

AGENDA
NELSON COUNTY BOARD OF SUPERVISORS
April 8, 2014
THE REGULAR MEETING CONVENES AT 2:00 P.M.
IN THE GENERAL DISTRICT COURTROOM
AT THE COURTHOUSE IN LOVINGSTON

- I. Call to Order**
 - A. Moment of Silence
 - B. Pledge of Allegiance

- II. Proclamations**
 - A. Proclamation – **P2014-03** April is Child Abuse Prevention Month
 - B. Proclamation – **P2014-04** April is Fair Housing Month
 - C. Proclamation – **P2014-05** April is National County Government Month

- III. Consent Agenda**
 - A. Resolution – **R2014-21** FY13-14 Budget Amendment
 - B. Resolution – **R2014-22** Minutes for Approval
 - C. Resolution – **R2014-23** COR Refunds

- IV. Public Comments and Presentations**
 - A. Public Comments
 - B. Presentation- Virginia Department of Forestry (M. Warring)
 - C. VDOT Report
 - 1. 2015-2020 Secondary Six Year Plan (SSYP) Authorization for Public Hearing (**R2014-18**)

- V. New Business/ Unfinished Business**
 - A. Consider Authorization for Application to VA-DHR for Cost Share Program Grant Funding for Rockfish Valley Foundation’s Proposed Historic District Project
 - B. Consider Preliminary Engineering Report for Piney River Water System Expansion
 - C. FY14-15 Budget Work Session

- VI. Reports, Appointments, Directives, and Correspondence**
 - A. Reports
 - 1. County Administrator’s Report
 - 2. Board Reports
 - B. Appointments
 - C. Correspondence
 - 1. Nelson County Chamber of Commerce
 - D. Directives

- VII. Adjourn and Reconvene for Evening Session**

EVENING SESSION

7:00 P.M. – NELSON COUNTY COURTHOUSE

- I. Call to Order**
- II. Public Comments**
- III. Public Hearings and Presentations**
- IV. Other Business (As May Be Presented)**
- V. Adjourn and Continue Until April 10th at 7:00 pm, in the General District Courtroom for the Public Hearing on the 2014 Tax Rates.**

2 April, 2014

To: Board of Supervisors
From: S. Carter
Re: Agenda Summary for April 8, 2014 Meeting

Transmitted herewith is the agenda for the Board's regular session on 4-8-14. A summary of items to be considered includes:

2 P.M. Session

I. Call to Order: The meeting will be convened by Ms. Brennan with the customary Moment of Silence and Pledge of Allegiance.

II. Proclamations: The agenda includes approval of three proclamations (see agenda).

III. Consent Agenda: Items for approval consideration include an FY13-14 Budget amendment, Board of Supervisor meeting minutes, and refunds submitted for approval by the Commissioner of Revenue (see agenda).

IV. Public Comments and Presentations: The Board will receive input from the public. Additionally the Board will confer with VDOT staff on the draft 2015-2020 Secondary Six Year Plan, including authorization for a public hearing on the draft SSYP at the May 13th regular session.

V. New and Unfinished Business:

A. Consider Authorization for Application to VA-DHR for Cost Share Program Grant Funding for Rockfish Valley Foundation's Proposed Historic District Project: (Background information is attached hereto that provides information on DHR's Cost Share Program and information submitted by the Rockfish Valley Foundation on its project proposal to establish a Rockfish Valley Historic District. It is noted that program applications can only be received from local governments, that the RVF is not seeking local funding for its initiative, that RVF previously applied for this project to DHR in 2009 but was unsuccessful and, that County staff have advised RVF's representatives that the Foundation would be fully responsible for the project, if the grant application is approved by DHR.

B. Consider Preliminary Engineering Report for Piney River 3 Water System Expansion (In Partnership with VA-DEQ): The project, if undertaken, would be in partnership with the VA Department of Environmental Quality, which is endeavoring to address long term mitigation of properties located in the Route 151 Corridor of Nelson County that have been impacted by leaking underground storage tanks (USTs). The PER would be an update of a previous report of this project proposal that considered extending public water from Nelson County's Piney River 3 Water System to one or both of the two UST sites DEQ is endeavoring to address (the sites are identified as Ferguson's Store and Roseland Rescue Squad). The update to the previous report would provide cost estimates for extension of the PR3 water main within the Rt. 151 Corridor from its present northern terminus at the intersection of Routes 56 and 151 to Ferguson's Store and to Roseland. The PER would include cost estimates and projected number of (possible) connections for lateral extensions to private residents/businesses within the study area. The PER would also provide consideration(s) for water treatment and water capacity expansions of the Nelson County Service Authority's WTP and Water Supply Sources. The estimated

expense of the PER is \$7,500 of which the County has been asked by DEQ to provide \$2,400 with the Department responsible for the balance (\$5,100). DEQ staff have indicated that funding may (can) be available to expand the PR3 Water System, dependent upon the outcome(s) of the PER and the County's posture (agreement) on implementing a segment of the project (i.e. to Ferguson's Store) or the entire project (extension of the water main to Roseland). In recent discussions, DEQ staff have also noted that assistance could be considered for water treatment and source capacity expansions in addition to the proposed extension of the PR3 water main, which the Department is most focused on (this consideration should not, however, be taken as something that would be definite should the Board/County agree in the future to partner with DEQ in the expansion of the PR3 water system). See agenda.

C. FY 14-15 Budget Work Session: The Board will continue its review of the draft FY 14-15 Budget.

VI. Reports, Appointments, Directives and Correspondence: (See Agenda)

7 P.M. Session

The Board will adjourn the afternoon session and reconvene at 7 p.m. The business planned is a continuation of the Board's review of the FY 14-15 Budget albeit the session is also subject to being cancelled subject to the progress made by the Board in reviewing the draft budget during the afternoon meeting.

In addition to continuation of work on the FY 14-15 Budget, the meeting will entail receipt of public input (Public Comments) and, at the conclusion of the session (day or evening) continuation of the meeting to April 10 at 7 p.m. for the purpose of conducting a public hearing on the proposed 2015 Local Property Tax Rates.

Please advise if you have comment or questions on the business to be considered or have other matters you wish to present for discussion on April 8th.

**PROCLAMATION P2014-03
NELSON COUNTY BOARD OF SUPERVISORS
APRIL IS CHILD ABUSE PREVENTION MONTH**

WHEREAS, preventing child abuse and neglect is a community problem that depends on involvement among people throughout the community; and

WHEREAS, child maltreatment occurs when people find themselves in stressful situations, without community resources, and don't know how to cope; and

WHEREAS, the majority of child abuse cases stem from situations and conditions that are preventable in an engaged and supportive community; and

WHEREAS, all citizens should become involved in supporting families in raising their children in a safe, nurturing environment; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships created among families, social service agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community.

THEREFORE BE IT PROCLAIMED, that the Nelson County Board of Supervisors does hereby proclaim April as Child Abuse Prevention Month and calls upon all citizens, community agencies, faith groups, medical facilities, and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and neglect and strengthening the communities in which we live.

Adopted: April 8, 2014

Attest: _____, Clerk
Nelson County Board of Supervisors

**PROCLAMATION P2014-04
NELSON COUNTY BOARD OF SUPERVISORS
APRIL -FAIR HOUSING MONTH 2014**

WHEREAS, April is Fair Housing Month and marks the 46th anniversary of the passage of the federal Fair Housing Act (Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988), and

WHEREAS, the Fair Housing Act provides that no person shall be subjected to discrimination because of race, color, national origin, religion, sex, disability, or familial status in the rental, sale, financing or advertising of housing (and the Virginia Fair Housing Law also prohibits housing discrimination based on elderliness); and

WHEREAS, the Fair Housing Act supports equal housing opportunity throughout the United States; and

WHEREAS, fair housing creates healthy communities, and housing discrimination harms us all; and

WHEREAS, the Nelson County Board of Supervisors supports equal housing opportunity and seeks to affirmatively further fair housing not only during Fair Housing Month in April, but throughout the year;

NOW THEREFORE BE IT RESOLVED, the Nelson County Board of Supervisors does hereby proclaim the month of April to be Fair Housing Month.

Adopted: April 8, 2014

Attest: _____, Clerk
Nelson County Board of Supervisors



Memorandum

TO: Nelson County Board of Supervisors
FROM: Karen Reifenberger, Deputy Director, Piedmont Housing Alliance
George Kreiger, Nelson County Community Development Foundation
DATE: March 24, 2014
RE: Fair Housing Month Resolution

April is Fair Housing Month, and this April marks the 46th anniversary of the federal Fair Housing Act. The Fair Housing Act prohibits discrimination in housing based on race, color, national origin, sex, religion, familial status, or disability (and elderliness under Virginia's Fair Housing Law). The Act's purpose includes promoting housing integration and equal opportunity.

Piedmont Housing Alliance's Fair Housing Program works year-round to raise awareness and promote compliance with civil rights laws that protect all of us from housing discrimination and support our shared value of equal opportunity. PHA's fair housing services include advocating for victims of housing discrimination, responding to fair housing compliance questions, conducting fair housing education sessions, educating the community with fair housing materials and public awareness campaigns, and chairing quarterly Regional Fair Housing Advisory Meetings. Last year, PHA provided 28 education sessions for 438 people and assisted 94 callers with fair housing information and/or advocacy.

The importance of equal housing opportunity was highlighted last year in a testing report on Fair Housing Compliance in the Rental Housing Market in Charlottesville and Albemarle County. The report found that housing discrimination based on race, disability, and familial status may limit housing opportunities in our area, specifically with discouragement and inconsistent application procedures for African Americans and families with children, and lack of awareness about rights of people with disabilities to reasonable accommodations and modifications in housing.

We invite you to commemorate Fair Housing Month by participating in our upcoming events:

Fair & Accessible Housing Workshop for People with Disabilities & Advocates

Wednesday, April 23, from 1 pm – 3 pm

Independence Resource Center, 815 Cherry Avenue, Charlottesville, VA 22903

Learn about rights of people with disabilities under the fair housing laws: non-discrimination, reasonable accommodations, reasonable modifications, and requirements for accessible housing.

Equal Housing Opportunity: Reality or a Work in Progress?

Presented by Piedmont Housing Alliance and Charlottesville Office of Human Rights

Tuesday, April 29, from 6-7:30 pm

Charlottesville City Council Chambers

This community forum will feature the screening of two new documentary films: "Seven Days," a film that artistically chronicles the events culminating in the passage of the federal Fair Housing Act in April 1968, and "A Matter of Place," a film connecting past struggles for fair housing to contemporary incidents of housing bias with present-day stories of people who faced housing discrimination. The forum will also include a panel of state and local experts sharing information about current equal housing opportunity rights and resources, and discussion of local actions to advocate, educate, and build community in our neighborhoods.

Thank you for your continued support of fair housing and equal housing opportunity. For more information about this resolution or PHA's fair housing services, please contact Karen Reifenberger at: 434-817-2436 ext. 106 or karenr@piedmonthousing.org.

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Gordon J. Walker

PROCLAMATION P2014-05
NELSON COUNTY BOARD OF SUPERVISORS
APRIL IS NATIONAL COUNTY GOVERNMENT MONTH
READY AND RESILIENT COUNTIES: PREPARE. RESPOND. THRIVE

WHEREAS, the nation's 3,069 counties serving more than 300 million Americans provide essential services to create healthy, safe, vibrant and economically resilient communities; and

WHEREAS, counties build infrastructure, maintain roads and bridges, provide health care, administer justice, keep communities safe, run elections, manage solid waste, keep records and much more; and

WHEREAS, Nelson County and all counties take pride in their responsibility to protect and enhance the health, welfare and safety of its residents in sensible and cost-effective ways; and

WHEREAS, in order to remain healthy, vibrant, safe, and economically competitive, America's counties must be able to anticipate and adapt to all types of change; and

WHEREAS, through National Association of Counties President Linda Langston's Resilient Counties initiative, NACo is encouraging counties to focus on how they prepare and respond to natural disasters and emergencies or any situation that the counties may face, such as economic recovery or public health and safety challenges; and

WHEREAS, each year since 1991 the National Association of Counties has encouraged counties across the country to actively promote their own programs and services to the public they serve;

NOW, THEREFORE, BE IT RESOLVED, the Nelson County Board of Supervisors does hereby proclaim April 2014 as National County Government Month.

Adopted: April 8, 2014

Attest: _____, Clerk
Nelson County Board of Supervisors

**RESOLUTION R2014-21
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF FISCAL YEAR 2013-2014 BUDGET
NELSON COUNTY, VA
April 8, 2014**

BE IT RESOLVED by the Board of Supervisors of Nelson County that the Fiscal Year 2013-2014 Budget be hereby amended as follows:

I. Appropriation of Funds (General Fund)

<u>Amount</u>	<u>Revenue Account</u>	<u>Expenditure Account</u>
\$ 1,920.00	3-100-009999-0001	4-100-022010-5419
\$ 13,500.00	3-100-002404-0018	4-100-021010-1009
\$ 15,420.00		

II. Transfer of Funds (General Fund)

A. General Fund (FY14 Employee Salary/Benefit Adjustment)

<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
\$ 6,389.00	4-100-091030-5616	4-100-012010-1001
\$ 545.00	4-100-091030-5616	4-100-012010-2008
\$ 6,934.00		
\$ 4,830.00	4-100-091030-5616	4-100-012090-1001
\$ 635.00	4-100-091030-5616	4-100-012090-2002
\$ 1,034.00	4-100-091030-5616	4-100-012090-2005
\$ 10.00	4-100-091030-5616	4-100-012090-2006
\$ 6,509.00		
\$ 4,982.00	4-100-091030-5616	4-100-012130-1001
\$ 329.00	4-100-091030-5616	4-100-012130-2002
\$ 5,311.00		
\$ 4,382.00	4-100-091030-5616	4-100-012150-1001
\$ 309.00	4-100-091030-5616	4-100-012150-2001
\$ 577.00	4-100-091030-5616	4-100-012150-2002
\$ 52.00	4-100-091030-5616	4-100-012150-2006
\$ 5,320.00		
\$ 1,320.00	4-100-091030-5616	4-100-012180-1001
\$ 89.00	4-100-091030-5616	4-100-012180-2001
\$ 173.00	4-100-091030-5616	4-100-012180-2002
\$ 4.00	4-100-091030-5616	4-100-012180-2006
\$ 1,586.00		
\$ 1,441.00	4-100-091030-5616	4-100-013020-1001
\$ 189.00	4-100-091030-5616	4-100-013020-2002
\$ 16.00	4-100-091030-5616	4-100-013020-2006
\$ 1,646.00		
\$ 4,875.00	4-100-091030-5616	4-100-021060-1001
\$ 808.00	4-100-091030-5616	4-100-021060-2002
\$ 5,683.00		

General Fund (Salary/Benefit Transfer) Continued

\$ 8,598.00	4-100-091030-5616	4-100-022010-1001
<u>\$ 1,131.00</u>	4-100-091030-5616	4-100-022010-2002
\$ 9,729.00		
\$ 7,065.00	4-100-091030-5616	4-100-031020-1001
<u>\$ 1,273.00</u>	4-100-091030-5616	4-100-031020-1004
\$ 8,338.00		
\$ 5,607.00	4-100-091030-5616	4-100-032010-1001
\$ 1,431.00	4-100-091030-5616	4-100-032010-1002
\$ 786.00	4-100-091030-5616	4-100-032010-2001
\$ 738.00	4-100-091030-5616	4-100-032010-2002
<u>\$ 18.00</u>	4-100-091030-5616	4-100-032010-2006
\$ 8,580.00		
\$ 1,645.00	4-100-091030-5616	4-100-032030-1001
\$ 126.00	4-100-091030-5616	4-100-032030-2001
\$ 215.00	4-100-091030-5616	4-100-032030-2002
\$ 20.00	4-100-091030-5616	4-100-032030-2005
<u>\$ 19.00</u>	4-100-091030-5616	4-100-032030-2006
\$ 2,025.00		
\$ 4,186.00	4-100-091030-5616	4-100-034010-1001
\$ 329.00	4-100-091030-5616	4-100-034010-2001
\$ 551.00	4-100-091030-5616	4-100-034010-2002
<u>\$ 50.00</u>	4-100-091030-5616	4-100-034010-2006
\$ 5,116.00		
\$ 1,989.00	4-100-091030-5616	4-100-042030-1001
\$ 5,700.00	4-100-091030-5616	4-100-042030-1003
\$ 2,082.00	4-100-091030-5616	4-100-042030-1005
\$ 364.00	4-100-091030-5616	4-100-042030-2001
\$ 521.00	4-100-091030-5616	4-100-042030-2002
<u>\$ 16.00</u>	4-100-091030-5616	4-100-042030-2006
\$ 10,672.00		
\$ 5,800.00	4-100-091030-5616	4-100-043020-1001
\$ 335.00	4-100-091030-5616	4-100-043020-2001
\$ 1,156.00	4-100-091030-5616	4-100-043020-2002
<u>\$ 127.00</u>	4-100-091030-5616	4-100-043020-2006
\$ 7,418.00		
\$ 2,672.00	4-100-091030-5616	4-100-071020-1001
\$ 352.00	4-100-091030-5616	4-100-071020-2002
<u>\$ 16.00</u>	4-100-091030-5616	4-100-071020-2006
\$ 3,040.00		
\$ 1,598.00	4-100-091030-5616	4-100-081010-1001
<u>\$ 1,780.00</u>	4-100-091030-5616	4-100-081010-2005
\$ 3,378.00		

General Fund (Salary/Benefit Transfer) Continued

\$	3,082.00	4-100-091030-5616	4-100-081020-1001
\$	841.00	4-100-091030-5616	4-100-081020-1003
\$	299.00	4-100-091030-5616	4-100-081020-2001
\$	406.00	4-100-091030-5616	4-100-081020-2002
\$	21.00	4-100-091030-5616	4-100-081020-2006
\$	4,649.00		

\$ 95,934.00 Total Employee Salary/Benefit Transfer

B. General Fund (Other Transfers from Contingency)

	<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
\$	8,501.00	4-100-999000-9905	4-100-012100-5401
\$	2,693.00	4-100-999000-9905	4-100-021020-1003
\$	207.00	4-100-999000-9905	4-100-021020-2001

\$ 11,401.00 Total Other Transfers from Contingency

Total Transfers \$ 107,335.00

Adopted: April 8, 2014

Attest: _____
Clerk, Nelson County Board of Supervisors

EXPLANATION OF BUDGET AMENDMENT

- I. The **General Fund Appropriation** reflects an appropriation request by the Commonwealth Attorney for asset forfeiture funds in the amount of **\$1,920**. The office plans to purchase new office equipment. Also included is a request from the Clerk of the Circuit Court for additional juror compensation in the amount of **\$13,500**. These funds will be reimbursed by the state.
- II A. The **Transfer of Funds (FY14 Employee Salary/Benefit Adjustment)** includes the allocation of FY14 salary and benefit adjustments from the Employee Benefits line item (4-100-091030-5616) to the appropriate departmental salary/benefit line items. Adjustments totaling **\$95,934** reflect the approved 3% salary increase for employees.
- II B. The **Transfer of Funds from General Fund Contingency** includes **\$8,501** for the final postage reimbursement relative to the county reassessment. Also included is a transfer from contingency for previously approved General District Court part-time wages (**\$2,693**-wages and **\$207**-FICA). The remaining balance in the General Fund Contingency after all requested transfers will be \$1,151,302.

RESOLUTION R2014-22
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF MEETING MINUTES
(February 11, 2014, March 11, 2014, March 19, 2014, and March 24, 2014)

RESOLVED, by the Nelson County Board of Supervisors that the minutes of said Board's meetings conducted on **February 11, 2014, March 11, 2014, March 19, 2014, and March 24, 2014** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

Approved: April 8, 2014

Attest: _____, Clerk
Nelson County Board of Supervisors

February 11, 2014

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.

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

Absent: None

I. Call to Order

Ms. Brennan called the meeting to order at 2:00 pm, with all Supervisors present to establish a quorum.

- A. Moment of Silence
- B. Pledge of Allegiance – Mr. Hale led the Pledge of Allegiance.

II. Recognition of Nelson County High School Senior FFA and Drama Teams

- A. 2013 NCHS Senior FFA-Forestry Team and Meat Evaluation Team (**R2014-09**)

Mr. Bruguiera moved to approve Resolution **R2014-09**, Recognition of the NCHS National FFA Organization Senior Meat Evaluation and Technology Team and Nelson Senior Forestry Judging Team and Mr. Hale 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 and read aloud.

RESOLUTION R2014-09
NELSON COUNTY BOARD OF SUPERVISORS
RECOGNITION OF THE NCHS NATIONAL FFA ORGANIZATION
SENIOR MEAT EVALUATION AND TECHNOLOGY TEAM AND
NELSON SENIOR FORESTRY JUDGING TEAM

WHEREAS, the Nelson County High School National FFA Organization competed in the eighty-sixth (86th) National FFA convention held in Louisville, Kentucky which hosted 63,000 FFA members, advisors, and guests from across the country; and

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WHEREAS, the NCHS Senior Meat Evaluation and Technology Team placed third (3rd) out of forty-two (42) states including one hundred sixty-four (164) students competing in the their event; and

WHEREAS, Senior Meat Evaluation and Technology Team members individually placed as follows: Ben Fitzgerald (14th), Zach Phillips (16th), Phillip Saunders (23rd), and Jenny Elgin (63rd); and

WHEREAS, the NCHS Senior Forestry Judging Team placed first (1st) in the nation out of forty-one (41) states including over one hundred and sixty (160+) students competing in the their event after having won the local, regional, and state levels of competition; and

WHEREAS, Senior Forestry Judging Team members individually placed as follows: Jack Taggart (1st), Jamie Conner (2nd), Zach Barnes (19th), and Jesse Carter (43rd),

NOW, THEREFORE, BE IT RESOLVED, that the Nelson County Board of Supervisors does hereby congratulate and recognize the Nelson County High School National FFA Organization Senior Meat Evaluation and Technology Team consisting of: Jenny Elgin, Ben Fitzgerald, Zach Phillips, and Phillip Saunders, and the Senior Forestry Judging Team consisting of: Zach Barnes, Jesse Carter, Jamie Conner, and Jack Taggart, and

BE IT FURTHER RESOLVED, that the Nelson County Board of Supervisors does hereby congratulate and recognize the Nelson County High School National FFA Organization Advisors, Mr. Edward W. McCann and Mr. L. Scott Massie for their outstanding leadership and dedication to the students of Nelson County.

1. Presentation of Rings

Ms. Brennan and Mr. Saunders presented each student with their championship ring.

2. Proclamation – **P2014-01** National FFA Week February 15th – 22nd

Mr. Bruguiere moved to approve Proclamation **P2014-01**, Recognition of National FFA Week February 15th – 22nd and Mr. Hale seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following proclamation was adopted and read aloud.

**PROCLAMATION P2014-01
NELSON COUNTY BOARD OF SUPERVISORS
NATIONAL FFA WEEK FEBRUARY 15- 22, 2014**

WHEREAS, FFA and agricultural education provide a strong foundation for the youth of America and the future of the food, fiber and natural resources systems; and

WHEREAS, FFA promotes premier leadership, personal growth and career success among its members; and

February 11, 2014

WHEREAS, agricultural education and FFA ensure a steady supply of young professionals to meet the growing demands in the science, business and technology of agriculture; and

WHEREAS, the FFA motto –“learning to do, doing to learn, earning to live, living to serve”-gives direction of purpose to these students who take an active role in succeeding in agricultural education; and

WHEREAS, FFA promotes citizenship, volunteerism, patriotism and cooperation

NOW THEREFORE BE IT PROCLAIMED, that the Nelson County Board of Supervisors proclaims the week of February 15 through 22, 2014 as FFA Week in Nelson County.

B. 2013 NCHS Drama Team-One Act Play Ensemble (**R2014-10**)

Mr. Hale moved to approve Resolution **R2014-10**, Recognition of the NCHS Drama Team – One Act Play Ensemble 2013 Virginia High School League (VHSL) State Champions 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 resolution was adopted and read aloud.

RESOLUTION R2014-10
NELSON COUNTY BOARD OF SUPERVISORS
RECOGNITION OF THE NCHS DRAMA TEAM - ONE ACT PLAY ENSEMBLE
2013 VIRGINIA HIGH SCHOOL LEAGUE (VHSL) STATE CHAMPIONS

WHEREAS, the Nelson County High School one-act play ensemble won the Virginia High School League (VHSL) One Act Play State Championship for the fourth (4th) time in five (5) years, for their one-act play entitled “Tartuffe: A Cautionary Tale”, an adaptation of “Tartuffe”, written in 1664 by Jean-Baptiste Poquelin, more commonly known as Moliere, at the VHSL Group A One Act Play Festival in December 2013; and

WHEREAS, the team competed for the championship against seven other schools; having earned first place in district competition and second place in regional competition earlier in the year;

NOW, THEREFORE, BE IT RESOLVED, that the Nelson County Board of Supervisors does hereby congratulate and recognize the Nelson County High School Drama Team – One-Act Play Ensemble consisting of: Andrew Alderfer, Laurel Cooper, Dakota Crocker, Austin Garcia, Baylee Lipscomb, Drew McCarter, Sanford Shepard, Cody Harlow, Lydia Holman, Sonora Jamerson, Jon Johnson, Audrey Anna Grace Somers, Rachel Maurhoff, Tristan Fitzgerald, Sierra Watson, Taylor Watson, Madison Gumm, and Maeve Buni for the outstanding performance of “Tartuffe: A Cautionary Tale”, that earned them the 2013 State Championship at the VHSL Group A One Act Play Festival.

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BE IT FURTHER RESOLVED, that the Nelson County Board of Supervisors wishes to individually congratulate and recognize Cody Harlow, Rachel Maurhoff, and Sanford Shepard for outstanding actor awards at the District/Conference level, and Cody Harlow and Rachel Maurhoff and Drew McCarter at the regional level, and at the state level, Dakota Crocker, Sanford Shepard, Baylee Lipscomb, and Drew McCarter each won outstanding actor awards.

BE IT FINALLY RESOLVED, that the Nelson County Board of Supervisors does hereby congratulate and recognize Nelson County High School's Drama Teacher Ms. Diana Driver and local playwright Peter Coy, for their outstanding leadership and dedication to the students of Nelson County.

Ms. Brennan then noted that the Board of Supervisors would like to make a contribution to the class trip to New York of \$2,000.

III. Proclamation – P2014-02 Jefferson Madison Regional Library -The Big Read

Ms. Brennan read aloud Proclamation **P2014-02**, Proclaiming March 2014 The Big Read, Honoring the Novel True Grit by Charles Portis.

Ms. Tanith Knight of the Nelson County Library then invited everyone to attend the Big Read and other upcoming library sponsored programs

Mr. Harvey moved to approve resolution **P2014-02** and Mr. Mr. Hale seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following Proclamation was adopted:

PROCLAMATION P2014-02
NELSON COUNTY BOARD OF SUPERVISORS
PROCLAIMING MARCH 2013 THE BIG READ, HONORING THE NOVEL
TRUE GRIT BY CHARLES PORTIS

WHEREAS, The Big Read is designed to restore reading to the center of American culture and provides our citizens with the opportunity to read and discuss a single book within our community; and

WHEREAS, the Jefferson-Madison Regional Library invites all book lovers to participate in The Big Read that will be held throughout March 2014. The Library's goal is to encourage all residents of Central Virginia to read and discuss True Grit by Charles Portis; and

WHEREAS, True Grit the novel recounts Mattie Ross's youthful quest to avenge the murder of her father with the aid of a down-at-the-heels federal marshal named Rooster Cogburn; and

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WHEREAS, The Big Read is an initiative of the National Endowment for the Arts in partnership with the Institute of Museum and Library Services, and Arts Midwest; and is supported by the Art and Jane Hess Fund of the Library Endowment;

NOW, THEREFORE BE IT RESOLVED, that the Nelson County Board of Supervisors do hereby proclaim The Big Read during March 2014 and encourage all residents to read *True Grit* during this time.

IV. Consent Agenda

Mr. Hale noted he had minor corrections to the minutes presented, noting that the first meeting *of the year* for the Tunnel Foundation had occurred and then the statement regarding the Service Authority having equipment that could find leaks above ground may need to be re-worded. Ms. McGarry acknowledged these changes would be made and Mr. Bruguere moved to approve the consent agenda 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 resolutions were adopted:

A. Resolution – **R2014-11** COR Refunds

**RESOLUTION R2014-11
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF COMMISSIONER OF REVENUE REFUNDS**

RESOLVED, by the Nelson County Board of Supervisors that the following refunds, as certified by the Nelson County Commissioner of Revenue and County Attorney pursuant to §58.1-3981 of the Code of Virginia, be and hereby are approved for payment.

<u>Amount</u>	<u>Category</u>	<u>Payee</u>
\$ 303.72	2010-2012 PP Tax & Vehicle License Fee	David B. and Karen M. Holm P.O. Box 371 Lovington, VA 22949
\$190.14	2012-2013 PP Tax & Vehicle License Fee	Susannah Taylor Hill 394 Phyllis Court Virginia Beach, VA 23452

B. Resolution – **R2014-12** FY13-14 Budget Amendment

**RESOLUTION R2014-12
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF FISCAL YEAR 2013-2014 BUDGET
NELSON COUNTY, VA**

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BE IT RESOLVED by the Board of Supervisors of Nelson County that the Fiscal Year 2013-2014 Budget be hereby amended as follows:

I. Appropriation of Funds (General Fund)

<u>Amount</u>	<u>Revenue Account (-)</u>	<u>Expenditure Account (+)</u>
\$ 2,394.00	3-100-009999-0001	4-100-022010-5419
\$ 5,413.00	3-100-003303-0105	4-100-022010-5420
<u>\$ 7,807.00</u>		

II. Transfer of Funds (General Fund)

<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
\$ 3,745.00	4-100-999000-9901	4-100-022010-1003
\$ 286.00	4-100-999000-9901	4-100-022010-2001
\$ 13,276.00	4-100-999000-9905	4-100-091050-9999
\$ 25,000.00	4-100-999000-9905	4-100-093100-9206
\$ 10,000.00	4-100-031020-1010	4-100-031020-1009
<u>\$ 52,307.00</u>		

III. Appropriation of Funds (School Fund)

<u>Amount</u>	<u>Revenue Account (-)</u>	<u>Expenditure Account (+)</u>
\$ 25,000.00	3-205-004105-0001	4-205-064600-8000
\$ 100,000.00	3-205-002404-4070	4-205-064600-8000
<u>\$ 125,000.00</u>		

C. Resolution – **R2014-13** Minutes for Approval

**RESOLUTION R2014-13
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF MEETING MINUTES
(January 14, 2014 & January 23, 2014)**

RESOLVED, by the Nelson County Board of Supervisors that the minutes of said Board's meetings conducted on **January 14, 2014 & January 23, 2014** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

V. Public Comments and Presentations

A. Public Comments

1. Weeda Bell Phillips, Shipman VA

Ms. Phillips noted that she was speaking on behalf of Relay for Life and as a member of the 2014 committee event. Ms. Phillips then distributed sponsor packets to the Board and noted that she talks to businesses, individuals, clubs, and groups regarding Relay for Life. She then noted that in Nelson County, twenty-seven (27) cancer patients received fifty (50) services paid for from the funds. She noted that Relay for Life was the largest national event in the nation and that a large % of money raised went into cancer research. She then noted that she would like for the Board members collectively to become a sponsor for the Relay for Life Event. She advised that this would involve them giving a \$250 donation and their names placed on the back of the event T-shirts. She added that Relay was a County event and was well supported by the county. She noted that teams held events throughout the year to raise funds and she again asked the Board to become a sponsor. She added that donations from Sponsors were due in by March 3rd to get on the shirt.

Mr. Bruguire then asked if there was any way that money raised in Relay for Life could stay in Nelson County rather than it going to the national organization. Ms. Phillips noted that cancer patients in need could contact the American Cancer Society (ACS) to be directed to local organizations. She noted that there were 1,077 such people in central Virginia receiving these services. She noted that it would not be known if this money was Relay for Life money that came back into the county due to confidentiality. She added that they disseminated information on these services and the commercials also related helpful information about available services. She then introduced Ms. Mary Coates of the American Cancer Society.

Ms. Coates noted that she was a caregiver and had she known about the available services, it would have been better. She noted that Blue Ridge Medical Center was a great help to them. She added that the American Cancer Society could provide transportation for treatment and that they had Hope Lodges that housed people at no charge. She noted that they also had great volunteers in the area and that they had an 800 number to call in order to speak with a person. In conclusion, she noted that the ACS had a proven track record in trying to find a cure for cancer.

B. Presentation – Nelson County Community Fund (A. Hodson)

Dr. Andrew Hodson introduced himself and Barbara Gibb, Co-chairs of the Nelson County Community Fund (NCCF). He added that he lived in Afton and had been a county resident for fourteen (14) years. He added that he felt that the work they had done over last 10 years in helping people in Nelson County should be brought to the Board as he would like to see greater coordination between their group and the County. He added that he wanted to improve the group's recognition in the community.

Dr. Hodson noted that the group organized in 1995 and started fundraising in 2005 with the Opportunity Ball. He noted that they now worked under the Charlottesville Area Community Fund (CACF) which acted as the 501c3 non-profit organization. He noted that they were working on 1% overhead and 99% of the funds went to Nelson County recipients and that they supported people working to support cancer survivors. Dr. Hodson added that their organization primarily gathered funds and then worked out who needed them the most; utilizing grass roots people in the community that know where the funds were needed. He noted that over the last 10 years, they had raised over \$900,000 and would be over a million this year. He then noted recipients of funding were Blue Ridge Medical Center, the Nelson Food Pantry, and the Rockfish Foundation etc. Dr. Hodson concluded by reiterating that they were concerned about peoples' health, welfare, and safety and they wanted to form relationships such that if the Board of Supervisors recognized a need then they could work together on meeting it.

C. VDOT Report

Mr. Don Austin reported that there was power to the flashing light on Route 6 now and it should be working in the next couple of weeks.

1. 2015-2020 Secondary Six Year Plan (SSYP)

Mr. Austin noted that the Board needed to set a priority list and this would then tie down funding for each. Mr. Austin then referred to the map showing some suggested routes as follows:

Route 613 - Lodebar Estates, From: Route 151 To: Rte 612 0.40 Mile 320 VPD

Route 654 – Cedar Creek, From: Rte 655 To: Rte 661 4.24 Miles 160 VPD, Break up into several projects

Route 653 - Wilson Road, From: Rte 650 to Rte 655, 2.68 Miles 70 VPD, (Oakridge area improvement)

Route 814 – Campbell's Mt From: Rte 1.00 mi N. Rte 56 To: Rte 684, 3.45 Miles 110 VPD

Route 680 – Cub Creek Rd, From: .50 Miles N Rte 699 To: 1.45 Mi N GWNF Boundry 2.84 Miles 70-80 VPD

Route 721 – Green field Rd, From: Route 626 To: 0.50 N Route 626, 0.50 Miles 51 VPD

Supervisors then discussed the following VDOT issues:

Ms. Brennan noted that recently, coming out of Buck Creek, an older man turned up the wrong way and there was still no signage there. Mr. Austin noted that there should be Wrong Way signs and Do Not Enter signs there. Mr. Harvey agreed that this road had the most wrong way drivers in the County. Mr. Austin noted that VDOT had added signage and had also trimmed back the bushes there. Mr. Hale questioned whether or not there should be

a No Left Turn sign there and Mr. Austin noted he would review this again to see what more could be done.

Mr. Bruguiere sited maintenance issues at Fork Mountain and suggested that they needed to do maintenance all at one time. He added that the Dickie Road culvert was still a problem and nothing had been done there. He noted that water was running across the road there because the culvert could not handle that level of water.

Mr. Bruguiere then asked if the Findlay Mountain Road intersection was fixed and which right of way they would need to obtain. Mr. Austin noted that the State would normally buy the right of way or it could be donated.

Mr. Saunders noted he had heard a complaint regarding the intersection at Laurel Road and Brownings Cove Road being a Y instead of a T. Mr. Austin noted that it was that way because of the sight distance issue.

Mr. Hale, Mr. Harvey, and Ms. Brennan had no issues for VDOT.

VI. New Business/ Unfinished Business

A. Proposed Property Acquisition – 7995 Thomas Nelson Hwy, Tax Map # 67-A-9A

Mr. Harvey noted that consideration of this item could be eliminated as the property had been purchased by another party.

Introduced: Vehicles for Fire and Rescue Services.

Mr. Harvey reported that Piney River Fire Department wanted to wait a year to get a new vehicle and get one next year. He noted that Gladstone Fire and Rescue was next in line and they had gotten two quotes and prices for what they wanted – a pumper with a 4 door cab. He noted that the Board should make a commitment to continuous funding and let them order the truck with the money that would be available in July. He added that it took 280 days to build the trucks and no deposit was needed. Mr. Harvey then added that they would have to go to the EMS Council for loan funds and the quotes ranged between \$275,000 to \$290,000. Mr. Harvey then related that the Board would put up \$250,000 in FY14-15 and in FY16 and that Piney River Fire Department would be back in line for a tanker which would be cheaper. He added that the Rockfish Fire Department pumper in FY17 would also be cheaper than that.

Mr. Harvey then noted that they needed a letter from the Board that the money would be available after July 1, 2014. Mr. Hale added that this funding would need to go into the budget. Mr. Harvey noted that he thought they should move ahead so Piney River was not waiting. Mr. Hale noted he thought this could be the intent but until the budget was adopted

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there was no guarantee on the funding. Mr. Harvey agreed and noted that he thought a motion of intent should be done and Mr. Bruguiera agreed.

Mr. Harvey noted that they would still have to pay their 20% of the cost which would mean funding of \$220,000 (80% of \$275,000) for the County. He added that they would not be buying equipment and could use fire funds and EMS Council loan funds for this. He added that the County had given the money to the Council to disburse on the last purchase.

Mr. Hale then noted that he would like to see this come as a recommendation from the EMS Council and Mr. Harvey noted that the procedure was already laid out by them. Mr. Carter noted that the County paid \$420,000 for 3 trucks the previous year and they were \$140,000 each.

Mr. Harvey then discussed the ambulance program, where the agencies would file for an ambulance grant at each grant cycle. He noted that Gladstone Fire and Rescue had applied for an 80/20 hardship grant when the County had agreed to pay half and didn't get it. He added that they wanted to reapply in the spring grant round in March to get funds in July.

Mr. Hale asked if this would replace their existing truck and Mr. Harvey confirmed it would and that the agencies needed to get the old trucks out of the system.

Mr. Harvey then moved that the Board of Supervisors commit to the EMS Council to provide 80% of the cost of the fire truck that Gladstone fire and Rescue was planning to buy.

Mr. Bruguiera seconded the motion and Mr. Hale suggested that the motion be amended to set a not to exceed amount of \$240,000 which was 80% of \$300,000. Mr. Harvey accepted the amendment to his original motion and Mr. Bruguiera seconded the amended motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

Introduced: Closed session for discussion of a personnel matter.

Ms. Brennan indicated the need to have a closed session for a personnel matter and Mr. Hale moved that the Nelson County Board of Supervisors convene in closed session to discuss the following as permitted by Virginia Code § 2.2-3711(A) (1): discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body.

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

Supervisors conducted the closed session and upon its conclusion, Mr. Hale moved to reconvene in open session and Mr. Bruguiera seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the meeting resumed in open session.

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Upon reconvening in open session, Mr. Hale moved that the Nelson County Board of Supervisors certify that, in the closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed under the provisions of the Virginia Freedom of Information act cited in that motion.

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

Introduced: Part Time employee funding request by Circuit Court Clerk

Mr. Bruguire noted that Ms. Smythers had requested funding for more part time help and this was not included in the budget amendment and he understood she needed someone immediately.

Mr. Harvey then moved to let Mr. Carter work with Ms. Smythers to get her additional staffing worked out immediately. Mr. Bruguire seconded the motion and there being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

Introduced: Zoning Ordinance issue related to Duplexes

Mr. Hale noted that a problem relating to Duplexes and the Zoning Ordinance had been brought to his attention. He noted that he thought that a two family detached dwelling (duplex) was permitted by right in A-1 Districts; however one could not build a duplex on the same lot size that a single family dwelling could be built on. He added that the issue had been brought up by George Krieger through their housing issues in Shipman. He noted that currently, if a person wanted to build a duplex in an A-1 zone, they had to have four (4) acres and he would like to suggest that the allowable lot area should be two (2) acres for single. He noted that a change to one line in the current Ordinance would fix this.

Mr. Hale further explained that as it stood now, a person could build a huge house on a two (2) acre lot and would have to meet approvals by the Health Department etc. He added that the reason that this should be in the Ordinance was to permit a duplex on a two (2) acre lot in an A-1 District. He then noted that another reason to adjust this was to fulfill a housing need that should be available as it would provide affordable housing for some and having to purchase additional acreage would add to the cost and thus making it less affordable.

Mr. Carter advised that the suggested change must be referred to the Planning Commission and Mr. Hale noted that he would urge them to take action this month. He reiterated that the problem was with the acreage restriction.

Ms. Brennan confirmed with Mr. Hale that one could have up to four (4) bedrooms in a duplex also on that acreage.

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Mr. Hale then moved to send a recommendation to the Planning Commission to look into this with the objective to make it possible to build a duplex on a two (2) acre lot in an A-1 district.

Mr. Bruguere seconded the motion and Mr. Harvey noted he would like to get confirmation from Mr. Payne on the process of referral etc. Mr. Carter advised that he thought it had to go to the Planning Commission. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

Introduced: Sheriff's Department funding Request dated 2/10/14

Mr. Carter noted that the Sheriff had met with him on this request the previous day; however staff had not had time to thoroughly review it. He noted that everyone in the Department had a vehicle assigned to them presently and that funding the request was dependent on the status of the fines and forfeitures revenues of January. He added that according to analysis, the new deputies had cars also. Mr. Harvey noted that he thought the issue was there were no back up vehicles.

Mr. Carter then reported that they would be about \$29,000 short of the projected revenues. He noted that he did not think the radar officer had been decommissioned.

Mr. Harvey then noted that he thought that the requested radios have been covered and he suggested that they would remove \$3,000 from the request. He added that new radios would go in the new cars and he noted that funds had just been approved for two new ones the other day.

Mr. Harvey then moved to allow the purchase of two (2) police utility vehicles and equipment that could not be removed from the older cars, with County staff to order the vehicles and work out pricing. He added that the Sheriff's Department is to try to pull back forfeiture money to help with this.

Mr. Hale seconded the motion but noted that he thought they would have to start looking at budget things before spending more money. Mr. Harvey then noted that the County could not get off cycle with vehicle purchases.

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

It was noted by staff that this funding would come out of the current year's budget.

Ms. Brennan noted that things were unclear looking at the car list provided by the Sheriff and she would like to see a chart of vehicles for budgetary purposes.

VII. Reports, Appointments, Directives, and Correspondence

A. Reports

1. County Administrator's Report

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I. Courthouse/Government Center Project: Resolution of the tunnel connector is outstanding. Blair is working to address this. The remaining project retainage is being held.

Consideration of Phase 2 (renovation of 1809-19705 structures) requires Board authorization to retain AE services, which can be accomplished in 60-75 days (approximate).

Mr. Carter noted that the tunnel leaking issue was still not resolved. He added that he had F&R look at it and their report was sent to Blair. He noted that they recommended excavating the tunnel walls instead of continuing to caulk and he noted he would send the Board the report.

Mr. Harvey noted that rust appeared to be pouring down the stone walls out front and Mr. Saunders noted he thought it was iron in the rock coming out and nothing could really be done about it except to remove the rock.

Mr. Saunders noted that Judge Gamble suggested that they look at the Pittsylvania County Courthouse and he would like to do that sometime. Mr. Bruguere noted he thought that the AE firm they used did not charge a lot for their services and Mr. Carter advised he would email them to see who they worked with. He then recommended that they look at the space needs prior to proceeding.

Mr. Hale reiterated that the top priority was the renovation of the old Courtroom and expansion of the Circuit Court Clerk's office which would require relocating the Commissioner of Revenue and other staff.

Supervisors briefly discussed this and agreed that the Courtroom renovation should be done while Judge Gamble was still in office. They also discussed needing to get someone that specialized in restoration work and Mr. Carter suggested contacting Frazier and Associates as they did a lot of restoration work and historic preservation. Supervisors agreed by consensus to keep the Courtroom as historic as possible.

Supervisors then discussed separating the work into two (2) projects and that Mr. Harvey and Mr. Saunders would be the Board Committee to work on this.

Mr. Carter noted that the County would have to do an RFP unless it could use cooperative procurement and this would take approximately 60-75 days.

Mr. Harvey suggested that staff find out about Pittsylvania County and go from there.

II. Jefferson Building: Interior restoration is complete. Relocation of the Commonwealth Attorney's office is planned for completion by 2-28. Exterior restoration prior to 6-30.

III. Health Department Building Demolition: Demolition of the building is complete. Site restoration (final seeding and matting) is pending due to site conditions.

IV. Massies Mill School Demolition: Project advertised. Pre-bid on 2-12. Bids due on 2-20.

Mr. Carter noted that due to the weather, the pre-bid meeting had been changed to the 17th and bids were now due on the 27th.

V. Lovington Health Care Center: Consultant retained by JABA for additional feasibility assessment. No specific time table provided for receipt of consultant's report.

VI. BR Tunnel and BR Railway Trail Projects: A) **BRRT** – Construction in progress with completion date of 5-15-14. B) **BRT** – Pre-bid conducted on 2-6. Bids due on 2-20.

Mr. Hale clarified that if qualified, the County would have to take the lowest bidder. Mr. Carter noted that this was per State Code.

VII. 2014 Gen. Reassessment: Board of Equalization hearings scheduled 3-4 to 3-12.

VIII. FY 14-15 Budget: Draft budget presentation to Board by March 2014.

2. Board Reports

Mr. Harvey and Mr. Saunders had no reports.

Mr. Hale noted that the TJPDC had made an offer to a potential new Director pending a background check.

Mr. Bruguiere reported that Eddie Embrey was not doing well health wise and may have stepped down as President of the EMS Council. He added that David Graves may be next in line for President.

Ms. Brennan reported that she went to Ms. Epps's Memorial Service and sent something from the Board of Supervisors.

Ms. Brennan also reported that she went to the Virginia Legislative Day and it was not as productive as in previous years. She added that the Governor spoke and was pressing for Medicaid Expansion, which he noted would create jobs and bring money back to the State. She added that there had been many hospital closures due to lack of funding and he also spoke on jobs and education.

B. Appointments

Ms. McGarry noted that there was still a pending appointment to be made to the PVCC Board with the applicants for consideration being Tom Proulx, and Sharon Wray.

Mr. Hale moved to appoint Tom Proulx to the PVCC Board and Mr. Harvey seconded the motion.

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Mr. Hale noted that he had not had an opportunity to speak with the other applicant, however Mr. Proulx has had a great interest in PVCC and had previously attended these meetings and he would be an excellent representative for the County.

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

Supervisors then discussed the Keep Nelson Beautiful Council and Mr. Carter confirmed that this Council was not established in the County's Ordinances.

Supervisors noted that they were still waiting for a report to come back from Grant Massie on this Committee and Mr. Hale noted that if nothing was happening with it, the County should stop advertising for members.

Mr. Harvey noted he thought the Council was needed in order to obtain grant funding and Mr. Carter noted that this was not the case and that the County received and disbursed the grant funds. He added that the Recycling Coordinator, Mr. Massie would work on this if KNB was not reconstituted. He noted that the funds were approximately \$8,000 and could be used for recycling costs.

Mr. Hale noted that he thought that having KNB was great however if no one was willing to be members, then he thought it should not be continued. Staff noted that Mr. Massie was keeping up with recycling in the County and the Board agreed by consensus to have Mr. Massie give the Board an opinion on KNB.

C. Correspondence

Mr. Bruguere reported on correspondence regarding the Payment in Lieu of Taxes (PILT) funds was not in the Farm Bill and an addendum had been issued. Ms. Brennan confirmed that it was in there for another year and it amounted to about \$20,000 collectively. Mr. Carter noted that budgeted PILT funds were about \$10,000-\$12,000 per year.

D. Directives

Mr. Harvey and Mr. Saunders had no Directives.

Mr. Hale noted that as part of the budget process, he would like to see a separate list of the Departmental requests so that the Board would be able to prioritize these. He added that the Board needed to take a hard look at these things and he did not think they would find that they could budget for everything that was asked for.

Mr. Hale then inquired if the County would have to borrow money for the historic Courtroom renovation and Mr. Carter noted he was not sure; however it may cost \$500,000 or more.

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Mr. Bruguiera noted that the County needed to get all computers in the Commissioner of Revenues Office, the Circuit Court Clerk's Office, the Treasurer's Office, the Planning and Zoning Office, and Building Inspections Office to interact with each other. He added that he thought that changes made in one system should automatically update the other systems; for example when a deed was recorded in the Clerk's Office, it should automatically be sent over to the Commissioner's Office.

Mr. Carter noted that he thought this particular thing could be done now, but that it wasn't. He added that these updates could be done daily if the offices worked together since the Clerk's office regularly produced a listing of deed recordations and it was given to the Commissioner's Office. He noted it was then up to them to update the books.

Staff then noted that getting this done may be an issue since the information was stored in separate computer systems between the offices.

In response to questions about the GIS system, Staff noted that the GIS system was updated when someone filed a new plat and that the County periodically sent batches to Timmons to do the system updates. Supervisors then noted GIS issues with records not having lot lines or ownership information.

Mr. Carter then noted that oftentimes multiple parcels were linked together under one number and he would like to undo this. He noted it was difficult to determine development rights in this scenario, and it required research in Clerk's Office. He added that undoing this would be a lot of work and the County would most likely have outsource this.

Mr. Hale noted that for practical purposes, the mapping of tax parcels had made significant progress. Mr. Carter advised that Ms. Rorrer was continuously working to improve this; however it would cost more to update these more often etc. He added that he would speak to them about the possibility of doing this.

Ms. Brennan asked to find out how much the County paid Timmons annually for their GIS services.

Ms. Brennan then asked staff to provide the Board with the amount of money left in the original Courthouse Project Fund.

Ms. Brennan then inquired of the Board as to how Ms. Epps could be recognized in memoriam and Supervisors discussed having a picture of Ms. Epps turned into a portrait to be hung at the Nelson Center. Ms. Brennan noted she would ask Margaret Morton if she could identify a picture that could be used and she suggested that the Board also do a resolution for presentation at the same time.

Ms. Brennan then noted that she would concede on the "no smoking" and would go along with a tobacco free campus if that was what the rest of the Board wanted. Mr. Hale noted that even though he was empathetic with smokers, he thought the campus should be tobacco

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free. Supervisors agreed that this should apply to everyone and staff was directed to bring a resolution to this effect back for the Board's consideration.

VIII. Adjourn and Reconvene for Evening Session

At 5:10 pm, Mr. Harvey moved to continue the meeting until 7:00 pm and Mr. Hale seconded the motion. There being no further discussion, Supervisors voted unanimously by voice vote to approve the motion.

EVENING SESSION

7:00 P.M. – NELSON COUNTY COURTHOUSE

I. Call to Order

At 7:00 pm, Ms. Brennan called the meeting to order with all Supervisors present to establish a quorum.

II. Public Comments

There was no persons wishing to be recognized for public comments.

III. Public Hearings and Presentations

A. Presentation – Region Ten Annual Report (P. Hughes)

Dr. Johnson Executive Director of Region Ten addressed the Board and distributed copies of the agency's legislative brochure.

Dr. Johnson noted that Region Ten was extremely grateful for the ongoing support of the Board over the years. He noted that he hoped to improve the system of care in the coming year and that he thought the General Assembly actions would be good for the system and the individuals affected would have a better system of care.

Dr. Johnson then described a new Region Ten enterprise called integrated care. He noted that they desired to create a more one stop shop for consumers through partnering with Martha Jefferson Hospital in a renovated Region Ten Facility in Charlottesville. He noted that they had medication compliance issues that lead to poor outcomes. He added that those with mental disorders tended to live 10-11 years less than those without this and they were designing programs for better outcomes. He noted that they wanted to bring this concept to all counties and he noted that there was potential for this in the vacant third floor office in Nelson.

Ms. Patricia Hughes, Nelson County's Region Ten Board representative then reported on the agency's FY13-14 activities. She noted that Region Ten employed 679 individuals agency wide and spent \$35 million dollars. She noted that 461 people were served at a cost of approximately \$2 million dollars with 6,732 people served agency wide. Ms. Hughes noted

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that the County supported 37 out of 61 programs that were operating at a deficit; however \$1 local dollar generated \$22.90 in leveraged funds.

Ms. Hughes then noted that programs were operating at an annual deficit and she asked the Board to consider additional funding for these programs.

Ms. Hughes then noted that Region Ten wanted to work to decrease the stigma associated with mental health and to that end they had sponsored a film called running from crazy and they were sponsoring panel discussion on PTSD.

She then reported that the Region Ten Board had a fundraising committee and that \$7,000 in technology was being installed in the Nelson County offices and at Horizon House.

Ms. Francee Laverty, Nelson County Clinic Director then addressed the Board and noted how much they appreciated the Board's support and the Clinic worked hard to support the community. She advised that they have added a Child Psychologist who was available on Thursday mornings and that an Adult Psychologist came out one day a week. She noted that they continued to provide a pretty large clinically sound day treatment program in the schools and their other large program was the Horizon House Clubhouse.

The Horizon House attendees were then introduced as follows:

1. Kenny

Kenny noted that he has had a poem published and had started GED classes. He noted that at Horizon House, he has learned to have self worth and to ask for help as needed. He then thanked Region Ten for this support.

2. Samantha Burns

Ms. Burns noted that she has been at Horizon House for two years and has accomplished self confidence and respect. She noted that she liked the staff and how they helped them. She added that she has met a lot of good people there.

Dr. Johnson then invited the Board to stop by the clubhouse and he noted that the Horizon House had forty-one (41) individuals in the program.

B. Public Hearing -Special Use Permit #2013-006 / JARSS, Inc.

Consideration of a Special Use Permit application for the proposed conversion of an office space to a residential space, pursuant to Section 8-1-10a of the Zoning Ordinance. The subject property is identified as Tax Map Parcel #76A-2-2, located at 4148 Thomas Nelson Highway (U.S. Route 29) in Colleen. This is a 0.083-acre property zoned Business (B-1), and is owned by JARSS, Inc.

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Mr. Padalino reported that the SUP permit application was received in December to construct residential units in a Business District. He showed the map of the subject property and noted the subject property was identified as Tax Map Parcel #76A-2-2, located at 4148 Thomas Nelson Highway (U.S. Route 29) in Colleen. He noted that it was 0.083 acre property and was zoned business. He added that it was attached to the BP station in Colleen which was a mixed use property.

Mr. Padalino noted that the applicant wanted to convert office space into a two person rental unit. He added that a floor plan was included in the application and that the applicant had noted a large volume of people had showed interest in renting the unit. He noted that the unit would connect to the Service Authority utilities and would use an existing well on the adjacent property.

Mr. Padalino then reported that the site plan committee had indicated that two parking spaces needed to be reserved for the tenant and they recommended that curb stops be placed on that property to protect resident vehicles.

Mr. Padalino then noted that the Planning Commission had recommended denial of the application based on incompatible uses.

Mr. Padalino then showed the Board photos of the site.

Mr. Bruguiere inquired if there were any recommended solutions to the parking issues and Mr. Padalino replied there were not; however there was adequate space for parking on the site. It was noted that there was not much room between cars coming through the gas pumps to the front door of the proposed unit.

Mr. Padalino noted that the building was on an interior parcel and the land surrounding it was owned by someone else.

Mr. Saunders indicated he was concerned about traffic flow there and that there was not as much room as it appeared in the pictures. He added that he was concerned about the tenant coming out of the door and getting hit by cars. Mr. Bruguiere noted he agreed that the lack of safety of the front door was the issue, not the incompatible use as was stated by the Planning Commission. He added that he did not have an issue with the apartments and he would be okay with it if the unit could be accessed from the side.

Mr. Hale noted that the State often owned right up to the fuel tank canopy and concrete pad and he questioned whether or not the building could be owner occupied as a residence. Mr. Padalino indicated he was unsure about that. Mr. Harvey indicated that he thought there would be problems with the Building Inspections Department and the requirement to have fire separation etc. between the unit and the store.

Mr. Saunders inquired about the location of the underground tanks and Mr. Padalino noted that some were under the manhole out front near the gas tanks. Mr. Saunders then noted that he thought this was the wrong place for an apartment.

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

Mr. Padalino noted that the applicant was not present to speak to the application.

Mr. Hale then moved to follow the recommendation of the Planning Commission and deny the Special Use Permit application #2013-006 and Mr. Bruguiera seconded the motion.

Mr. Bruguiera noted he was not opposed to the apartment; however it needed access in the rear not the front. Mr. Harvey noted that the fill tanks being right under the canopy were an issue as was the fact that he did not see it as safe for children to live there near the Highway.

Mr. Carter noted that State Code would not allow the owner to live there without a Special Use Permit either.

There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and deny SUP #2013-006.

C. Public Hearing – Proposed Ordinance O2014-01 to enact Chapter 4, Article II, Division IV, Nelson County Unsafe Buildings and Structures.

Mr. Carter noted the purpose of the public hearing was for the Board to consider public comments regarding the enactment of a provision of the County Code, Chapter 4, Article II, Division IV, Nelson County Unsafe Buildings and Structures.

Mr. Carter then noted that the draft ordinance provided that the Building Code Official would be vested with the authority to determine if a building was unsafe or a public threat. He noted that if it were found to be, a notice to this effect would be issued to the owner and a notice would be published for two consecutive weeks in the paper. He noted that it provided that after thirty (30) days, the County could take the structure down or repair it and then could recover these costs. He noted that the State Code allowed the county to sell the property and the Treasurer could now attach the owner's bank account to recover these costs.

Mr. Carter added that the draft Ordinance provided that the County could consider, with the owner's consent that the County could tear the building down. He noted that there was a Civil penalty in addition to the remedies that the County had to recover costs up to \$1,000.

Mr. Carter then noted that Section 15.2 of the State Code gives the County the authority to have the Ordinance and use its ability to take down unsafe structures. He added that it gave local authority to act on unsafe structures and collect any costs to do so.

Mr. Carter noted that the public hearing had been duly advertised and was the culmination of a several year long debate and most recently it was directed by the Board to be developed.

Mr. Bruguiera added that the County had the authority in the State Code already to do this and Mr.

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Carter noted that it had been the authority for action taken on a structure at the intersection of Findlay Mountain Road and Route 56 East.

Ms. Brennan opened the public hearing and the following persons were recognized:

1. Shelby Bruguere, Afton

Ms. Bruguere noted that she did not support passage of the Ordinance because as it was written it could apply to any building and she thought it should be more narrowly defined in the ordinance. She added that she supported private property rights and it was not for the government to decide what could be done with private property. She added that she thought the Ordinance created an undo burden for Nelson County residents living in a rural County.

2. Joe Lee McClellan, Lovington

Mr. McClellan noted that he had properties that needed improving and that may fall under consideration. He added that he had fifteen vacant structures in Lovington and he was having a difficult time keeping up his properties. He noted that he would be willing to put up signs; however he objected to the County taking over a property and sending the owner a bill.

3. Henrietta Geelan, Shipman

Ms. Geelan noted that she was in favor of the Ordinance and that there were some buildings that were in such terrible disrepair and were a safety hazard because they were being used for doing drugs, hanging out, and shooting out windows. She noted that the property at the intersection of Route 56 east and Findlay Mountain Road had been destroyed by people. She added that the structures by the rail road tracks in Shipman were being used for no good and that some of these buildings needed to be taken down or improved before someone got hurt.

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

Mr. Carter then noted that it was important to point out that Section 4-59 stated that the Building Official may order any owner to remove, repair, or secure any structure that might endanger the health and safety of other residents of the county. He added that he did not think the County would go onto property to find dilapidated structures and the County was not on a hunting expedition.

Mr. Harvey noted that it could be done according to the draft Ordinance and he did not like the idea of having one person being able to do this without anything else. He added that he thought the owner should be able to have their day in court.

In response to questions, Mr. Payne noted that he did not think using condemnation powers was the way to handle these.

Mr. Hale emphasized that the draft Ordinance said that the Building Code Official may, is not required, and the determination must be that the structure endangers others in the county. He added that this did not refer to those structures that would not affect anyone else.

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Mr. Carter noted that the Building Code Official made the determination that the Route 56 east and Findlay Mountain Road house was unsafe. He added that this could currently be done under the State statute and that the cost recovery aspect of the local ordinance was essential to County's interest. He noted that this was the easier course to recover its expenses associated with this.

Mr. Carter noted that previously Mr. Johnson had been concerned about a chimney on private property that did not endanger anyone else so he could not take it down.

Ms. Brennan reiterated that the purpose of the Ordinance was to protect the health safety and welfare of the citizens and the County was not going to go around looking for things. Mr. Saunders added that the Ordinance primarily provided a way for the County to recoup some money in protecting the health and welfare of the public. He added that he was in favor of people's property rights; however there were some buildings in the County that were not safe and were hazards. He reiterated that the authority for locality's to declare a structure unsafe was in the State Code already.

Mr. Harvey disagreed that the building at 56 east and Findlay Mountain road was a public hazard. He argued that after a fire, the Building Official could condemn a building immediately. Mr. Saunders noted that he could do the same thing whether or not the building had burned if it was unsafe.

Mr. Harvey noted that there was no recourse for the owner and Mr. Carter noted that the owner had the option of making the building safe in lieu of tearing it down.

Mr. Hale noted that the Building Official's determination could be challenged in a court of law.

Mr. Bruguiere suggested that a decision on the Ordinance be deferred until the Board could have Mr. Payne clarify some of the issues. Mr. Harvey suggested that the County deal with these structures under the existing State Code authority.

In response to questions, Mr. Carter noted he was not sure if they would have to go to court for the Route 56 east and Findlay Mountain Road property and that Staff was asked to draft the Ordinance.

Supervisors then agreed by consensus to defer this until the March meeting in order to get Mr. Payne's input.

Mr. Saunders noted that without the Ordinance, people could have buildings taken down on purpose to improve their property and the County would have no means of recovering these costs; which was the point of the Ordinance.

D. Public Hearing – Proposed Ordinance O2014-02 to amend the Code of Nelson County, Virginia, Appendix A, Zoning Ordinance to include application fee changes for Special Use Permits, Rezoning, Variances, and Appeals.

Mr. Carter noted that the consideration was to amend the Zoning Ordinance to revise the fees for Special Use Permits, Rezoning, Variances, and Appeals. He added that the Board considered this in the spring of 2013 and then referred to it to the Planning Commission and it has been brought back.

Mr. Carter showed a graph of fees charged throughout the TJPDC and Region 2000 Planning District in comparison to the County's fees. He noted that the County's fees had not been changed since they were enacted in the 1970's. He noted that the primary point to make was that the current fees did not even cover the advertising costs associated with the application. He then noted the proposed fees in comparison with those charged throughout the TJPDC and Region 2000 Planning District. He added that of primary consideration was should the County subsidize individual's applications. He noted that the proposed fees did not reflect the initial recommendations which were closer to actual costs; however the Board wanted to raise these gradually.

Mr. Bruguire confirmed that the Planning Commission had reviewed these and conducted a public hearing with no comment from the public. Mr. Harvey supposed the public would not comment until they were faced with paying the new fees.

Ms. Brennan noted that currently all of the citizens of the County had to pay for these applications and she did not think they should have to. Mr. Saunders reiterated that the proposed fees were not fully covering the expenses.

Mr. Bruguire then inquired if the proposed fees would cover the advertising costs and Mr. Padalino noted that the overhead costs for considering these things added up to \$430 per application and these get advertised twice per public meeting. He added that appeals could be more expensive because they usually involved legal reviews. He noted that the increases being considered would not cover the expenses. He added that these did look like large increases but it was because they were extraordinarily low since they had not been raised since 1977. He noted that he had used an inflation tool and it came close to the numbers being considered now.

Ms. Brennan then opened the public hearing and the following persons were recognized:

1. Joe Lee McClellan, Lovingson

Mr. McClellan stated that he agreed that the applicant should pay the costs of the application. He noted that he had lowered all wages by 10% and had not increased it back to where it was and he thought the County should do the same until the economy got better. He noted that he agreed the fees needed to be raised but the County also needed to look at its budgets to keep them as low as possible.

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

Mr. Carter then noted that Ordinance **O2014-02** denoted the proposed fees as follows:

1. Special Use Permit: An application permit fee of Two Hundred Dollars (\$200).
2. Rezoning: An application permit fee of Three Hundred Dollars (\$300).
3. Variance: An application permit fee of One Hundred Fifty Dollars (\$150).
4. Appeal: An application permit fee of One Hundred Fifty Dollars (\$150).

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Mr. Hale noted that the fees had been agreed upon at that level and the ones proposed were considerably more. He noted he had some unhappiness about some of this, such as rezonings which were the result of a poor zoning map. He added that he did think it was time to have fees more in line to reflect part of the costs.

Mr. Bruguiere then moved to approve Ordinance **O2014-02** Amendment of the Code of Nelson County, Virginia – Appendix A, Zoning Ordinance, Application Fees.

Mr. Hale seconded the motion and Mr. Saunders noted that the County was still below its neighbors as a point of reference and the Board ought to look at these again in a year or so.

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

ORDINANCE O2014-02
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF THE CODE OF NELSON COUNTY, VIRGINIA – APPENDIX A,
ZONING ORDINANCE, APPLICATION FEES

BE IT HEREBY ORDAINED, that Pursuant to §15.2-1427 of the Code of Virginia 1950 as amended, the Nelson County Board of Supervisors does hereby amend the Code of Nelson County, Virginia, Appendix A – Zoning, §14-5-2, and enacts fees schedule for fees associated with Special Use Permits, Rezoning, Variances and appeals within Appendix A, as follows:

14-5-2 Appeals requiring an advertised public hearing shall be accompanied by a certified check for the required filing fee payable to the Treasurer for deposit in the general fund.

APPENDIX A – ZONING
FEES SCHEDULE FOR APPLICATIONS

1. Special Use Permit:
An application permit fee of Two Hundred Dollars (\$200).
2. Rezoning:
An application permit fee of Three Hundred Dollars (\$300).
3. Variance:
An application permit fee of One Hundred Fifty Dollars (\$150).
4. Appeal:
An application permit fee of One Hundred Fifty Dollars (\$150).

IV. Other Business (As May Be Presented)

Introduced: Connection fees for NCSA water and sewer

Mr. Bruguere noted that the connection fees for Service Authority water and sewer were a deterrent for business and that these were outrageous to just connect to the system.

Mr. Harvey noted that the Board had nothing to do with this and that the Service Authority could not give the service away. He added that these fees helped to pay for future expansion of the system and current customers should not pay for that addition.

Mr. Saunders agreed and noted that to connect a 6 inch line, the party would have to come up with \$400,000, a 4 inch line would cost \$200,000 not counting materials and labor, and a 3 inch line would cost \$128,000 to connect. He added that he realized that the Authority had to operate and pay for the system; however these fees could be cut in half in order to get more customers and then they would make more money. He noted that he knew of a couple of prospects that saw these fees and moved somewhere else.

Mr. Hale then acknowledged that the users of the public system were subsidized by the taxpayers.

Mr. Harvey advised that the Authority would have to upgrade its water and treatment plant to bring in businesses anyway since there was not much additional capacity presently. Mr. Hale added that the debt at the Service Authority was significant and Mr. Harvey added that the fees were based on the size of the line to be connected.

Mr. Saunders noted that he thought these ought to be reviewed again because it was affecting business attraction to the County; along with VDOT requirements. He added it was an NCSA issue however he thought the Board should have a voice in it.

Mr. Carter noted that the County was paying all of the debt on the Lovington to Colleen expansion and he thought that this should be assessed. He added that customers were paying installation on top of connection and this could be a deterrent to businesses in the County; however he acknowledged this was a catch 22 situation.

Mr. Saunders reiterated that the County was getting the connection fees and the County should have a say in what they were.

Mr. Carter then noted that the County's mandatory connection threshold was set at 1,000 feet and the NCSA's was 300 feet and he thought these should be matched up.

Mr. Saunders then acknowledged that the treatment plant needed expanding to be able to serve more businesses and Mr. Bruguere noted that they needed to do as much as possible to bring in more businesses.

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Ms. Brennan suggested that this issue be referred to NCSA and they should come back with how much it would cost to expand the plant.

Introduced: Joe Lee McClellan

Mr. McClellan noted how much Direct TV was initially at \$600. He noted he went to the bank and got funding to be able to charge monthly for the receivers. He noted along these lines, they could add a minimal amount to the bills to pay for the water hookups and this would be a win-win situation and would mitigate the upfront cost associated with this.

Supervisors then asked Mr. McClellan what could be done about his building that was falling down into the road past the Courthouse and he noted he needed to meet with the Building Code Official to decide if it would be repaired or torn down.

Mr. Carter noted that for the County it was a question of whether or not the proposed double wide could go in there and Mr. McClellan explained that this could be office space for the Sheriff to store evidence etc. Mr. Harvey and Mr. Bruguere questioned whether or not it would be possible to store evidence off site in that building.

V. Adjourn and Continue until 6:00 pm, February 13, 2014 at the Nelson County Middle School Library for a Joint Meeting with the Nelson County School Board.

Mr. Hale asked if the Board should adjourn and wait for a called meeting or go ahead and adjourn until the 27th. It was noted that they could adjourn until the 25th and then could cancel it.

Mr. Hale moved to continue until 6pm on Feb. 27th at the Nelson County Middle School Library for a joint meeting with the School Board.

Mr. Bruguere seconded the motion and it was noted that the meeting was open to the public.

Mr. Carter then noted that the agenda presented for joint session only spoke to receiving a report on security changes being done by Honeywell and recognition of the School Security Task Force. Ms. Brennan noted that she has asked for that to be changed and she would speak to Mr. Parr.

Mr. Hale then withdrew the motion and Supervisors agreed they would have a called session if required.

At 8:25 pm, Mr. Hale moved to adjourn and Mr. Harvey seconded the motion. There being no further discussion, Supervisors voted unanimously by voice vote to approve the motion and the meeting adjourned.

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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.

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

Absent: None

I. Call to Order

Ms. Brennan called the meeting to order at 2:00 pm, with all Supervisors present to establish a quorum.

- A. Moment of Silence
- B. Pledge of Allegiance – Mr. Hale led the Pledge of Allegiance.

II. Consent Agenda

Ms. McCann distributed an amended budget amendment that included additional funding for the Sheriff's department from Asset Forfeiture funds.

Mr. Harvey moved to approve the Consent Agenda and Mr. Saunders seconded the motion.

Mr. Bruguiera asked for clarification regarding what the tobacco free campus encompassed and Supervisors agreed that it applied to the entire Courthouse campus; however patrons could smoke in their cars. Mr. Hale noted that while he sympathized with smokers; he felt that the Board should do everything to discourage the use of tobacco and reduce its effect on the public.

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

- A. Resolution – **R2014-14** FY13-14 Budget Amendment

**RESOLUTION R2014-14
NELSON COUNTY BOARD OF SUPERVISORS**

March 11, 2014

**AMENDMENT OF FISCAL YEAR 2013-2014 BUDGET
NELSON COUNTY, VA
March 11, 2014**

BE IT RESOLVED by the Board of Supervisors of Nelson County that the Fiscal Year 2013-2014 Budget be hereby amended as follows:

I. Appropriation of Funds (General Fund)

<u>Amount</u>	<u>Revenue Account (-)</u>	<u>Expenditure Account (+)</u>
\$ 3,716.00	3-100-009999-0001	4-100-022010-5419
\$ 1,500.00	3-100-009999-0001	4-100-031020-5419
<hr/>		
\$ 5,216.00		

II. Transfer of Funds (General Fund)

<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
\$ 3,120.00	4-100-999000-9905	4-100-031020-7055
\$ 13,998.00	4-100-999000-9905	4-100-043040-5409
\$ 49,895.00	4-100-999000-9905	4-100-043040-7005
<hr/>		
\$ 67,013.00		

B. Resolution – R2014-15 Minutes for Approval

**RESOLUTION R2014-15
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF MEETING MINUTES
(February 4, 2014 & February 5, 2014)**

RESOLVED, by the Nelson County Board of Supervisors that the minutes of said Board's meetings conducted on **February 4, 2014 & February 5, 2014** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

C. Resolution – R2014-16 Tobacco Free Campus

**RESOLUTION R2014-16
NELSON COUNTY BOARD OF SUPERVISORS
TOBACCO FREE CAMPUS**

WHEREAS, pursuant to Virginia Code §15.2-1800 and general law, the Board of Supervisors operates the Court facilities and grounds in concert with the Circuit Court Judge and has the authority to prohibit the use of tobacco products in these areas, and

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WHEREAS, at the regular Board of Supervisors meeting on February 11, 2014, staff was directed to provide the Board with a resolution for consideration to make the Nelson County Courthouse Complex a tobacco free campus, and

WHEREAS, tobacco is a recognized carcinogen in humans and the County of Nelson is committed to protecting the health of individuals by minimizing the harmful effects of tobacco use among County employees and eliminating secondhand smoke exposure for employees and the public in and on the grounds controlled by the County;

NOW THEREFORE BE IT RESOLVED, that the Nelson County Board of Supervisors does hereby declare the Nelson County Courthouse Complex a tobacco free campus.

D. Resolution – **R2014-17** 2014-2015 Local Government Challenge Grant

**RESOLUTION R2014-17
NELSON COUNTY BOARD OF SUPERVISORS
2014-2015 LOCAL GOVERNMENT CHALLENGE GRANT**

BE IT RESOLVED, By the Nelson County Board of Supervisors that the County Administrator is hereby authorized to execute and submit an application for 2014-2015 Local Government Challenge Grant funding to the Virginia Commission of the Arts.

BE IT FURTHER RESOLVED, said application is to include a local match of \$5,000.00 to be confirmed upon formal adoption of Nelson County's Fiscal Year 2014-2015 Budget by the Board of Supervisors.

III. Public Comments and Presentations

A. Public Comments

1. Living Word Christian Fellowship, Todd Peck Pastor

Todd Peck, Pastor of Living Word Fellowship noted that his congregation currently meets at the old CVEC building at Front Street in Lovingston. He noted their desire to purchase property on the corner of Route 29 and Route 56 west as they were growing and wanted to expand and build multipurpose facilities to meet and gather in. He added that they wanted to do it in such a way to benefit the county and community. He noted that they provided assistance to those in the county and provided monthly outreach as well as had children's ministries etc. He noted that they were under a contract extension for the property and were addressing contingencies.

Mr. Peck noted that their conclusion was that due to VDOT requirements, they would be required to construct turning lanes into the property and this would be cost prohibitive at over \$100,000. He noted that they then conducted other studies and were proposing a speed reduction in the area to meet sight distance requirements. He added that these studies showed that they would not have to put in turn lanes because of a speed impact study that

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showed that the average speed was 58 mph which would put them outside of the bounds of turn lanes. He added that if they could get a speed reduction eastbound to 35mph that would put them into the situation of not having to construct turn lanes and would also alleviate safety issues in the area. Mr. Peck then advised that they had taken a poll of folks on Cabell Mtn. Lane and most were in favor of a speed reduction. He then noted that he was asking the Board for its support to submit a speed reduction request so that they could be within VDOT guidelines and could purchase the property.

Mr. Carter then advised the Board that it was submitted by him to VDOT so that Mr. Austin would be able to speak to it that day.

Mr. Austin confirmed that he had received copies of the report and he noted that commercial properties had minimum entrance and exit requirements and that these were based on speed limits. He added that the speed limit on Route 56 east was 55 mph and to legally reduce the speed, they would have to conduct a speed study and it appeared from their information that it would not meet the criteria for a speed reduction. He added that it appeared this would not be met, however a final study had not been done. Mr. Austin noted that the speed limit requested must be justified and they typically did not just do speed studies for operating limits. He added that the Board could request that VDOT review it and the traffic division would look at it.

Mr. Austin then noted that the information gathered would be similar to the current speed study; but following federal and state guidelines.

Mr. Bruguiere reiterated that it was cost prohibitive to put in turn lanes and that people needed to slow down at that intersection. Mr. Austin noted that the Board could ask that the speed study be done; however it was likely that the data would come in the same and a speed reduction would not be recommended. He added that the time frame for review would be about ninety (90) days.

Mr. Harvey noted that he has seen this done elsewhere in the state and he thought it was warranted there. Mr. Austin clarified that they did not normally do speed reductions because of entrances; however this could fall under safety reasons as well approaching the intersection.

Mr. Harvey then asked Mr. Massie Saunders, consultant to the church, to describe the relationship of the proposed entrance to Cabell Mtn. Road. Mr. Saunders noted that it was just east of it and that if one went east or west from that location, the sight distance went down. He noted that if the posted speed limit could be at 45mph, there was the possibility to relocate the entrance to remove 100 ft of the sight distance requirement. He noted that they could look at this if it could potentially go there.

Mr. Harvey noted that traffic going west needed to be able see to turn in and when pulling out, they needed to see over the curve. Mr. Saunders noted that this was at the peak, so they could see there.

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Mr. Bruguere noted that he thought it was a safety issue especially coming from Cabell Mtn. road.

Mr. Peck then confirmed that they would purchase the entire parcel and Mr. Hale noted that the Board had requested other speed reductions without success even for safety reasons and that he was advising them that he was not overly confident it would go through.

Mr. Peck then noted that they were not expecting special consideration but would like to know so that they would know how to proceed. He added that he appreciated any efforts of the Board on this matter.

Mr. Austin then suggested that the Board ask for a speed study for a specific section. Mr. Hale added that the Board could pass a resolution expressing concern over the safety issues and asking VDOT to look at this with the intent to reduce the speed limit in this area.

Mr. Saunders then noted that the intersection sight distance from Cabell Mtn. Lane could be a factor and information from the Virginia State Police for that section of road could be part of the request as it would provide additional supporting information. Mr. Saunders then noted that he had surveyed the area for an entrance based on sight distance and stopping distance criteria from VDOT, then looked at traffic counts and speed percentiles.

Mr. Bruguere then noted the high level of trucks going through there also and that he thought the Board should request a speed study to ask for a speed reduction to 35mph.

Mr. Carter noted that if VDOT did the more comprehensive study, it would save the church more money.

Mr. Hale then noted that the Board has already identified this area as a safety concern. Ms. Brennan then asked if the accident data would be looked at as well within the speed study and Mr. Austin noted they would use previous studies to see if any change has occurred.

It was noted that there were many near misses at the intersection of Route 56 west and Cabell Mtn. Lane and it was noted that these were not taken into consideration.

Mr. Hale then moved to request that VDOT conduct a speed study from the intersection of Route 29 and 56 west to Kohr Bros. Packing shed and Mr. Bruguere seconded the motion.

Mr. Harvey suggested extending the study route down to Roseland Road. Mr. Hale amended his motion to extend the study route down to Roseland Road, the Route 655 intersection and Mr. Bruguere seconded the amended motion.

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

2. Scott Leak, Congressman Hurts Office

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Mr. Leak noted that the Congressman had visited the NCHS FFA program and was impressed with the sharp students there.

He then noted the invitation to the local appreciation luncheon that had been extended to the Board and He noted that he would like RSVPs for those that had not been provided. He noted that the locations were Ash Lawn and Lynchburg.

Mr. Hale then noted he would like to RSVP for the Ash Lawn location.

B. Presentation- 151.org Business Group

Mr. George Hodson, General Manager of Veritas Vineyard and Chairman of the 151 group addressed the Board and noted that the 151 group was a group comprised of businesses along the Route 151 corridor. He noted that these were mostly wineries, breweries, and distilleries. Mr. Hodson then noted that their goal was to increase traffic along the corridor while preserving the reason why they all opened businesses in Nelson County. He added that they were endeavoring to become more active in interacting with the community and would like to address the gaps in the relationship between agribusiness and the corridor. He noted that they had discussed the potential to look at a strategic plan specifically for the Rockfish Valley since they were seeing businesses becoming busier and seeing more wanting to come in. Mr. Hodson noted that they would like to narrow the scope of interest and had engaged the public with a letter and the feedback received was that long time residents would like to see some planning going on. He added that an overwhelming support of the need for planning had been expressed. Mr. Hodson then indicated that the group was trying to be sure to stay true to Nelson County along the Rockfish Valley and he would be presenting a letter signed by residents of the area supporting the effort.

It was then noted that transportation studies had been done along the corridor. Mr. Harvey added that the biggest impact on the Rockfish Valley has been their organization and not necessarily in a positive way. He noted that the Blue Mountain Brewery BMB expansion and the Silverback Distillery have had a negative impact. He noted that the Nellysford impacts have been the same and was also not always positive noting that the Bold Rock Cidery was not playing by the rules and this was common practice among the organization members.

Mr. Hodson noted that there was growth and things were happening; however they had operated within the letter of the law but perhaps not the intent of the law. He noted that he agreed with Mr. Harvey's point and that they were concerned with making sure that their impact was a positive one and the study would specifically address expansion. He added that the group wanted to get in front of this issue before more businesses took advantage of the path that has been laid; wanting to put some oversight to it.

Mr. Hale then noted that the reality was that there would be increased traffic on Rt. 151 and a continued interest in business development because of the traffic there. He noted he was concerned about how successful a study would be; however he supported coming up with specific zoning efforts that would shape this in a positive way. Mr. Bruguere added that he

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thought that seeing site plans prior to construction would be helpful for the Board in giving feedback to businesses.

Mr. Carter then noted that in past years, the Board had expressed concern that staff was a bottleneck to the process. Mr. Bruguere noted that he would like to know more about what was going on and Mr. Carter noted that if the plans complied with the ordinance then it complied.

Ms. Brennan noted that much of the information was proprietary and the Board could not find out about the plans until they had been made public. She noted that there was a lot of interest from residents on what was happening along Route 151 and she thought it was a good idea to do a real inventory of the property there. She added she would like to see a corridor overlay that would allow suggestions to be made.

Mr. Hodson noted that the group would like to rely on the County to do the study. He noted that they had worked with Tim Padalino and Maureen Kelley previously and they were then nominated to work with the group. Mr. Hodson added that they relied upon the community being happy with them and they did not want their presence to be an overwhelming frustration. He noted that they wanted to have community support and to continue to get employees from Nelson County. He offered that they would take on the study if necessary.

Mr. Hale suggested that the study might be something that the Planning District Commission (PDC) could take on. Mr. Harvey suggested taking an inventory of the studies that had already been done on that area and Mr. Hale noted that the PDC had the tools and personnel to look at land use on either side of a route. Mr. Harvey noted he did not think proper planning could be done without full ownership of the land as there was property rights involved. Mr. Hale then noted that they were just referring to identification of properties and Mr. Harvey added he would like to see an inventory done of developable land along the corridor. He added that he thought there were natural prohibitions to growth present and that there was actually very little developable land there.

Ms. Brennan then supposed that the PDC would have to be paid to do this and Mr. Carter noted that staff could work with them on it.

Mr. Hale noted that they could identify where along 151 commercial entrances were possible and that would tell them a lot.

Mr. Carter suggested that staff could draw up a scope of work and then would consult with the PDC on working with County staff and the Planning Commission. He noted that ultimately any changes to the Zoning Ordinance would come through the Planning Commission to the Board.

Mr. Hodson noted that he also heard mention of hotels and more wineries and cideries coming in. Mr. Harvey noted that there was not enough public water and sewer along the route to support a hotel etc.

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In conclusion, Mr. Hodson noted that the group wanted to make sure that new businesses were doing things the right way that reflected well on the existing businesses and were well supported by the community.

C. VDOT Report

1. 2015-2020 Secondary Six Year Plan (SSYP) Authorization for Public Hearing (**R2014-18**)

Mr. Don Austin was present to report and the Board noted the following concerns:

Mr. Hale and Mr. Saunders had no VDOT concerns.

Mr. Bruguiere noted that Firehouse Road in Piney River was slated to be moved and rebuilt and the land had been donated for right of ways and nothing had happened. He noted that the road was highly deteriorated now. Mr. Austin noted he would check on this and would consult with Gary Baldwin, the Fire Chief there.

Mr. Harvey inquired as to the hold up on the implementation of the blinking lights on Rt. 6. Mr. Austin supposed they must be having a contractor come back to do the electrical connections but he would check on this.

Ms. Brennan noted that there had been an accident at the Route 29 intersection on the northbound lane where the median crossed at Buck Creek and River Road. Mr. Austin noted that he has asked VDOT to review the signage again there.

2015-2020 Secondary Six Year Plan (SSYP):

Mr. Austin noted that he has had no additional requests on unpaved roads and he would proceed with putting the plan together so that the Board could set the priority listing and have its hearing in May.

Mr. Austin then advised the Board that the funding had changed since they began discussion on this and not as much money was being brought in as originally thought. He added that the total funds predicted were not as high as last year and regular unpaved and construction money was not going to come in.

Mr. Austin added that the previous year unpaved road funds were for a threshold of over 200 cars and it was now changed back to 50 cars. He noted that there was \$12,000 earmarked for this year and now it was \$135,000. He then noted that there was increased funding in subsequent years and VDOT could start doing more of the rural rustics. He added that the funds would have to be used on unpaved roads.

Mr. Harvey then noted that Mr. Austin had provided a list that had them doing the higher vehicle count sections first. He added that Lodebar was the first priority.

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Mr. Austin noted he would send Mr. Carter the list for distribution to the Board and they would plan to hold the public hearing in May and that he would send the speed study forward when the request for it came from Mr. Carter.

Mr. Bruguere then inquired as to what happened with trench widening and Mr. Austin noted that this could be programmed into the SSYP using the Telefees; however these funds would not go too far. He added that unpaved road funds could not be used for this. Mr. Austin then advised that VDOT would look at this when paving a road to see if they could squeeze it in. Mr. Austin then noted that Revenue Sharing funds were another avenue for special projects.

In response to questions, Mr. Austin noted that Tan Yard Road was about ½ mile off of Route 151 at the most.

In conclusion, Mr. Austin would provide Mr. Carter with a SSYP priority list and then in April the Board would schedule the public hearing in May. Therefore, consideration of resolution **R2014-18** was deferred.

IV. New Business/ Unfinished Business

A. Proposed Ordinance O2014-01 to enact Chapter 4, Article II, Division IV, Nelson County Unsafe Buildings and Structures

Mr. Carter noted that Mr. Payne was present at the Board's request to answer questions regarding the proposed Ordinance.

Mr. Saunders asked Mr. Payne to confirm that the provisions of the proposed ordinance were already in effect through the State Code for unsafe buildings; however the proposed ordinance provided for a way for the County to be paid for carrying out the ordinance.

Mr. Payne noted that the proposed ordinance provided an expedited way to recover money for the demolition process. He added that the State Code and Uniform Statewide Building Code (USBC) already provided the authority for the Building Official to make the determination and require demolition of unsafe buildings. He added that the building had to be unsafe and not an aesthetic issue. He confirmed that the proposed ordinance allowed for the recovery of costs through tax lien etc.

Mr. Bruguere then inquired whether or not it would be discrimination for a property to be deemed unsafe and then for a similar property in the middle of a field to not be identified.

Mr. Payne noted that he thought the distinction there was that there had to be a danger to the public. It was noted there were not enough County staff to search out violations and it was usually an obvious case.

Mr. Carter noted that should the ordinance be adopted, the Board could receive calls regarding implementation of the ordinance; however this could be done with or without it.

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Mr. Payne noted that the Board could take action on public nuisances that were hazardous in themselves and they could be secured from public access. He reiterated that the Building Official already had the power to do what the Ordinance says; however the added piece was that the County could recover the cost of doing so. Mr. Payne then noted that the landowner could appeal the ruling of the Building Official to the Building Code Appeal Board and then to Circuit Court.

Ms. Brennan then confirmed that the authority was already in place; however the ordinance provided the opportunity to make it easier to recover the costs.

Mr. Bruguere then inquired about the letter sent to the owners of the Findlay Mountain Road and Route 56 east property. Mr. Carter advised that that the two sons of the elderly owner were addressing it and had requested deferral until the end of June so that one of the local fire departments could burn it down. He added that the owners were amenable to getting it done cost effectively. He noted that burning it down would be a training session and there were hoops to go through. Mr. Harvey advised that they would need to know where any overhead power lines were before doing it.

Mr. Carter then advised that the Board had already conducted the public hearing on the proposed ordinance at the last meeting.

Mr. Saunders then moved to approve **Ordinance O2014-03**, Enactment of Chapter 4, Article II, Division IV, Nelson County Unsafe Buildings and Structures and Mr. Bruguere seconded the motion.

Mr. Harvey then reiterated that the County could already do this; however the ordinance would allow for cost recovery so that it would not be a burden on all taxpayers. Mr. Hale then countered that adopting the ordinance would add one more paper to the Code book that would not be utilized.

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

ORDINANCE O2014-03
NELSON COUNTY BOARD OF SUPERVISORS
ENACTMENT OF CHAPTER 4, ARTICLE II, DIVISION IV
NELSON COUNTY UNSAFE BUILDINGS AND STRUCTURES

Sec. 4-57. Short title; authority.

a. This article may be known and cited as the "Nelson County Unsafe Buildings and Structures Ordinance."

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b. This article has been enacted pursuant to Code of Virginia §15.2-906 (1950, as amended), and shall be administered consistent with the provisions of the Uniform Statewide Building Code and regulations promulgated thereunder applicable to or adopted by Nelson County.

Sec. 5-58. Definitions.

Building shall mean any structure used or intended for supporting or sheltering any use or occupancy.

Building official shall mean the person so designated by the Nelson County Board of Supervisors to serve as the code official for administration and enforcement of the provisions of the Virginia Uniform Statewide Building Code, or his designee.

County shall mean Nelson County, Virginia.

Owner shall mean any person having a legal or equitable interest of record.

Person shall mean any individual, firm, partnership, cooperative, corporation, association, estate, trust, trustee in bankruptcy, receiver, club, society, or other group or combination acting as a unit.

Structure shall mean that which is built or constructed.

Sec. 4-59. Order to remove, repair, or secure.

The building official may order any owner of property in the county to remove, repair, or secure any building, wall, or other structure which he determines might endanger the public health or safety of other residents of the county.

a. The order shall be contained in a notice issued by the building official to the owner and to the lien holder. The notice shall be in writing and shall identify the condition of the building, wall, or other structure that constitute a danger to the public health or safety, specify the measures that must be taken to eliminate the danger, and state a reasonable time within which the measures must be taken.

b. The notice shall be mailed by certified or registered mail, return receipt requested and be sent to the last known address of the property owner. The notice shall also be published once a week for two successive weeks in a newspaper having general circulation in the county.

c. For purposes of the section, "repair" includes maintenance work to the exterior of a building to prevent deterioration of the building, wall, or structure, or adjacent buildings.

Sec. 4-60. Authority of building official to remove, repair, or secure.

Upon the issuance by the building official of an order to remove, repair, or secure any building, wall, or any other structure which might endanger the public health or safety of

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other residents of the county, the County Administrator, through the county's agents or employees, is authorized to remove, repair, or secure any building, wall or any other structure, if:

- a. Notice has been provided to the owner of the property and the lienholder as provided in Section 4-59;
- b. At least 30 days have passed since the later of either the return of the receipt or newspaper publication, as provided in section 4-59(b,) except that the county may take action to prevent unauthorized access to the building within seven days of such notice if the structure is deemed to pose a significant threat to public safety and such fact is stated in the notice; and,
- c. The owner and the lien holder of the property have failed to remove, repair, or secure the building, wall, or other structure within the time period specified in the notice.

Sec. 4-61. Recovery of costs if the county removes, repairs, or secures; lien.

- a. If the county removes, repairs, or secures a building, wall or other structure pursuant to Section 4-59, the cost or expenses thereof shall be chargeable to and paid by the owner of the property.
- b. Every charge authorized by this section may be collected by the county as taxes are collected.
- c. Every charge authorized by this section with which the owner of the property has been assessed and which remains unpaid shall constitute a lien against the property. The lien shall rank on a parity with liens for unpaid local taxes and shall be enforceable in the same manner as provided in Virginia Code §§ 58.1-3940 *et seq.* and 58.1-3965 *et seq.*

Sec. 4-62. Written consent.

Notwithstanding the foregoing, with the written consent of the property owner, the county may, through its agents or employees, demolish or remove a derelict nonresidential building or structure provided that such building or structure is neither located within or determined to be a contributing property within a state or local historic district nor individually designated in the Virginia Landmarks Register. The property owner's written consent shall identify whether the property is subject to a first lien evidenced by a recorded deed of trust or mortgage and, if so, shall document the property owner's best reasonable efforts to obtain the consent of the first lienholder or the first lienholder's authorized agent. The costs of such demolition or removal shall constitute a lien against such property. In the event the consent of the first lienholder or the first lienholder's authorized agent is obtained, such lien shall rank on a parity with liens for unpaid local taxes and be enforceable in the same manner as provided in Section 4-61. In the event the consent of the first lienholder or the first

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lienholder's authorized agent is not obtained, such lien shall be subordinate to that first lien but shall otherwise be subject to Section 4-61.

Sec. 4-63. Civil penalty.

If the owner of the property should fail to remove, repair, or secure the building, wall, or other structure within the time period specified in the notice the owner shall be liable for, in addition to any other cost and expense, a civil penalty of \$1,000.00.

Sec. 4-64. Remedies of this article not exclusive.

The remedies authorized by this article shall not be exclusive of any other remedy provided by law, including any remedy to abate, raze, or remove an unsafe structure or equipment as provided in the building code, or any remedy to abate, raze, or remove a building, wall, or structure that constitutes a public nuisance as provided in Virginia Code §§ 15.2-900, 15.2-1115, and 48-1 *et seq.*

State Law Reference: *Va. Code* §15.2-906

B. Status of Local Stormwater Management Program

Mr. Carter noted to the Board that an immediate decision was not necessary; however there was legislation awaiting the Governor's signature that would allow localities to opt out of administering the local storm water management program. He noted that staff has provided the comments regarding the pros and cons of opting out of this from the Soil and Water Conservation Districts and the consultant's perspective.

Mr. Carter added that the County was positioned now where all documents had been submitted to DEQ for comment in December and feedback had been received. He noted in light of the pending legislation he had asked the consultants to wait for a local decision before making any changes.

Mr. Carter then explained that if done locally, the County would have more control and could always opt out in the future and have DEQ do it. He added that doing it locally involved more local costs for program administration and there would likely be changes that would have to be incorporated into the program.

Ms. Brennan noted that either way, the County could change its mind so they were not locked in going one way or another.

Mr. Padalino agreed that Ms. Sappington's analysis was spot on; however if administered locally, David Thompson would be in charge of it and he may have additional input.

Mr. Carter noted that none of the County staff had been trained and would have to be trained and pass examinations. He noted that Mr. Thompson would prefer to outsource most of the

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work to the TJSWCD. He added that from his perspective it would be another administrative burden and he recommended letting DEQ do it and see how it worked.

Mr. Bruguiere noted that citizens would have to pay full fees to DEQ if they did it and Mr. Carter noted that this would have to be done if it were a local program also. He noted that TJSWCD did E&S plan reviews now and would need more funding for storm water plan review and inspections. He added that he would not recommend reducing local fees below state fees and that he was not sure Mr. Thompson would be comfortable that his office could do without additional staff. Mr. Saunders noted that he thought they could handle this with the building permits being down.

Ms. Brennan noted that her concern was that if DEQ did it, projects might be delayed. Mr. Carter noted that they would have to adhere to the prescribed timelines and they were presently administering the program. He added that if the Board opted out, staff could still get certified.

Mr. Hale then moved that the County let DEQ implement the Virginia storm water management program for Nelson County and Mr. Bruguiere seconded the motion. There being no further discussion, Supervisors voted (4-1) by roll call vote to approve the motion and Mr. Saunders voting No.

C. Gladstone Volunteer Fire and Rescue Services - Ambulance Grant Application

Mr. Carter noted that Mary Katherine Allen had emailed him asking for a letter of support from the Board for the Gladstone Volunteer Fire and Rescue Services (GVFRS) ambulance grant application. He added that it would be for 50% local match of approximately \$87,000.

Mr. Harvey suggested that the letter needed to say that the Board would fund a matching amount to the state grant funds. He added that the State appropriated funds based on the type of ambulance and if their quote was high, then the County only needed to fund the same thing the state funded. He added that they could draw any additional funds needed from the EMS Council so he suggested that the Board state they would approve a 50% local match and not state an amount.

Mr. Harvey then moved to send GVFRS a letter of support for their grant request from the State and say that they would provide an identical amount to that of the state.

Mr. Hale seconded the motion and clarified that they would provide a 50% match equal to that provided by the state.

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

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D. Massies Mill Recreation Center Asbestos Abatement and Demolition Project
(**R2014-19**, Authorization to Execute Contract)

Mr. Carter noted that staff was presenting a resolution to award the contract for demolition of the Massies Mill Recreation Center to Jeff Thompson, Builder.

He added that the reason staff was bringing this forward was because the funding for this had not been budgeted and he wanted them to be comfortable with the cost. He added that total costs may be more because the County would be paying for disposition of the material at the Region 2000 landfill. He added that transportation costs were included in the price; however the County would be paying tipping fees. He noted that the invitation to bid specified that the waste would have to go to the Region 2000 landfill; however clean block etc. could be taken elsewhere per DEQ and this was up to the contractor.

Mr. Saunders clarified that the additional expense would be for the tipping fees but not the transportation.

Mr. Harvey asked if they had specified to remove the concrete floor and Mr. Carter confirmed it did. He also noted that it was too difficult to estimate the tonnage.

Mr. Carter then advised that the work included the removal of a fuel tank because it had been determined that the tank had not leaked. He added that if this turned out to be different, the contractor would have to go through the proper disposal process with the environmental consultant.

Mr. Carter noted that if accepted by the Board, Staff would bring back a budget amendment and the funds would come out of the General Fund. He noted that the asbestos went to a hazmat facility and there were a lot of asbestos related costs in the project.

Mr. Bruguiere then moved to approve Resolution **R2014-19** Resolution Authorizing the Award and Execution of a Contract for the Asbestos Abatement and Demolition of the Massies Mill Recreation Center, Project #2014-MMRC.

Mr. Bruguiere seconded the motion and 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-R2014-19
NELSON COUNTY BOARD OF SUPERVISORS
RESOLUTION AUTHORIZING THE AWARD AND EXECUTION OF A
CONTRACT FOR THE ASBESTOS ABATEMENT AND DEMOLITION OF THE
MASSIES MILL RECREATION CENTER, PROJECT #2014-MMRC

WHEREAS, sealed bids for project #2014-MMRC, Massies Mill Recreation Center Building Demolition, were received on February 27, 2014; and

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WHEREAS, Jeff Thompson Builder was the lowest responsive and responsible bidder out of six bidders at a bid of \$74,400.00;

NOW BE IT RESOLVED, by the Nelson County Board of Supervisors, the County Administrator, Stephen A. Carter, be and is hereby authorized to award and execute a contract on behalf of Nelson County with Jeff Thompson Builder, Afton Virginia in the amount of \$74,400.00 for the completion of project #2014-MMRC inclusive of asbestos abatement and building demolition of the Massies Mill Recreation Center and removal and disposal of an on-site underground heating oil storage tank.

Mr. Bruguiere then inquired about getting more dirt brought into the old Health Department site and Mr. Carter noted that the contractor was coming back when the weather dried up and would rework it, seed it, and apply straw to it. It was noted that the slope was specified at 3 to 1.

Mr. Harvey noted that he thought a lot of water drainage was coming from the parking lot now and French drain may need to be installed.

- E. Closed Session Pursuant to Code of Virginia § 2.2-3711 (A)(3): Discussion of the Acquisition of Real Property for a Public Purpose, (A)(5): Discussion of Proposed Existing Business Expansion, (A) (7): Consultation with Legal Counsel on the Leasing of County Property

Mr. Hale moved that the Nelson County Board of Supervisors convene in closed session to discuss the following as permitted by Virginia Code § 2.2-3711 (A)(3): Discussion of the Acquisition of Real Property for a Public Purpose, (A)(5): Discussion of Proposed Existing Business Expansion, (A) (7): Consultation with Legal Counsel Regarding the Leasing of County Property.

Mr. Harvey seconded the motion and Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

Supervisors then conducted the closed session and upon its conclusion, Mr. Hale moved to reconvene in open session and Mr. Bruguiere seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

Upon reconvening in open session, Mr. Hale move that the Nelson County Board of Supervisors certify that, in the closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed under the provisions of the Virginia Freedom of Information act cited in that motion. Mr. Bruguiere seconded the motion and there being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

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F. Work Session – Communications Tower Ordinance

Mr. Payne noted that he would like to add a line to the definition of Class C tower that was strictly from federal language that was not presently included in the draft. He then noted that the red and blue text identified the “mountain scenery” related items that had been added so that if 20-2-7 was removed, all of these could also come out.

Supervisors and staff began by discussing the following:

20-2-7 Minimize the negative economic impact on tourism by protecting pristine mountain scenery.

Supervisors discussed whether or not this text should be removed with Mr. Harvey, Mr. Saunders, and Mr. Bruguere in agreement that it should be removed and conversely Mr. Hale and Ms. Brennan agreeing it should remain.

Mr. Harvey’s reasoning for its removal was that he did not think it was applicable to the County and there was more going on in the County than tourism.

Mr. Padalino then noted that his thought behind adding this was that per their previous discussion, setbacks were not working well and were creating more problems than solutions. He noted that these were requiring tower sitters to go 2 miles off of the Scenic Byways and go more into the mountain areas. He noted that there were several mountains including Crawford's Knob and Humpback Mountain that he would like to see protected.

Mr. Harvey argued that the only access into the Blue Ridge was from the Blue Ridge Parkway and there was no other access off of there to put in subdivisions or towers etc. It was noted that a tower had been proposed to go on the west side of Ennis Mountain where there would be all mountain background behind it.

Supervisors debated whether or not protecting pristine mountain scenery was a universal value in the County. Mr. Hale argued that the way the ordinance was written, the Board could grant exceptions. He added that there were not that many pristine mountain views; however he would be happier to have it in and grant an exception. Ms. Brennan agreed; however she suggested that they have towers be close to the road so they were not as obtrusive when highlighted in the sky.

Mr. Payne then noted that the problem with the setbacks was that they put the towers out where they were more seen and one would rather see them on the road than on the mountain behind their house. He noted this was a change in the pattern of thinking. Mr. Hale noted that by changing (reducing) the setbacks, they had largely met the needs of the cell tower companies.

Mr. Padalino noted that the applicant still had the ability to request being on a mountain if it met design standards set forth in the ordinance. He added that he had consulted with tower siting specialists and they thought the new language was more appropriate and practical than

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just slapping a setback change on it. Supervisors agreed that standards of location were needed; however some of the wording may need to be changed. Mr. Hale indicated he was concerned with areas east of Route 29, such as: Pilot Mountain, Bald Mountain, and Willoughby Mountain. Mr. Padalino noted that these include ones that were associated with Scenic Byways.

Following discussion, Supervisors agreed by consensus to remove this definition completely.

20-2-10 Promote and facilitate the availability of wireless telecommunication services to Nelson County citizens, businesses, and visitors, in support of advancing educational goals, attaining and maintaining a strong rural economy, and providing law enforcement and emergency services.

Mr. Payne and Mr. Padalino noted that this had been added in response to public comment that positive language be included.

Supervisors agreed by consensus to leave this language in.

20-4 Definitions

Class C Communication Tower: Any communication tower located in a Residential, R-1; Residential, R-2; or Residential Planned Community, (RPC) District; or any communication tower in any district that is greater than one hundred (100) feet in tower height, to a maximum allowed height of 130 feet; or any communication tower within three hundred (300) feet of an occupied dwelling, provided however, if the owners of all such occupied dwellings affirm in writing to the applicant that they have no objection to the proposed tower, then this final clause shall not, standing alone, cause the proposed communication tower to proceed as a Class C communication tower application.

Mr. Payne recommended an addition to the end of the definition of “A communication tower greater than 100 ft in height is a telecommunication facility for purposes of state law”. He noted that this class triggered the public notification process.

Supervisors agreed by consensus to add this language.

Final Approving Authority: The Nelson County Planning and Zoning Director or the Board of Supervisors, as designated in this Article.

Staff noted that the Planning Commission’s job was to determine if a tower application met the intent of the Comprehensive Plan.

Mountain Ridge: A ridge with an elevation of one-thousand (1,000) feet or higher above mean sea level and an elevation three hundred (300) feet or more above the elevation of an adjacent valley floor.

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Mr. Harvey suggested looking at the heights of specific mountains that they were trying to protect and incorporate this here.

Following brief discussion, Supervisors then agreed by consensus to keep the language as presented.

Substantial increase in the size of a previously approved Communication Tower:

Mr. Payne noted that this language was a National Protocol and no changes were made.

Undeveloped mountain slope, ridge: A mountain which has an appearance that is essentially void of man-made elements, such as built structures or infrastructure, and which retains a natural, pristine appearance.

This language was removed due to its association with the removal of 20-2-7 *Minimize the negative economic impact on tourism by protecting pristine mountain scenery.*

Viewshed (1)National Park System: An unobstructed sight or the range of one's sight while traveling, visiting, driving or otherwise, using the natural or man-made resources of the Blue Ridge Parkway (BRP) or Appalachian National Scenic Trail (AT). For the purposes of this ordinance, the viewshed distance is a minimum of one (1) air mile from the outermost boundary line of the National Park System unit, and shall include the forested mountain slopes extending down from the crest of the Blue Ridge to the surrounding valleys below.

The added language of “*and shall include the forested mountain slopes extending down from the crest of the Blue Ridge to the surrounding valleys below*” was not kept due to its association with the removal of 20-2-7 *Minimize the negative economic impact on tourism by protecting pristine mountain scenery.*

C. Mountain Scenery Protection Requirements.

All proposed new tower sites shall be subject to the following standards for location, which are intended to protect and preserve the natural beauty of Nelson County's undeveloped mountain scenery:

- 1. No new tower site shall be located on undeveloped mountain slopes or ridges which are immediately visible from the Blue Ridge Parkway, the Appalachian National Scenic Trail, or a Virginia Scenic Byway, or on undeveloped mountain slopes or ridges which contain publicly-owned recreation or conservation resources (including but not limited to National Forest or National Park Service resources).*
- 2. An exception to this prohibition of new tower sites on undeveloped mountain slopes or ridges may be granted by the Board of Supervisors if the following criteria are met:*
 - a) Mountain Scenery Design Standards:*
 - 1. Maximum tower height may be no more than fifteen (15) feet*

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above Existing Vegetative Canopy height.

2. Tower does not create a “silhouette” effect from National Forest or National Park resources, or from Virginia Scenic Byways.

3. All equipment is flush-mounted.

4. Tower is painted brown (or some other acceptable neutral color).

5. Lease area and all ground equipment are totally concealed, using site-specific materials and utilizing site-specific native plants for landscape screening.

6. Tower site is served by existing access road (which may be improved).

b) Public notification and public hearing: all proposed tower projects subject to “Mountain Scenery Protection Requirements” are processed according to the Class C procedures.

The entirety of the added language was not kept due to its association with the removal of 20-2-7 *Minimize the negative economic impact on tourism by protecting pristine mountain scenery.*

Mr. Harvey added that he did not think this language was necessary as putting towers at these locations was cost prohibitive.

20-13 Application and Procedure for Approval of a Class C Communication Tower Permit

D. Balloon Test. For any proposed tower requiring a Class C Communication Tower Permit, a balloon test shall be conducted as follows:

Mr. Harvey asked for clarification on the need for this and Mr. Padalino noted that he thought these to be valuable. Mr. Harvey noted that he thought that the neighbors were the ones who needed to see the balloon test, not just staff and the Planning Commission. He added that he thought that anyone within visibility of the balloon test should be notified and maybe they should require a general public notice. Mr. Padalino agreed and suggested that at a minimum the district Supervisor should be notified.

Following discussion, Supervisors agreed by consensus to add language so that the tower applicant was required to publish a public notice in a paper of general circulation at least seven (7) days prior to the balloon test. Mr. Padalino noted that these were often rescheduled due to weather.

20-17 Tower Permit Amendments, Temporary Towers

B. Temporary Tower Permit Applications

1. Policy. The Planning and Zoning Director may administratively review and approve eligible permit applications for a Temporary Tower, as defined. The Planning and Zoning Director may require a performance bond in an amount determined by the Planning and

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Zoning Director as sufficient to effect removal. The applicant shall comply with the applicable provisions of Section 20-8, Building Permits and Section 20-9, Standards for Location: Mountain Scenery Protection.

Supervisors briefly discussed this which in turn sparked more discussion regarding the addition of 20-9 C Mountain Scenery Protection Requirements.

Mr. Payne advised that the Board had the general authority to modify certain restrictions and tower height was one of them.

Mr. Hale noted that he thought that Section 20-9 C should be kept because the Board could always make an exception. Ms. Brennan noted that she thought it was important to retain this language as she was afraid of the unknown and what could happen.

Mr. Harvey, Mr. Saunders, and Mr. Bruguier were not dissuaded from removing this language.

Mr. Hale acquiesced and noted that the Board still had the definition of 20-2-6 (20-2-6 *Restrict the location of communication towers that adversely impact the natural beauty of the mountains in Nelson County*) to fall back on which gave the Board the discretion to determine if a tower would have an adverse impact to the natural beauty of mountains.

Mr. Payne then referred the Board to page 14 to 20-13, Class C F- 2 which says the Board can consider design elements that would limit visual obtrusiveness. He also noted that in consideration of Class C towers, the applicant must prove that they cannot collocate etc.; so therefore they still have to clear the hurdles of E and F as follows:

20-13 Application and Procedure for Approval of a Class C Communication Tower Permit

E. Alternative Site(s): No new Class C Communication Tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the Board of Supervisors that:

- 1. No commercially reasonable co-location alternatives fulfill the applicant's desired coverage, or*
- 2. The applicant's proposed antenna would cause electromagnetic interference with the antenna on existing towers or structures, or the antenna on the existing tower or structure would cause interference with the applicant's proposed antenna, or*
- 3. The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.*

F. Factors considered in granting a Class C Communication Tower permit: The following factors shall be used in determining whether to issue a Class C Communication Tower Permit:

1. Height of the proposed tower or pole and proximity of the tower or pole to residential structures and residential district boundaries;
2. Nature of the uses on adjacent and nearby properties, surrounding topography, surrounding tree coverage and foliage, design of the tower or pole, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
3. Proposed ingress and egress;
4. Applicant's co-location policy;
5. Consistency with the Comprehensive Plan and the purposes set forth in Section 20-2;
6. Proximity to commercial or private airports and heliports; and,
7. The results of the balloon test and subsequent photo simulations for compliance with the purposes as set forth in Section 20-2.

G. The Board of Supervisors may impose as conditions for approval such requirements and conditions as are necessary to satisfy or remedy the foregoing factors.

Supervisors agreed by consensus that definition 20-2-6 protected the natural beauty of the County and again agreed that 20-9-C would be removed.

Staff then advised that the language referring to *and Section 20-9, Standards for Location* could remain given that this still applied; however the additional language of *and Mountain Scenery Protection* would be removed.

20-18 Application Fee Schedule

Class B Communication Towers: An application fee of \$1,000.00.

Class C Communication Towers: An application fee of \$2,000.00.

Tower permit amendment: An application fee of \$100.00.

Temporary tower: An application fee of \$500.00.

Staff noted that towers that were 40 feet and under could fit in these definitions depending on the zoning district and these fees would apply in those cases.

Having gone through the draft presented and the public hearing having been held on February 11, 2014, Mr. Hale moved to adopt **Ordinance O2014-01**, the Repeal of Sections 20-1 Through 20-19 of Article 20 of Appendix A, Zoning, of the Code of Nelson County Virginia, and The Enactment of Replacement Sections 20-1 Through 20-22 as adjusted during the meeting as follows:

1. The removal of 20-2-7 and renumbering of this section accordingly,
2. The addition of 20-2-10 as renumbered,
3. The additional language as recommended by Mr. Payne to the definition of Class C Communication Tower,
4. The removal of the proposed definition of Undeveloped mountain slope, ridge,
5. The removal of the additional language added to the definition of Viewshed (1),

6. The removal of proposed Section 20-9 C. Mountain Scenery Protection Requirements,
7. The addition of language to Section 20-1 3D that requires a balloon test to be advertised in a paper of general circulation within the County at least seven (7) days prior to such test.
8. The addition of language referring to Section 20-9, Standards for Location in Section 20-17 B Temporary Tower Permit Applications subsection 1. Policy

Mr. Bruguiere seconded the motion and Mr. Saunders indicated that he was not comfortable with voting on something that had not been seen in final draft and Ms. Brennan agreed.

Mr. Hale then inquired if there were applications pending based on the decisions made by the Board that day. Mr. Padalino noted that there were some applications pending and he clarified that any applications in process would be grandfathered under the old ordinance.

After brief discussion, Mr. Hale stated that his original motion stood as made and there being no further discussion, Supervisors voted (3-2) by roll call to approve the motion, with Mr. Saunders and Ms. Brennan voting No and the following Ordinance was adopted:

ORDINANCE O2014-01
NELSON COUNTY BOARD OF SUPERVISORS
THE REPEAL OF SECTIONS 20-1 THROUGH 20-19 OF ARTICLE 20 OF
APPENDIX A, ZONING, OF THE CODE OF NELSON COUNTY VIRGINIA, AND
THE ENACTMENT OF REPLACEMENT SECTIONS 20-1 THROUGH 20-22 AS
FOLLOWS:

ARTICLE 20. COMMUNICATION TOWER ORDINANCE
--

20-1 *Title.*

This section shall be known as the Communications Tower Ordinance of Nelson County, Virginia.

20-2 *Purpose.*

The purpose of this article is to establish a clear guideline for siting all types of communication towers in Nelson County so as to:

20-2-1 Protect the health, safety, and general welfare of residents and visitors in Nelson County.

20-2-2 Avoid potential damage to adjacent properties from Communication Tower failure including but not limited to excessive wind or ice, and falling ice or debris.

- 20-2-3 Minimize potential hazards from Communication Towers to private aircraft, low-flying law enforcement and medical aircraft, and helicopters.
- 20-2-4 Maximize the use of existing Communication Towers to reduce the collective number of towers required in Nelson County for all varieties, types, and forms of wireless service.
- 20-2-5 Regulate the placement, appearance, and construction of all varieties, forms, and types of Communications Towers.
- 20-2-6 Restrict the location of communication towers that adversely impact the natural beauty of the mountains in Nelson County.
- 20-2-7 Protect the view from the Blue Ridge Parkway, Appalachian National Scenic Trail, and along designated Virginia Scenic Byways.
- 20-2-8 Protect the University of Virginia's observatory on Fan Mountain from light pollution.
- 20-2-9 Promote and facilitate the availability of wireless telecommunication services to Nelson County citizens, businesses, and visitors, in support of advancing educational goals, attaining and maintaining a strong rural economy, and providing law enforcement and emergency services.

20-3 *Jurisdiction.*

This ordinance shall apply to all areas of unincorporated Nelson County.

20-4 *Definitions.*

For the purposes of this Article 20, the following definitions are provided:

ANSI: American National Standards Institute

Antenna: Any apparatus or device used for the purpose of collecting or transmitting electromagnetic waves, including, but not limited to, directional antennas, such as panels, microwave dishes and satellite dishes, and omnidirectional antennas, such as whip antennas. Antennas for receiving broadcast signals only for non-commercial use and antennas for licensed amateur radio operators and citizens band operators are excluded from this definition.

Antenna array: An orderly arrangement of antennas mounted at the same height on a tower or other structure and intended to transmit a signal providing coverage over a specific area.

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Base station: The wireless service provider's specific equipment used to transmit and receive radio signals within and including cabinets, shelters, pedestals or similar enclosures generally used to contain electronic equipment for said purpose.

Class A Personal Wireless Services: As defined in Section 20-6 of this Article.

Class B Communication Tower: A communication tower which is equal to or greater than forty (40) feet in tower height and which is less than or equal to one hundred (100) feet in tower height located in a Conservation District, C-1; Agricultural District, A-1; Service Enterprise District, SE-1; Business, B-1; Business, B-2; Industrial, M-1; or Industrial, M-2 zoning districts.

Class C Communication Tower: Any communication tower located in a Residential, R-1; Residential, R-2; or Residential Planned Community, (RPC) District; or any communication tower in any district that is greater than one hundred (100) feet in tower height, to a maximum allowed height of 130 feet; or any communication tower within three hundred (300) feet of an occupied dwelling, provided however, if the owners of all such occupied dwellings affirm in writing to the applicant that they have no objection to the proposed tower, then this final clause shall not, standing alone, cause the proposed communication tower to proceed as a Class C communication tower application. A communication tower greater than one hundred (100) feet in tower height is a telecommunications facility for purposes of state law.

Co-location: The practice of installing and operating multiple wireless carriers, service providers, and/or radio common carrier licensees on the same antenna support structure or attached wireless communication facility using different and separate antennas, feed lines, and radio frequency generating equipment.

Complete Application: Is an application that has been filed in the correct form in the proper office accompanied by the appropriate fee and all information required by this Article.

EIA: Electronic Industries Association.

Existing Vegetative Canopy: The existing vegetative plants, trees, or shrubs at the site-specific location of the proposed communication tower site that will provide natural camouflage, concealment, or otherwise hide the communication tower after its construction.

Existing structure: A lawfully constructed or established structure, but excluding (i) existing Communication Towers and (ii) flagpoles.

Feed lines: Cables used as the interconnecting media between the transmission/receiving base station and the antenna.

Final Approving Authority: The Nelson County Planning and Zoning Director or the Board of Supervisors, as designated in this Article.

Least Visually Obtrusive Profile: The design of a wireless communication facility intended to present a visual profile that is the minimum necessary for the facility to function properly.

Mountain Ridge: A ridge with an elevation of one-thousand (1,000) feet or higher above mean sea level and an elevation three hundred (300) feet or more above the elevation of an adjacent valley floor.

Personal Wireless Services: Commercial mobile services, unlicensed wireless services, common wireless exchange access services, and unlicensed wireless broadband internet access.

Structure: Anything constructed or erected, the use of which required permanent location on the ground, or attachment to something having a permanent location on the ground. Fences are excluded from this definition.

Substantial increase in the size of a previously approved Communication Tower:

- (i) The mounting of the proposed antenna on the tower would increase the existing height of the tower by more than 10%, or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater, except that the mounting of the proposed antenna may exceed the size limits set forth in this paragraph if necessary to avoid interference with existing antennas; or
- (ii) The mounting of the proposed antenna would involve the installation of more than the standard number of new equipment cabinets for the technology involved, not to exceed four, or more than one new equipment shelter; or
- (iii) The mounting of the proposed antenna would involve adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater, except that the mounting of the proposed antenna may exceed the size limits set forth in this paragraph if necessary to shelter the antenna from inclement weather or to connect the antenna to the tower via cable; or
- (iv) The mounting of the proposed antenna would involve excavation outside the current tower site, defined as the current boundaries of the

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leased or owned property surrounding the tower and any access or utility easements currently related to the site.

Telecommunication tower, communication tower: Any tower or structure, natural or man-made, existing or erected, used to support one or more antennas, including self-supporting lattice towers, guyed towers, or monopoles. This term includes radio and television transmission towers, broadband towers, microwave towers, common carrier towers, wireless telephone towers, alternative tower structures and the like.

Temporary Tower: A telecommunication tower, not exceeding one hundred (100) feet in height, erected for a duration not to exceed thirty (30) days, located in a Conservation District, C-1; Agricultural District, A-1; Service Enterprise District, SE-1; Business, B-1; Business, B-2; Industrial, M-1; or Industrial, M-2 zoning district. The duration of a temporary tower may be extended by the Planning and Zoning Director for an additional thirty days if necessary to facilitate the intended use of the tower.

Tower Height: The vertical distance from the finished grade to the uppermost point of a communication tower including any antenna, beacon, light, lightning rod, or other fixtures attached to the communication tower. In the event an antenna is attached to a structure, the height of the structure shall be included in the tower height.

Tower Site: The real property, which an applicant(s) is required to have ownership of, leasehold of, interest in, easement over, or any combination of the aforementioned to locate a communication tower and any auxiliary buildings.

Unlicensed Wireless Service: The offering of telecommunication services using duly authorized devices which do not require individual licenses from the Federal Communications Commission, but does not mean the provision of direct-to-home satellite services. This service is sometimes referred to "License-Exempt". Users of the license-exempt bands do not have exclusive use of the spectrum and are subject to interference.

Viewshed (1) National Park System: An unobstructed sight or the range of one's sight while traveling, visiting, driving or otherwise, using the natural or man-made resources of the Blue Ridge Parkway (BRP) or Appalachian National Scenic Trail (AT). For the purposes of this ordinance, the viewshed distance is a minimum of one (1) air mile from the outermost boundary line of the National Park System unit.

Viewshed (2) Virginia Scenic Byway: An unobstructed sight or the range of one's sight while traveling, visiting, or driving along a highway that has been designated by the State of Virginia as a Scenic Byway.

20-5 *Telecommunication Facility Categories.*

- A. Class A Personal Wireless Services must comply with Section 20-6.
- B. A Class B Communication Tower requires approval by the Planning and Zoning Director and the issuance of a Class B Communication Tower Permit. For such applications, the Planning and Zoning Director shall be the Final Approving Authority.
- C. A Class C Communication Tower requires approval by the Board of Supervisors and the issuance of a Class C Communication Tower Permit. For such applications, the Board of Supervisors shall be the Final Approving Authority.
- D. Qualifying Permit Amendments and Temporary Tower permits require approval by the Planning and Zoning Director.
- E. Any antenna used exclusively for non-profit, non-broadcast, and non-commercial applications including, but not limited to, residential broadcast reception, amateur radio, citizens band radio, and public safety, local government, fire, rescue, police, and non-profit medical radio services is exempt from the requirements of this Article.

20-6 *Class A Personal Wireless Service Facilities.*

- A. Class A personal wireless service facilities (“Class A Facility”) erected in accordance with this Section 20-6 are permitted as a by-right use in all zoning districts except as provided below.
- B. A Class A Personal Wireless Service Facility is a facility that:
 - (i) is located within an existing structure but which may include a self-contained ground equipment shelter not exceeding one hundred fifty (150) square feet that is not within the building, or, a whip antenna that satisfies the design standards below; or
 - (ii) consists of one or more antennas, other than a microwave dish, attached to an existing structure and are flush mounted to the structure, together with associated personal wireless service equipment; or
 - (iii) consists of a single attachment pole attached to an existing structure the total height of which, together with a grounding rod, shall not exceed twenty (20) feet above the top of the structure. An attachment pole may be guyed to increase its stability; or
 - (iv) is located within or camouflaged by an addition to an existing structure; or,

- (v) is the placement of a freestanding monopole forty (40) feet or less in height in the following zoning districts: Conservation C-1, Agricultural A-1, Service Enterprise SE-1, Business B-1, Business B-2, Limited Industrial M-1, and Industrial M-2.

20-6-1 *Design Standards.*

1. *General Design.* The Class A Facility shall be designed, installed, and maintained as follows: (i) guy wires shall not be permitted except with attachment poles; (ii) outdoor lighting for the Facility shall be permitted only during maintenance periods; (iii) any cabinet or shelter not located within the existing structure shall be screened from all lot lines either by terrain, existing structures, existing vegetation, or by added vegetation; (iv) in connection with an existing structure or monopole, a grounding rod, whose height shall not exceed two feet and whose width shall not exceed one inch in diameter at the base and tapering to a point, may be installed at the top of the structure and (v) a whip antenna less than six (6) inches in diameter may exceed the height of the existing structure or monopole.
2. *Antennas and associated equipment, existing structure exterior.* Equipment shall be attached to the exterior of an existing structure only as follows: (i) the total number of arrays of antennas attached to the existing structure shall not exceed three (3), (ii) each antenna shall not exceed one thousand one hundred fifty two (1152) square inches; (iii) each array shall contain no more than three (3) antennas, and (iv) no antenna shall project from the structure beyond the minimum required by the mounting equipment, and in no case shall any point on the face of an antenna project more than twelve (12) inches from the existing structure. These standards shall not apply to antennas and associated equipment that are located entirely within an existing structure.
3. *Antennas and associated equipment, attachment pole.* An attachment pole (i) shall not exceed three inches in diameter; and (ii) the total number of antennas shall not exceed three (3), and each antenna shall not exceed one thousand one hundred fifty two (1152) square inches.
4. *A freestanding monopole forty less than (40) feet in height.*
 - a) shall be constructed of either wood, metal, or concrete;
 - b) shall not exceed a maximum base diameter of thirty (30) inches and a maximum diameter at the top of eighteen (18) inches; and,
 - c) the total number of arrays of antennas attached to the monopole shall not exceed three (3), each antenna shall not exceed one thousand one

hundred fifty two (1152) square inches, and each array shall contain no more than three (3) antennas.

20-6-2 *Compliance.*

Any existing Class A Facility, not otherwise in compliance with the other provisions of the tower ordinance, shall be brought into compliance with the applicable provisions of this Article 20.

20-7 *Insurance.*

In connection with any application required in this Article, an applicant shall provide at the beginning of the permit application process a current Certificate of Insurance for general liability insurance for a minimum amount of one million dollars (\$1,000,000) per occurrence. Annually, subsequent to approval of an application, evidence that such insurance remains in force shall be provided to the Planning and Zoning Director. Failure to maintain the required minimum insurance shall result in the automatic termination of the permit.

20-8 *Building Permits.*

All plans for communication tower structures and auxiliary structures shall be approved by the Nelson County Building and Inspections Department. The proper building and inspection permit(s) shall be issued before construction begins. No building permit(s) will be issued until a communication tower permit from the Nelson County Planning Department has been issued to the applicant(s).

20-9 *Standards for Location.*

A. National Park System Notification.

No application for a communication tower permit to be located within the viewshed of the Blue Ridge Parkway (BRP) or the Appalachian National Scenic Trail (AT) shall be considered a Complete Application without first notifying the Virginia Department of Historic Resources (DHR), the BRP Superintendent, and/or the AT Superintendent in writing. Such notice shall:

1. be sent by certified mail, return receipt requested;
2. provide the location of the proposed communication tower;
3. describe the proposed communication tower, proposed antennas, and proposed ground equipment, including a copy of the engineered drawings detailing the proposed tower project; and

4. request the Superintendent(s) comment on the proposed communications tower in writing.

Comments received from DHR and/or the Superintendent(s) shall be submitted with the application. In the event DHR and/or the Superintendent(s) do not provide written comments within 60 days of receiving the applicant's notification, a communication tower permit application for review and comment may be submitted with evidence that the notice was sent.

B. Required Minimum Setbacks – Viewsheds (1) and (2).

1. No communication tower shall be located within one hundred-twenty (120) feet of any Virginia Scenic Byway.
2. No communication tower shall be located within one thousand three hundred twenty (1,320) feet of the nearest boundary of the Blue Ridge Parkway or the Appalachian National Scenic Trail.

20-10 *Reserved.*

20-11 *Co-location.*

Applicants for new communication tower permits must agree to allow additional permitted uses of the tower by future applicants, provided: (a) that these future uses do not interfere with use(s) of the tower by its owner(s) or other lessee(s); (b) space is available on the tower for co-location; and (c) tower owner and co-locator agree to lease terms. Design plans of a metal communication tower shall contain provisions to allow additional sections to be added for possible co-location of other providers.

20-12 *Application and Procedure for Approval of a Class B Communication Tower Permit.*

- A. Application Form: A Complete Application form, signed by the property owner(s), the property owner's agent or the contract purchaser, and the proposed facility's owner. If the owner's agent signs the application, he shall also submit written evidence of the existence and scope of the agency. If the contract purchaser signs the application, he shall also submit the owner's written consent to the application.
- B. Property Description: A recorded plat or recorded boundary survey of the parcel on which the facility will be located, provided that, if neither a recorded plat nor boundary survey exists, a copy of the legal description of the parcel and the Nelson County Circuit Court deed book and page number.
- C. Plans and Drawings: A scaled plan and a scaled elevation view and other supporting drawings, calculations, and other documentation required by the Planning and Zoning Director, signed and sealed by an appropriate licensed

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professional. The plans and supporting drawings, calculations and documentation shall show:

1. A design plan showing the communication tower, base, and the foundations for all support structures, all proposed auxiliary buildings and other proposed improvements, and the methods by which antennas shall be located on the proposed communication tower. Metal communication towers shall meet all requirements of federal, state, and local government regulations and EIA and ANSI standards. The Nelson County Building Official may request, at the applicant's expense, an independent engineer to confirm the safety of the tower.
2. The utility connections within and to the proposed site.
3. The location and dimensions of all existing and proposed improvements on the parcel, including access roads and structures, that are within one thousand (1,000) feet of the proposed tower site, and the maximum height above ground level of the facility (also identified in height above sea level).
4. The benchmarks and datum used for elevations. The datum shall coincide with the Virginia State Plane Coordinate System, South Zone, North American Datum of 1983 (NAD83), United States Survey Feet North American Vertical Datum of 1988 (NAVD88), and the benchmarks shall be acceptable to the Planning and Zoning Director.
5. Except where the facility would be attached to an existing structure, the topography within three hundred (300) feet of the proposed facility, in contour intervals not to exceed ten (10) feet for all lands within Nelson County and, in contour intervals shown on United States Geological Survey topographic survey maps or the best topographic data available, for lands not within Nelson County.
6. The location of any stream, wetland, as identified by Army Corps of Engineers and/or the Virginia Department of Environmental Quality, and floodplain area within one thousand (1,000) feet of the proposed tower.
7. The height, caliper and species of all trees where the drip line is located within two hundred (120) feet of the facility that are relied upon to establish the existing vegetative canopy and screening of the tower and all trees that will be adversely impacted or removed during installation or maintenance of the facility shall be noted.
8. Fall Area: The minimum distance from the tower's base to the property line shall be: (i) wood poles – 100% of tower height; (ii) metal monopole - 110% of tower height; and (iii) lattice tower - 125% of tower height.

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9. All existing and proposed setbacks, parking, fencing, and landscaping.
10. The proposed safety measure(s) at the base of the communication tower for the safety and general welfare of the public.
11. Federal Aviation Administration (FAA) hazard determination report and documentation that the request presents no hazard to any airport.

D. Design Standards:

1. The Final Approving Authority shall approve the color of each metal, wood, or concrete monopole. The antennas, supporting brackets, and all other equipment attached to the tower shall be a color that closely matches that of the tower. The ground equipment, the ground equipment cabinet, and the concrete pad shall be a color that is consistent with the character of the area.
2. Each wood or concrete tower shall be constructed so that all feed lines, wiring, and similar attachments are located within the tower structure or facing the interior of the property away from public view as reasonably determined by the Planning and Zoning Director.
3. The facility shall be designed, constructed and maintained as follows: (a) guy wired towers shall not be permitted, and (b) lightning rod, whose width shall not exceed one (1) inch in diameter at the base and tapering to a point, may be installed at the top of facility or the structure.
4. Unless waived or modified by the Final Approving Authority, equipment shall be attached to the tower as follows: (i) the total number of arrays of antennas attached to the existing structure shall not exceed three (3), (ii) each antenna shall not exceed one thousand one hundred fifty two (1152) square inches; (iii) each array shall contain no more than three (3) antennas, and (iv) no antenna shall project from the structure beyond the minimum required by the mounting equipment.
5. No slopes associated with the installation of the facility and accessory uses shall be created that are steeper than 2:1 unless proposed retaining walls, revetments, or other stabilization measures are acceptable to the Final Approving Authority.
6. The site shall provide adequate opportunities for screening and the tower shall be sited to have the Least Visually Obtrusive Profile from adjacent parcels and streets, regardless of their distance from the tower. If the tower would be visible from a state designated Scenic River, Scenic Byway, or a National Park or National Forest, regardless of whether the site is adjacent thereto, the facility also shall be sited to minimize its visibility from such River, Scenic Byway, Park, or Forest. If the tower would be located on

lands subject to or adjacent to a conservation easement or an open space easement, the facility shall be sited so that it is not visible from any resources specifically identified for protection in the deed of easement.

7. Identification sign. A sign measuring six (6) square feet or less, clearly visible, identifying the owner(s) and operator(s) of the communication tower site and a local or toll free emergency phone number for each. The sign shall be posted at the entrance to the proposed communication tower site.
8. Security Fencing. Towers shall be enclosed by security fencing no less than eight (8) feet in height and shall also be equipped with an appropriate anti-climbing device, however, the Final Approving Authority may modify or waive such requirements.
9. Landscaping. The following requirements shall govern the landscaping surrounding the communication tower; however, the Final Approving Authority may modify or waive such requirements.
 - a) Tower facilities shall be landscaped with a buffer of plant materials that effectively screens the view of the support buildings at any time of year from adjacent property. The standard buffer shall consist of a landscaped strip at least four (4) feet wide outside the perimeter of the facilities.
 - b) Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. In some cases, such as towers sited on large, wooded lots, the Final Approving Authority may determine that the natural growth around the property perimeter is sufficient buffer.
 - c) Existing trees within one hundred-twenty (120) feet of the tower shall not be removed except as may be authorized to permit construction of the tower and installation of access for vehicles and utilities.
10. Lighting.
 - a) The communication tower shall be unlit unless required by a federal agency.
 - b) A light installed on the outside of the building shall be a manually turned on/off switch for use only when service representatives are present on the site.
 - c) A light installed on an equipment cabinet shall be no more than one (1) foot above the top of the cabinet.

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- E. The Final Approving Authority reserves the right to refer this documentation to a telecommunication consultant for verification that the site selected is an appropriate site to provide reasonable communication service to Nelson County and to locate other alternative sites for consideration. The applicant will be responsible for the cost of this review.
- F. The Planning and Zoning Director shall review a Complete Application for compliance with the foregoing requirements, the other provisions of this Article 20, and other applicable law, and upon finding the application to be in compliance, shall issue a Class B Communication Tower permit.

20-13 *Application and Procedure for Approval of a Class C Communication Tower Permit.*

- A. A Class C Communication Tower may be established upon approval of a Class C Communication Tower Permit by the Nelson County Board of Supervisors initiated upon a Complete Application which satisfies the requirements for a Class B Communication Tower Permit and the additional requirements in this subsection.
- B. Upon receipt by the Planning and Zoning Director of a Complete Application, the Planning Commission shall conduct a review of the application to determine whether the proposed communication tower is substantially in accord with the Comprehensive Plan and communicate its determination together with any additional recommendations to the Board of Supervisors. In connection with any such determination, the Planning Commission may, and at the direction of the Board of Supervisors shall, hold a public hearing, after notice as required by Section 15.2-2204 of the Code of Virginia. The Planning and Zoning Director shall mail by first class mail a copy of the public hearing notice to landowners adjacent to the proposed site and may rely upon the tax map and land books for purposes of determining such landowners and their mailing addresses. The Planning Commission's actions shall comply with the requirements of the Federal Telecommunications Act of 1996. Failure of the Planning Commission to act on any such application within 90 days of such submission shall be deemed approval of the application by the Planning Commission unless the Board of Supervisors has authorized an extension of time for consideration or the applicant has agreed to an extension of time. The Board of Supervisors may extend the time required for action by the Planning Commission by no more than 60 additional days. If the Planning Commission has not acted on the application by the end of the extension, or by the end of such longer period as may be agreed to by the applicant, the application is deemed approved by the Planning Commission.
- C. The Board of Supervisors shall hold at least one (1) public hearing on the application after notice as required by Section 15.2-2204 of the Code of Virginia, and make its decision on the application within one hundred fifty (150) days from the date the Complete Application was submitted to the Planning and

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Zoning Director. This time period may be extended by the Board of Supervisors provided the applicant consents to the extension.

D. Balloon Test. For any proposed tower requiring a Class C Communication Tower Permit, a balloon test shall be conducted as follows:

1. The applicant shall contact the Planning and Zoning Director within ten (10) days after the date the Complete Application was submitted to schedule a date and time when the balloon test will be conducted. The test shall be conducted within forty (40) days after the date the Complete Application was submitted, and the applicant shall provide the Planning and Zoning Director with at least seven (7) days prior notice, provided that this deadline may be extended due to inclement weather or by the agreement of the applicant and the agent. The applicant shall cause to be published in a newspaper having general circulation in the county notice of the time and place of the balloon test at least seven days prior to such test.
2. Prior to the balloon test, the location of the access road, the lease area, and the tower site of the proposed tower shall be surveyed and staked or flagged in the field.
3. The test shall consist of raising one or more balloons from the site to a height equal to the proposed tower.
4. Photographs of the balloon test shall be taken from the nearest residence and from appropriate locations on abutting properties, along each publicly used road from which the balloon is visible, and other properties and locations as directed by the Planning and Zoning Director and shall be superimposed to scale onto the photographs. The photographs must be filed with the Planning and Zoning Director before the application can be reviewed by the Planning Commission.

E. Alternative Site(s): No new Class C Communication Tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the Board of Supervisors that:

1. No commercially reasonable co-location alternatives fulfill the applicant's desired coverage, or
2. The applicant's proposed antenna would cause electromagnetic interference with the antenna on existing towers or structures, or the antenna on the existing tower or structure would cause interference with the applicant's proposed antenna, or
3. The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.

F. Factors considered in granting a Class C Communication Tower permit: The following factors shall be used in determining whether to issue a Class C Communication Tower Permit:

1. Height of the proposed tower or pole and proximity of the tower or pole to residential structures and residential district boundaries;
2. Nature of the uses on adjacent and nearby properties, surrounding topography, surrounding tree coverage and foliage, design of the tower or pole, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
3. Proposed ingress and egress;
4. Applicant's co-location policy;
5. Consistency with the Comprehensive Plan and the purposes set forth in Section 20-2;
6. Proximity to commercial or private airports and heliports; and,
7. The results of the balloon test and subsequent photo simulations for compliance with the purposes as set forth in Section 20-2.

G. The Board of Supervisors may impose as conditions for approval such requirements and conditions as are necessary to satisfy or remedy the foregoing factors.

20-14 *Completion Requirement.*

Unless a longer period of time is authorized in the permit by the Final Approving Authority, construction of Class B and C tower structures shall be completed within one year of the date of issuance of the permit. The completion deadline may be extended for one additional year by the Planning and Zoning Director upon a showing by the applicant of unforeseen circumstances. In the event that the tower structure is not completed within the time specified, then the permit shall be void and any construction completed shall be removed within ninety (90) days.

20-15 *Removal and Reporting.*

- A. The facility shall be disassembled and removed from the site within ninety (90) days of the date its use for wireless communication purposes is discontinued.
- B. The applicant shall a report within thirty (30) days any change in the ownership of the facility. Information to be provided is the new owner(s) name, address, telephone number, e-mail address, and a 24 hour emergency telephone number and contact person to the Planning and Zoning Director.

20-16 *Access to Site.*

Nelson County shall be provided reasonable access to a Communication Tower and other permitted sites for the purpose of ensuring compliance with this ordinance.

20-17 *Tower Permit Amendments, Temporary Towers.*

A. Tower Permit Amendments

1. *Policy.* The Planning and Zoning Director may administratively review and approve eligible applications for amendments or alterations to an approved Communication Tower Permit, if the proposed amendment or alteration would not, in the Director's opinion, substantially affect or deviate from the terms or conditions of the original approved permit. The following types of amendments or alterations are eligible:
 - (a) the replacement or co-location of equipment that does not result in a substantial increase in the size of an existing Communication Tower, as defined; or
 - (ii) the replacement of a wooden monopole with a metal monopole of the same height that does not exceed a maximum base diameter of thirty (30) inches and a maximum diameter at the top of eighteen (18) inches; or
 - (iii) other amendments or alterations to an approved Communication Tower Permit that do not, in the Planning & Zoning Director's opinion, substantially affect the terms or conditions of the original permit, including but not limited to the replacement or alteration of equipment and related ground equipment or other facilities within the lease area.
2. *Procedures.* If an applicant's proposal for a Tower Permit Amendment meets the terms set forth in the Policy, the proposal requires a Complete Application containing the following information:
 - (i) A Complete Application signed by the facility's owner.
 - (ii) Specific information identifying the existing approved tower facility, including:
 - a. Tower name, number, and/or location; and
 - b. Approved Tower Permit number.
 - (iii) The design of the facility, including the specific type of support structure and the design, type, location, size, height, and configuration of all existing and proposed antennas and other

equipment. The method(s) by which the antennas will be attached to the mounting structure shall be depicted.

- (iv) A scaled plan depicting fall area: The minimum distance from the tower's base to the property line shall be: (i) wood poles – 100% of tower height; (ii) metal monopole – 110% of tower height; and (iii) lattice tower – 125% of tower height.
- (v) Any alterations to the facility's setbacks, parking, fencing, and landscaping, as applicable.
- (vi) The requirements in items (iii) through (v) above may be waived by the Planning and Zoning Director if an appropriate approved plan is already on file with the County.

B. Temporary Tower Permit Applications

1. *Policy.* The Planning and Zoning Director may administratively review and approve eligible permit applications for a Temporary Tower, as defined. The Planning and Zoning Director may require a performance bond in an amount determined by the Planning and Zoning Director as sufficient to effect removal. The applicant shall comply with the applicable provisions of Section 20-8, Building Permits and Section 20-9, Standards for Location.
2. *Procedures.* If an applicant's proposal for a Temporary Tower Permit meets the terms set forth in the Policy, the proposal requires a Complete Application containing the following information:
 - (i) An application, signed by the parcel owner, the parcel owner's agent or the contract purchaser, and the proposed facility's owner. If the owner's agent signs the application, he shall also submit written evidence of the existence and scope of the agency. If the contract purchaser signs the application, he shall also submit the owner's written consent to the application.
 - (ii) The proposed duration for the Temporary Tower to be in place, including specific dates for placement and removal, not to exceed a maximum total duration of 30 days.
 - (iii) A sketch plan identifying the design of the Temporary Tower facility, including the location of the lease area within the property, the location of the Temporary Tower and other associated temporary equipment within the lease area, and the specific type of support structure, guy wires, and anchor.
 - (iv) A scaled, detailed drawing identifying the height of the Temporary Tower and the design, type, location, size, height, configuration,

and method of mounting of all antennas and other equipment to be installed on the Temporary Tower.

- (v) A scaled plan depicting fall area. 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.
- (vi) All existing and proposed setbacks, parking, fencing, and landscaping.
- (vii) The requirements in items (iii) through (vi) above may be waived by the Planning and Zoning Director if an appropriate approved plan is already on file with the County.

20-18 *Application Fee Schedule.*

Class B Communication Towers:
An application fee of \$1,000.00.

Class C Communication Towers:
An application fee of \$2,000.00.

Tower permit amendment:
An application fee of \$100.00.

Temporary tower:
An application fee of \$500.00.

20-19 *Exemption from Regulations Otherwise Applicable.*

Except as otherwise exempted in this paragraph, each facility shall be subject to all applicable regulations in this chapter.

- A. The Final Approving Authority may authorize a metal communication tower to be located closer in distance than the required fall zone of the tower or other mounting structure to any lot line if the applicant obtains an easement or other recordable document showing agreement between the lot owners, acceptable to the County Attorney, addressing development on the part of the abutting parcel sharing the common lot line that is within the facility's fall zone. If the right-of-way for a public street is within the fall zone, the Virginia Department of Transportation shall be included in the staff review, in lieu of recording an easement or other document. The fall area for a metal monopole and lattice tower may be waived or modified by the Final Approving Authority upon certification by a licensed professional engineer that the tower is designed to collapse within the property lines of the subject property.

- B. Except for towers subject to the location standards for View Shed (1) or View Shed (2) the area and bulk regulations or minimum yard requirements of the zoning district in which the facility will be located shall not apply.
- C. Notwithstanding Zoning Ordinance Article 2, Definitions – Yard, a facility may be located in a required yard.

20-20 *Modification of Certain Regulations.*

- A. The Board of Supervisors may modify the location or height restrictions, or both, upon a 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.
- B. In authorizing a modification, the Board of Supervisors may impose such conditions regarding the location, character, and features of the communication tower as it may find necessary for compliance with the purposes set forth in Section 20-2.
- C. No such modification shall be authorized except after notice and hearing as required by Section 15.2-2204 of the Code of Virginia.

20-21 *Authority of Planning and Zoning Director.*

- A. In addition to the foregoing provisions, the Planning and Zoning Director shall have all necessary authority on behalf of the governing body to administer and enforce this Communication Tower Ordinance, including written orders to remedy any condition found in violation of this ordinance and the initiation of legal action to insure compliance with the ordinance, including injunction, abatement, or other appropriate action or proceedings.
- B. If it should become necessary for an approved Communication Tower Permit to be changed, the Planning and Zoning Director shall upon an applicant's request either administratively approve an amendment to the permit in accordance with this Article, or, if the proposed change will substantially affect the terms of the original permit, require that a new application be submitted for review and action in accordance with this Article.

20-22 *Appeals.*

- A. A decision of the Planning and Zoning Director may be appealed to the Nelson County Board of Supervisors. An appeal shall be submitted in writing to the office of the Planning and Zoning Director within thirty (30) calendar days after the date of the denial.

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- B. A decision of the Board of Supervisors may be appealed to the Nelson County Circuit Court by filing a petition specifying the grounds for the appeal within thirty (30) days after the Board's final decision.
- C. The denial of a permit shall be in writing and supported by substantial evidence contained in a written record.

V. Reports, Appointments, Directives, and Correspondence

A. Reports

- 1. County Administrator's Report

I. Courthouse/Government Center Project: Closeout discussion with Blair Construction on the tunnel connector to be scheduled. Final project retainage is being held pending this subject.

Consideration of Phase 2 (renovation of 1809-19705 structures) requires Board authorization to retain AE services, which can be accomplished in 60-75 days (approximate). Courthouse Committee (Messrs. Harvey and Saunders) to report.

II. Jefferson Building: Relocation of the Commonwealth Attorney's office is completed. Exterior restoration planned for completion by 6-30-14.

III. Health Department Building Demolition: Site restoration is pending.

IV. Massies Mill School Demolition: Schedule for BOS review and approval on 3-11.

V. Lovington Health Care Center: Additional feasibility assessment is in process. Status pending.

Mr. Carter noted that JABA just got the updated feasibility report and would be sending it to Staff.

VI. BR Tunnel and BR Railway Trail Projects: A) **BRRT** – Construction in progress with completion date of 5-15-14. B) **BRT** – Bids received on 3-6-14 ranging from \$1,090,438 to \$1,393,900, exceeding available funding. Resolution is pending.

Mr. Carter noted that the County may end up cancelling the bid process for the BRT and redoing it after some rework of the bid items.

VII. 2014 Gen. Reassessment: Board of Equalization will have additional meetings on March 24, 24 and 31 and April 2 and 3 (meeting with the Assessor on 4-2).

Mr. Carter reported that only about 20 people came to the BOE hearings; however the BOE had questions for the Assessors and some site reviews to conduct.

VIII. FY 14-15 Budget: Staff and BOS to establish date for initial budget work session.

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IX. ACRJA: Staff is representing Nelson County on the Regional Jail Authority's budget, superintendent selection and officer nominating committees.

X. Other: Questions from the Board.

Mr. Carter then reported that there was a meeting on LOCKN scheduled for the following day to have preliminary discussion and another meeting was to follow on the 17th. He added that he has emphasized to Ms Kelley and Dave Frey to make sure that the festival's financial revenues that should flow to the County would be on track. He noted that he would reiterate the importance of getting the 2013 information as well. He added that they were highly cooperative.

Mr. Carter then reported that Ms. Payne had shown staff a summary sheet from the Department of Taxation that had been presented to the Board. He noted that staff had indicated that the County was waiting on them to get the local share of the taxes paid to the state and it appeared that a small amount of lodging taxes were received. Mr. Carter noted that the report was what was paid to the state and did not look like it pertained to the County revenues. He added that he would speak with Dave Frey directly about this and he noted that the Lodging tax shown was just under \$3,000 and was for campers.

Mr. Saunders then noted that he thought that the County could say that if 2013 was not squared away then 2014 would not happen.

Mr. Carter reiterated that the County needed to have the LOCKN people report. He noted that all vendors were registered under LOCKN and some of them move around and were hard to keep track of. Mr. Harvey noted that the vendors paid their percentage to LOCKN every day; however this was not necessarily their taxes.

In response to questions about beer sales, Mr. Carter noted that most of the beer sold was by Starr Hill and 1% sales tax from that would come back to the county.

Mr. Saunders reiterated that if they cannot fix the 2013 tax issues, then they could stop it for 2014. Mr. Hale noted that staff was putting a lot of time into this and LOCKN needed to pay what was supposed to be paid. Ms. Brennan noted that she did not want to stop the 2014 concert and Mr. Saunders agreed but noted that the County needed to have some leverage with them.

2. Staff Report – Grant Massie, Keep Nelson Beautiful Council

Mr. Massie reported that as the KNB Council had been constituted, there was not a whole lot of continued interest. He noted that this was not to say that the community at large was not interested; however there was only one current member wanting to continue.

He noted that some of the things that KNB had accomplished were being done anyway and these efforts would continue. He noted that VDOT still had the adopt a highway program for

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trash pickup. He added that a group had done a trash up in Nellysford and VDOT liked pickups to be 4 times per year and Earth Day in April would be a pick up day.

Mr. Massie then noted he would do whatever the Board wanted and would continue to facilitate this group if desired. He added that the group did not have to be sanctioned by the Board in order to perform the same functions and he would still assist them. He noted that should the Board want to continue KNB, he would suggest that they meet quarterly instead of monthly.

Mr. Bruguire noted that he thought the Board should let this group go for now and if a group wanted to resume these functions, then they could be referred to Mr. Massie. He added that there was no point in appointing people who had not met and don't want to go any further. It was noted that the group was not established in the code so no formal action was needed.

Mr. Hale then asked Mr. Massie to identify which portions of Highways were adopted currently in the county and that way he could advise interested persons to participate in this program. It was noted that the Adopt a Highway holder had a VDOT permit for this. Mr. Saunders noted that there was some liability associated with the program and one had to be a certain age to do it. Mr. Harvey then advised that the local VDOT sheds had vests and bags to be distributed for this purpose.

Mr. Hale then asked if Mr. Massie could come up with a figure on the costs of glass recycling for two of the busier sites: Rockfish and Shipman in order to compare the return on investment versus the savings of taking it to Sonoco. Mr. Carter then advised that Staff was currently working on this. Mr. Massie then noted that open top cans cost around \$6,000 to \$8,000 each and compactors were more.

In conclusion, the Board agreed by consensus to let KNB go for now and to continue the County's recycling program.

3. Board Reports

Mr. Saunders reported the following:

1. He and Mr. Harvey met with staff and toured the older courthouse additions. He noted that they would like to visit Pittsylvania County and wanted to find out who the architect and builder was there. He noted that they had discussed adding on to the building to give the Circuit Court Clerk some more space.

He added that they wanted to set a time to meet with the new School Superintendent on their use of the old Commonwealth Attorney space and that they had asked Mr. Carter to advertise for an architect on this. Mr. Harvey added that the extension would be on the side of the Clerk's office and entryway. He added that Jean Payne may lose some windows from her office but with the addition, they could stay where they were. He noted that an expert was needed to give an opinion on the feasibility of this. He noted that they also discussed

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moving IT from the basement and how to get from the basement to the courtroom once the tunnel was brought through. He then suggested that the Board agree to move ahead with this.

Mr. Hale then noted that the Board had concluded what was to be done on the Jefferson Building exterior and had decided to hold off; however he thought they could start moving on that now. Mr. Saunders and Mr. Hale noted that they would proceed as discussed.

2. Mr. Saunders noted that he and Ms. Brennan had met with David Parr and they were awaiting some answers back on their questions.

3. Mr. Saunders reported that he had spoken with the FFA class on his property planting trees and that it was a delight to see such a great group of young people. He noted that they planted 3 acres of seedlings for him; however he thought it odd that they had to pay to use the bus to get there.

Mr. Bruguiere reported that he did not attend the EMS Council meeting; however Eddie Embrey had stepped down as President and David Graves had taken his place.

Mr. Bruguiere also reported that there was money available through TJSWCD for those in the upper Rockfish River basin to fix septic tanks for up to 50% of the costs to replace or repair them. He asked staff to see if this was on the website. He also noted that they had a 100 % cost share program for fencing, water access and wells program. He added that they would not cover the costs for power to the wells. He noted that the grant money was classified as income and recipients would get a 1099.

Mr. Hale reported the following:

1. Mr. Hale reported that the PDC had hired a new Director who would start on April 14th. He added that this had not been officially announced yet.

2. Mr. Hale reiterated what Mr. Carter had reported on the bids for the Tunnel. He noted it was disappointing that the bids were so far off from the engineers' estimate. He added that the specifications and drawings had flaws that caused the high bids and they would see what could be done to salvage it.

Mr. Harvey then noted that he understood that the creek that ran down Avon road (Goodwin Creek) was fed from the Tunnel and that if the water was cut off from there, the creek would dry up. Mr. Hale noted that the water would be channeled into a culvert and not cut off with the intention being to control the drainage.

3. Mr. Hale reported that at the NCSA meeting, a change was adopted that affected commercial properties and it was made to comply with VDH regulations.

Ms. Brennan reported the following:

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1. Ms. Brennan reported that the Director of Social Services had been terminated and has filed a grievance.
2. Ms. Brennan reported that Sam Taylor of Senator Warner's Roanoke office came by to introduced himself and see if the County had any federal issues.
3. Ms. Brennan reported that she had a call from a relative of Cecilia Epps who said she would give her a portrait picture.
4. Ms. Brennan reported that she spoke with Diana Driver about helping them with championship rings. She reported that the School Board gave them \$100 for each ring and to cover the whole cost would be another \$1400.

Mr. Harvey then moved to give the Drama Team an additional \$1,500 and Mr. Hale seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

Mr. Saunders then noted that he was not being critical; however he noted the difference between the accomplishments of the FFA at a National level and the Drama Team's at a Regional level. It was acknowledged that winning the district and region for FFA was expected and the challenge was at the state and national levels for them. Supervisors agreed that this did not diminish the accomplishments of the Drama Team.

Supervisors then noted their appreciation for the thank you notes received from the students while not having heard a word from the fire and rescue agencies who have been provided with funding for new vehicles.

5. Ms. Brennan then reported that she attended a CIT meeting and things were going well.

B. Appointments

Ms. McGarry noted that the term of the James River ASAP Policy Board member was expiring and the incumbent James E. Hall wished to be reappointed. She noted the seat had been advertised, with no applications having been received.

Mr. Hale then moved to reappoint James E. Hall to the James River ASAP Policy 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.

C. Correspondence

1. General District Court Clerk, Funding Request

Mr. Carter noted the letter from Rosemary North requesting additional funding for more part time help. He added that she was asking for \$2,700 for more Part Time help through the end of the fiscal year. She noted that they had used up state money and that Judge Eggleston had told him he had returned \$25,000 to the County from traffic tickets. He added that more work had been created for them while creating more money for the county.

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Mr. Harvey thought this was a win-win for everyone and moved to approve the request as presented and Mr. Hale seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

D. Directives

Mr. Harvey, Mr. Hale, Mr. Bruguere, and Mr. Saunders had no Directives.

Ms. Brennan had the following directives:

1. Would like a report on Revenue Recovery next meeting.
2. Would like the debt service balance chart as discussed. Mr. Carter noted the listing was compiled however staff needed to add the annual payment amounts.
3. Would like to schedule a joint meeting with the School Board at some point soon.
4. Inquired as to the Board's interest in 2x2s with Wintergreen and the consensus was they were not interested in resuming them right now.
5. Inquired about the County's CIP and Mr. Carter noted this would be considered with the budget.

VI. Adjourn and Reconvene for Evening Session

At 5:50 pm, Mr. Harvey moved to adjourn and reconvene for the evening session and Mr. Hale seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the meeting adjourned.

EVENING SESSION

7:00 P.M. – NELSON COUNTY COURTHOUSE

I. Call to Order

Ms. Brennan called the meeting to order at 7:00 pm, with all Supervisors present to establish a quorum.

II. Public Comments

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

III. Public Hearings and Presentations

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A. Presentation – Virginia Cooperative Extension, Introduction of New Agents (D. Goerlich)

Mr. Carter introduced Mr. Dan Goerlich, the Central District Director and acting Unit Coordinator in the Nelson County VCE office.

Mr. Goerlich then noted that he would like to introduce two new extension agents: Ms. Carissa Wilson, the new 4H agent and Mr. John Benner, the A&R Extension agent. He added that of the 1/3 local funding for this position, 15% was from Nelson County and 85% was from Amherst.

Ms. Carissa Wilson addressed the Board and noted that she was originally from Alleghany County North Carolina. She noted that she graduated from Virginia Tech with an undergraduate degree in History and she was working on her Master's in Education with a specialty in Social Studies. She added that she was 22 years old and was excited to be in Nelson.

Mr. John Benner addressed the Board and expressed his appreciation for the county funding towards his position. He noted that he worked extensively with the Nelson/Amherst beef producers and the 4H Livestock Club. He noted he was working on a situational analysis and he had interviewed local beef producers in the County. He added that a lot of work that could be done was focused around the 4H Livestock Club. Mr. Benner then noted that the Nelson FFA club was advanced in animal science.

Mr. Benner then reported that two field days had been held with water quality as an agenda item as well as forage utilization and helping to reduce winter feeding costs. Mr. Benner noted that he had a Bachelor of Science degree in Animal Science and Agribusiness from Virginia Tech and was pursuing a Masters Degree online from NC State University.

Mr. Goerlich then noted that Mr. LaChance had conducted a successful fruit school that day at the Nelson Center.

He then noted that he had just planned to make the introductions and was happy to come back to speak to the Board about VCE anytime.

Mr. Goerlich then advised the Board that Virginia Tech had a Community Design Assistance Center that could help the County on the Sturt property through a department of forestry grant. Mr. Carter noted that Craig County had utilized them to develop a master plan for the downtown area.

Mr. Carter noted that he had been on the interview team that selected Ms. Wilson and he was very impressed with her.

Mr. LaChance noted that the County would benefit from Mr. Benner's emphasis on land improvement and the development of higher quality forages and he was looking forward to working with him.

IV. Other Business

A. FY14-15 Budget Work Session Schedule

Mr. Carter noted that Staff wanted to meet the following week sometime on the budget and Supervisors discussed meeting on Wednesday the 19th at 4pm. Mr. Carter noted that staff would provide an overview of the budget and then they would go from there.

V. Adjournment

At 9:00 pm, Mr. Hale moved to adjourn and continue until 4:00 pm on Wednesday, March 19, 2014 and Mr. Harvey seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by voice vote to approve the motion and the meeting adjourned.

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Virginia:

AT A CONTINUED MEETING of the Nelson County Board of Supervisors at 4:00 p.m. in the Board of Supervisors Room located on the fourth floor of the Nelson County Courthouse.

Present: Allen M. Hale, East District Supervisor
Thomas H. Bruguiera, Jr. West District Supervisor
Constance Brennan, Central District Supervisor - Chair
Larry D. Saunders, South 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

Absent: Thomas D. Harvey, North District Supervisor

I. Call to Order

Ms. Brennan called the meeting to order at 4:07 pm, with four Supervisors present to establish a quorum and Mr. Harvey being absent.

II. FY14-15 Budget Work Session

Staff presented the following budget summary for discussion:

BUDGET SUMMARY

Revenue Category	FY14 Budget as Amended	FY15 Proposed	Increase/ Decrease	% Change
General Property Taxes	\$ 22,425,173.00	\$ 23,137,302.00	\$ 712,129.00	3.2%
Other Local Revenue	\$ 5,338,420.00	\$ 5,515,946.00	\$ 177,526.00	3.3%
State Revenue	\$ 3,764,778.00	\$ 3,466,573.00	\$ (298,205.00)	-7.9%
Federal Revenue	\$ 963,696.00	\$ 533,030.00	\$ (430,666.00)	-44.7%
Non-Revenue Receipts	\$ 900,000.00	\$ -	\$ (900,000.00)	-100.0%
Transfers (in)	\$ 350,000.00	\$ -	\$ (350,000.00)	-100.0%
Year Ending Balance (carryover)	\$ 2,875,502.00	\$ 2,176,345.00	\$ (699,157.00)	-24.3%
	\$ 36,617,569.00	\$ 34,829,196.00	\$ (1,788,373.00)	-4.9%

Expenditure Category	FY14 Budget as Amended	FY15 Proposed	Increase/ Decrease	% Change
Government Administration	\$ 1,779,434.00	\$ 1,719,963.00	\$ (59,471.00)	-3.3%
Judicial Administration	\$ 775,376.00	\$ 776,684.00	\$ 1,308.00	0.2%
Public Safety	\$ 4,806,094.00	\$ 4,789,226.00	\$ (16,868.00)	-0.4%
Public Works	\$ 2,083,129.00	\$ 1,968,796.00	\$ (114,333.00)	-5.5%
Recreation & Community Dev.	\$ 652,529.00	\$ 655,830.00	\$ 3,301.00	0.5%
Agencies & Non-Departmental	\$ 2,704,762.00	\$ 2,066,503.00	\$ (638,259.00)	-23.6%
Capital Outlay	\$ 2,499,025.00	\$ 1,597,924.00	\$ (901,101.00)	-36.1%
Refunds	\$ 30,000.00	\$ 30,000.00	\$ -	0.0%
Transfers (out)	\$ 20,057,504.00	\$ 19,932,942.00	\$ (124,562.00)	-0.6%
Contingency	\$ 1,229,716.00	\$ 1,291,328.00	\$ 61,612.00	5.0%
	\$ 36,617,569.00	\$ 34,829,196.00	\$ (1,788,373.00)	-4.9%

Mr. Carter noted that the budget summary showed the big picture of the budget details and the chart was grouped by the Auditor of Public Accounts categories.

Mr. Carter then noted that the budget presented was balanced, and the agencies and the schools were level funded. He noted that the presented budget did include a 3% salary increase for County employees and the requests from departments had been incorporated which used the nonrecurring contingency funds.

Mr. Carter then noted that it was critically important for the Board to start with consideration of the Real Estate tax rate, since that would dictate where they went from there. He noted that the budget was based on the premise that the Board would equalize revenues, which would take a \$.14 increase in the tax rate. Given that, the budget contained a non-recurring contingency amount of \$379,280 and a recurring contingency of \$912,048 for a total of \$1,291,328 in uncommitted funds. Ms. McCann then noted that the nonrecurring contingency funds were funds that came forward from previous fiscal years and did not recur.

Staff then discussed the following reassessment impact sheet:

PROJECTED REASSESSMENT IMPACT UPDATE

Total 2014 RE Taxes (Based on \$.60 Tax Rate)& \$2,971,170,100 Estimated Value	\$17,827,021	≈	\$297,117	Value of 1 penny in Tax Rate	
(1) Land Use Adjustment (Based on \$.60 Tax Rate)	-\$3,194,933	—	Estimated Value of Deferred Land Use = \$532,488,780		
Est. E&D Adjustment (0.4933% of \$19,067,418)	-\$87,941	—	Used an Average % of E&D Relief to Total RE Taxes		
(2) Adjustment for Increasing LU Values to Equalize Taxes Paid	N/A	—	28.2%	Decrease in Deferred Land Use Values	

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Total Adjusted 2014 RE Taxes (Based on \$.60 Tax Rate)	<u>\$14,544,147</u>	≈	\$242,402	Value of 1 penny in Tax Rate	
*Adjusted for 94.9% Collection Rate	\$13,802,395.72	≈	\$230,040	Value of 1 penny in Tax Rate	
2014 (FY15) RE Tax Revenue (Assumed FY14 Projected Amount Less Delinquent)	\$17,121,552	—	\$0.74	Equivalent Tax Rate	
2014 Reduction in RE Tax Revenue	<u>\$3,319,156</u>	—	\$0.14	Equivalent Tax Rate	
	\$13,802,396	—	\$0.60	Current Tax Rate	
FY14 Projection for First Half 2014 RE Tax (assuming 2008 values)	<u>\$8,114,970</u>				
Estimated FH2014 Collection by June 30 at current tax rate (reduced values)	<u>\$6,639,403</u>				
FY14 Budget Shortfall at current tax rate	\$1,475,567				
2013 Value of Penny @94% collection rate	\$276,446				
2013 Value of Penny @94.9% collection rate	\$279,093				

Staff reiterated that the presented budget was based on the premise that the Board would equalize the Real Estate tax rate. Ms. McCann noted that in order to keep revenues the same and reserve the contingencies, the tax rate would have to be increased by \$.14. She added that the value of a penny was \$230,040. She noted that the Board could get \$.04 from the recurring contingency; however, they would not have funds for the schools etc. She added that doing this would also impact the non recurring contingency as well. She noted essentially, that if they chose to reduce the increase from \$.14 cents, they would have to find the funds elsewhere through cuts etc.

Mr. Carter reiterated that the challenge was what to do with the tax rate. He advised the Board that they could increase the Personal Property tax rate by \$1 and this would bring in \$1.3 million. He noted that they would have to account for PPTRA and he noted that this % kept going down because the value of vehicles was going up. Ms. McCann added that this was currently at 46% and that the state used a fixed amount of approximately \$1.7 million that was returned to the County that did not go as far as it used to.

Mr. Carter noted that staff needed their input on other revenues or a direction to go in. He then noted that another option would be to go to gross receipts on the business license fees or implement a household trash fee. He added that there were not too many revenue options and these could make things more difficult for them with the public.

March 19, 2014

Mr. Carter noted that the salary increases for the Schools ranged from 3% to almost 12% depending on the position. He noted that they would get over \$500,000 in new money from the state that they could use at their discretion. He noted that where they showed a shortfall was in the federal Title program funding and other programs. He added the shortfall mainly was in the carryover from previous years and did not represent a true shortfall. He added that they would not know for sure what they would be getting until October. Mr. Bruguere and Mr. Saunders both agreed that the schools needed to be level funded.

Ms. McCann then emphasized that the \$.14 increase was not a true tax increase because of the decrease in values and this needed to be emphasized during the process. She added that there would be some that would pay more and some that would pay less.

Mr. Hale added that they needed to focus on making clear the comparison between values between years. Ms. McCann noted that the old values were \$3,649,229,910 before land use and the land use deferred value was approximately \$686,000,000. She noted that the new values were estimated at \$2,971,170,100 and the deferred land use value was now \$532,488,780. Staff then noted with land use, the values that taxes were paid on stayed constant and the deferred amount changed. It was noted that the Commissioner of Revenue had the ability to adjust these values, which she had done a few years previously.

In response to questions regarding the reduction in values, Ms. McCann noted that the 18% reduction was based on the numbers given to staff before the Assessors hearings; however, their changes were less than 1%. She added that the reduction in values was 18.6%.

Ms. McCann reiterated that a \$.14 increase was needed to bring in the same amount of revenue, which was an approximate rate increase of 22%. Mr. Hale noted that in order to trim this back, cuts would have to be made and there would be an impact to the recurring contingency. Ms. McCann noted that the nonrecurring contingency was from unexpended funds from the current year and the County would come up short in the current year if the Board reduced the \$.14. She added that doing this would also wipe out most of the FY15 nonrecurring contingency because they would not have it to carry forward. She added that if they did not do the \$.14 increase, the June 2014 tax collection revenues would be affected.

Mr. Carter noted that Staff would certainly answer any questions about the budget; however the primary issue was setting the tax rate. He noted that the Commissioner of Revenue wanted to know the rate by April 18th. She noted that the Board would have to advertise for public hearing for one week and then hold the public hearing; which would put them close to the 18th. She added that by law the tax tickets had to be received ten days before the due date.

Ms. McCann then advised that the capital outlay was funded with nonrecurring contingency and would be affected by a reduction from the .14 increase. She added that staff had incorporated many of the items presented at the retreat in this area of the budget. She noted that the Board had been given a listing that showed the items included in the proposed budget that were funded by nonrecurring carryover.

March 19, 2014

Ms. McCann then noted that the Board could advertise a higher rate and then reduce it. She noted that the \$.14 rate increase did not incorporate any Board of Equalization changes that may occur. She added that the Commissioner of Revenue had thirty-five (35) new Land Use applications that had not been incorporated and the numbers presented were an estimate. Mr. Carter added that the Board of Equalization had only had twenty people come to their hearings and he did not foresee this would change much. In response to questions, it was noted that the Land Use committee looked at the new applications and then spot-checked others and looked at ones that there had been complaints about. It was noted that they just validated what was stated in the application.

Mr. Bruguiere then suggested that those who received additional funding for part time help this year would have to tow the line next year and that some agencies needed to be looked at again. Mr. Carter added that reducing the \$.14 increase may mean that the plans for the Courthouse would have to be deferred until some point in the future.

Mr. Bruguiere noted that he thought that the Schools should look at cutting their budget. Mr. Carter noted that he would provide them with the school budget summary which was pretty insightful. Ms. McCann added that they were asking for \$799,000 in additional funding from the County this year and have incorporated a raise of 4% plus a step for non teachers and 2% plus a step for teachers.

Mr. Hale noted that they were in fact getting around \$501,000 in new state revenue and if that was subtracted then they could say they would get the same as before. Ms. McCann noted that their budget was based on the Governor's proposed budget and if the Senate budget passed, they would get \$50,000 more. Ms. McCann noted that Ms. Irvin had noted that an overall raise of 1% would cost \$178,000.

Ms. McCann then noted that there was a slight debt reduction for the year and she would provide them with the full debt schedule.

Mr. Hale then noted he would recommend advertising a rate increase of \$.12 for the public hearing and Ms. McCann advised that this would reduce funding by \$460,080 and she would have to look at what the impact to the contingencies would be.

Members then agreed by consensus to meet again on Monday March 24th at 5pm and Ms. McCann noted she would have some more numbers by then.

Supervisors then asked if staff could provide a comparison of what people would pay if personal property taxes were raised by \$1.00. Mr. Hale suggested he would not have a problem with increasing the Personal Property tax by the same percentage as the Real Estate tax. Mr. Carter then noted that the Personal Property tax rate had not changed in twenty (20) years. Mr. Saunders noted he liked the idea of that and thought it might be an easier increase to implement.

Mr. Bruguiere and Mr. Hale then indicated that they did not think the County should give raises. Supervisors and staff then briefly discussed that County employees have a forty hour

March 19, 2014

work week with an hour paid lunch and that it was a historical policy and had always been that way. Staff noted that there were many County employees who got a paid lunch hour that were not able to take it and that worked beyond their forty hour work week.

III. Other Business

A. Cancellation of IFB #2014-NCBRTPHI, Blue Ridge (Crozet) Tunnel Rehabilitation & Trail Project – Phase I (R2014-20)

Mr. Carter noted that the lowest bid received on the project exceeded available funding by close to over \$400,000. He noted that he had contacted VDOT and they concurred with the bid cancellation. He added that the Code of Virginia authorized it and the resolution stated why – the bids were higher than funding. He added that Woolpert was very aware that Phase 1 needed to be reshaped and better detailed to be within available funding and then rebid.

Mr. Carter noted that Woolpert had put together a unit cost sheet for bids and were looking at these comparatively to what was bid and they would relook at the inputs. He noted that there may be some additions or deletions within the specifications such as work on the inside of the tunnel, the trail base etc. with the mission being to get the cost estimate down.

Mr. Saunders suggested that the next pre-bid meeting be in a better location where people could be heard. Mr. Carter agreed and advised that he has noted to Woolpert the County's concerns regarding the drawings and that the County did not expect to be billed for the additional work that would be done on the specifications and drawings.

Mr. Carter advised that he was unsure of the timeline to rebid the project and that the County could potentially have excess funds transferred from the Blue Ridge Railway Trail project that was finishing up.

Ms. Brennan then inquired if the Tunnel Foundation would be able to raise more money and Mr. Hale noted that he was doubtful they could raise hundreds of thousands of dollars for this; however, they could work on specifications and come up with something. He added that he would like for Woolpert to be timelier and he thought they owed the County an obligation to meet with them and explain where it went wrong and to listen to the ideas they have. Mr. Saunders noted for example his ideas on the base material and Mr. Hale's ideas on the conduit. He added that before they came back with new specifications, they needed to say how they could get the estimate to \$750,000 before just doing it. He added that he thought they needed to resolve the drainage issues before going into the tunnel. Mr. Hale then noted that he would like to see this happen soon and that a phone conference or sending Mr. Detmer would not be acceptable. Mr. Carter confirmed that he had related to Woolpert that they would need to come and meet with the County in person.

Mr. Hale then moved to approve resolution **R2014-20** Cancellation of Bids for IFB#2014-NCBRTPHI, Blue Ridge Crozet Tunnel Rehabilitation & Trail Project – Phase I.

Mr. Bruguiere seconded the motion and there being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion and the following resolution was adopted:

March 19, 2014

**RESOLUTION R2014-20
NELSON COUNTY BOARD OF SUPERVISORS
CANCELLATION OF BIDS FOR IFB #2014-NCBRTPHI
BLUE RIDGE (CROZET) TUNNEL REHABILITATION & TRAIL PROJECT –
PHASE I**

WHEREAS, sealed bids were taken for the project IFB #2014-NCBRTPHI, Blue Ridge (Crozet) Tunnel Rehabilitation & Trail Project – Phase I on Thursday, March 6, 2014, and

WHEREAS, all bids received exceed available funding, and

WHEREAS, § 2.2-4319 of the Code of Virginia states that “an Invitation to Bid, a Request for Proposal, any other solicitation, or any and all bids or proposals, may be canceled or rejected. The reasons for cancellation or rejection shall be made part of the contract file.”

NOW THEREFORE BE IT RESOLVED, by the Nelson County Board of Supervisors that pursuant to § 2.2-4319 of the Code of Virginia, the invitation for bid, IFB #2014-NCBRTPHI, Blue Ridge (Crozet) Tunnel Rehabilitation & Trail Project is hereby canceled because all bids received exceed available funding.

BE IT FURTHER RESOLVED, that in accordance with State Code, Staff is hereby directed to make this resolution a part of the project’s contract file.

Mr. Carter then noted that VDOT had related that the bids they were getting for their projects had been exceeding estimates in their offices.

IV. Adjourn and Continue

At 5:29 pm, Mr. Hale moved to adjourn and continue the meeting until 5pm on Monday March 24th in the old Board of Supervisors room and Mr. Saunders seconded the meeting. There being no further discussion, Supervisors voted unanimously by voice vote to approve the motion and the meeting adjourned.

March 24, 2014

Virginia:

AT A CONTINUED MEETING of the Nelson County Board of Supervisors at 5:00 p.m. in the Board of Supervisors Room located on the fourth floor of the Nelson County Courthouse.

Present: Thomas D. Harvey, North District Supervisor
Allen M. Hale, East District Supervisor
Thomas H. Bruguire, Jr. West District Supervisor
Constance Brennan, Central District Supervisor - Chair
Larry D. Saunders, South 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

Absent: None

I. Call to Order

Ms. Brennan called the meeting to order at 5:00 pm, with all Supervisors present to establish a quorum. Mr. Hale then indicated the need for a closed session and Supervisors agreed to add this to the agenda.

Introduced: Closed Session for Legal Advice Regarding Probable Future Litigation

Mr. Hale then moved that the Nelson County Board of Supervisors convene in closed session to discuss the following as permitted by Virginia Code § 2.2-3711(A) (7): Consultation with legal counsel employed or retained by a public body regarding probable future litigation. Mr. Bruguire seconded the motion and there being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

Supervisors conducted the closed session with three Supervisors participating and Mr. Harvey and Ms. Brennan removing themselves from the meeting.

Upon the conclusion of the closed meeting, Mr. Hale moved to reconvene in open session and Mr. Bruguire seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the meeting resumed in open session.

Upon reconvening in open session, Mr. Hale moved that the Nelson County Board of Supervisors certify that, in the closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed under the provisions of the Virginia Freedom of Information act cited in that motion. Mr. Bruguire seconded the motion and there being no further discussion, Supervisors voted unanimously (3-0-2) by roll call vote to approve the motion with Mr. Harvey and Ms. Brennan abstaining.

II. FY14-15 Budget Work Session

Mr. Carter noted that at the end of the last meeting, Supervisors and staff discussed the possibility of implementing a Real Estate tax increase and a Personal Property tax increase. He noted that Ms. McCann had worked up some scenarios for their consideration.

Ms. McCann noted the following that was presented in three scenarios:

Scenario 1 - \$.13 Cent Real Estate Tax Increase

Ms. McCann noted that this level of increase would not require a reduction to the capital expenditures presented and would allow for a non recurring contingency of \$264,260.00. She added that the revenue adjustment would be a decrease of \$230,040.00, leaving a recurring contingency balance of \$682,008.00.

Scenario 2 - \$.12 Cent Real Estate Tax Increase

Ms. McCann noted that this level of increase would not require a reduction to the capital expenditures presented and would allow for a non recurring contingency of \$149,240.00. She added that the revenue adjustment would be a decrease of \$460,080.00, leaving a recurring contingency balance of \$451,968.00.

Scenario 3 - \$.10 Cent Real Estate Tax Increase

Ms. McCann noted that this level of increase would require a reduction of \$80,800.00 to the capital expenditures presented and would allow for a non recurring contingency of \$0.00. She added that the revenue adjustment would be a decrease of \$920,160.00, leaving a recurring contingency balance of negative \$8,112.00; meaning a reduction in expenditures of this amount would be required to bring the balance back to zero.

Mr. Carter reiterated that the capital expenditures presented used nonrecurring money and were included in the budget. He added that Supervisors could look at the departmental summary sheet to look for any larger increases; however he noted that most of the increases were due to requests made at the retreat.

Ms. McCann reiterated that cutting nonrecurring capital items would not help them with recurring funding. She then reminded the Board that a 3% salary increase was included in the budget department labeled non-departmental. She noted that this level was selected based on the Schools doing 2% plus a step. She noted that she had not checked around with other localities yet to see what they had proposed.

Ms. McCann then reviewed the following sheet depicting the impact of a change in the Personal Property tax rates:

March 24, 2014

Impact of Change in PP Tax Rate

Vehicle Value	\$900	\$10,000	\$15,000	\$25,000	\$30,000
Current Tax Rate \$ 2.95	\$26.55	\$295.00	\$442.50	\$737.50	\$885.00
Tax Relief 46%	<u>\$26.55</u>	<u>\$135.70</u>	<u>\$203.55</u>	<u>\$271.40</u>	<u>\$271.40</u>
Tax Owed	\$0.00	\$159.30	\$238.95	\$466.10	\$613.60
Tax Rate <u>\$3.45</u> (50 cent increase)	\$31.05	\$345.00	\$517.50	\$862.50	\$1,035.00
Tax Relief estimated 39%	<u>\$31.05</u>	<u>\$134.55</u>	<u>\$201.83</u>	<u>\$269.10</u>	<u>\$269.10</u>
Tax Owed	\$0.00	\$210.45	\$315.68	\$593.40	\$765.90
Increase over current	\$0.00	\$51.15	\$76.73	\$127.30	\$152.30
Tax Rate <u>\$3.50</u> (55 cent increase)	\$31.50	\$350.00	\$525.00	\$875.00	\$1,050.00
Tax Relief estimated 39%	<u>\$31.50</u>	<u>\$136.50</u>	<u>\$204.75</u>	<u>\$273.00</u>	<u>\$273.00</u>
Tax Owed	\$0.00	\$213.50	\$320.25	\$602.00	\$777.00
Increase over current	\$0.00	\$54.20	\$81.30	\$135.90	\$163.40
Tax Rate <u>\$3.95</u> (1 dollar increase)	\$35.55	\$395.00	\$592.50	\$987.50	\$1,185.00
Tax Relief estimated 34%	<u>\$35.55</u>	<u>\$134.30</u>	<u>\$201.45</u>	<u>\$268.60</u>	<u>\$268.60</u>
Tax Owed	\$0.00	\$260.70	\$391.05	\$718.90	\$916.40
Increase over current	\$0.00	\$101.40	\$152.10	\$252.80	\$302.80
\$3.45 is 16.9% increase					
\$3.50 is 18.6% increase					
\$3.95 is 33.9% increase					
Adjustment at \$3.45 rate		\$671,832	2.9	Pennies Reduction to RE rate	
Adjustment at \$3.50 rate		\$739,413	3.2	Pennies Reduction to RE rate	
Adjustment at \$3.95 rate		\$1,347,639	5.9	Pennies Reduction to RE rate	

Note:

Tax relief on \$1,000 or less value is 100%.

Maximum relief is based on \$20,000 value only.

2013 Tax Rates:	PP	RE	LU
Charlottesville	\$4.20	\$0.950	No
Albemarle	\$4.28	\$0.766	Yes
Fluvanna	\$4.15	\$0.795	Yes
Greene	\$5.00	\$0.720	Yes
Louisa	\$1.90	\$0.650	Yes
Amherst	\$3.25	\$0.540	Yes
Campbell	\$4.45	\$0.530	Yes
Appomattox	\$4.60	\$0.575	Yes
Lynchburg	\$3.80	\$1.110	Yes
Buckingham	\$4.05	\$0.440	No

Ms. McCann noted the effect in terms of equating the additional Personal Property tax revenue to pennies of the Real Estate tax rate and then noted the listing of other Personal Property and Real Estate tax rates of surrounding Counties. Mr. Carter added that the current Personal Property tax rate was put in at \$2.95 in 1989 and would equate to \$5.85 in today's money. He then noted that in 1998, the Real Estate tax rate was \$.67 or \$.72, in 2008 it was \$.55 and now it was \$.60. Supervisors then noted that they would like to see the history of these taxes so that they could answer questions about this if they came up. Mr. Carter noted that one year; the Board did a \$.05 increase for the school construction projects as part of a formula developed with Roland Kooch.

Ms. McCann then noted that the collection rate was 94.9% for Real Estate taxes and has picked up from the previously used 94%. She added that the projections for the current year would likely exceed the budget by approximately \$396,000. Ms. McCann then confirmed that delinquent tax funds were not included in the revenue equalizing amount.

Mr. Harvey then inquired about the level of carryover that would be had and Ms. McCann noted there would be some; however it depended on what was done with the tax rate. She added that staff had assumed that the contingency from this year would roll over to next year if the Board equalized revenues with a \$.14 tax increase. Mr. Bruguere confirmed that the non recurring contingency was extra money used to fund the capital items.

Mr. Hale then noted that he did not think that the Board was considering a \$.14 cent increase and that there was some sentiment for a \$.10 cent increase. He added that the majority of the Board was not in favor of a 3% salary increase and there had been no mention of cutting expenditures yet.

Mr. Harvey then inquired if other localities were using a lower % of value in valuing their personal property and Mr. Carter noted it was possible; however the tax guide used by Staff to report this did not provide that information.

March 24, 2014

Mr. Saunders noted that he thought the Board should see where they wanted to go with advertising the tax rates and then they could go through and make some cuts. Mr. Bruguere noted he was not in favor of advertising an increase in Personal Property taxes; however he was in favor of making cuts.

Mr. Hale noted he thought they should have an increase in Personal Property taxes that was in line with the percentage increase in Real Estate taxes. Mr. Saunders agreed and noted that it had been many years since the County has had an increase in Personal Property taxes. Ms. Brennan noted she would not object to going to the \$3.45 Personal Property tax rate.

Mr. Carter suggested that the Board advertise higher rates for public hearing and they could then lower them down.

Ms. Brennan suggested that they advertise \$.72 cents for the Real Estate tax- a \$.12 cent increase and \$3.50 for the Personal Property tax. Mr. Carter noted that this would give them an equivalent \$.15 increase in the Real Estate tax rate and then they could reduce it.

Mr. Harvey noted that he felt comfortable that Staff always underestimated revenues and overestimated expenditures. Ms. McCann and Mr. Carter both noted that they preferred to be conservative and would rather not come up short. Mr. Harvey noted that he wanted to see all of the money on the table. Mr. Carter noted that he could tell the Board what they have and that they could use some of the fund balance to offset the increase. Ms. McCann reiterated that there would not be as much or any carryover from the June tax collection if they did not equalize the Real Estate tax rate.

Supervisors then agreed by consensus to advertise a Personal Property tax rate of \$3.50 and a Real Estate tax rate of \$.72, a \$.12 increase. Supervisors and Staff discussed having the public hearing on April 10th since the Commissioner of Revenue needed the rates by April 18th. She added that the Board was not required to adopt a rate the night of the Public Hearing or to wait.

Supervisors noted that they wanted to work on the budget and potentially have it ready by the 10th.

Mr. Carter noted that the State would be giving the Schools over \$500,000 in new money and Mr. Hale added that the State may also be giving teachers a raise. Mr. Carter noted that this raise would only be on SOQ positions and the Schools currently had more teachers than what was required. Ms. McCann reiterated that a flat 1% raise with no step was \$178,000 for the Schools. She added that the salary scales were linked to teacher salaries and it was the steps that created discrepancies.

Mr. Harvey noted that they could fund the Schools at a level that they would be responsible and Mr. Saunders agreed. Ms. Brennan noted that the County could appropriate the money by category if they wanted to control where the funds were spent.

March 24, 2014

Mr. Saunders moved to advertise a Real Estate tax increase of \$.12 (\$.72) and a Personal Property tax rate of \$3.50. Mr. Harvey seconded the motion and there being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

Ms. McCann noted that the rates would be advertised once and they would have to wait seven days before the public hearing could be held and they could then approve the rates on the same day or not. She noted that if they had the public hearing on the 10th, they would have time to meet and work on the budget thereafter.

Supervisors agreed by consensus to work on the budget on the 8th, hold the public hearing on the tax rates on the 10th and then to pencil in the 15th for another work session if needed.

Mr. Hale noted he thought there was a sentiment against including a 3% raise for staff which would cost \$135,000 or half a penny. He added that he thought there were other things the money would be needed for. Mr. Carter then asked the Board to give the raise more thought.

Mr. Harvey added that he thought the no raise standard should be set across the board with the Service Authority and the Schools etc. Mr. Hale then reminded him that the Service Authority had a merit system, not an across the board raise system which made them different in his mind. Ms. McCann noted that this was still a raise and Mr. Carter added that Staff had previously recommended that the County move to a merit system and the Board was reluctant to implement it.

III. Other Business (As May Be Presented)

There was no other business considered by the Board.

IV. Adjourn and Continue

At 6:23 pm, Mr. Hale moved to adjourn and Mr. Harvey seconded the motion. There being no further discussion, Supervisors voted unanimously by voice vote to approve the motion and the meeting adjourned.

RESOLUTION R2014-23
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF COMMISSIONER OF REVENUE REFUNDS

RESOLVED, by the Nelson County Board of Supervisors that the following refunds, as certified by the Nelson County Commissioner of Revenue and County Attorney pursuant to §58.1-3981 of the Code of Virginia, be and hereby are approved for payment.

<u>Amount</u>	<u>Category</u>	<u>Payee</u>
\$ 72.31	2013 PP Tax & Vehicle License Fee	Ellen M. Blumling 1644 Dudley Mountain Rd. Charlottesville, VA 22903
\$ 138.61	2013 Business PP Tax	Ike's LLC c/o Brenda Moon P.O. Box 165 Schuyler, VA 22969

Approved: April 8, 2014

Attest: _____, Clerk
Nelson County Board of Supervisors

COUNTY OF NELSON
JEAN W. PAYNE
COMMISSIONER OF REVENUE
P. O. Box 246
Lovington, VA 22949

Telephone: 434-263-7070
Fax: 434-263-7074
Email: jpayne@nelsoncountv.org

March 20, 2014

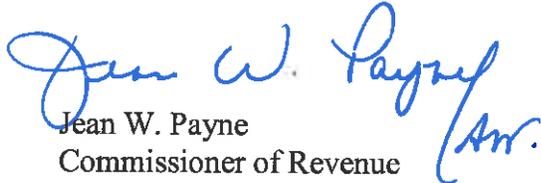
Mrs. Constance Brennan, Chairperson
Nelson County Board of Supervisors
P. O. Box 336
Lovington, VA 22949

Re: Blumling, Ellen M.
1644 Dudley Mountain Road Charlottesville, VA 22903
1999 Mercedes B #2907

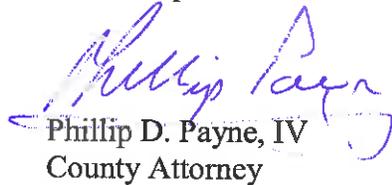
This letter shall serve as written request that a 2013 personal property tax and vehicle license fee refund of **\$72.31** be issued to the above referenced taxpayer. The subject vehicle was moved to Nelson County from a non-prorating locality.

Supporting data is available in this office for you review.

Respectfully requested,


Jean W. Payne
Commissioner of Revenue

The undersigned has reviewed the request of the Commissioner and consents to the refund requested above.


Phillip D. Payne, IV
County Attorney

COUNTY OF NELSON
JEAN W. PAYNE
COMMISSIONER OF REVENUE
P. O. Box 246
Lovington, VA 22949

Telephone: 434-263-7070
Fax: 434-263-7074
Email: jpayne@nelsoncounty.org

March 31, 2014

Mrs. Constance Brennan, Chairperson
Nelson County Board of Supervisors
P. O. Box 336
Lovington, VA 22949

**Re: Ike's LLC dba Ike's Country Store
Brenda Moon
P. O. Box 165 Schuyler, VA 22969**

This letter shall serve as written request that a 2013 business personal property tax refund of **\$138.61** be issued to the above referenced taxpayer. This business was over-assessed due to a motor vehicle being included in the business personal property assessment.

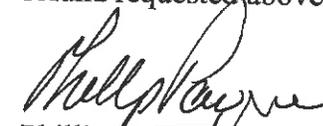
Supporting data is available in this office for you review.

Respectfully requested,



Jean W. Payne
Commissioner of Revenue

The undersigned has reviewed the request of the Commissioner and consents to the refund requested above.



~~Phillip D. Payne, IV~~
County Attorney

Secondary System
 Nelson County
 Construction Program
 Estimated Allocations

Fund	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020	Total
CTB Formula - Unpaved State	\$135,494	\$253,502	\$370,544	\$375,571	\$403,851	\$390,806	\$1,929,768
Formula Secondary State	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Secondary Unpaved Roads	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TeleFee	\$46,166	\$46,166	\$46,166	\$46,166	\$46,166	\$46,166	\$276,996
Residue Parcels	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$181,660	\$299,668	\$416,710	\$421,737	\$450,017	\$436,972	\$2,206,764

Board Approval Date:

Residency Administrator

Date

County Administrator

Date

NELSON COUNTY
RURAL RUSTIC PRIORITY LIST - DRAFT 4/8/14

PRIORITY	ROUTE	NAME	FROM	TO	LENGTH	TC - VPD	NOTES
1	813	LODEBAR ESTATES	ROUTE 613	RTE 612	0.40 Mi.	322	\$250,000
2	654	CEDAR CREEK RD	RTE 655	1.0 Mi. W. RTE 655	1.00 Mi.	120	\$100,000
3	640	WHEELERS COVE RD	RTE 623	RTE 620	0.70 Mi.	90	high maint \$175,000
4	756	WRIGHTS LANE	RTE 623	DEAD END	0.90 Mi.	116	\$225,000
5	634	OLD ROBERTS RD	RTE 619	RTE 654	1.70 Mi.	110	\$425,000
6	721	GREENFIELD RD	RTE 626	0.50 Mi. N RTE 626	0.50 Mi.	51	high maint \$125,000
7	814	CAMPBELL'S MT. RD.	0.99 Mi. N. RTE 56	1.99 Mi. N. RTE 56	1.00 Mi.	109	high maint \$250,000
8	654	FALLING ROCK	1.0 MI.E. RTE 657	RTE 661	1.90 Mi.	127	\$475,000
9	680	CUB CREEK RD	0.51 W RTE 699	1.90 Mi W RTE 699	1.39 Mi.	71	high maint \$347,500
10	625	PERRY LANE	ROUTE 623	DEAD END	2.00 Mi.	118	\$500,000
11	653	WILSON RD	RTE 655	RTE 710	2.83 Mi.	60	\$707,500

Estimated cost /mile \$250,000

Six Year Plan Estimated Unpaved Road Allocation - \$1,929,768

RESOLUTION R2014-18
NELSON COUNTY BOARD OF SUPERVISORS
AUTHORIZATION FOR PUBLIC HEARING
FY15-FY20 SECONDARY SIX-YEAR ROAD PLAN
AND CONSTRUCTION PRIORITY LIST

WHEREAS, The Virginia Department of Transportation and the Board of Supervisors of Nelson County, in accordance with Section 33.1-70.01 of the Code of Virginia, are required to conduct a public hearing to receive public comment on the proposed Secondary Six-Year Plan for Fiscal Years 2015 through 2020 in Nelson County and on the Secondary System Construction Budget for Fiscal Year 2015,

NOW THEREFORE BE IT RESOLVED, that a public hearing will be held for this purpose in the General District Courtroom of the Nelson County Courthouse, 84 Courthouse Square, Lovingston, Virginia at 7:00 pm on Tuesday, May 13, 2014.

Adopted: _____, 2014

Attest: _____, Clerk
Nelson County Board of Supervisors

Trustees

Peter Agelasto III
Betsy Rawls Agelasto
Peter Agelasto IV
Luis Castro
Craig Cooper
Christopher Gensic
Hank Gibb
Sharon Hudson
Michael Lachance
Liz Sargent
Dale Weigel
Rick Winter
John Zawatsky



Rockfish Valley Foundation

*Enhancing the Quality of Life and Celebrating the
People, Land, and History of the Rockfish Valley*

Emeritus Trustees

Hon. Parker C. Agelasto
Paul Davis
Dr. Chip Morgan
Adm. Joseph Prueher
S. Waite Rawls III
Russell M. Reid

April 3, 2014

Mr. Stephen Carter
Nelson County Administrator
P. O. Box 336
84 Courthouse Square
Lovingson, VA 22949

Dear Steve,

As you know I am the President of the Rockfish Valley Foundation, a not for profit organization based in Nellysford, Virginia. Our mission is

to preserve the natural, historical, ecological and agricultural resources of the Rockfish Valley. We accomplish this through enriching the lives of our community by supporting the Rockfish Valley Loop Trail system, Spruce Creek Park and the lands associated with them. The mission furthers supports conservation, recreation, preservation and environmental education and promotes a rural tourism experience in the Rockfish Valley of Nelson County, Virginia.

The focus of our efforts falls along the South Rockfish River valley, an area that was identified some years ago as part of a county architectural survey as a potential rural historic district that should be considered for listing in the National Register of Historic Places. The area of interest includes over 150 properties that represent the unique vernacular architectural style and agricultural heritage of the region. Together, they offer a valuable glimpse into the evolving cultural and agricultural practices in Blue Ridge Mountains over a 200 year period, from 1738-1941.

Unfortunately, many of these structures and landscapes face an unknown future due to age and a general lack of understanding of their historical significance. With the establishment of a rural historic district, however, property owners will be able to learn more about the importance of these features and will be eligible for rehabilitation funding and assistance that will allow their stories to continue to be told to future generations.

Additionally, this recognition of the South Rockfish Valley as a significant historic district will allow our community to attract visitors from the robust heritage tourism market that has developed in central Virginia. This market will help us support businesses in our community and strengthen our local economy.

In 2009, the Rockfish Valley Foundation conducted an effort to identify an appropriate district boundary, and the resources that might contribute to such a historic district. The Foundation conducted several public meetings to apprise the community of the process at the time. The Foundation later submitted a Preliminary Information Form to the Virginia Department of Historic Resources identifying the significance, historic contexts, historic periods, and historic resources comprising the rural historic district. The Preliminary Information Form was accepted. As such, the district has been determined eligible for listing in the National Register of Historic Places.

The Rockfish Valley Foundation is currently interested in spearheading an effort to complete the full nomination package required to fully list the rural historic district. Given the number of properties and long-standing cultural history of the South Rockfish Valley, this project will be time consuming and costly. We are currently seeking to submit a cost-share grant proposal to the Virginia Department of Historic Resources to help defray these costs. We understand that our proposal will require the support of the Nelson County Board of Supervisors. We are writing to request consideration of the Board's support during their upcoming meeting. The grant submission date will closely follow the Board's April meeting.

We enclose some supporting materials for your consideration, including a description of the significance of the district, background regarding the value of listing, and a budget for the project.

This marks an important and exciting moment in the history of our community, and we would be very appreciative of your support in our efforts. Thank you for your consideration.

Sincerely,

Peter A. Agelasto III, President

Rockfish Valley Foundation

South Rockfish Valley Rural Historic District

To understand our history is not only to understand what has come before us, but where we are today and where we may go in the future. Stories of local history and heritage are not only told with words, but are written into the buildings and landscapes where our ancestors lived. Historic preservation efforts help us save and interpret these stories. For many years, these efforts were focused on grand estates and other exceptional historic places. Recently, however, preservationists have begun to acknowledge the importance of ordinary places as well, where common men and women lived and worked; in some cases these places offer a unique sense of place and beauty that all may recognize. Without articulation of the value of these places, they can inadvertently be lost.

For this reason, it is imperative to preserve areas where unique historic cultural landscapes remain. One such place is the South Rockfish Valley in Nelson County, Virginia. This beautiful and remote valley on the eastern side of the Blue Ridge Mountains contains a significant collection of vernacular farmhouses and agricultural outbuildings. These structures and the surrounding landscape reflect the changing trends and practices of agriculture in the region from 1739-1941. Additionally, they reveal a unique blend of cultural practices which emerged when Anglicans and the Scots-Irish converged on the area beginning in the 18th century.

Within this valley, we have identified an area of especially significant historic character that we refer to as the South Rockfish Valley Rural Historic District. This district includes 150 contiguous properties, of which many contribute well-preserved historic architectural and agricultural resources.

Although the Rockfish Valley Foundation has identified this district and its historic significance, recognition of its importance has only been established at a preliminary level. A deeper understanding will be afforded through development of the nomination materials that accompany full listing in the National Register of Historic Places and the Virginia Landmarks Register. To that end, we in the Rockfish Valley Foundation are seeking support for development of professional National Register nomination materials.

This project will allow us to promote community pride and encourage property owners to preserve these resources. Additionally, the South Rockfish Valley will join the impressive collection of historic districts in central Virginia—including the Greenwood-Afton Rural Historic District, Lovingston Historic District, Southwest Mountains National Historic District, Southern Albemarle National Historic District, and the Green Springs National Historic District—and benefit from the heritage tourism that they attract.

Half of the project funding will be used to hire an architectural historian to document the numerous properties within the proposed rural historic district. The other half will be provided as in-kind services by a preservation professional. Direct expenses are covered by an additional matching grant provided by a local resident. To support the process, the project will include two public community meetings where information will be conveyed and questions answered, similar to the meetings held in conjunction with the Preliminary Information Form development several years ago. During this meeting, project participants and representatives of the Virginia Department of Historic Resources will explain the value of rural historic district designation. The total funding anticipated to complete the project is \$32,500, of which the Rockfish Valley Foundation will seek \$16,000.

Additional Background Information

The Rockfish Valley of Nelson County is a rural district nestled in the Blue Ridge Mountains of central Virginia. This area of striking natural beauty has gained popularity in recent decades with visitors who come to enjoy the Wintergreen Ski Resort, numerous local breweries, and abundant outdoor recreation opportunities in the area.

In 2005, The Rockfish Valley Foundation was created by local residents to preserve the natural, historical, ecological, and agricultural resources of the Rockfish Valley and to promote rural tourism opportunities in the area. This work began with the development of the Rockfish Valley Loop Trail system, which offers several miles of public walking trails through the valley. Recently, we created a Natural History Museum in a historic post office building. The museum is an official partner of the Virginia Museum of Natural History and hosts exhibits and lectures about the natural history of the region and the state.

Now, our foundation is turning its attention to developing an appreciation for the history of human settlements in the valley. The first major goal of this effort is to register the South Rockfish Valley Rural Historic District on the National Register of Historic Places. This designation will draw attention to the area's history, as well as qualifying property owners for special preservation assistance and resources. We have already completed the initial stages of this process and are now raising support for a professional architectural survey that will collect the information needed to complete this application.

Statement of Need

The South Rockfish River Valley deserves designation as a rural historic district because it contains a wealth of unique historic agricultural and architectural resources which must be preserved as tangible links to the region's storied past. A rural historic district is an area recognized by the Virginia Department of Historic Resources and the National Park Service for its historic architectural and archeological resources. Establishing a rural historic district is an invaluable step for discovering and protecting these cultural resources because it helps prevent the local, state and federal government from destroying them or compromising their integrity. It does not preclude a property owner from modifying or demolishing their property but it does help and encourage them to restore these structures in addition to catalyzing awareness within the community. Moreover, establishing a rural historic district will spur a host of economic and cultural benefits such as fostering a sense of community identity and pride and stimulating heritage tourism.

The proposed South Rockfish River Valley Rural Historic District includes an outstanding collection of working farms that have evolved and prospered for over 260 years, reflecting changing trends and practices in agriculture. The Rockfish River Valley has witnessed the rise and decline of both tobacco and apple farming in the county in addition to historic immigrant settlement patterns by groups like the Anglican "Tuckahoes," and the Scots-Irish and German "Cohees". The region prospered as an agricultural community because of its location along the South Fork of the Rockfish River, which feeds into the James River, a historically significant shipping route for Virginia.

After centuries of agrarian history, the Rockfish Valley possesses a wealth of historic residences, outbuildings, agricultural fields, and forests that perpetuate patterns of land use. These unique resources include Fork Farm (c. 1740) which has the oldest standing one-room farm house in Nelson County and remains a remarkable example of eighteenth century vernacular architecture. Other late eighteenth and early nineteenth century farm houses include Three Chimneys and Crawford House (both c. 1750), River Bluff (c. 1779), Winter Green (c. 1789), Elk Hill and Glen Thorn (c. 1800), and High View, now called Mill Hill (c. 1834). Nine properties in the district have been listed as "Virginia Century Farms" because they have been owned by the same family for over one hundred years. Many landowners have put their land in conservation easement, which will protect the South Rockfish River Valley natural habitats and rural character in the future. The current stock of properties under conservation easement is beneficial to sustain the historic district proposal. Additionally, the area has national protected areas, like Blue Ridge Parkway, and the George Washington National Forest.

In addition to elite farmhouses, South Rockfish Valley also contains structures with more humble origins which tell stories about smaller immigrant farmer families. Following the decline of tobacco production in the mid-19th century and apple production in the mid-20th century, the population of Nelson County began to decline. As a result, many agricultural structures have been lost due to neglect, abandonment or demolition. By surveying the district, we can identify and preserve these smaller, less well known vernacular structures. Often, the owners of these buildings and lands do not fully understand their historic significance or otherwise lack the funds to properly stabilize or restore a historic structure. As a result, property owners may not make any effort to preserve these resources. Establishing the Rockfish Valley Rural Historic District will increase awareness of these key elements of the community's historic fabric. Additionally, property owners may qualify for generous state and federal historic rehabilitation tax credits, receive technical assistance from the Department of Historic Resources for maintenance and rehabilitation projects, and purchase plaques that mark their property's significance.

Bringing attention to these features and educating people about their significance will not only help preserve the area's history, but can also stimulate the local economy. Heritage tourists tend to "stay twice as many nights and spend two-and-a-half times more money than do other tourists."¹ The tourism generated by historic districts not only encourages preservation activities that can employ unskilled and semi-skilled labor, but also provides opportunities for local entrepreneurs who provide lodging, food, gas, merchandise, and other services to visitors.

In 2009, the Rockfish Valley Foundation submitted a Preliminary Information Form (PIF) for the proposed South Rockfish Valley Rural Historic District to the Department of Historic Resources. This PIF defined the boundaries of the district, and included a history of its local and regional significance and an overview of its natural and architectural resources. The response from the Department of Historic Resources has been overwhelmingly positive. This rural historic district has the full support of Marc Wagner, the Regional Director of Preservation for Nelson County and Bob Carter, the Director of the DHR Sweet Briar College Satellite Office. Both Marc Wagner and Bob Carter have consulted with the Rockfish Valley Foundation to make this proposal a reality. The only remaining major step is the historic structure survey. Once completed, we can submit an official rural historic district application to the National Register. The establishment of the South Rockfish Valley Rural Historic District will then become a major driver of tourism and cultural heritage for the region.

¹ Thomas Jefferson Planning District Commission Heritage Tourism Toolkit.

Project Description

In order for an area to be recognized as a Historic District in the National Register of Historic Places, a detailed survey and description of the properties must be completed and submitted in an application. The application provides a general description of the area and an explanation of its historic significance. It also includes individual descriptions of every historically significant property and structure in the area. A successful application should be completed by someone with a strong understanding of architectural and landscape history who has experience with this type of work. Additionally, it is necessary to have general support for the designation among the owners of the properties that will be included in the district. This project, therefore, has been designed in the following way:

Goal

To recognize and preserve the valuable historic structures and landscapes found in the South Rockfish Valley Rural Historic District by adding it to the National Register of Historic Places.

Objective One: Complete and submit the South Rockfish Valley Rural Historic District's application to the National Register of Historic Places.

A professional architectural historian will be hired to complete and submit the South Rockfish Valley Rural Historic District's application to the National Register of Historic Places. This application will include a detailed description of the district's history and periods of significance, as well as a survey that will document the contributing characteristics of each property.

Objective Two: Organize two community meetings and distribute 100 information handouts to develop community support for the creation of the South Rockfish Valley Rural Historic District.

One common obstacle encountered in the creation of rural historic districts is the reluctance of property owners to support the application due to a misunderstanding of the restrictions placed on designated historic properties. In order to avoid this confusion and better explain the effects that the program will have on personal property rights, two professionally facilitated public meetings will be organized to allow community members to discuss these issues. Additionally, a concise information handout will be printed and distributed to each property owner in the historic district.

Project Timeline

We intend to begin this project on October 1, 2014. The majority of the work will be completed in one year, and the activities will be tracked on a quarterly basis. These quarters are defined as follows:

- **Quarter 1:** October 1, 2014 – December 31, 2014
- **Quarter 2:** January 1, 2015 – March 31, 2015
- **Quarter 3:** April 1, 2015 – June 30, 2015
- **Quarter 4:** July 1, 2015 – September 31, 2015

By the end of this period, a complete application to the National Register of Historic Places will have been submitted. Two years after this, a follow-up report that analyzes the effects of the National Historic District Designation (which is explained in greater detail below) will be prepared.

	Quarter 1	Quarter 2	Quarter 3	Quarter 4	+2 Years
Objective 1: Complete and submit application for the National Register of Historic Places					
Review previous and existing historical information					
Perform property surveys					
Submit application to National Register of Historic Places					
Objective 2: Organize public meetings and distribute information materials					
Announce public meetings					
Hold public meetings					
Produce a summary description of National Register of Historic Places program					
Distribute info packets					
Evaluation					

Prepare Historic District Impact Report					
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Evaluation

There are three stages of evaluation for this proposal:

1) The Rockfish Valley Foundation must garner support from community members to ensure that a majority of the population is in favor of the historic district. This will be accomplished through the community meetings described above and can be evaluated through feedback from community members.

2) The most direct form of evaluation for this proposal will be the success of the Rural Historic District Application. Once the survey is complete, the professional architectural historian will also prepare this application for review by the Virginia Department of Historic Resources. If the survey work has been carried out properly, and the Department of Historic Resources deems that the area is both historically significant and has historic integrity, then the South Rockfish Valley Rural Historic District will be approved.

3) Two years after the Rural Historic District is established, the Rockfish Valley Foundation will prepare a report on the effects that it has had on the community. We anticipate that it will have many beneficial outcomes. It will be used as an inventory of historic resources for county planning purposes which will help protect these structures. It will determine which properties and neighborhoods are eligible for listing in the National Register of Historic Places/Virginia Landmarks Register. This will enable property owners to seek National and State Register status for their historic homes and allow them to take advantage of significant State and Federal Historic Preservation Tax Credits. The information gained from the survey will also be valuable to promote heritage tourism thereby contributing to the local economy. Above all, successful completion of the Rural Historic District will foster community identity and pride.

Future Work

An official acceptance of the South Rockfish Valley Rural Historic District to the National Register of Historic Places will provide a strong foundation upon which the Rockfish Valley Foundation can organize further activities and programs that will promote and preserve the historic resources in our community.

Through the process of conducting the property survey for the National Register application, an extensive and professional collection of photographs and descriptions of the district’s properties and settlement history will be produced. We will use these resources to

develop a heritage center exhibit in the same building as our natural history center. The exhibit will present this information to visitors in an engaging and accessible manner to enrich their appreciation of the historic district.

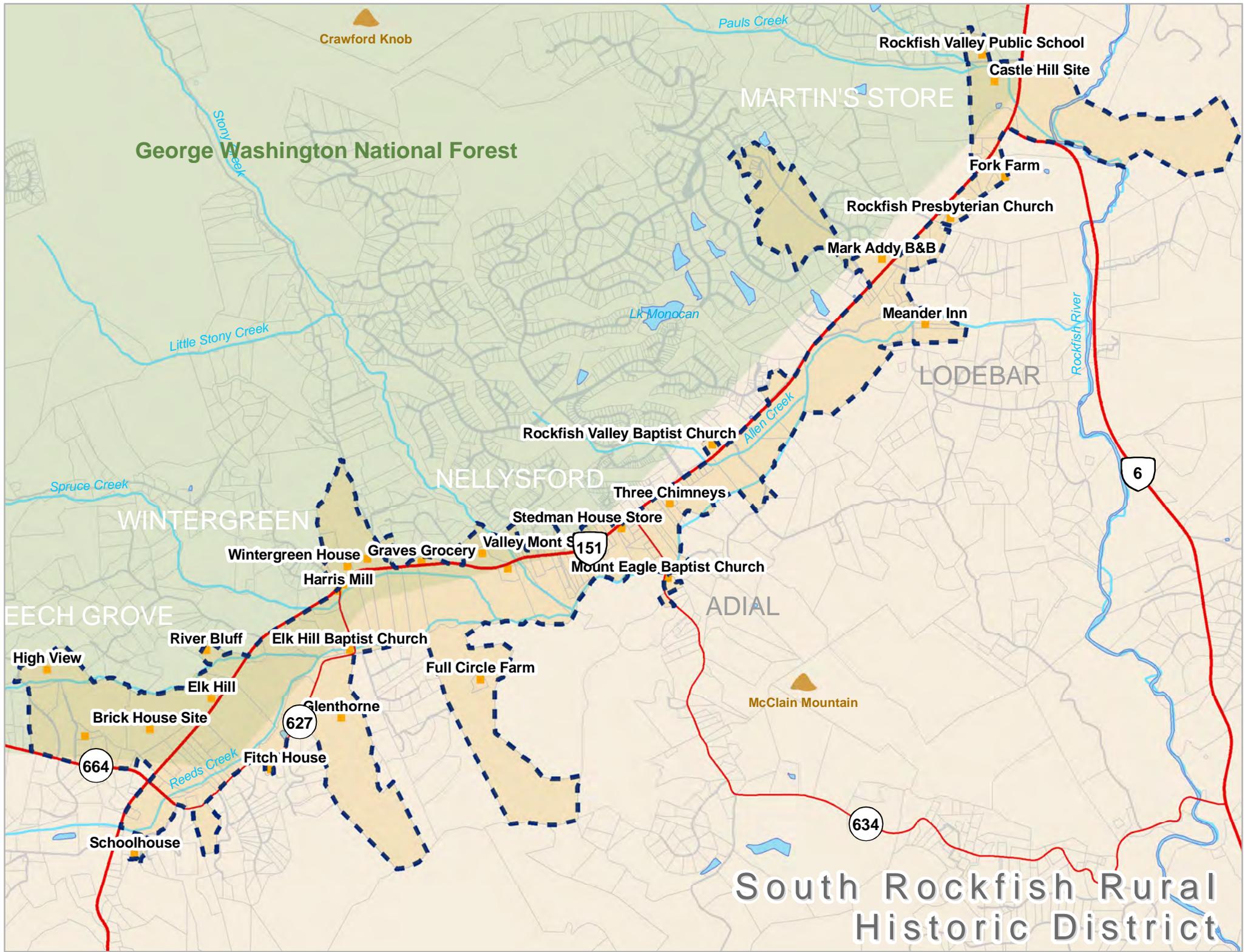
Additionally, the foundation intends to utilize this new interest in the Valley's human history by organizing a professional archaeological survey that will provide insights into both the area's early European settlements, as well as the preceding Native American activity and settlements in the valley.

Conclusion

The creation of the South Rockfish Valley National Rural Historic District will itself mark a significant moment in the history of the Rockfish Valley community. Not only will it help us better understand our own past, but will allow us to share this knowledge with the visitors who come to learn more about the rich history of this unique mountain community. Nelson County will use the information gathered from the historic structures survey for planning purposes to ensure the long-term preservation of these cultural assets. Recognizing these historic resources will also foster community identity and pride and will help promote heritage tourism. Together, these efforts will help us ensure that the beautiful South Rockfish Valley that we know today can continue to be shared for generations to come.

Contents of Appendix:

1. Map of Proposed Rockfish Valley Rural Historic District
2. Virginia Department of Historic Resources PIF Resource Information Sheet for Proposed Rockfish Valley Rural Historic District
3. IRS Determination Letter
4. Copy of most recent annual report/audited financial statement/990
5. Resume of preservation professional to oversee nomination process
6. Letters of Support:
 - Nelson County Chamber of Commerce
 - Marc Wagner, Capital Regional Preservation Office, Virginia Department of Historic Resources
 - Bob Carter, Sweet Briar College Satellite Office Director, Virginia Department of Historic Resources
 - Nelson County Historical Society
 - Oakland Museum



George Washington National Forest

MARTIN'S STORE

WINTERGREEN

NELLYSFORD

ADIAL

LODEBAR

EECH GROVE

South Rockfish Rural
Historic District

Crawford Knob

Rockfish Valley Public School

Castle Hill Site

Fork Farm

Rockfish Presbyterian Church

Mark Addy B&B

Meander Inn

Rockfish Valley Baptist Church

Three Chimneys

Stedman House Store

Mount Eagle Baptist Church

Elk Hill Baptist Church

Full Circle Farm

Glenthorne

Fitch House

River Bluff

Elk Hill

Brick House Site

High View

Schoolhouse

Pauls Creek

Stony Creek

Little Stony Creek

Lk Monocan

Allen Creek

Rockfish River

Spruce Creek

Reeds Creek

McClain Mountain

664

627

151

6

634

Budget for Rockfish Valley Rural Historic District

		Total
PERSONNEL		
Preservation Professional (Liz Sargent)*	150 properties X \$150 per property	\$ 15,000
Intern Architectural Historian	150 properties X \$150 per property	\$ 15,000
Community Outreach Coordinator	10 hours X \$100 per hour	\$ 1,000
Subtotal Personnel		
DIRECT COSTS*		
Travel		
Mileage for research and field investigations	1000 miles @ \$.055/mile	\$ 550
Printing		
Archival copying and project printing	1,000 @ \$0.25	\$ 250
Community Outreach Meetings		
Printing 100 information handouts		\$ 100
Poster board display		\$ 60
Rental space for meetings (2 @ \$250)		\$ 500
Refreshments		\$ 40
Project Budget		\$ 32,500

*BUDGET NOTES

The Department of Historic Resources Cost Share Program is a matching funds program. We plan to ask for \$16,000 from VDHR as part of the cost share, and will provide \$15,000 in in-kind services and \$1,500 in other grants to provide the match.

* Labor of preservation professional donated as in kind services. Liz Sargent, resume attached, will serve in this capacity

* Direct Costs for this project will be included in the match through a generous grant of \$1,500 from a local resident.

Cost estimate for professional architectural historian provided by the Department of Historic Resources website.

Cost estimate for community outreach coordinator provided by the Institute for Environmental Negotiation.

Peter Agelasto will donate his time as Executive Director on a voluntary basis for this project.

Donations for Community Outreach Coordinator office space will be provided by the Rockfish Valley Foundation.

Donations for Architectural Historian office space will be provided by the Rockfish Valley Foundation.

Donations of professional consultation assistance will be provided by the Virginia Department of Historic Resources.

Ownership
Categories:

Private

Public-Local

Public-State

Public-Federal

General District Information

What were the historical uses of the resources within the proposed district? Examples include: Dwelling, Store, Barn, etc...

DOMESTIC: single dwelling/mansion, residence; Secondary Structure/dairy, smokehouse, storage pit, storage shed, kitchen.

COMMERCE/TRADE: business/office building; specialty store/blacksmith shop, country store

EDUCATION Schoolhouse

RELIGION: Religious Facility/church

FUNERARY: Cemetery/cemetery

AGRICULTURE/SUBSISTENCE: Processing/smokehouse, tobacco barn; Storage/tobacco warehouse; Agricultural field/pasture, vineyard, orchard; Agricultural Outbuilding/ barn.

INDUSTRY/PROCESSING/EXTRACTION: Manufacturing facility/mill; Industrial storage/warehouse

LANDSCAPE: Garden; Forest; Unoccupied Land/meadow; Natural Feature/mountain, valley, river

TRANSPORTATION: Road-Related/highway

What are the current uses? (if other than the historical use)

DOMESTIC: single dwelling/mansion, residence; Multiple Dwelling/duplex Secondary Structure/dairy, smokehouse, storage pit, storage shed, kitchen, garage; Hotel/Bed & Breakfast

COMMERCE/TRADE: business/office building;

Professional/office; Financial Institution/bank; Specialty

store/bakery, clothing store, hardware store; Department

Store/general store, marketplace; Restaurant/café, bar;

Warehouse/warehouse, commercial storage

GOVERNMENT: Post Office;

RELIGION: Religious Facility/church

FUNERARY: Cemetery/cemetery

RECREATION AND CULTURE: Outdoor Recreation/park,

hiking trail; Monument/Marker/commemorative marker; Work of

Art/sculpture

AGRICULTURE/SUBSISTENCE: Processing/brewery, winery;

Storage/wine cellar; Agricultural field/pasture, vineyard, orchard;

Animal Facility/chicken coop; Agricultural Outbuilding/ barn.

INDUSTRY/PROCESSING/EXTRACTION: Industrial

storage/warehouse

LANDSCAPE: Parking Lot; Park; Garden; Forest; Unoccupied

Land/meadow; Natural Feature/mountain, valley, river;

Conservation Area/ecological habitat

TRANSPORTATION: Road-Related/highway; Pedestrian-

Related/trail

VACANT/NOT IN USE

Architectural styles or elements of buildings within the proposed district:

NO STYLE

COLONIAL: Georgian

EARLY REPUBLIC: Federal

MID-19TH CENTURY: Greek Revival

LATE 19TH AND 20TH CENTURY REVIVALS: Classical Revival/Neo-Classical Revival

LATE 19TH AND EARLY CENTURY AMERICAN MOVEMENTS: Commercial Style, Bungalow/Craftsman

MIXED

Architects, builders, or original owners of buildings within the proposed district:

William H. Crawford, Hawes Coleman, Milton LaTour Grigg,

Are there any known threats to this district?

Residential subdivision developments. Changing land use patterns of open space.

General Description of District: (Please describe building patterns, types, features, and the general architectural quality of the proposed district. Include prominent materials and noteworthy building details within the district and a general setting and/or streetscape description.)

Architecturally, the area is significant for both its farmhouses and agricultural outbuildings, which are an important legacy to Nelson County's architectural history. The area is an excellent example of the neoclassical style in Nelson County, and contains some of the earliest agricultural outbuildings in the county, dating from the late-eighteenth and early-nineteenth centuries.

The majority of early South Rockfish River Valley buildings were small one-room structures. Today, only Fork Farm (c. 1740) remains as a remarkable example of eighteenth century vernacular architecture. Although the valley was becoming populated, there were few communities as such before 1800. Early settlement of the area was limited, with known buildings that included a few small log residences, and some mills. Trading ties and immigration with areas west of the Blue Ridge Mountains and the Shenandoah Valley, brought Nelson County residents in contact with the Scots-Irish and German artisans who demonstrated willingness to experiment with form and style. Their use of graining and spongework as decorative treatments found its way into many South Rockfish River Valley homes. Few of these early dwellings remain, generally, the larger; more sophisticated, and more stable examples of early South Rockfish River Valley construction are what have survived.

During the eighteenth century, the Scotch-Irish Cohees' primary means for maintaining a sense of community and cultural cohesion was through worship. By 1740, they had built a meetinghouse near the current-day juncture of Routes 6 and 151. This building was not referred to as a church in order to avoid interference from the English Crown as Presbyterian worship was outlawed at that time. Today, a Presbyterian Church built in 1853 stands on the site of the original church, and a roadside historical marker tells the story of the early meetinghouse.

While living in a somewhat isolated region, South Rockfish River Valley residents were aware of architectural styles and trends. The trading, kinship, and friendship patterns of the major landowners brought in a variety of concepts that may not ordinarily be associated with an area of mountains and valleys. However, the majority of antebellum buildings in Nelson County demonstrate little evidence of high-style ornamentation. Of those that do, most feature the Federal style with several fine examples. Early local builders and contractors preferred the late-Georgian style, which persisted into the early nineteenth century. The survival of houses within those two earlier styles and their relatively unaltered state may be the result of the agrarian nature of South Rockfish River Valley and its reluctance, or inability because of expense, to change. South Rockfish River Valley has also largely escaped the growth pressure experienced in other areas. Subsequent styles have less impact in the area because major construction had already occurred.

The majority of historic farms sit atop bluffs overlooking bottomlands. The historic farms overlook the bottomland and the Rockfish River on the south. On the other side, they face north towards Crawford's Knob, Devil's Knob, Black Rock Mountain, and Three Ridge Mountain. There are nine manor houses, located within a mile of each other, that were built near the south fork of the Rockfish River between the late eighteenth and early nineteenth centuries. Still standing today are: Three Chimneys and Crawford House (both c. 1750), River Bluff (c. 1779), Winter Green (c. 1789), Elk Hill and Glen Thorn (c. 1800), and High View, now called Mill Hill (c. 1834). Vallemont (c. 1850) and Glen Mary (c. 1840) have been lost to demolition or neglect. All of these estates were working farms. Glen Thorn and Elk Hill continue to serve as active farms. The Wintergreen Winery is on land that was a part of the original High View property. South Rockfish River Valley manor houses have evolved from a late-eighteenth century structure through additions and renovations. During the nineteenth and early twentieth centuries, successive generations made significant alterations and additions, reflecting changing tastes and architectural fashions as well as the rising prosperity of the South Rockfish. By far the most common post-bellum house design in the area is the I-house with a single-pile, two-story, and center-hall plan dwelling. This type of house often has a one or two-story rear ell.

By the nineteenth century, the village of Wintergreen was the center commercially and socially for the surrounding farm community. A surprisingly large number of buildings occupied the relatively small area comprising the village of Wintergreen. Currently standing on this land are Wintergreen house, Wintergreen Christian Church, and the former Wintergreen Country Store. Now vanished from the property were a post office/home, Wintergreen Pentecostal Holiness Church, and several large tobacco barns. Many buildings once stood near the Wintergreen intersection, west of the village. Today only Elk Hill Baptist Church survives from that cluster, but vanished buildings include a corn mill; saw mill, store, blacksmith shop, foundry, wheelwright shop, and several houses. Built later, but now also gone, were two schools, at least five general stores, a liquor distillery, and warehouses. During the late nineteenth through the mid-twentieth centuries, country stores served as social and commercial centers within the small communities of the South Rockfish River Valley, and provided the commercial backbone of the local farm community. Today, the Wintergreen Country Store (c. 1903) survives at the intersection of Route 151 and 627. The building has served as a post office, voting precinct, local bar, and store. The Wintergreen Store is the only remaining example of a succession of stores that once served the Wintergreen area.

During the first portion of the twentieth century, the villages of Nellysford and Beech Grove increased significantly in population, and thus, in new house construction. Although many of these twentieth century houses featured irregular floor plans and vernacular styles, two styles of houses were commonly constructed in the county in the period before World War II. The bungalow, a popular national style of the early twentieth century, is represented in each of those villages. Bungalow-Craftsman influenced designs include both eaves-front and dormer houses and central hall, gable front houses. The second common twentieth century house style is the American Four-Square. They are square in plan and generally two stories with a hipped roof.

Significance Statement: Briefly note any significant events, personages, and/or families associated with the proposed district. It is not necessary to attach lengthy articles or genealogies to this form. Please list all sources of information. Normally, only information contained on this form is forwarded to the State Review Board.

The South Rockfish River Valley is significant in the areas of agriculture and architecture as an outstanding collection of working farms that have evolved and prospered for over 260 years, reflecting changing trends and practices in agriculture. Some of the earliest farms in Nelson County are located here in South Rockfish River Valley. The area has served continuously as farmland, witnessing the rise and decline of both tobacco and apple farming in the county, as well as recent experiments with grape growing. The region prospered as an agricultural community because of its location along the South Fork of the Rockfish River, which opens into the James River, a historically significant shipping route for Virginia. During the late nineteenth century and early twentieth century, the area grew substantially when apple agriculture became a successful crop.

The Scot speculator John Chiswell had acquired large patents in old Albemarle reported to be some 40,000 acres, including 30,000 acres on Rockfish River by 1739 and another 10,000 acres patented in 1749, "in three surveys lying between the lines of George Braxton, John Rucker, Parson Rose, and the Fluvanna..." A 2360 acres patent of 1739 coincides with the proposed historic district. Chiswell had begun to sell land in the 1740's to the Cohee settlers in Rockfish Valley and in 1760, sold 20,000 acres to his powerful son-in-law, John Robinson, Treasurer of the colony and Speaker of the House. Apparently, John Chiswell went broke and his land was re-patented to Thomas Morrison. Morrison's widow Rachael Ayers was the only woman to own property in her name in Nelson (then Amherst County) before the Revolutionary War. The Fry-Jefferson map calls South Rockfish as Morrison's Branch.

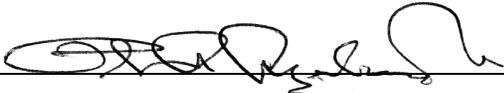
Over time, settlers arrived in the valley from Tidewater Virginia and other points east. Many of these were slave-owning Anglican tobacco farmers referred to as Tuckahoes. The rich soils of the valley were particularly well suited to growing dark leaf tobacco used for cigar wrappings that commanded a good price. Hogsheads of local tobacco were rolled, or were placed in wagons and driven, to bateaux on the Rockfish and James rivers where they were floated to Richmond for sale or export. Local planters of means began to build larger and more stately homes. As tobacco prices declined in the nineteenth century, local farmers began to diversify their agricultural base. A variety of livestock were raised by local farmers; until fencing laws were passed in the 1870s, these animals roamed freely to graze. By the Civil War, apples became a significant farm product in Nelson County. Historic records indicate the continued presence of saw and corn/grist mills. At Elk Hill, a stream referred to as Still House Branch suggests that whiskey was also being produced from local grain. Some local houses from this period incorporate brick into their construction, a portion of which was likely produced locally.

Morrison's heirs sold to the Reid family, and finally the Colemans acquired a large part of the original tract. Alexander Reid and his son, Samuel Reid, settled South Rockfish in the mid-18th century. The first crops grown by the Reids are unknown. In 1805, Hawes Coleman, the first of a long line of Coleman owners, bought the property, cultivated tobacco, and built a tobacco-packing barn. South Rockfish prospered as a successful tobacco area. As tobacco production began to decline, Nelson County became known for its apples. The apple industry was particularly significant in Virginia in the 1880s and helped to generate prosperity in the Rockfish Valley following the Civil War. After apple production at South Rockfish began to decline in 1941, farmers removed the apple trees, raised cattle, and grew hay.

Hawes Nicholas Coleman was one of the wealthiest men of his time in Nelson County. By 1860, he had 125 slaves and owned a gristmill, but no one knows of its location today. He operated the gristmill turning wheat into flour and chop at a value of \$4,800 and \$375, and corn into meal valued at \$6,500.²² He grew tobacco but also practiced traditional intensification, which meant that he created permanent fields based around one or two less risky crops. It was Dr. Coleman that introduced apples to the area, planting 10,000 Albemarle Pippin apple trees. Apples became very popular and Coleman became one of the biggest growers in Nelson County. The Coleman's agricultural production had significantly increased over the years, tobacco on the farm almost doubled while swine production remained strong. Dr. Coleman died in 1877. In the year of his death, it was recorded that his wife Nannie A. Watson Coleman shipped 500 barrels of choice Albemarle Pippins from the Elk Hill Orchards to R. W. Woodruff Co. apple brokers in New York City, New York. Shipments as large as that one were also made before that.

Diversified farming remained the primary land use activity of the valley during the twentieth century. Local residents worked to enhance the sustainability of their farmland, and continued to diversify their offerings in farm products. Today, the valley community remains fiercely independent, self-reliant, and dedicated to stewardship of the land. Many landowners have put their land in conservation easement, which will protect the South Rockfish River Valley natural habitats and rural character in the future. Thus, these land-sense qualities may be traced to the cultural history of the valley.

Although most of the settlers in the old Amherst and the Rockfish Valley did not form villages or town, a few concentrations or settlements appeared in the early years. The Presbyterian settlers, sharing the same culture and religion, were brought together as both a local settlement and a community of believers. Those of a similar social class intermarried with one another, and with nearby planters. Most of the men of the proper age became soldiers in the Revolution, and prominent families such as the Reids and Crawfords produced the early justices of old Amherst. William Harris Crawford was born in Nellysford in 1772. Early in life, he was taken to Georgia and became a leading politician of the era. He was United States Senator; Minister to France; Secretary of War and of the Treasury; candidate, 1824, for the Presidency, which was decided by the House of Representatives. His house remains at the foot of Blue Ridge, overlooking Nellysford and the Rockfish River Valley.

Applicant Information (Individual completing form if other than legal owner of property)			
Mr. <input checked="" type="checkbox"/>	Mrs. <input type="checkbox"/>	Rockfish Valley Foundation	
Ms. <input type="checkbox"/>	Miss <input type="checkbox"/>	by Peter Agelasto III, President	
P.O. Box 235		Nellysford	VA 22958
(Address)		(City)	(State) (Zip Code)
peter.agelasto@gmail.com		434-361-2251	
(Email Address)		(Daytime telephone including area code)	
Applicant's Signature: 		Date: October 28, 2009	

Notification			
In some circumstances, it may be necessary for the department to confer with or notify local officials of proposed listings of properties within their jurisdiction. In the following space, please provide the contact information for the local County Administrator or City Manager.			
Mr. <input checked="" type="checkbox"/>	Mrs. <input type="checkbox"/>	Dr. <input type="checkbox"/>	
Miss <input type="checkbox"/>	Ms. <input type="checkbox"/>	Hon. <input type="checkbox"/>	
Nelson County		Stephen A. Carter	County Administrator
(Locality)		(Name)	(Position)
Lovington		84 Courthouse Square P.O. Box 336	
(City)		(Address)	
VA	22949	434-263-7000	
(State)	(Zip Code)	(Daytime telephone including area code)	

Please use the following space to explain why you are seeking an evaluation of this district.

The South Rockfish has retained much of its historic character and physical integrity due to a long history and continuum of farming coupled with a cohesive and identifiable geography. The historic district designation can be a valuable tool for the community to support tourism, encourage land stewardship, achieve economic development, and preserve the rural character of the South Rockfish area. This will raise consciousness about the value of open space and agricultural uses.

Would you be interested in the State and/or the Federal Rehabilitation Tax Credits? Yes No
 Would you be interested in the easement program? Yes No

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Survey & Planning

Frequently Asked Questions

What is the Cost Share Program?

It is a unique program designed to develop a cultural resource database for Virginia's local governments, including surveys of historic resources, local preservation plans, and preparation of national register nominations, in which the locality and the Department of Historic Resources (DHR) share the costs.

Important Links for Survey & Planning

[Survey & Planning Homepage](#)[FAQs About Survey](#)[DHR Official Survey Manual \(PDF\)](#)[Survey & Nom. Photo Guidelines](#)

How does it work?

A locality competes to participate in the program by submitting a proposal to survey historic properties, prepare national register nominations, or develop preservation plans for its jurisdiction. The department will match the amount of money the locality is willing to commit for the project. Department staff will assume the administrative burden of the project by hiring a consultant to do the work and, through its field offices, closely monitor the project to ensure it meets the needs and expectations of both the locality and the department.

How long has the program been available to Virginia localities?

The cost share program was launched in 1991, with over 100 localities participating to date.

How does the program assist local governments?

The Code of Virginia directs each jurisdiction to develop a comprehensive plan and to update it every five years. Additional legislation calls for each locality to incorporate cultural resources into its comprehensive plans. Surveys conducted under this program can go a long way toward establishing a usable cultural resource database. The database facilitates the environmental review process and helps avoid costly delays for both state and federal agencies and for developers. Moreover, the resulting database and accompanying report can be critical tools in developing heritage tourism. The survey report provides written and visual information for use in both formal and general education outreach programs. National register nominations offer the opportunity for owners of historic properties to use the state and federal preservation tax credits, which can lead to community revitalization. Survey projects include the creation of a

[Order Now](#)[A Handbook and Resource Guide for Owners of Virginia's Historic House](#)[Read a review](#)

This dwelling was one of the buildings documented through a Cost Share survey of the Forestville Historic District in Shenandoah Co. Forestville is one of the most well-developed and best-preserved mill villages in the northern Shenandoah Valley.

scripted slide presentation for use throughout the area to inform residents of important historic properties in their community and to stimulate interest in learning about their locality's history.

When does a locality submit a proposal?

Generally a mailing goes out to all local governments in the spring of each year inviting proposals from local governments. Localities have about 60 days to prepare proposals that the department will evaluate on a competitive basis. The criteria for the evaluation include the need for survey and other preservation activities in that particular area, comprehensiveness, and responsiveness of the proposal.

How long does the process take?

Evaluation of the proposals usually takes about a month. During the following two months, the department works closely with the selected local governments to develop a scope of work and advertises for consultants to carry out the projects, using the Request for Proposal (RFP) method. The scope of work calls for at least two public meetings in the locality, along with ongoing dialogue with county, city, or town officials who have been designated as contacts by the local government. The consultants' proposals are evaluated and a contract award is made. The general time frame for completing each project is 15 months from the time a consultant is selected.

How does a successful cost share project benefit a locality?

A Cost Share project:

- Stimulates a community's interest in its cultural resources—historical, architectural, and archaeological;
- Complements planning information for the locality;
- Offers an opportunity for interested volunteer organizations and their members to make a substantive contribution to their community by supporting the projects;
- Provides the local government with an illustrated narrative report with a history of the locality and a comprehensive list of historic properties;
- Results in a scripted slide show for use by local groups and organizations and in public schools that presents a visual look at the history and cultural resources of a community;
- Makes owners of historic properties eligible for substantial government [tax credits](#) for rehabilitating their historic homes and other buildings in cases where historic districts are successfully nominated to the [Virginia Landmarks Register and National Register of Historic Places](#).

What are some of the typical total costs for a Cost Share project?

- \$15,000–\$18,000: Covers a survey of about 150 historic properties representing a select number of historical themes, maps showing all properties more than 50 years of age, an illustrated report, electronic data and photographs for each surveyed property, a scripted slide presentation, and two public meetings for the community.
- \$18,000–\$21,000: Covers a survey of 175 buildings in a town or city and the preparation of a National Register nomination for a historic district.
- \$24,000–\$28,000: Covers a survey of 200 buildings, including architectural data, maps and photographs—with a comprehensive illustrated report, a scripted slide presentation, maps identifying all properties more than 50 years old, and electronic data.
- \$25,000–\$30,000: Covers an intensive archaeological survey assessment of a county or city and a draft preservation plan.
- \$40,000–\$45,000: Covers a survey of 250 architectural properties and an archaeological survey of approximately 300 acres in areas of high development potential, maps indicating all properties more than 50 years old, a scripted slide presentation, and a complete illustrated report.

These costs are estimates only and should only be used as a general guideline. The department does not guarantee the prices but is willing to work with the local governments to modify budgets or scopes of work to assure a mutually satisfactory product.

In most cases, the local government provides at least one half of the cash for these projects, but DHR will entertain all proposals, regardless of the amount of local match offered. Local portions are often supplemented with funds from local historical societies and other private entities. Project proposals can be enhanced when local governments can offer office space, lodging, use of government vehicles, computers, or volunteer hours. However, in-kind services cannot be substituted for the cash contribution.

For further information regarding the Cost Share Program, contact [Carey Jones](#) at (804) 482-6453.

Updated 7.16.12

Facts Regarding National Register Historic District Designation

National Register Designation Summary:

1. Increases public awareness of a community's historic resources and encourages preservation;
2. Does not restrict in any way the private property owner using private funds;
3. Mitigates the negative impact of government-funded projects;
4. Provides financial benefits, mainly in the form of tax incentives.

1. National Register designation officially recognizes the cultural, architectural, and landscape features of a historically significant area, bringing them to the attention of the community, state, and nation. Ideally, listing furthers community efforts to preserve the area's historic and natural features.
2. National Register historic district designation does not restrict an owner's use of his or her property in any way as long as private, non-government funds are used. It does not, for example, prohibit any owner from altering or demolishing any buildings, nor does it restrict subdivision or sale. National Register listing does not require a property to be open to the public.
3. National Register designation can help lessen the negative impact on a historic area from government funded projects. By law, an environmental impact study is required for any federally funded projects – such as road building, utility installation, and public housing projects. Also, certain state projects are reviewed for their impact on historic resources. If any project is deemed to have an adverse effect on historic buildings, archaeological sites, or landscape features within an historic district, those impacts must be considered and mitigated to the extent possible.
4. National Register designation confers financial benefits on historic district property owners. First, it allows the owner of a contributing building within the registered district to claim investment tax credits for certified rehabilitations. The rehabilitation tax credits are dollar-for-dollar reductions in income tax liability for taxpayers who rehabilitate historic buildings. Additionally National Register designation makes properties eligible for matching federal grants to historic preservation, when available.

For additional information on the register or investment tax credit programs, contact the Department of Historic Resources, 2801 Kensington Avenue, Richmond, Virginia 23221 (804) 367-2323 or visit their website at www.dhr.virginia.gov.

What National Register Historic District Designation Does

- It officially recognizes the architectural and historic significance of an area.
- It qualifies a property owner for financial benefits, including State and Federal Historic Rehabilitation Tax Credits.
- It protects properties from potentially harmful federally funded activities, like highway projects.

What National Register Historic District Designation Does **Not** Do

- It does **not** prevent an owner from renovating or demolishing.
- It does **not** require an owner to restore or renovate property.
- It does **not** restrict an owner's use of his or her property.
- By itself, it does **not** increase your property value or taxes. (Property values and consequently property taxes are influenced by many factors including – location, improvements, supply and demand, zoning, surroundings, local and national economic conditions, business cycles, and actions of national, state, and local governments.)
- It does **not** automatically preserve a building or keep a property from being demolished.

WHY THESE BOUNDARIES?

A National Register Historic District is a collection of buildings that share a similar period of development and architectural character. The boundaries for a National Register Historic District are determined by evaluating the following elements:

- Physical, natural boundaries – rivers, lakes, hills, valleys, etc.
- Man-made features – roads, highways, etc.
- Political boundaries – corporation lines, wards, etc.
- Age of the buildings (at least fifty years old).
- Architectural style of the buildings.
- Associations with famous persons, cultural groups, or historical events.
- Integrity – how much has been lost to demolition or incompatible development.

National and State Register

Frequently Asked Questions

What is the National Register of Historic Places?

The National Register of Historic Places, administered by the National Park Service, which is part of the U.S. Department of the Interior, is the Nation's official list of cultural resources worthy of preservation. Authorized under the National Historic Preservation Act of 1966, the National Register is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect our historic and archeological resources. Properties listed in the Register include districts, sites, buildings, structures, and objects that are significant in American history, architecture, archeology, engineering, and culture.

What are the benefits of registration?

Registration is an honor bestowed on historic properties by the state and federal governments. It recognizes the historic value of a property and encourages present and future owners to continue to exercise good stewardship. Owners of registered properties may donate historic preservation easements (which can reduce real estate taxes), qualify for the state and federal historic rehabilitation tax credits, receive technical assistance from department staff for maintenance and rehabilitation projects, and purchase plaques that mark the property's significance.

Is registration expensive?

No fees are charged for any part of the registration process. Many property owners successfully complete the Preliminary Information Forms and National Register of Historic Places nominations with advice from department staff. Others, however, may wish to pay a consultant to do the work for them. We suggest that they review our Consultants Directory and contact several consultants to compare estimated costs. There are costs associated with ordering a register plaque for a historic property, and, again, contacting suppliers and comparing estimated costs is recommended.

Will anyone be able to stop me if I want to alter or tear down my property once it's registered?

Not as a result of registration. Property owners who donate historic preservation easements, participate in the federal or state tax credit programs, or accept a federal or state rehabilitation grant must abide by certain restrictions on alterations or demolitions associated with those programs. Otherwise, only local building codes and permit requirements must be satisfied, as with any property.

Some friends live in a historic district, and they tell me that they have to get permission from a board to repair their porch or paint their house. Will I have officials looking over my shoulder if I register my house?

No. Only locally designated historic districts are subject to local zoning ordinances and procedures. Sometimes, a property or district may be listed at the national, state, and local levels but it is only the local designation that places restrictions on private owners.

Do I have to open my property to the public if it is registered?

No. Listing in the National Register of Historic Places or the Virginia Landmarks Register does not require that you open your house to the public.

Will registration or listing increase or decrease my property values and tax burden?

Many factors affect the value of real estate: location, improvements, supply and demand, zoning, surroundings, local and national economic conditions, business cycles, and actions of national, state, and local governments. Changes in any of these factors may increase or decrease the value of property. Registration per se appears to have little effect, although one would expect well-kept, attractive, older properties and neighborhoods to experience rising values over the long run.

Can a property be nominated individually if it is within a district?

Yes. However, property owners in districts already can receive the same benefits as owners of individually listed properties. In other words, if a property is listed as a contributing structure within the district, it is already "just as registered" as if it were listed individually.

Can aluminum- or vinyl-sided buildings be registered?

Yes. Although aluminum or vinyl siding is not a recommended treatment for historic buildings (it conceals the historic fabric and may damage it through moisture retention), the national and state registers do not exclude vinyl-sided buildings from consideration.

How are decisions made about what gets listed?

The process consists of evaluation and nomination. During the evaluation phase, preliminary information about the property is examined by the Department of Historic Resources regional office and the National Register Evaluation Committee, which then recommends to the State Review Board properties that appear to meet the criteria for registration. Once the evaluation phase is completed, the nomination phase usually results in the listing of these qualified properties.

Isn't it true that only sites associated with famous people or events get registered?

No. The register criteria apply to places of local as well as of national or statewide significance. Many places are listed in the registers because they exemplify themes or architectural styles important in local history.

If my property is listed in the national or state registers, will it be protected from undesirable development or destruction by government projects?

Not necessarily. Only easements protect property in perpetuity. Registration informs owners, local planners, government agencies, and others involved in land-use planning of the existence of a historic resource. Neither the National Historic Preservation Act nor the *Code of Virginia*, however, requires property owners, developers, or government agencies to avoid affecting or destroying historic resources. The National Historic Preservation Act does require, however, that federal agencies take historic properties into account when planning projects. In many cases, state and federal agencies work around the historic property or mitigate the effects of a project on the property. However, in most cases, the federal or state project usually proceeds even if it affects or destroys the resource. In some instances, the force of public opinion has persuaded developers or government agencies to spare a registered property.

Will I be able to leave my property to my children or to anyone I want if it is listed?

Listing in the national or state registers in no way affects the transfer of property from one owner to another, or any other rights or responsibilities of property ownership.

My property is included within the boundaries of a historic district even though my house is too new to be historic. Why can't I just be left out of the district?

The concept of a district precludes its looking like a doughnut or a slice of Swiss cheese. The boundaries of a district are drawn to include the highest concentration of resources that contribute to the significance of the district, but there will often be properties within the district that do not contribute to it. (For instance, a historic farm complex is likely to have modern structures that do not contribute to the significance of the complex.) These properties are included within the district boundary but are recorded as noncontributing. This has the same effect as "leaving them out" without compromising the integrity of the district as a whole.

Liz Sargent, ASLA, RLA, LEED AP

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Professional Experience

- 2007 – Present **Principal**
Liz Sargent HLA, Charlottesville, Virginia
- 2003 – 2007 **Principal Landscape Architect and Senior Associate**
John Milner Associates, Inc., Charlottesville, Virginia
Landscape Architecture and Historic Preservation
- 1994 – 2003 **Principal**
OCULUS, Charlottesville, Virginia
Landscape Architecture, Historic Preservation, Urban Design
- 1991 – 1994 **Senior Associate, Associate**
Land and Community Associates, Charlottesville, Virginia
Landscape Architecture and Historic Preservation
- 1986 – 1988 **Specifications Manager**
Carol R. Johnson and Associates, Cambridge, Massachusetts
Landscape Architecture and Planning

Professional Registrations and Public Service

Registered Landscape Architect, Virginia, #537, 1993

City of Charlottesville Historic Resources Committee
Member, 2013-present

Highlands Biological Foundation
Trustee, Executive Committee Member, 2012-present

Rockfish Valley Foundation
Trustee, 2011-present
Committee Responsibilities: Historic Resources Group Chair
Projects: Nelson Scenic Loop; South Rockfish Valley Historic District Nomination, Earth Caching Trail

Design Marathon
Participant, 2008, Charlottesville Design Center; Client: Rockfish Valley Foundation

Preservation Piedmont
Secretary, 2004
Board Member, 2000-2004

Jefferson School Oral History Project
Funded by the American Architecture Foundation and the Virginia Foundation for the Humanities
Graphic Designer, Editor, Fiscal Agent, 2002-2004

Virginia Chapter, American Society of Landscape Architects
President, 2002-2003

President-Elect, 2001-2002; Immediate Past President, 2003-2004; Chair, Blue Ridge Section, 1992-1993

Education

1991 University of Virginia, **Master of Landscape Architecture**

1984 Connecticut College, **Bachelor of Arts in Botany and American History**

Current Cultural and Historic Landscape Projects (In Progress)

Andersonville National Historic Site Cultural Landscape Report, Andersonville, Georgia

Andersonville National Historic Site Historic Resources Study, Andersonville, Georgia

Big South Fork National Recreation Area Historic Resources Study, Tennessee and Kentucky

Blue Ridge Parkway Historic Resource Survey, Blue Ridge Parkway, Virginia and North Carolina

Dry Tortugas National Park National Register Nomination, Florida

Everglades National Park National Register Nomination, Florida

Fort Pulaski National Monument Historic Structures Report, Savannah, Georgia

Fort Ward Park and Museum Area Resource Management Plan, Alexandria, Virginia

George Washington Carver National Monument Cultural Landscape Report, Diamond, Missouri

Mammoth Cave National Park Cultural Landscape Report, Mammoth Cave, Kentucky

Shiloh National Military Park Administrative History, Shiloh, Tennessee

Stones River National Cemetery Cultural Landscape Report, Murfreesboro, Tennessee

Stones River National Battlefield Historic Structures Reports, Murfreesboro, Tennessee

William Howard Taft Home National Historic Landmark Nomination and National Historic Site National Register Nomination, Cincinnati, Ohio

Yellowstone Park Transportation Company Historic District Cultural Landscape Inventory, Yellowstone National Park, Gardiner, Wyoming

Selected Past Cultural and Historic Landscape Project Experience

American Boxwood Society Display Garden Concept Design, Blandy Farm, University of Virginia, Boyce, Virginia

Cedar Pass Developed Area Cultural Landscape Report/Environmental Assessment, Badlands National Park, Interior, South Dakota

Clemson University Preservation Master Plan, Clemson, South Carolina

Confederate Fortifications Historic Site Treatment Plan, Centreville, Virginia

D.C. Workhouse and Reformatory Historic District National Register Nomination, Lorton, Virginia

Darden Courtyard Concept Design, University of Virginia, Charlottesville, Virginia

Dawson's Row Site Design and Construction Documentation, University of Virginia, Charlottesville, Virginia

Fishing Bridge, Lake, Lake Fish Hatchery, and North Entrance Road Historic Districts Cultural Landscape Inventories, Yellowstone National Park, Wyoming

Flat Top Estate Historic District National Register Nomination and Cultural Landscape Report Update, Blue Ridge Parkway, Blowing Rock, North Carolina

Front Royal Entrance Corridor Planting Design, Front Royal, Virginia

George Washington Birthplace National Monument Cultural Landscape Report, Westmoreland County, Virginia

Good Fellow Youth Camp Cultural Landscape Report Environmental Assessment, Porter County, Indiana
Humpback Rocks Cultural Landscape Report, Blue Ridge Parkway, Nelson and Augusta Counties, Virginia
Independence Square Rehabilitation and Planting Plan, Independence National Historical Park, Philadelphia, Pennsylvania
Jamestowne Island and Neck of Land Cultural Landscape Report, Jamestown Island, Yorktown, Virginia
Kennesaw Mountain National Battlefield Cultural Landscape Report and Earthworks Management Plan, Marietta, Georgia
McCormick Road Housing Site Design Phases I and II, University of Virginia, Charlottesville, Virginia
McCormick Road and Pavilion Alleys Historic Landscape Study, University of Virginia, Charlottesville, Virginia
Mission Concepcion Cultural Landscape Report, San Antonio Missions National Historic Site, San Antonio, Texas
Mission San Jose Cultural Landscape Report, San Antonio Missions National Historic Site, San Antonio, Texas
Monument Terrace Rehabilitation, Lynchburg, Virginia
Mount Rushmore National Memorial National Register Nomination Update, Mount Rushmore, South Dakota
Mount Vernon Estate and Gardens Cultural Landscape Report, Alexandria, Virginia
National Zoo and Conservation Research Center Master Plan, Washington, D.C. and Front Royal, Virginia
Nicodemus National Historic Site Cultural Landscape Report, Nicodemus, Kansas
Oatlands Plantation Master Plan, Leesburg, Virginia
Old Courthouse Historic Structure Special Issues Report, Jefferson National Expansion Memorial, St. Louis, Missouri
Peaks of Otter Cultural Landscape Report, Blue Ridge Parkway, Bedford and Botetourt Counties, Virginia
President's Park Cultural Landscape Report, Washington, D.C.
Presidio of San Francisco Cultural Landscape Report, San Francisco, California
Riley House Historic Structures Report, Montgomery County, Maryland
Stones River National Battlefield Cultural Landscape Report, Murfreesboro, Tennessee
Sutro Baths Cultural Landscape Report, Golden Gate National Recreation Area, San Francisco, California
Tallgrass Prairie National Preserve Cultural Landscape Report, Chase County, Kansas
University of Cincinnati Preservation Master Plan, Cincinnati, Ohio
Washington and Lee University Preservation Master Plan, Lexington, Virginia
Washington Monument Cultural Landscape Report, Washington, D.C.
Washita Battlefield National Historic Site, Cultural Landscape Report Part 2, Roger Mills County, Oklahoma
Wilson's Creek National Battlefield Cultural Landscape Report, Republic, Missouri
Wind Cave National Park Cultural Landscape Report, Hot Springs, South Dakota
Woodrow Wilson Family Home Historic Property Plan, Columbia, South Carolina
Yosemite National Park Cultural Landscape Report, Merced, California

Selected Publications and Speaking Engagements

"Portsmouth Village: Lessons for Addressing Climate Change," presented at the Cultural Landscapes: Preservation Challenges in the 21st Century conference, Rutgers University, New Brunswick, NJ, 2012.

Guest Lecturer, University of Virginia graduate seminar Preservation Planning 5300 taught by Rich Collins, Charlottesville, VA, 2012.

"More than Just a Wall: Landscape Exploration within the Academical Village," presented at Preservation Week, Preservation Virginia and Preservation Piedmont, Charlottesville, VA, 2012.

"Portsmouth Village: Revealing a Distant Past," presented at the annual Association for Preservation Technology conference, Victoria, British Columbia, Canada, 2011.

"Genus loci: Native Plants, Landscape Design, and the Spirit of Place," presented at the Highlands Native Plant Symposium, Highlands, NC, 2011.

"Consider a career in Landscape Architecture," presented at "Women in Architecture: Sharing Insights into the Profession," University of Virginia School of Architecture, Charlottesville, VA, 2010.

"The South Rockfish Valley: Successful Synergy of Preservation, Conservation, and Sustainability," presented at Preservation Week, Preservation Virginia, Charlottesville, VA, 2009.

"Vegetation Management and Cultural Landscapes," Revegetation in the Eastern U.S.–Challenges & Opportunities, National Park Service (NPS), Gatlinburg, TN, 2009.

Guest lecturer, University of Virginia graduate seminar LAR523 **"Cultural Landscapes,"** taught by Ethan Carr, Charlottesville, VA, 2009.

"Vicksburg National Military Park: An Evolving American Icon," Designing the Parks I, NPS, Charlottesville, VA;

"Treatment, the New Battleground," Designing the Parks II, San Francisco, CA, 2008.

"Treating the Cultural Landscapes of Battlefields; Interpreting the Evidence of Ephemera," Society of Historical Archaeologists, Sacramento, CA, 2007.

"George Washington Birthplace National Monument: Provenance of a Colonial Revival Commemorative Landscape," in *Re-creating the American Past: Essays on the Colonial Revival*, University of Virginia Press, 2006.

"A Cultural Landscape Primer," presented at the annual West Virginia Preservation Alliance conference, Shepherdstown, WV, 2005.

"Battlefield Landscapes; Documentation, Interpretation, and Treatment," presented at the 7th National Conference on Battlefield Preservation and 2nd International Symposium on Battlefield Terrain Preservation, held by the American Battlefield Protection Program, Nashville, TN, 2004.

Guest lecturer, University of Maryland graduate seminar HISP 619T **"Conservation of Historic Places"** taught by William A. Dupont, AIA, Graham Gund Architect for the National Trust for Historic Preservation, College Park, Maryland.

Peer Review, **Drayton Hall Master Plan**, National Trust for Historic Preservation, Charleston, SC, 2003.

"Nicodemus, Kansas: Connecting the Threads of Past, Present, Future," presented at the annual Association for Preservation Technology conference, Portland, ME, 2003.

"Nicodemus, Kansas: Preservation and Interpretation Strategies Particular to a Living Community," presented at the annual National Historic Landmark conference held by the Midwest Regional Office, National Park Service, Little Rock, AK, 2003.

"The Cultural Landscape of Nicodemus, Kansas," presented at the annual meeting of the Virginia Chapter, American Society of Landscape Architects, Richmond, VA, 2001.

"George Washington Birthplace National Monument: Provenance of a Colonial Revival Commemorative Landscape," presented at the Colonial Revival in America conference, held by the University of Virginia and National Park Service, Charlottesville, VA, 2000.

Selected Awards

Award of Merit, **"Ninety Six National Historic Site Cultural Landscape Report,"** Virginia Chapter, ASLA, 2011.

Award of Honor, **"Park Road 4 Cultural Landscape Report,"** Texas Chapter, ASLA, 2010.

Award of Merit, "McCormick Road and the Pavilion Alleys Historic Landscape Study, University of Virginia," Virginia Chapter, ASLA, 2007.

Award of Merit, "Star Fort: Management and Interpretation Plan," Virginia Chapter, ASLA, 2005.

Honorable Mention, "Star Fort: Management and Interpretation Plan," Virginia Chapter, APA, 2001.

Special Mention, "Stanton Family Cemetery," American Society of Landscape Architects, 1994.

Award of Honor, "Sutro Historic District Development Concept Plan/Cultural Landscape Report," ASLA, 1993.

Annual Design Award in Recognition of Outstanding Achievement in Design or Preservation Projects, "Presidio of San Francisco Cultural Resource Studies," California Preservation Foundation, 1993.

President's Award, recognition of public service, Virginia Chapter, American Society of Landscape Architects, 1993.

Award of Merit for Excellence in Design, American Society of Landscape Architects, 1991.

From: [Mike Larson](#)
To: [Steve Carter](#)
Cc: [Barnett, James \(DEO\)](#)
Subject: RE: Draft Roseland PER
Date: Thursday, December 19, 2013 3:36:02 PM
Attachments: [image001.jpg](#)

Steve,

Our proposal that we have discussed would be to update the referenced document. I believe that the pipeline options would not change much and the opinions of cost should still be pretty accurate as costs haven't changed much since 2009. The big issue is that the NCSA has concerns about the capacity of their system and the water quality impacts and we will need to review recent operational data to satisfy those concerns. The additional scope would be as follows:

- Meet with County and NCSA in Nelson to gather data
- Review and analyze water production, billing, and water quality data for the past 3 years since the system has been in service
- Review and update the pipeline cost estimates if needed
- Develop conceptual level water quality treatment options for the NCSA
- Develop conceptual level options to increase water system capacity for the NCSA
- Update the PER amendment document that you have attached based on the new information

Our estimated fee for these services is \$7,500. We would very much like to continue working with Nelson County on this project.

Michael A. Larson, P.E.
Associate
Senior Engineer

[Draper Aden Associates](#)

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phone (804) 264-2228 / fax (804) 264-8773 / mobile (804) 839-1361
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From: Steve Carter [mailto:SCarter@nelsoncounty.org]
Sent: Thursday, December 19, 2013 3:17 PM
To: Mike Larson
Cc: Barnett, James (DEQ)
Subject: FW: Draft Roseland PER

Mike,

Will you be so kind to review the previous PER Amendment that you drafted in 2009 to then advise if this document is 1) still relevant (which it seems to be), 2) can be the basis of an update that can be used by Nelson County and DEQ to decide on implementing one or more of the options therein, 3) if there are additional or new considerations that need to be factored into an update and, 4) assuming the attachment can be the basis of a current report, what is the expense of doing so or, does it, as I recall, still entail a \$7,500 cost or more?

As previously discussed, the County does not want for this work to encompass all the extraneous and cost prohibitive considerations that were previously presented by the NCSA as potential undertakings to be incorporated into the water line extension to reach the Ferguson's Store and Roseland UST sites although some impact assessment may be required to be a part of using the attachment hereto and updating it as the basis of deciding on extending the water line, potentially, to Roseland, and if not that far at least to Ferguson's Store.

Not sure your holiday schedule but I'll be here tomorrow and likely some part or all of next Thursday and Friday (12-26 & 27) or whenever you can respond back.

Thanks,

Steve

Stephen A. Carter
Nelson County Administrator
P. O. Box 336
84 Courthouse Square
Lovingston, VA 22949
Ph. (434) 263-7001
Fx. (434) 263-7004

From: Mike Larson [mailto:mlarson@daa.com]
Sent: Wednesday, September 02, 2009 2:51 PM
To: Steve Carter
Subject: Draft Roseland PER

Steve,

Here is the PER for your convenience to forward to James.

Mike Larson, P.E.
Associate
Draper Aden Associates
700 Harris St, Suite E
Charlottesville, VA 22903
(434) 284-4778 (Direct)
(804) 839-1361 (Mobile)
(434) 295-0700 (Office)
Fax (434) 295-2105
www.daa.com

June 4, 2009

Mr. Stephen Carter
County Administrator
County of Nelson
P.O. Box 336
Lovingson, VA 22949

**RE: DRAFT Henderson's Store/Roseland Water Line Extension
PER Amendment
Draper Aden Associates Job No.: C09148C-01**

Dear Mr. Carter:

This letter report is to serve as an Amendment to the Preliminary Engineering Report (PER) for Piney River Water and Sewer Extension prepared by Draper Aden Associates dated March 2004. The original report identifies several phases for water extension to the Piney River area. The construction of Phase 1-3 has recently been completed. The Henderson's Store and Roseland Phases have not yet gone to the detailed design phase. The purpose of this PER amendment is to update and refine the concept to extend water into Henderson's Store and Roseland.

General Description:

As part of the Piney River Water Extension project, 12-inch water main was extended to the intersection of Route 56 and Route 151. A tee, valve and plug were installed at this intersection on the west side of Route 151 to allow for a future water line extension towards Roseland. As part of this PER amendment, we have provided options for phasing of the project, which are shown on the attached figure in order to maximize potential grant funding and construct portions of the project as budget allows.

Need for Project:

The first factor supporting the need for this project is related to the quality and quantity of groundwater available in the area. As part of an income survey performed during the original planning for this project, residents were asked to identify problems with water quantity and quality. Of the 101 residents in the Henderson's Store and Roseland area who were surveyed, 55 identified a problem with water quantity and quality. This problem with

local groundwater even prompted the construction of a public well several years ago, which has since been closed due to poor quality.

The second factor supporting the need for this project is two documented Leaking Underground Storage Tank (LUST) sites. This first site is at the Ferguson's Store, which previously served as a filling station. The second site is at the Roseland Rescue Squad. Both of these sites are currently receiving funds from the Department of Environmental Quality (DEQ) to pay for filters for neighboring residences whose groundwater supply has been contaminated. DEQ has indicated that there are funds remaining in the accounts for these sites that could be applied towards the construction of public water, which would provide potable water service to these residences and eliminate the need for filters.

A third factor justifying the extension of water is operational efficiency. The Henderson's Store area currently has only public sewer. This creates difficulties with billing enforcement since sewer service cannot be turned off when a customer fails to pay their usage bill. It is also the County's objective to ultimately transfer ownership of all utility systems to the Nelson County Service Authority, and the Authority has taken the position that they will not consider accepting ownership of any sewer-only utility systems.

Project Phasing Options:

Please refer to the attached figure and cost estimates describing each option. We have provided an opinion of total project cost to include engineering, construction, inspection, easements, legal, and other associated project costs. We have also included for reference the opinion of probable cost for construction of private laterals (from the meter to the home), which is not funding eligible for most federal and state programs. The Nelson County Board of Supervisors will have to decide if the County will pay for the private laterals or if it will be the responsibility of the property owner.

Option 1 – Ferguson's Store

This option involves an extension of 5,550 feet of water main along Route 151 to the Ferguson's Store area, where a leaking underground fuel tank has contaminated groundwater. This option could serve approximately 23 customers (currently sewer-only) who could be served directly from Route 151.

Opinion of Probable Cost:	\$555,000 (excludes private laterals)
Private Laterals (not funding eligible):	\$49,200

Option 2 – Ferguson's Store and Henderson's Store

This option includes approximately 25,000 LF of water main to each of the existing 86 sewer-only customers in the Henderson's Store area, and includes the infrastructure proposed in Option 1. Please note that this option includes water service along all the secondary roads, which is why the cost is much higher than previously submitted to Nelson County.

Opinion of Probable Cost:	\$1,968,000
Private Laterals (not funding eligible):	\$147,495

Option 3 – Ferguson’s Store, Henderson’s Store, and Roseland

This option includes approximately 37,000 LF of water main to serve the 86 sewer-only customers plus 45 new water customers for a total of up to 131 customers in the existing service area plus an extension to Roseland.

Opinion of Probable Cost:	\$2,928,000
Private Laterals (not funding eligible):	\$324,720

Option 4 Extension to Roseland (Route 151 only)

This option includes approximately 19,000 LF of water main that would serve up to 77 customers. We have included this option because there is a probability of obtaining DEQ funding, which could be spent only on projects directly related to the Ferguson’s Store and Roseland LUST problems. This project does not provide service to any of the existing sewer only customers in the Henderson’s Store area who are not directly along Route 151.

Opinion of Probable Cost:	\$1,663,000
Private Laterals (not funding eligible):	\$175,380

Environmental Review:

As part of this PER Amendment, we have updated the Environmental Review that was completed 5 years ago. The only comment received was the potential presence of an endangered species in the Tye River. We plan to address this by crossing the river by directional drill, which is very non-invasive.

Financial Evaluation:

We have performed a financial evaluation for each of the four options listed above. Within each of those options, we have projected various combinations of grant and loan funding that are possible. These are illustrated on the two attached spreadsheets. Each option has a portion of projected funding from the DEQ LUST grant, an estimated portion of grant funding from USDA Rural Development (RD) and the remainder of the balance funded with RD loan, which is a 40-year term at 2.75% interest.

The amount of DEQ grant is dependent on the extent of the project. For Options 1 and 2, the project will relieve only the Fergusons’ Store site, therefore only \$555,000 can be applied to that portion of the project. In Options 3 and 4, both the Ferguson’s Store and

Roseland Rescue Squad sites will be addressed, so the amount of grant could be as much as \$1,080,000.

For each option, an estimated scenario of percentage grant vs. percentage loan from RD was calculated. Based on conversations with RD staff, the most likely scenario is 50% loan, 50% grant. In order to be eligible for RD grant funding, the average monthly bill must be 1.5% of the median household income (MHI) for the area. Currently, the average monthly bill is \$32.10. In order to be 1.5% of the MHI, the rates would have to be increased to \$39.64.

It is important to understand is the amount not funded. In Option 1, this relates to the laterals that are not directly related to the Ferguson's Store contamination, because the DEQ grant cannot pay for any part of public water not directly related to addressing contamination issues. For all other options, it is just the private part of laterals that would be on the homeowner side of the meter. RD grant/loan will pay for laterals within the right of way up to and including the water meter.

In order to estimate the annual revenue, we assumed percent participation of 50% and 75% of the potential customers. If the customers are required to pay for the installation of private water laterals and hook ups, the participation rate is likely to be low. We assumed for the purposes of this study that the County would waive the connection fee, at least initially, as an incentive to connect. We subtracted the estimated annual operating revenue for each option in order to project the annual income or deficit from each option. The first spreadsheet uses existing rates, and the second one uses the minimum rate that would be needed to qualify for grant funding from RD, which is 1.5% of the MHI.

Our method for estimating operating and maintenance expense was extrapolate the current budget for operating expenses at the Piney River system to a per/customer basis. The idea is that as the number of customers increase, there is a greater frequency of service calls and costs associated with more water usage. We took the budget amounts for service calls, billing and meter reading, and NCSA usage rates, and came up with an estimated cost of \$310 per customer for operation and maintenance. For the purposes of this evaluation, we added a 50% factor of safety to account for unmetered water that could be needed for flushing for water quality purposes to give a cost of \$465 per customer.

By assuming the rates will be increased and that 50% RD grant can be obtained, the two options with the lowest projected annual deficit are Option 1 and Option 4. Option 1 has a projected surplus of \$123 assuming 50% connection rate and Option 4 has a projected deficit of \$11,962 assuming a 50% connection rate. The deficits can be decreased either by increasing the usage rate higher than the minimum recommended rate, increasing the number of customers connected to the system, increasing the grant amount, or finding a way to decrease operation and maintenance costs.

Mr. Stephen Carter
June 4, 2009
Page 5 of 5

DRAFT PER AMENDMENT

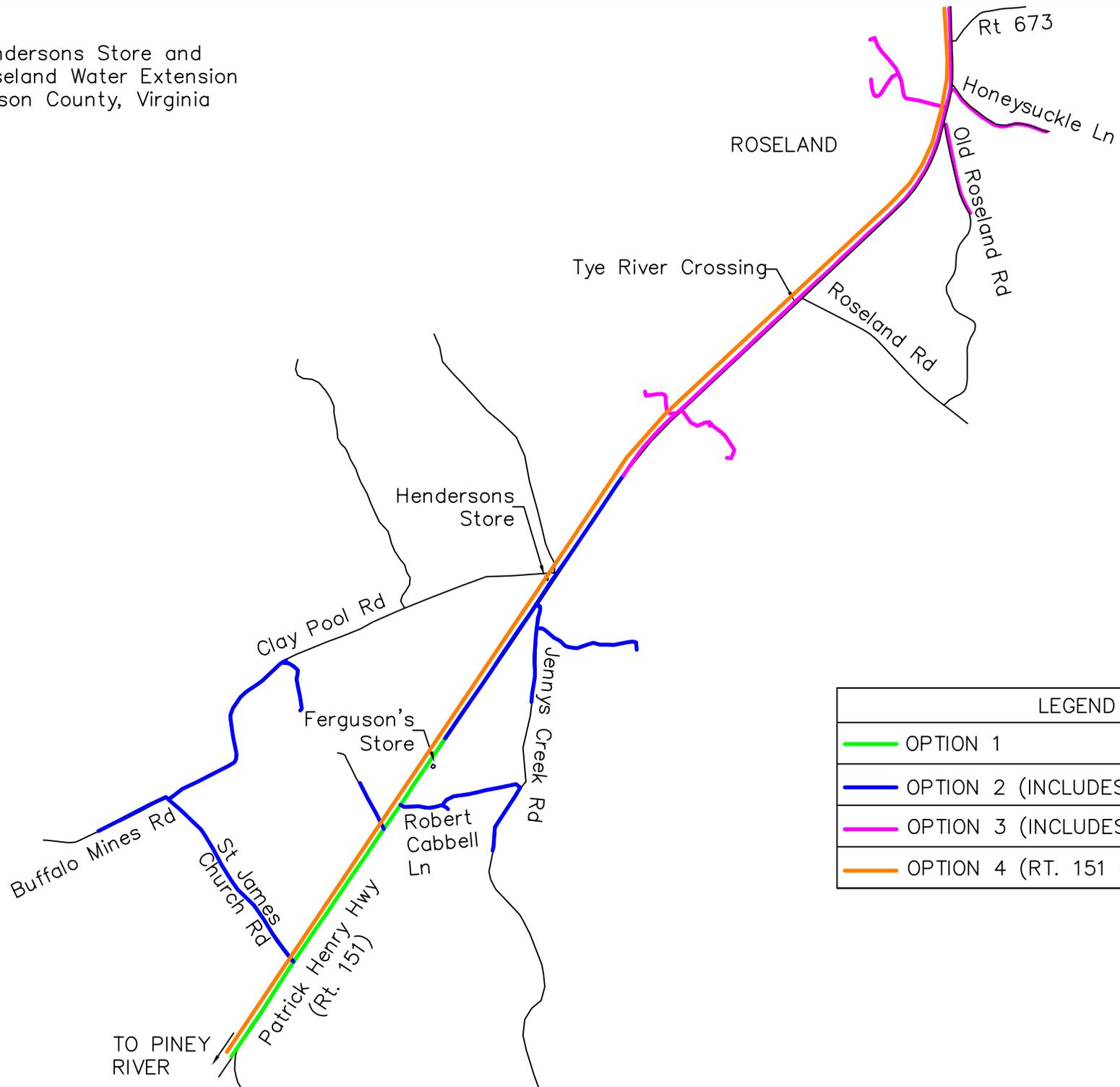
If you have any questions or comments, please do not hesitate to contact me.

Sincerely,
DRAPER ADEN ASSOCIATES

Mike Larson, P.E.
Sr. Project Manager

Enclosure

Hendersons Store and
Roseland Water Extension
Nelson County, Virginia



LEGEND	
	OPTION 1
	OPTION 2 (INCLUDES OPTION 1)
	OPTION 3 (INCLUDES OPTION 1 & 2)
	OPTION 4 (RT. 151 ONLY)

**Preliminary Opinion of Probable Cost
DEQ Eligible Portion
Hendersons Store and Roseland Water Extension
Nelson County, Virginia**

Prepared By: SLR
5/04/09

Option 1- Ferguson's Store Area (Rt. 151 only)

Description	Quantity	Unit	Unit Price	Total
1 Mobilization (Max 2% of Bid)	1	LS	-	\$ 8,096
2 12-inch Water Main	5,550	LF	\$ 38	\$ 210,900
3 12-inch Gate Valve and Box	4	EA	\$ 1,500	\$ 6,000
4 Main Road Crossings (Bore and Jack)	100	LF	\$ 475	\$ 47,500
5 Water Meter Service and Vault	23	EA	\$ 1,450	\$ 33,350
6 Aggregate Fill	1,000	CY	\$ 21	\$ 21,000
7 Fire Hydrants	5	EA	\$ 2,500	\$ 12,500
8 Service Laterals (same side of road)	166	LF	\$ 11	\$ 1,824
9 Service Laterals (Bore and Jack)	450	LF	\$ 25	\$ 11,250
10 Erosion Control and Restoration	5,550	LF	\$ 5	\$ 27,750
11 DEQ Eligible Private Laterals	143	LF	\$ 11	\$ 1,568
<i>Construction Subtotal:</i>				<i>\$ 373,642</i>
<i>10% Contingency:</i>				<i>\$ 37,364</i>
<i>14.4 % Engineering:</i>				<i>\$ 53,805</i>
<i>PER Ammendment</i>				<i>\$ 9,500</i>
<i>Environmental Permiting</i>				<i>\$ 5,000</i>
<i>Geotechnical</i>				<i>\$ 3,500</i>
<i>Easements & Property</i>				<i>\$ 10,000</i>
<i>Miscellaneous Equipment</i>				<i>\$ 5,189</i>
<i>Legal:</i>				<i>\$ 5,000</i>
<i>20 wks @ \$65/hr Inspection</i>				<i>\$ 52,000</i>
Option 1 Total:				\$ 555,000

Non-Funding Eligible Private Laterals (3,280 LF @ \$15/LF) \$ 49,200
Total (Inlcuding Non-Funding Eligible Private Laterals) \$ (604,200)

Option 2- Ferguson's Store Area and Henderson's Store (Rt. 151 and Secondary Roads)

Description	Quantity	Unit	Unit Price	Total
1 Mobilization (Max 2% of Bid)	1	LS	-	\$ 32,237
2 12-inch Water Main	10,150	LF	\$ 38	\$ 385,700
3 8-inch Water Main	15,000	LF	\$ 35	\$ 525,000
4 12-inch Gate Valve and Box	10	EA	\$ 1,500	\$ 15,000
5 8-inch Gate Valve and Box	12	EA	\$ 975	\$ 11,700
6 Main Road Crossings (Bore and Jack)	350	LF	\$ 475	\$ 166,250
7 Water Meter Service and Vault	86	EA	\$ 1,450	\$ 124,700
8 Aggregate Fill	2,000	CY	\$ 21	\$ 42,000
9 Fire Hydrants	21	EA	\$ 2,500	\$ 52,500
10 Service Laterals (same side of road)	580	LF	\$ 11	\$ 6,380
11 Service Laterals (Bore and Jack)	1,550	LF	\$ 25	\$ 38,750
12 Erosion Control and Restoration	25,000	LF	\$ 5	\$ 125,000
13 DEQ Eligible Private Laterals	143	LF	\$ 11	\$ 1,568
<i>Construction Subtotal</i>				<i>\$ 1,526,785</i>
<i>10% Contingency:</i>				<i>\$ 152,679</i>
<i>9.9 % Engineering:</i>				<i>\$ 151,152</i>
<i>PER Ammendment</i>				<i>\$ 9,500</i>
<i>Environmental Permiting</i>				<i>\$ 7,500</i>
<i>Geotechnical</i>				<i>\$ 7,500</i>
<i>Easements & Property</i>				<i>\$ 20,000</i>
<i>Miscellaneous Equipment</i>				<i>\$ 4,685</i>
<i>Legal:</i>				<i>\$ 5,000</i>
<i>8 mo @ \$65/hr Inspection:</i>				<i>\$ 83,200</i>
Option 2 Total:				\$ 1,968,000

Non-Funding Eligible Private Laterals (9,833 LF @ \$15/LF) \$ 147,495
Total (Inlcuding Non-Funding Eligible Private Laterals) \$ (2,115,495)

**Preliminary Opinion of Probable Cost
DEQ Eligible Portion
Hendersons Store and Roseland Water Extension
Nelson County, Virginia**

Prepared By: SLR
5/04/09

Option 3- Ferguson's Store, Henderson's Store and Roseland (Rt. 151 and Secondary Roads)

Description	Quantity	Unit	Unit Price	Total
1 Mobilization (Max 2% of Bid)	1	LS	-	\$ 51,414
2 12-inch Water Main	19,000	LF	\$ 38	\$ 722,000
3 8-inch Water Main	18,000	LF	\$ 35	\$ 630,000
4 12-inch Gate Valve and Box	16	EA	\$ 1,500	\$ 24,000
5 8-inch Gate Valve and Box	14	EA	\$ 975	\$ 13,650
6 Cross Tye River by Directional Drill	1	LS	\$ 50,000	\$ 50,000
7 Main Road Crossings (Bore and Jack)	450	LF	\$ 475	\$ 213,750
8 Water Meter Service and Vault	125	EA	\$ 1,450	\$ 181,250
9 Aggregate Fill	2,500	CY	\$ 21	\$ 52,500
10 Fire Hydrants	31	EA	\$ 2,500	\$ 77,500
11 Service Laterals (same side of road)	735	LF	\$ 11	\$ 8,085
12 Service Laterals (Bore and Jack)	2,100	LF	\$ 25	\$ 52,500
13 Erosion Control and Restoration	37,000	LF	\$ 5	\$ 185,000
14 DEQ Eligible Private Laterals	474	LF	\$ 11	\$ 5,209
<i>Construction Subtotal</i>				<i>\$ 2,266,858</i>
<i>10% Contingency:</i>				<i>\$ 226,686</i>
<i>9.7 % Engineering:</i>				<i>\$ 219,885</i>
<i>PER Ammendment</i>				<i>\$ 9,500</i>
<i>Environmental Permiting</i>				<i>\$ 15,000</i>
<i>Geotechnical</i>				<i>\$ 15,000</i>
<i>Easements & Property</i>				<i>\$ 40,000</i>
<i>Miscellaneous Equipment</i>				<i>\$ 5,271</i>
<i>Legal:</i>				<i>\$ 5,000</i>
<i>12 mo @ \$65/hr Inspection:</i>				<i>\$ 124,800</i>
Option 3 Total:				\$ 2,928,000
Non-Funding Eligible Private Laterals (21,648 LF @ \$15/LF)				\$ 324,720
Total (Inlcuding Non-Funding Eligible Private Laterals)				\$ (3,252,720)

Option 4 - Extension to Roseland (Rt. 151 Only) - All Laterals along way

Description	Quantity	Unit	Unit Price	Total
1 Mobilization (Max 2% of Bid)	1	LS	-	\$ 24,089
2 12-inch Water Main	19,000	LF	\$ 38	\$ 722,000
3 8-inch Water Main	0	LF	\$ 35	-
4 12-inch Gate Valve and Box	9	EA	\$ 1,500	\$ 13,500
5 8-inch Gate Valve and Box	0	EA	\$ 975	-
6 Cross Tye River by Directional Drill	1	LS	\$ 50,000	\$ 50,000
7 Main Road Crossings (Bore and Jack)	200	LF	\$ 475	\$ 95,000
8 Water Meter Service and Vault	77	EA	\$ 1,450	\$ 111,650
9 Aqreqate Fill	2,100	CY	\$ 21	\$ 44,100
10 Fire Hydrants	18	EA	\$ 2,500	\$ 45,000
11 Service Laterals (same side of road)	290	LF	\$ 11	\$ 3,190
12 Service Laterals (Bore and Jack)	1,000	LF	\$ 25	\$ 25,000
13 Erosion Control and Restoration	19,000	LF	\$ 5	\$ 95,000
14 DEQ Eligible Private Laterals	474	LF	\$ 11	\$ 5,214
<i>Construction Subtotal</i>				<i>\$ 1,233,743</i>
<i>10% Contingency:</i>				<i>\$ 123,374</i>
<i>9.9 % Engineering:</i>				<i>\$ 122,141</i>
<i>PER Ammendment</i>				<i>\$ 9,500</i>
<i>Environmental Permiting</i>				<i>\$ 15,000</i>
<i>Geotechnical</i>				<i>\$ 15,000</i>
<i>Easements & Property</i>				<i>\$ 30,000</i>
<i>Miscellaneous Equipment</i>				<i>\$ 5,242</i>
<i>Legal:</i>				<i>\$ 5,000</i>
<i>10mo @ \$65/hr Inspection:</i>				<i>\$ 104,000</i>
Option 4 Total:				\$ 1,663,000
Non-Funding Eligible Private Laterals (11,692 LF @ \$15/LF)				\$ 175,380
Total (Inlcuding Non-Funding Eligible Private Laterals)				\$ (1,838,380)

Table 1
Henderson's Store and Roseland Waterline Extension
Comparison of Revenues and Expenses
Using Existing Water Rates
Nelson County, Virginia
DRAFT - May 2009

	Option 1 Ferguson's Store Area (Rt. 151 Only) NO RD LOAN FUNDS		Option 2 Ferguson's Store Area and Henderson's Store (Rt. 151 and Secondary Roads) RD LOAN 100%		Option 2 Ferguson's Store Area and Henderson's Store (Rt. 151 and Secondary Roads) RD LOAN 50%		Option 2 Ferguson's Store Area and Henderson's Store (Rt. 151 and Secondary Roads) RD LOAN 25%		Option 3 Ferguson's Store, Henderson's Store and Roseland (Rt. 151 and Secondary Roads) RD LOAN 100%		Option 3 Ferguson's Store, Henderson's Store and Roseland (Rt. 151 and Secondary Roads) RD LOAN 50%		Option 3 Ferguson's Store, Henderson's Store and Roseland (Rt. 151 and Secondary Roads) RD LOAN 75%		Option 4 Extension to Roseland (Rt. 151 and All Laterals along way) RD LOAN 100%		Option 4 Extension to Roseland (Rt. 151 and All Laterals along way) RD LOAN 50%		Option 4 Extension to Roseland (Rt. 151 and All Laterals along way) RD LOAN 25%	
Total Project Cost	\$ 604,200		\$ 2,115,495		\$ 2,115,495		\$ 2,115,495		\$ 3,252,720		\$ 3,252,720		\$ 3,252,720		\$ 1,838,380		\$ 1,838,380		\$ 1,838,380	
Amount Funded with DEQ Grant Funds	\$ 551,926		\$ 555,000		\$ 555,000		\$ 555,000		\$ 1,080,000		\$ 1,080,000		\$ 1,080,000		\$ 1,080,000		\$ 1,080,000		\$ 1,080,000	
Amount Funded with RD Loan	\$ -		\$ 1,413,000		\$ 706,500		\$ 353,250		\$ 1,848,000		\$ 924,000		\$ 462,000		\$ 583,000		\$ 291,500		\$ 145,750	
Amount Funded with RD Grant	\$ -		\$ -		\$ 706,500		\$ 1,059,750		\$ -		\$ 924,000		\$ 1,386,000		\$ -		\$ 291,500		\$ 437,250	
Amount NOT Funded	\$ 52,274		\$ 147,495		\$ 147,495		\$ 147,495		\$ 324,720		\$ 324,720		\$ 324,720		\$ 175,380		\$ 175,380		\$ 175,380	
Possible Number of Customers	23	23	86	86	86	86	86	86	125	125	125	125	125	125	77	77	77	77	77	77
% Participation	50%	75%	50%	75%	50%	75%	50%	75%	50%	75%	50%	75%	50%	75%	50%	75%	50%	75%	50%	75%
# Customers	12	17	43	65	43	65	43	65	63	94	63	94	63	94	39	58	39	58	39	58
Estimated Annual Revenue from User Fees ⁽¹⁾	\$ 4,177	\$ 6,266	\$ 15,619	\$ 23,429	\$ 15,619	\$ 23,429	\$ 15,619	\$ 23,429	\$ 22,703	\$ 34,054	\$ 22,703	\$ 34,054	\$ 22,703	\$ 34,054	\$ 13,985	\$ 20,977	\$ 13,985	\$ 20,977	\$ 13,985	\$ 20,977
Estimated Annual Operating Expense	\$ 5,348	\$ 8,021	\$ 19,995	\$ 29,993	\$ 19,995	\$ 29,993	\$ 19,995	\$ 29,993	\$ 29,063	\$ 43,594	\$ 29,063	\$ 43,594	\$ 29,063	\$ 43,594	\$ 17,903	\$ 26,854	\$ 17,903	\$ 26,854	\$ 17,903	\$ 26,854
Estimated Annual Debt Service ⁽²⁾	\$ -	\$ -	\$ 59,976	\$ 59,976	\$ 29,988	\$ 29,988	\$ 14,994	\$ 14,994	\$ 78,440	\$ 78,440	\$ 39,220	\$ 39,220	\$ 19,610	\$ 19,610	\$ 24,746	\$ 24,746	\$ 12,373	\$ 12,373	\$ 6,186	\$ 6,186
Annual Income (Deficit)	\$ (1,170)	\$ (1,755)	\$ (64,351)	\$ (66,539)	\$ (34,364)	\$ (36,551)	\$ (19,370)	\$ (21,557)	\$ (84,800)	\$ (87,980)	\$ (45,580)	\$ (48,760)	\$ (25,970)	\$ (29,150)	\$ (28,664)	\$ (30,622)	\$ (16,291)	\$ (18,250)	\$ (10,104)	\$ (12,063)

⁽¹⁾ Customer revenue is based on monthly water use of 4,700 gallons; \$30.27 monthly bill.

⁽²⁾ RD loan funds are for a period of 40 years, with an interest rate of 2.75%.

Table 2
Henderson's Store and Roseland Waterline Extension
Comparison of Revenues and Expenses
Using Water Rates based on 1.5% of MHI
Nelson County, Virginia
DRAFT - May 2009

	Option 1 Ferguson's Store Area (Rt. 151 Only) NO RD LOAN FUNDS		Option 2 Ferguson's Store Area and Henderson's Store (Rt. 151 and Secondary Roads) RD LOAN 100%		Option 2 Ferguson's Store Area and Henderson's Store (Rt. 151 and Secondary Roads) RD LOAN 50%		Option 2 Ferguson's Store Area and Henderson's Store (Rt. 151 and Secondary Roads) RD LOAN 25%		Option 3 Ferguson's Store, Henderson's Store and Roseland (Rt. 151 and Secondary Roads) RD LOAN 100%		Option 3 Ferguson's Store, Henderson's Store and Roseland (Rt. 151 and Secondary Roads) RD LOAN 50%		Option 3 Ferguson's Store, Henderson's Store and Roseland (Rt. 151 and Secondary Roads) RD LOAN 25%		Option 4 Extension to Roseland (Rt. 151 and All Laterals along way) RD LOAN 100%		Option 4 Extension to Roseland (Rt. 151 and All Laterals along way) RD LOAN 50%		Option 4 Extension to Roseland (Rt. 151 and All Laterals along way) RD LOAN 25%	
Total Project Cost	\$ 604,200		\$ 2,115,495		\$ 2,115,495		\$ 2,115,495		\$ 3,252,720		\$ 3,252,720		\$ 3,252,720		\$ 1,838,380		\$ 1,838,380		\$ 1,838,380	
Amount Funded with DEQ Grant Funds	\$ 551,926		\$ 555,000		\$ 555,000		\$ 555,000		\$ 1,080,000		\$ 1,080,000		\$ 1,080,000		\$ 1,080,000		\$ 1,080,000		\$ 1,080,000	
Amount Funded with RD Loan	\$ -		\$ 1,413,000		\$ 706,500		\$ 353,250		\$ 1,848,000		\$ 924,000		\$ 462,000		\$ 583,000		\$ 291,500		\$ 145,750	
Amount Funded with RD Grant	\$ -		\$ -		\$ 706,500		\$ 1,059,750		\$ -		\$ 924,000		\$ 1,386,000		\$ -		\$ 291,500		\$ 437,250	
Amount NOT Funded	\$ 52,274		\$ 147,495		\$ 147,495		\$ 147,495		\$ 324,720		\$ 324,720		\$ 324,720		\$ 175,380		\$ 175,380		\$ 175,380	
Possible Number of Customers	23	23	86	86	86	86	86	86	125	125	125	125	125	125	77	77	77	77	77	77
% Participation	50%	75%	50%	75%	50%	75%	50%	75%	50%	75%	50%	75%	50%	75%	50%	75%	50%	75%	50%	75%
# Customers	12	17	43	65	43	65	43	65	63	94	63	94	63	94	39	58	39	58	39	58
Estimated Annual Revenue from User Fees ⁽¹⁾	\$ 5,470	\$ 8,205	\$ 20,454	\$ 30,681	\$ 20,454	\$ 30,681	\$ 20,454	\$ 30,681	\$ 29,730	\$ 44,595	\$ 29,730	\$ 44,595	\$ 29,730	\$ 44,595	\$ 18,314	\$ 27,471	\$ 18,314	\$ 27,471	\$ 18,314	\$ 27,471
Estimated Annual Operating Expense	\$ 5,348	\$ 8,021	\$ 19,995	\$ 29,993	\$ 19,995	\$ 29,993	\$ 19,995	\$ 29,993	\$ 29,063	\$ 43,594	\$ 29,063	\$ 43,594	\$ 29,063	\$ 43,594	\$ 17,903	\$ 26,854	\$ 17,903	\$ 26,854	\$ 17,903	\$ 26,854
Estimated Annual Debt Service ⁽²⁾	\$ -	\$ -	\$ 59,976	\$ 59,976	\$ 29,988	\$ 29,988	\$ 14,994	\$ 14,994	\$ 78,440	\$ 78,440	\$ 39,220	\$ 39,220	\$ 19,610	\$ 19,610	\$ 24,746	\$ 24,746	\$ 12,373	\$ 12,373	\$ 6,186	\$ 6,186
Annual Income (Deficit)	\$ 123	\$ 184	\$ (59,516)	\$ (59,287)	\$ (29,529)	\$ (29,299)	\$ (14,535)	\$ (14,305)	\$ (77,772)	\$ (77,438)	\$ (38,552)	\$ (38,218)	\$ (18,942)	\$ (18,609)	\$ (24,335)	\$ (24,129)	\$ (11,962)	\$ (11,756)	\$ (5,775)	\$ (5,570)

⁽¹⁾ Customer revenue is based on monthly water use of 4,700 gallons; \$39.64 monthly bill. Monthly bill is based on 1.5% of MHI of \$31,714 (Census Tract 9503 / Block Group 4).

⁽²⁾ RD loan funds are for a period of 40 years, with an interest rate of 2.75%.

April 2, 2014

To: Board of Supervisors
From: S. Carter
Re: County Administrator's Report (April 8, 2014 Meeting)

I. Courthouse/Government Center Project: Blair Construction will submit final closeout letter, inclusive of resolution of tunnel issue. Final project retainage is being held pending this subject.

II. Courthouse Project Phase II: Issuance of an RFP for AE services is pending. Staff has conferred with Division Superintendent Comer on relocation of the administrative office to the second floor area formerly occupied by the Commonwealth Attorney and will proceed with painting and carpeting this area for the Superintendent's use. Mr. Harvey has asked that Mr. Bruguere replace him on the Courthouse Committee.

II. Jefferson Building: Staff will issue a solicitation for exterior renovation of the building by not later than 4-18.

III. Health Department Building Demolition: Site restoration is pending.

IV. Massies Mill School Demolition: Project contract expected to be completed by 4-4 (awaiting contractor signature and demolition plan for incorporation into agreement).

V. Lovingson Health Care Center: An update to the initial feasibility report has been completed and is being reviewed by JABA and County staffs. Scheduling of a meeting to discuss the report, which focuses upon conversion of the Lovingson Health Care Center to be primarily an Alzheimer's/Dementia Care facility, inclusive of assisted living accommodations (rather than primarily being an assisted living facility with memory care units), is pending.

VI. BR Tunnel and BR Railway Trail Projects: **A) BRRT** – Construction in progress with completion date of 5-15-14. **B) BRT** – Work to Re-bid Phase 1 is in progress.

VII. 2014 Gen. Reassessment: Board of Equalization met with Wampler-Eanes on 4-2 and schedule calls for completion of the Board's work on 4-3 with a report to the BOS thereafter.

VIII. FY 14-15 Budget: In progress.

IX. Staff Reports: Provided within the April 8, 2014 Agenda

X. Other: Questions from the Board.

If yes, list the Board(s):

What talent(s) and/or experience can you bring to the Board(s)?

10 yrs as a pastor working with older congregations
1 unit of CPE Clinical Pastoral Education
master MDiv degree

Experience in helping families care for Elderly
Parents and Pastoring those elderly Parents.

What do you feel you can contribute to the Board(s) and to the community that may not be evident from information already on this form?

I serve a church that is getting older in an
area that is aging. I hope to find ways to
help the Elderly in our community

Please use this space for any additional information you would like to provide:

A resume or separate sheet with additional information may be included.

ATTENDANCE REQUIREMENTS

Section 2-153, Absences, Chapter 2, Administration, Article V. Appointments for Boards and Commissions of the Nelson County Code, an appointee of the Board of Supervisors who either (a) fails, during a calendar year, to attend seventy-five percent of the regular meetings of the board or commission of which he/she is a member, or (b) is absent for three consecutive regular meetings, shall be deemed to have tendered his/her resignation from such position. The Board of Supervisors may accept such resignation by appointing another person to fill the position.

In light of the above, will you be able to attend at least 75% of the regular meetings of the boards to which you may be appointed?

Yes No

JEFFERSON AREA BOARD FOR AGING COUNCIL ON AGING

2 Members

Term

(VACANT)

(VACANT)

Constance Brennan (At Large Member)
524 Buck Creek Lane
Faber, VA 22938
H (434) 263-4690
connie@cstone.net

Term(s) of Office: 2 years: January 1st to December 31st

Summary of Duties: The Council Member acts with other Advisory Council members to provide input on the development and administration of JABA's Area Plan, participate in public hearings, represent the interests of older persons, and review and comment on all community policies, programs and actions affecting the senior citizen's and elder caregivers of Planning District Ten.

Meetings: Meets the first Thursday of each month at The Woods Edge in Charlottesville. Members serve on a volunteer basis.

Jefferson Area Board for Aging (JABA) JOB DESCRIPTION

JOB TITLE: Advisory Council Member

REPORT TO: Advisory Council to the Jefferson Area Board for Aging

TERM: Two years.

I. JOB SUMMARY

The Council Member acts with other Advisory Council members to provide input on the development and administration of JABA's Area Plan, participate in public hearings, represent the interests of older persons, and review and comment on all community policies, programs and actions affecting the senior citizen's and elder caregivers of Planning District Ten.

II. GOALS AND DUTIES

A. Assisting with the development and administration of JABA's Area Plan

Duties include:

1. Becoming familiar with the scope of services provided by JABA.
2. Assure that the Area Plan describes the management and administration, service systems development, service delivery, and advocacy of JABA during the planning period.
3. Assure that the Area Plan address one or more of the national goals of the Older Americans Act.
4. Review and recommend the proposed JABA annual budget for the Area Plan.

B. Participate in public hearings.

Duties include:

1. Attend the annual public hearings to hear comments from the public on programs administered under JABA's Area Plan, as well as the needs of older persons and their caregivers.
2. Take the input from the public hearings to inform elected officials.
3. Utilize the input from the public hearings to assist community leaders and organizations with the establishment of priorities and program planning, as well as educate the general public

regarding the needs, wants and desires of the elderly and those who serve the elderly.

C. Represent the interests of older persons.

Duties include:

1. Full-fill the duties of an Advisory Council member and attend Council and committee meetings on a regular basis.
2. Represent other community organizations, businesses or groups, keeping them abreast of JABA's mission and reporting pertinent information at Advisory Council meetings.
3. Act as liaison between elected officials and the Advisory Council.

D. Review and comment on all community policies, programs and actions that pertain to JABA's Area Plan, mission or aging issues in general.

Duties include:

1. Review and comment on jurisdictional, regional, state and/or national policies, programs and actions.
2. Make recommendations to staff and/or Board of Directors.

E. Provide council to the Senior Community Service Employment Program (SCSECP).

Duties include:

1. Give assistance and counsel on planning, programmatic and/or financial decisions.
2. Assist in the development of unsubsidized jobs in the private Sector.
3. Assist with related public information activities.
4. Assess the progress of the program.



NELSON COUNTY CHAMBER OF COMMERCE
RECEIVED

March 10, 2014

Nelson County Board of Supervisors
PO Box 336
Lovingston, VA 22949

MAR 12 2014

COUNTY ADMINISTRATOR'S
OFFICE

Dear Board Members:

The Nelson County Chamber of Commerce wants to express concern about the economic decline of the commercial district of Lovingston. As the county seat and a designated population center, the numbers of vacant buildings do not project a positive image of our community and result in a loss of both jobs and tax revenue.

The Chamber has formed a Lovingston Revitalization Committee. As part of our initial research, we have met with Bob Carter from the Virginia Department of Historic Resources as well as Maureen Kelley of the Nelson County Department of Economic Development and Tourism. They both shared with us the body of work that has been undertaken by the County since 2006, including being affiliated with the Virginia Main Street project, the historic district designation, the Lovingston Master Plan, and most recently the recommendations from the University of Virginia architecture class. We are also working with the Lovingston Village Association and the Nelson County Historical Society to better understand the community and its significance.

We strongly encourage the Board of Supervisors to adopt the recommendations from the Lovingston Master Plan and incorporate them into the County's Comprehensive Plan. This action will encourage planned and consistent economic development for the village.

In addition, it has come to our attention that there are a variety of tax incentives for the revitalization of commercial properties. We urge the county to reach out to property owners and the business community to take advantage of these incentives.

Thank you for your consideration of this matter.

Sincerely,

Julia W. Rogers
Julia W. Rogers, CPA
President, Chamber of Commerce Board of Directors

P. O. Box 182 Lovingston, VA 22949