

October 11, 2011

Virginia:

AT A REGULAR SCHEDULED MEETING of the Nelson County Board of Supervisors at 2:00 p.m. in the Board of Supervisors Room located on the second floor of the Nelson County Courthouse.

Present: Thomas H. Bruguire, Jr. West District Supervisor - Vice Chair
Allen M. Hale, East District Supervisor
Constance Brennan, Central District Supervisor
Joe Dan Johnson, South District Supervisor – Chair
Thomas D. Harvey, North District Supervisor
Stephen A. Carter, County Administrator
Candice W. McGarry, Administrative Assistant/Deputy Clerk
Fred Boger, Director of Planning and Zoning
Debra K. McCann, Director of Finance and Human Resources
Linda K. Staton, Finance Technician II

Absent: None

I. Call to Order

Mr. Johnson called the meeting to order at 2:03 pm, with all Supervisors present to establish a quorum.

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

II. Consent Agenda

Ms. Brennan moved to approve the consent agenda as presented and Mr. Harvey seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following resolution was adopted:

- A. Resolution – **R2011-83** Minutes for Approval

**RESOLUTION-R2011-83
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF MEETING MINUTES
(September 13, 2011 and September 22, 2011)**

RESOLVED, by the Nelson County Board of Supervisors that the minutes of said Board’s meetings conducted on **September 13, 2011 and September 22, 2011** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

III. Public Comments and Presentations

A. Public Comments

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

1. Mr. Kenneth White, Roseland and VTA President

Mr. White distributed and read aloud a prepared statement stating the VTA's opposition to the placement of a walk-through metal detector at the main entrance to the new Courthouse and demanding that metal detectors be used only at the entrances to the District and Circuit courts when the courts are in session.

2. Rose Mohler, President of Rockfish Valley Senior Group.

Ms. Mohler spoke regarding Mr. Perdue's previous statements to the Board that he was told to leave the firehouse. She stated that he does not attend meetings unless he wants something and that he was not an elected officer. She reported that Mr. Perdue provoked Mr. Terry and Mr. Terry told him that if he did not like what they were doing he could leave. She noted that this has become a personal issue between the two men. She then added that she wanted to provide the group with leadership and that Mr. Terry was removed as Treasurer of the organization. She concluded by thanking the County for its support of the meals program.

3. Pete Perdue, Afton and Rockfish Valley Senior Group Member

Mr. Perdue spoke about his devotion to helping seniors in the county and noted that he does not only attend meetings when he wants something. He stated that he has also helped other senior centers receive funding. He then reiterated his position on the lack of transparency in the Rockfish Senior Center's accounting of funds and the unlawful barring of a citizen from attending a meeting funded by public funds. He then reiterated that RVSG should provide its members with an accounting of funds and that the previously mentioned discrepancy in funds needed to be reconciled and he wanted to see the report. He then added that he was told to leave the meeting as mentioned by Ms. Mohler and he chose to leave without confrontation. He stated that the County has been asked to state its position on this due to it being in the chain of command because of its provision of public funds to RVSG. He added that if the County took no action, this would indicate it supports this as public policy whether or not the Board took action. He then added that the Rockfish Fire Department was a public polling place and that now he has been barred from it. He concluded by stating his opinion that this type of matter would be a deterrent to businesses coming in to the county and he suggested that the Board take a public position on who can attend public meetings in public facilities.

B. VDOT Report

Mr. Johnson noted the letter received from VDOT changing the primary point of contact for the Board related to road maintenance issues. He noted that this responsibility was being transferred from Mr. Randy Hamilton, the Local Government Liaison to Mr. Donald Austin, the Residency Administrator.

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It was noted that using the 1-800-4Roads phone number generated a work order and contacting Mr. Austin directly would increase VDOT's response time. Mr. Bruguiera noted that the Bryant maintenance shed has had three management changes in the last six months.

Mr. Carter added that he had spoken to Mr. Austin who said that he planned to regularly attend the Board's meetings and he noted to him that the change was expected to be favorably received by the Board.

C. Presentation- PVCC Annual Report (Dr. F. Friedman, President)

Mr. Carter reported that Dr. Friedman was unable to attend the meeting due to illness and his report would be rescheduled for the Board's first January 2012 meeting.

D. Presentation – TJPDC Brownfields Grant (S. Williams, Exec. Director)

Mr. Carter noted that Steve Williams and Erin Yancey of the Thomas Jefferson Planning District Commission were working on obtaining grant funding to conduct a regional assessment project that would benefit the region and individual localities. He added that they will ask the Board to approve a letter of support for the grant.

Ms. Erin Yancey began the presentation noting that the grant would provide an economic development opportunity while cleaning up contamination. She then provided the definition of a brownfield as property afflicted by real or potential environmental contamination. She noted that usually the contamination is low level and does not pose a health threat to occupants or the community but has clouded the property title, stifling reinvestment with the result being un- or underutilization of the property. She noted that this is a liability to transfer of property but is not a public health concern. The property then sinks to the bottom of the market causing blight etc.

Ms. Yancey then noted that the benefits of reusing brownfields are that they are usually redeveloped and will increase jobs and the tax base. Additionally it will keep contamination from migrating from the property or causing other problems.

She then noted the following goals to be accomplished through the grant:

1. Public outreach and education to alleviate fears of health risks and the engagement of real estate agents, lenders, and developers.
2. Conduct of a regional inventory focusing on sites with significant opportunity for redevelopment through the engagement of an Advisory Committee.
3. The hire of a consultant to do phase I site assessments.
4. The conduct of phase II site assessments to develop remediation plans.

In conclusion, she stated that they were asking the County for staff support in participating in the advisory committee and stated that there was no local match required for the grant.

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Mr. Bruguere then asked if they had identified any sites and Ms. Yancey noted that they have not, but that they have met with County staff to generate ideas and they have noted some that may be eligible.

Mr. Carter followed up to ask where the sites were in Nelson and she noted that they had spoken to Mr. Boger and Ms. Kelley who were able to identify a couple of sites. Mr. Williams added that the goal was to do one site in each of the six member counties.

Mr. Bruguere stated that he would like to see a list of sites before opening this up to the public and would like to know these before they agree to do anything. Mr. Williams reiterated that development of an inventory was part of the project and would be presented to the Board. He added that people generally know if they have a brownfield and have already been limited as to what they can do with the property.

Mr. Carter noted that the County looked at this several years ago and the only identified site was the Superfund site which was under remediation. He then asked if they would describe the size of the eligible brownfield sites and explain what might meet the criteria now. Mr. Williams then noted that examples of eligible sites were old gas stations where tanks might have leaked, sites where work on vehicles was going on and there was spillage, metal work sites where chemicals were spilled, former agricultural chemical dealerships, and old home heating oil dealerships. He noted that these generally had a relatively low level of contamination, but because these contaminants are present it might trigger regulatory requirements of the state of Virginia or Banks will not lend money where this exists due to collateral concerns.

Mr. Bruguere and Mr. Carter confirmed that DEQ was responsible for the contamination case over in Roseland.

Mr. Williams noted that the Board should keep in mind that this was not just a program for private owners and that counties can be beneficiaries of this. He gave the example of cleaning up a public works yard and added that there were no regulatory strings attached and the people they would work with would already be under regulatory requirements.

Mr. Johnson then asked for clarification of the process questioning whether these sites have already been identified by industry and that they were not identifying new sites. He then questioned if they would then get DEQ's list of known sites which would go out to staff, real estate agents, and bankers etc. to form the official list and then finally the advisory group would evaluate the properties to determine which ones to focus attention on based on the group's input. Mr. Williams then reiterated the plan phases that were noted in the presentation. Mr. Johnson then confirmed that they were requesting a letter of support from the Board in applying for the grant.

After brief discussion, the Board was hesitant to take action and Mr. Harvey moved to table action on this subject and Mr. Bruguere seconded the motion.

It was noted by Mr. Williams that the grant application was due November 28th and Members noted that they were interested to know what potential sites might be out there and that staff should provide this information to the Board. Ms. Brennan indicated her interest in pursuing this if it would mean cleaning up water sources.

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There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion tabling action until more information could be provided from County staff.

Mr. Williams then thanked the Board and stated that he would be happy to come back to answer any further questions.

E. Presentation – Virginia Department of Health (Dr. L. Peake, Director)

Dr. Peake noted that she was following up on the Board's request for more information about the Health Department and stated that their focus was preventing health problems not treatment. She noted that if all U.S. children were vaccinated with the current schedule, this could result in a savings of \$20 billion in healthcare costs over the lifetime of those children (2010).

Dr. Peake then noted that the Health Department's main goals were to prevent and control communicable diseases, prevent illness in women, infants and children, and work collaboratively to improve community health services. She noted that the focus was on women because you get more bang for the buck.

Dr. Peake then reviewed a graph showing sharp declines in the crude death rate from infectious diseases in the U.S. from 1900-1996. She noted that it was determined that to keep people healthy, sewage and water should be kept separate which led to the first municipal chlorination of water. She noted on the graph the introduction of Penicillin in the 1940's. She noted that increased efforts in public health contributed to the prevention of death and disease. She briefly reviewed some of the deadlier pandemics in history and noted that a pandemic is a global disease outbreak that is pretty rare and unpredictable.

Dr. Peake then referenced the H1N1 flu outbreak in 2010-2011 and noted that the Thomas Jefferson Health District had the highest rate of vaccination coverage in Virginia and was the first district to have all its children vaccinated twice before Christmas. She noted that they focused on the kids who tend to pass the germs around and they were successful in doing this.

Dr. Peake then described their family planning services which address the risks associated with unwanted pregnancies such as: late prenatal care, low birth weight, infant mortality, domestic violence, and economic hardship.

She then noted the Community Health Benefits of publicly-supported family planning services that prevent an estimated 1.3 million unintended pregnancies annually such as in the U.S., the rate of teens having children has dropped by 40% over the past 20 years, smaller families and longer birth intervals, better health of infants, children, and women, and improved social and economic roles of women.

Dr. Peake noted that the cost savings associated with public health family planning efforts include for every \$1 spent on public funding for family planning it saves taxpayers \$3.74 in pregnancy related costs. She noted that the Kaiser Health Plan eliminated copayments for contraception which contributed to a 137% increase in their use and averted 1,791 pregnancies.

She then noted the benefits of the WIC Program as follows: Provides specific benefits during a critical stage in child development, education, formula & nutritious foods, without WIC, a low-income family

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would need to spend over \$ 1,000 a year to feed its baby. She noted that competitive purchasing allows the government to purchase these foods at a fraction of the market cost. She noted that it fosters family responsibility by teaching parents how to improve their children's diets. She added that numerous studies document the positive effects of WIC such as increase in birth weights, reduction of preterm births, reduction of iron-deficiency anemia, and improvements in children's growth, health care use, immunization status, and overall health.

Dr. Peake reported that the Governmental Accounting Office (GAO) reported that prenatal WIC services cost the federal government \$296 million (1990 dollars) but would save \$1.036 billion (present value) in federal, state, local, and private funds over the following 18 years.

Dr. Peake then noted that Ms. Whitehead from BRMC was present to answer questions the Board may have about the differences between what services they and the Health Department provide.

Mr. Hale asked about getting a flu shot for instance, noting that he could get one at the Health Department or at BRMC and then inquired as to what immunizations can the Health Department give that BRMC does not. Dr. Peake noted that whenever a new vaccine is introduced, they get it out into the public, work on regulations to make sure vaccination laws are passed and children that are required to, get the vaccinations. She added that these were provided free for children and they were required by law to do that for those vaccinations needed for school. She noted that they continue to provide travel vaccinations that all doctors' offices do not have, for example, yellow fever and typhoid fever etc. She did add that for adults, these were not free.

She noted that the Health Department and BRMC did H1N1 vaccinations together and did them in the schools. She noted that there have been situations where BRMC could provide better service and they have transferred in home programs to them. She added that if they see duplication then they do allow private providers to assume the service. She noted that Private Providers would never be able to collect the data and manage communicable diseases and that they want to focus on public health and let the private sector focus on the things they need to do so that they offer complimentary, not competing services.

Ms. Whitehead added that she is delighted to collaborate regularly with the TJHD. She noted a joint meeting next week of the MRC advisory committee and they provide services voluntarily when there is a major emergency or disaster. She noted that they depend on the Health Department to organize private providers and they will get educated on their role. She added that this was a part of emergency planning that they depend on the Health Department to organize for them.

Ms. Whitehead added that Community Health Assessment information is needed by private providers and they cannot get the resources together to do this and the Health Department can.

Ms. Whitehead and Dr. Peake then introduced Marilyn Pace the Nurse Manager at the Health Department and Debbie Williams the Chief Information Officer for BRMC.

Dr. Peake then noted that the Health Department focuses on STDs because people are unwilling to go to their family doctors on this for anonymity sake etc.

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She then noted that they work together to improve the health of the community through the development of a Community Health Assessment and Improvement Plan (CHIP) and this is a public health system taking all of these groups to succeed. She added that the Health Department provides a leadership role for all of these partners and they have reached out to them for input. She noted that the model being used is for this is MAPP and that they would be conducting four assessments using a quantitative and qualitative process. They would then bring the health community together and look at the data to decide strategic issues. She stated this was being done in all localities and then they were getting a district wide group together to provide strategic issues to the group in order to make a plan.

She noted that first the Locality CHA Councils would review, discuss and determine the need for additional qualitative and quantitative data to prioritize health issues. Then member localities, including local government/schools, community agencies, and local healthcare providers will form the TJHD Committee to decide the health questions to be used for the PD 10 phone survey, conduct forces of change assessment, and complete the CHIP for PD 10. She noted that two representatives per CHA locality council would be solicited. She noted the timeline for the complete process with the CHIP to be completed by December 2012. Dr. Peake then indicated she would like to get a participant for the group and noted that Ms. Brennan has indicated that she may be able to participate.

The Board then thanked Dr. Peake for her presentation and members noted that they had no further questions on the subject.

IV. New Business/ Unfinished Business

A. Health Department Relocation Status

Mr. Carter reported that staff had been focused on working with Blue Ridge Medical Center on the possible relocation of the Health Department in an area of their new building with no present plans to utilize 4,300 sq ft of space. He noted that they have discussed the sharing of space like restrooms, break room, and staff areas. He reported that they have visited the space a few times and that staff from Richmond had come down. He then reported that he and Mr. Johnson had attended a Blue Ridge Medical Center Board meeting and had gotten the favorable news to proceed. He noted that he had discussed next steps with the Health Department people and the primary consideration was that neither BRMC nor the HD was amenable to incurring the capital costs. He added that he was not sure of what the costs would be but the walls and infrastructure were up and the utilities were roughed in.

Mr. Carter reported that he has also spoken with a Martha Jefferson Hospital representative on leasing the vacated Afton space and they are also amenable to working with the county; however he has proposed to focus on moving them to BRMC in lieu of the Afton space which would be a temporary solution.

He then reported that the County has abated the asbestos tiles that were of concern for the time being and it should not be a concern for the remainder of the time they are in the building.

Mr. Bruguere stated that he thought it was an excellent idea to leave them where they are for now and that he liked the idea of them being collocated with BRMC. He added there would be a lot of shared resources and it would be an excellent place for them.

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Mr. Carter noted that he thought that the parking issues could be addressed; however employees may have to park a little bit away from the building. He added that the Health Department environmental staff would likely be moved there and they needed to address the need for an outside refrigerated storage area there. He stated that there was a concern with physically separating these functions since the clerical staff serves both sides of their operations; however this was to be determined.

In response to questions about the timeframe for this move to happen, Mr. Carter noted that the design would probably take two months per Wiley Wilson and at worst case they would be in by June 2012. He noted that the County could look for someone else to do the design and Mr. Hale suggested talking with the design firm that did the building design. Mr. Johnson suggested that the County ask for pricing and a time frame from them. Mr. Carter supposed that it could cost \$430,000 if they used \$100 per square foot; which was a ballpark amount per Randy Vaughan.

Ms. Whitehead noted that they have been satisfied with the Architect there so far and that they have been excellent.

Mr. Hale then moved that staff proceed with relocating the Nelson County Health Department to Blue Ridge Medical Center and obtain cost estimates from two or more Architectural firms so that they can proceed full steam ahead; and the county will cover the cost of improvements to the building.

Mr. Bruguere seconded the motion and the Board had the following discussion:

Mr. Carter noted that the County would need help from the Dept. of General Services and that the County could recoup through lease payments some of this money back. Mr. Johnson then clarified that they would upfront the money and come back with a scenario on funding. Mr. Carter noted that \$63,257 could be used per year and the Department of General Services would help to determine this; but the funding side of the equation needed a lot more work.

Ms. Brennan asked if the County would pay rent to BRMC and Mr. Carter reported that the details have not been worked out. He added that the County could lease the building and then could sublease the space to the Health Department.

Mr. Harvey suggested doing the study first before deciding and Mr. Carter reported that the Health Department had previously done an RFP for lease space in the County and there were no takers. He added that this may be the only place that will work.

After brief discussion regarding payment of the capital costs, Mr. Hale amended his original motion to remove the last part involving the commitment to pay for changes. He noted that the County would likely do so but that he was removing this for now until the payment details were worked out.

Mr. Bruguere seconded the amended motion and there being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

B. Subdivision Ordinance, Individual Septic Systems

Mr. Boger noted that he has looked at feedback from seventeen (17) communities and the Health Department and suggested restricting the exemption to two (2) subdivisions. He added that twenty (20) acres fits into what the County has been doing all along.

Mr. Bruguere stated that he was willing to say that anything over twenty (20) acres does not require a percolation test. He added that the primary reason for requiring this was to note on the plat that there was at least one site that would percolate. Mr. Boger noted that this practice stemmed from the Health Department losing the paperwork on parcels over time.

Mr. Hale suggested that the Board review the provided information and study the proposed options. He noted that at issue was to what extent did the Board feel they must require this to prove that it percs and the acreage threshold was another issue. He added that he would like to discuss this with a soils scientist and a surveyor or two.

Other members agreed that they would also like to study the provided information and Mr. Boger noted that he would like to see a statement required on the plat that there was no guarantee that it perks.

Following this brief discussion, the Board agreed by consensus to table action on this until the next Board meeting.

Mr. Carter then reiterated that they had both sent emails to the Virginia of Institute of Government and had gotten a number of mixed responses that were presented to the Board. He added that Mr. Boger has given some options to consider and the Board and Staff could narrow it down to minimal language. He added that he wanted to be sure they were on the right course with what the Board wanted. He then concluded by noting that Spotsylvania County was going to exempt large lots as of that morning.

C. Draft Purchasing Policy

Mr. Carter introduced Ms. Debbie McCann and Ms. Linda Staton to present the draft purchasing policy and noted that he proposed to have them overview it, take questions, and staff would bring it back to the next meeting for formal consideration. He added that they had substantially revised the current policy.

Ms. McCann then distributed and reviewed a comparison of changes between the current policy and the proposed policy as follows:

Comparison of 1996 Purchasing Policy to Proposed	
1996 Current Policy:	Proposed Policy:
A Purchase Order is required for all purchases over \$250. For purchases from \$250 to \$5,000 at least (3) telephone quotations should be obtained	A Purchase Order is required for all purchases over \$2,500. For purchases from \$2,500 to \$30,000, at least three (3) telephone, three (3) written, or three (3) internet quotations should be obtained.
For purchases between \$5,000 and \$15,000, there	Purchases greater than \$30,000 and up to

<p>must be three (3) written quotations submitted by possible suppliers</p>	<p>\$100,000 shall require the written informal solicitation of a minimum of four (4) bidders. Exception: Purchases of professional services greater than \$50,000 and up to \$100,000 shall be procured through a formal bidding procedure (competitive negotiation) as established in the Code of Virginia.</p>
<p>For purchases over \$15,000, a formal bidding procedure must be followed, unless otherwise authorized by the Board.</p>	<p>For purchases over \$100,000, a formal bidding procedure must be followed in accordance with the Virginia Public Procurement Act, unless otherwise authorized by the Board. Additionally, purchases of professional services greater than \$50,000 and up to \$100,000 shall also be procured through a formal bidding procedure (competitive negotiation) as established in the Code of Virginia.</p>
<p>Note: Resolution R2011-34 was approved 4/25/2011 allowing small purchase procedures for purchases not expected to exceed \$50,000.</p>	

Ms. McCann reported that the changes to the Virginia Public Procurement Act (VPPA) since 1996 have been included in the draft policy as well as some purchasing limits that were approved by the Board but had not been included in the policy until now.

She then noted that there were expanded exceptions listed on page 8 and that the Code of Virginia allowed certain exemptions for legal services, insurance, and election materials etc. She also noted the special situations section where some exceptions are made for vehicle repair to require two (2) estimates. She added that they have expanded the sole source purchasing requirements and items costing over \$30,000, would require a Board resolution approving this. She noted that the policy addressed maintenance agreements under the sole source exceptions since one typically does not want to change maintenance vendors and it allows for four (4) annual renewals if the cost did not exceed a 5% increase.

She added that the policy also addressed the disposition of surplus property.

Mr. Carter noted that once the Board agreed to the policy's contents, they would have to go through the process to change the County Code so that it agreed with the policy.

Ms. Brennan inquired as to the purchasing of items from the penitentiary and it was noted that the County buys its stationary and has its business cards printed by them. Mr. Bruguere noted that he has issues with this as they are undercutting the market because they have no labor costs; giving them an unfair advantage. He noted that they have directly interfered with the sale of agricultural products.

Ms. McCann then noted that staff had looked at the policies of other localities and their purchase order thresholds ranged from \$1,000 to \$5,000 and \$2,500 was in the middle. She added that the State Code

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says that a locality has the ability to set its own small purchase procedures. Mr. Carter added that the current process required a bid document, interviews and offeror selection for smaller purchases.

Ms. Brennan expressed concern that picking four (4) companies to solicit was not fair competition and it was noted that the County did utilize the EVA state procurement website that was an open marketplace.

Mr. Hale expressed concern about maintaining the paper trail for purchases and Mr. Harvey noted that the process was the same except you did not need a purchase order for items under a certain amount now. Mr. Johnson noted his concern about how much it costs to process a purchase order. Mr. Carter assured the Board that staff will still review all purchases for legitimacy and budgeting and Ms. Staton added that the policy include language to the effect that staff will be auditing purchases in an internal manner and if purchases are being made without adequate pricing, it would be questioned. She noted that if a pattern emerges, the Finance Director can lower the purchasing threshold on a department until they can get back on track with pricing.

The Board then agreed by consensus to look at this more in depth at the next meeting for approval.

Ms. McCann then publicly commended Ms. Staton for her excellent work in revamping the policy and Mr. Carter concurred and commended both Ms. McCann and Ms. Staton on the excellence of the draft policy. He then reiterated that changes to the County Code related to the new policy would require the conduct of a public hearing etc. and that staff would bring this back for the Board's consideration.

D. Introduced: Tough Mudder Event, the Festy, and Dispatch Shifts

In response to questions, Mr. Carter advised the Board that Wintergreen was not required to get a special events permit for the Tough Mudder event, but was required to get a temporary zoning permit for parking offsite on Rt. 664. He added that Mr. Boger has advised them that they need to get this. He noted that they were handling all Fire and Rescue aspects related to the event and have brought in help.

Mr. Carter then reported that that they were anticipating that 15,000 people would come into the county next weekend and that there would be a lot of traffic.

Mr. Uttaro, in attendance, noted that this would be similar to Camp Jeep events but that he thought that Rt 664 would be a problem area. He added that Mr. Curtis Sheets was confident that they have this under control. Mr. Hale noted that he thought that they had brought a separate firm in to run this and Mr. Uttaro noted that they were not utilizing the County's fire and rescue that have been advised that there will be a lot of traffic and people. He added that they would not pull resources from the County to them but will have to take care of the County. He then advised the Board that they cannot make volunteer EMS personnel be stationed unless a local state of emergency is declared by the Board.

Mr. Carter suggested that they could make the request that paid staff be on call that weekend. Mr. Bruguere reported that Mr. Sheets has asked that each squad commit to having a squad ready that weekend.

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Mr. Harvey then suggested that the Board go to a 24/7 paid EMS system and Mr. Carter noted that the County has asked for duty rosters etc. on weekends to cover the county. Mr. Harvey noted that he wanted to provide them assistance 24/7 not take over the service provided by the volunteers. Mr. Carter noted the difficulty in getting them to work collaboratively and Mr. Harvey and Ms. Brennan said they would like to move this forward.

Mr. Carter stated that staff needed a clear directive from Board on this and then he could put together the costs to do this.

Members then agreed by consensus to have staff bring this back with costs for providing 24/7 paid EMS coverage in the County for the next meeting.

Mr. Carter then noted that with the Tough Mudder event there may be a significant trash burden and that he had emailed Hank Theiss about the transfer station being closed half the day. He added that he was trying to get more specifics on what and when they would bring trash over.

Mr. Uttaro noted that VDOT should have proper signage to keep people on the main roads.

Members briefly discussed if all WPOA events were exempt from getting special events permits etc. and Mr. Carter noted that he decided that they were but that they would need to get the zoning permit for parking as related previously.

Mr. Uttaro reported that the County has done everything to offer its assistance etc. and have been told that the County's help was not needed.

Mr. Bruguere inquired as to whether or not there were any complaints about the Festy event at Devil's Backbone and Mr. Carter and Mr. Uttaro noted hearing nothing so far.

In response to questions regarding the new eight (8) hour shifts in Dispatch, Mr. Uttaro reported it was going well so far and there had not been a shift yet that has had less than two (2) people on at a time.

Following this discussion and prior to item V., the Board and Staff toured the new Courts building.

V. Reports, Appointments, Directives, and Correspondence

A. Reports

1. County Administrator's Report

Mr. Carter distributed and reviewed his report as follows:

A. Courthouse/Government Center Project: WileyWilson completed its substantial completion inspection of the new addition the week of September 26th (over three days) and a "punch list" was generated. The inspection primarily encompassed the new building(s), as there continues to be much work pending completion on the project areas outside of the building (i.e. the grounds). County staff (D. Thompson) also completed the week of 9-26 an inspection of the building for purposes of issuing a temporary certificate of occupancy. "Several" items were noted as outstanding and must be addressed before the TCO can be approved. Prior to and over the past two weeks, the pace of construction activity

has increased substantially albeit there remains much work to be completed. County staff are, however, continuing to plan/provide for the relocation of the E-911 Dispatch Center to the new Courthouse addition on October 12th with the Sheriff's Department moving into the building on 10-14. Blair has indicated it will address the TCO items to enable these relocations to occur as planned. The scheduled move in date for General District and J&DR courts, 10-28, is still in place but may be delayed for approximately two weeks (Blair is maintaining the 10-28 date but this remains an uncertainty). Assuming the E-911 Dispatch unit and the Sheriff's Department will move in as planned, they (and the public) will access the building through the entrance closest to the E-911/Dispatch Center until such time as the central entrance is completed. Testing and training have become routine over the past 2 – 4 weeks (dispatch, security, hvac, etc.) and is ongoing. All County and School Division employees are being photographed for provision of identification badges, which will also serve as the means for employee access (where permitted) to the entire Courthouse complex (all external and many internal doors have card readers, which the ID badges will be programmed to allow entrance, as noted, where access is permitted). As noted much work is in process and will continue for the next 6 – 8+/- weeks, perhaps longer (i.e. renovation of the Jefferson Building, completion of the second floor bridge between the 1940s and 1960s additions, etc.). It may also be necessary to move the first meeting of the Board in the new building into December, possibly January; this is TBD.

B. Health Department Relocation: (Included as an agenda item). As directed by the Board, staff has identified an interim location (the former Afton Family Medicine property) for relocation of the local VDH unit. However, staff is now working towards long term relocation for the VDH's offices, which can be accomplished by leasing available space within the Blue Ridge Medical Center's new medical facility. Through meetings facilitated by staff and Supervisor Johnson, the County has received verbal approval from BRMC and VDH to complete a relocation plan, which would entail design and construction of the unfinished space at BRMC to meet VDH's requirements, a lease agreement (multiparty) and a plan of finance, as neither BRMC or the Commonwealth will provide for the capital expense of completing the unfinished area, the cost of which would be a decision for the Board with a firm estimate of this expense not presently established. Staff strongly recommends the Board's endorsement of proceeding with the action steps necessary to facilitate a final decision (by all parties) and what could be a relocation of the VDH unit to BRMC by not later than June 2012, possibly sooner.

C. Broadband Project: Construction of the fiber optic backbone is poised to move forward within the ensuing two weeks. A four month construction period is projected. Permitting of the two Route 151 towers is in process. A location for the Massie Mill tower has been identified pending final site confirmation negotiation with the property owner. A decision is pending on contracting with a company to provide network operation services.

D. PSCIC/Radio Communications/Microwave Project(s): – The tower for installation at Devils Knob has been ordered and County staff are working to determine the feasibility of refurbishing the existing communications building or installing a new, larger facility (the later is recommended but is subject to the availability of funding). Execution of the lease agreement by New Cingular Wireless, PCS, LLC is pending. Tentatively, this tower project can be completed by the end of November. Alcatel-Lucent is currently installing microwave equipment at each of the County's radio communication tower locations. Construction of the tower is ready to proceed upon receipt of final approval of the environmental assessment (anticipated within the ensuing several business days). Construction completion is projected to be less than 90 days.

E. Gladstone Rescue Squad: The Court appointed Receiver is working to complete his report to the Circuit Court. The Receiver has retained the general contractor employed by the former GRS and work is currently in process. The licensing of the Gladstone Volunteer Fire Department to become an EMS agency is pending final issuance by VA-OEMS (which may be pending per an inspection by OEMS of EMS equipment/vehicles). Roseland Rescue Squad continues to respond first due calls for service in the Gladstone area and this response includes assistance from GVFD members.

F. Nelson County Public Schools: The window replacement/repair projects at TRES and RRES are on track to be completed by mid-October.

G. Staff Reports: Included with the transmittal of the 10-11 agenda to the Board.

Mr. Carter noted the Human Resources report on the custodians hired, a Part Time Convenience Center person had been hired for someone who left, and a full time person was hired at the Tourism office.

Mr. Bruguere then reported that Maureen had gotten a grant that she had applied for to study the local market for cider apples.

2. Board Reports

Ms. Brennan reported the following:

1. Attended a VA Conservation Network meeting.
2. Attended Hispanic Community Day
3. Attended a Rockfish Valley Foundation presentation on the geology of the area.
4. Attended a JABA meeting and reviewed the strategic plan. She reported that they had their banking account hacked and lost funds, and their consultant recommends changing their passwords frequently and having insurance.
5. Attended a PWN Board Meeting and noted they have a new Director who will work with Maureen on the kiosk etc.
6. Did not attend PDC workshop

Mr. Harvey had no report.

Mr. Hale reported the following:

1. The Historical Society had a presentation on Klan Mohr and over 100 people attended.
2. Attended a Senior Advisory Committee meeting and reported that JAUNT added an additional mid day service and now on four (4) work days per week beginning Oct. 6th they will go to Charlottesville and charge \$2.75 each way and if you are over 60 the charge is \$1.75.
3. Reviewed the final list of Planner position applicants and staff was still discussing these.

Mr. Bruguere reported that he and Mr. Johnson met with the Millennium Group about them buying the building. He noted that they would have to pay \$10,000. They also discussed the gym and he noted that

they would like to do some more investigation and wanted the County to pay for some of that. He added that they would be better off to sell the building and let them deal with the gym themselves. He reported that they would like to move on this as soon as possible. Mr. Carter noted that they would have to schedule a public hearing etc. and have Phil develop the contract and move forward. Members then discussed the payment of \$10,089 was not counting the funds spent on replacing the roof. The Board agreed by consensus that they would like a reversion clause in the contract and that they would have to deal with the water situation with the Service Authority.

Mr. Johnson reported the following:

1. Attended the candidates' forum at Nelson Middle School.
2. Attended Gladstone Community Day.
3. Feedback on the open top at Gladstone has been good.
4. The FFA festival brought in \$12,000.
5. Did the annual evaluation for the Director of DSS and the Board was continuing his contract.

B. Appointments

Ms. McGarry reported that two applications had been received for the EDA vacancy, one from Patricia Hughes who was a retired educator residing in Nellysford and one from Jerome Gress a local attorney. She then noted that Ms. Hughes was also interested in serving on the Region Ten Community Services Board, for which there was a vacancy. She noted that vacancies remained on the JAUNT Board, and the Ag Forestal District Advisory Committee. It was noted that additionally, Ms. Hughes was interested in serving on the PVCC Board; however there was not currently a vacancy to be filled.

Ms. Brennan then moved to nominate Jerome Gress to serve on the EDA and Mr. Bruguiere seconded the motion.

Members discussed wanting to postpone consideration of filling this vacancy until more applicants had been obtained and Ms. Brennan then withdrew the nomination.

Ms. Brennan then moved to appoint Ms. Patricia Hughes to the Region Ten Community Services Board and Mr. Bruguiere seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the appointment.

C. Correspondence

There was no correspondence presented by staff and Mr. Johnson reported that he had gotten a letter dealing with unfunded mandates that listed a website to go to in order to provide feedback. He noted the letter stated that there were over 300 unfunded mandates that were now in place. Members requested that staff send the VACo list of unfunded mandates along with this letter to the Board.

D. Directives

Ms. Brennan had the following directives:

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1. Inquired as to anyone's attendance of the VDOT multimodal meeting and Mr. Carter noted that a letter would be sent and he would cc the Board.
2. Inquired as to the status of the Reassessment and Mr. Carter noted that he would get the report and distribute it to the Board.
3. Noted that the building permits were down in David Thompson's report.
4. Noted she was concerned about Jaime going back to dispatch with all of her other duties. Mr. Carter noted that the paid EMS work done by her was associated with Revenue Recovery and as long as three (3) people were on a shift it should not be a problem for her to keep up with it. He added that the information previously requested has been provided pertaining to her position previously. She noted that she wanted to look at this again at the next meeting.
5. Confirmed that Mr. Uttaro hired another part time dispatch position to fill in the gaps and that he may have to fill in until their certification was obtained.
6. Inquired as to what happened with the contaminated wells in Roseland and Mr. Carter noted that this was still a DEQ responsibility. Mr. Bruguere added that they have removed other monitoring wells and the Rescue Squad has a filtering system. He noted that DEQ then said they would take over providing a new well for them and then they called and said now they would not be doing anything.

Mr. Harvey had the following Directives:

1. Inquired as to the dispatch switchover and when the equipment would be available to Wintergreen. Mr. Carter noted that the County would give the equipment to them and get it up and running and they may program it before it gets there.
2. Inquired as to whether or not the building at Devil's Knob would be replaced and Mr. Carter noted that the County wanted to replace it but that cost was an issue and he would have to report back on that. He added that they needed to ensure there was a footprint for a new building.
3. Reported that all fiber, conduit, and vaults have been delivered and were ready to go.

Mr. Hale had the following Directives:

1. Inquired as to who to contact about VDOT issues and Mr. Carter recommended calling Mr. Austin or letting him know of the issue and he would call or email him.
2. Reported that a property on Green Creek Road owned by a Mr. Herring has some sort of a dump there. Mr. Boger noted that they have a Special Use Permit for it; however Mr. hale noted that they had tires and sofas outside of the gate.
3. Reported that he had spoken with the Registrar and mentioned that because next year is a presidential election year it would be best to move the office and in order to comply with the Voter Registration Act, she needed to move ASAP. Mr. Carter noted that there was a concern of having her have the whole

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Jefferson building. He stated that she would likely not have the whole building and he would email them the timeline for a move.

4. Suggested that the Board reach consensus to delay moving their meetings to the new courtroom for now and the Board agreed by consensus that this was okay.

5. Stated that it was his feeling that it was inappropriate to include the entire statement by Mr. White in the meeting minutes as it gives him a prominence not enjoyed by the Board. He directed with the Board's consensus that instead of an exact copy being included, rather the minutes should summarize his position. Ms. McGarry noted that she was happy to oblige the Board's directive.

6. Reported that Erin McGrath had gotten married and moved away and that Mr. Carter should call the Nelson County Times editor and request coverage of the Board's meetings.

Mr. Bruguiera had no Directives.

Mr. Johnson asked Mr. Boger to follow up on an item reported by him. He then noted that there was a biosolids smell now at his house and it was noted that DEQ was looking at a 400 ft. buffer now and that the County has no control over it; DEQ has changed the rules.

Ms. Brennan had the following Directives:

1. Asked if the County could put in a wood fence instead of a chain link one around the Courthouse tower and Mr. Carter noted he would have to check.

2. Ms. Brennan noted that the Board had previously discussed accountability of public funds and asked the Board if they should pursue what Mr. Perdue was saying related to the Rockfish Senior Center. The Board's consensus was to not worry about that right now and Mr. Harvey added that he thought that they should have to produce the report that Mr. Perdue was asking for. Mr. Harvey then noted that he would try to work it out. Ms. Brennan suggested that they should clear it up if being accused of non-transparency of public funds.

It was noted that Mr. Uttaro wanted a TV mounted in the new ECC and Mr. Carter noted that he was concerned about them watching TV. The Board then agreed by consensus to allow Mr. Uttaro to mount the TV in the new ECC.

VI. Adjournment

At 6:30 pm, Ms. Brennan moved to adjourn and Mr. Hale seconded the motion. There being no further discussion, Supervisors voted unanimously by voice vote to approve the motion and the meeting adjourned.