

Ms. Brennan then moved to appoint Sarah Holman to the JAUNT Board and Mr. Harvey seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

C. Correspondence

1. NCHS Senior FFA, Funding for Rings Request

Mr. Hale noted the letter from the NCHS Senior FFA Advisor requesting \$1,850.00 in monetary support for rings.

Mr. Saunders moved to approve the request and Ms. Brennan seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

Mr. Harvey then noted that there were 64,000 kids at the National FFA Convention and the Nelson team got 2nd for Forestry. Mr. Saunders added that the FFA team and Advisor had been recognized at the Chamber of Commerce Dinner.

D. Directives

Mr. Saunders and Mr. Hale had no directives.

Mr. Harvey asked for an update on the roof of the attendant building at the Rockfish convenience center and Mr. Carter noted he was checking with Paul Truslow on it. It was

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noted that the shingles were curled up and the roof was sagging on it. It was suggested that they beef up the underlayment before fixing the roof.

Mr. Bruguiere noted that he thought the Nelson County Times had been remiss in not publishing information on the local election and the proposed Constitutional Amendments. He noted that the whole ballots used to be published in the paper and he had no idea about the amendments. Mr. Carter advised that he thought many were surprised by those.

Ms. Brennan asked staff to please do something about the humming sound in the General District Courtroom. Mr. Carter advised that he had spoken to Paul Truslow and it was a Simplex Grinnell issue that they would be looking at.

Added: Other Business

Mr. Hale noted that he had spoken with Debbie Harvey of the School Board regarding Delegate Fariss's visit in the County the next day. He noted that they would tour the greenhouse first and then the CTE wing at the High School. He added that at 10:20 am, they would meet at Nelson Middle School and he planned to attend. He noted he planned to hand him a copy of the Legislative Program and note that it was what was wanted by the Supervisors. He added that the School Board would ask for support for the schools.

Mr. Carter then invited Mr. Saunders and Mr. Hale to meet with the DGIF person on the bats at the Blue Ridge Tunnel on Thursday and Mr. Hale indicated he would attend.

Mr. Harvey then asked about a letter received from a County employee requesting to transfer sick leave to another employee. Mr. Carter noted that the County currently did not provide for this and a policy would have to be developed if this were to proceed. He noted it was complicated due to the fact that some employees were on different retirement plans with sick leave and disability options and people accrued different leave etc. He noted that the receiving employee in question had been with the County for a good number of years and has used most of their sick leave. He added that they had three weeks on the books and wanted more for maternity leave.

Mr. Harvey then briefly discussed how a sick leave pool worked and no action was taken by the Board.

VII. Adjournment – No Evening Session

At 5:01 PM, Mr. Harvey moved to continue the meeting until 1:00 PM on December 13, 2016 and Ms. Brennan seconded the motion. There being no further discussion, Supervisors voted unanimously by voice vote to approve the motion and the meeting adjourned.