

August 22, 2013

Virginia:

AT A REGULAR MEETING of the Nelson County Board of Supervisors at 7:00 p.m. in the General District Courtroom located on the third floor of the Nelson County Courthouse.

Present: Thomas D. Harvey, North District Supervisor
Thomas H. Bruguere, Jr. West District Supervisor- Chair
Larry D. Saunders, South District Supervisor
Allen M. Hale, East District Supervisor
Stephen A. Carter, County Administrator
Candice W. McGarry, Administrative Assistant/Deputy Clerk

Absent: Constance Brennan, Central District Supervisor - Vice Chair

I. Call to Order

Mr. Bruguere called the meeting to order at 7: 05 PM with four (4) Supervisors present to establish a quorum and Ms. Brennan being absent.

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

II. Public Comments

1. Janet Lychock, Afton

Ms. Lychock commented on the brief closure of the reuse shed at the Rockfish Convenience Center noting that she supported its closure. She added that it was excessively used by certain people and it had interrupted the site's primary purpose. She described that often a truck would be blocking traffic while the ladies emptied the reuse shed. Ms. Lychock clarified that she believed in recycling and reuse but noted that there had to be some controls in place and she hoped the County could police the situation if it stayed open. She noted it was a good idea in theory but in reality it had been disruptive and unpleasant.

Mr. Bruguere then suggested that a sign be put up that says that none of the reuse shed stuff can be hoarded.

Mr. Carter noted that there were repeat visitors there and that the site was the most heavily used site compared to the others. He noted that if it were to be shut down, then the few would be punishing the many. He added that he was going to close them for a couple of weeks; however he started getting calls from citizens with opinions of both sides. Mr. Carter then noted that folks had mostly been good so far and he noted that there were regulations and signs up regarding visits allowed etc. He noted that he has

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instructed attendants not to worry about the reuse shed as long as there was no disruption to traffic flow etc. He added that the attendants had been advised to call the police if trouble erupted; however they should ask the offending parties to leave first. He noted that if they refused to leave, they could be charged with trespassing. Mr. Carter reiterated that the majority of those using the sheds were not causing problems. He added that the sign says to park outside for access to the reuse shed and this had to be monitored. It was noted that young families had been seen getting books and things out of there and it was hard to say not to do this.

Mr. Harvey noted that he was there on Sunday and the same people were there.

Mr. Saunders inquired if the reuse shed was separate from the attendant shed and staff confirmed it was and that they were next to each other. Members discussed the best location as being inside the fence and at its current location - next to the attendant's building.

Mr. Carter then advised the Board that the County had good people working at the sites and that they were very attentive. He noted that at times, people just will not cooperate.

III. New/Unfinished Business

A. Proposed Amendments to the Code of Nelson County

1. CH. 9 Planning and Development, Article III, Planning Commission (R2013-59)

Mr. Carter noted that the draft resolution authorized staff to schedule a public hearing on the draft Ordinance that would remove the Board of Supervisors member from the Planning Commission.

Mr. Bruguere noted that he would like a two term limit to be added to the current Ordinance and Mr. Carter noted that he would have to see if the State Code allowed the Board to impose term limits.

Mr. Hale then noted that he was not in favor of term limits since the Board had the ability to appoint the Planning Commission members and if the Board did not want a member to continue in that capacity, they simply should not reappoint them.

Mr. Hale then moved to approve resolution **R2013-59** Authorization for Public Hearing to Amend the Code of Nelson County, Virginia – Chapter 9, Planning and Development, Article III Planning Commission as described in the draft document presented.

Mr. Harvey seconded the motion and there being no further discussion, Supervisors voted (3-1) by roll call vote to approve the motion and the following resolution was adopted.

Mr. Bruguere noted that his No vote was because he still wanted to include term limits.

RESOLUTION-R2013-59

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**NELSON COUNTY BOARD OF SUPERVISORS
AUTHORIZATION FOR PUBLIC HEARING TO AMEND THE CODE OF
NELSON COUNTY, VIRGINIA - CHAPTER 9, PLANNING AND
DEVELOPMENT, ARTICLE III PLANNING COMMISSION**

BE IT RESOLVED, that pursuant to §15.2-1427 and § 15.2-2204 of the Code of Virginia 1950 as amended, the County Administrator is hereby authorized to advertise a public hearing to be held on Tuesday, September 10, 2013 at 7:00 p.m. in the Board of Supervisors Room in the Courthouse in Lovingson, Virginia. The purpose of said public hearing is to receive public input on an ordinance proposed for passage to amend Chapter 9, Planning and Development, Article III, Planning Commission to remove the Board of Supervisors member; reducing the Planning Commission Membership from six (6) to five (5).

B. Radio Project – Motorola Contract & Budget Amendment (R2013-60)

Mr. Carter noted that staff had done a reconciliation of the radio project and noted that several documents had been provided on the subject.

Mr. Carter noted that the first document was the Contract Design Review (CDR) that had resulted in some changes to the project. He noted that the following changes had been proposed:

Changes Resulting from Detailed Engineering Review of System (CDR)	\$82,512.76
Changes to antenna systems and combining equipment, addition of firewall and other miscellaneous equipment as required for proper system configuration.	
Additional Subscriber Units and Chargers – County Agencies	\$51,440.47
Addition of 44 portable radios, 14 mobile radios, 71 vehicular chargers and 5 multi-unit chargers.	
Additional Subscriber Units - Nelson County Service Authority	\$41,748.99
12 mobile, 12 portable and 3 base radio subscriber units for NCSA. No Subscriber units for the Service Authority were included in the original contract. Cost is paid by NCSA.	
Addition of Wintergreen Fire and Rescue Channel to System	\$130,627.46
Addition of Wintergreen channel to the system. Allows Wintergreen to operate on the new digital simulcast system.	
<hr/> TOTAL VALUE OF CONTRACT CHANGES	<hr/> \$306,329.68
<u>NCSA REDUCTION (PAID DIRECTLY TO MOTOROLA)</u>	<u>(\$41,748.99)</u>
TOTAL NET VALUE OF CONTRACT CHANGES	<u>\$264,580.69</u>

Mr. Carter noted that in the second document, Ms. McCann had reconciled the project funding with the expenditures and the net additional funding needed was approximately \$99,000 as follows:

RADIO PROJECT RECONCILIATION

Funding Summary:

Local Funding Allocation	\$1,100,000.00
VRA Loan funds	\$1,803,025.82
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Funding Total:	<u>\$2,903,025.82</u>

Expenditure Obligations:

Motorola Contract	\$2,599,074.00
RCC Contract	\$104,645.00
Cost of Issuance (from VRA Loan Proceeds)	\$32,500.00
Licensing (exp. to date)	\$1,735.00
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Expense Subtotal:	<u>\$2,737,954.00</u>

Proposed Motorola Contract Changes:

Changes (outcome of engineering review)	\$82,512.76
Additional Subscriber Units-County	\$51,440.47
Additional Subscriber Units-NCSA (no cost to county)	N/A
Addition of Wintergreen Fire & Rescue Channel	\$130,627.46
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Expense Subtotal:	<u>\$264,580.69</u>

TOTAL ANTICIPATED PROJECT EXPENSES : **\$3,002,534.69**

ADDITIONAL FUNDING REQUIRED: **\$99,508.87**

Note: Original funding plan included the use of **\$112,230** from Fire Funds and Four for Life. These funds are no longer allocated to the project and need to be allocated from local funds.

He noted that the draft budget amendment provided for the reappropriation of FY13 project funds not spent. He noted that the County had included the four for life and fire funds in the original budget which was approved to help pay for the project and then the Board decided that the squads should get these funds. He added that the Board needed to transfer \$112,000 from the contingency to cover these four for life and the fire funds not being used now for the project.

Mr. Harvey then questioned where some of these subscriber units were going and how the original count was that far off. Mr. Carter indicated that he would need to check with

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Susan Rorrer when she returned from vacation. Mr. Harvey and Mr. Hale noted that they would like to see where these units were going.

Mr. Carter added that Motorola needed this to be done and he could have the answers on the equipment the following week. He noted that staff did go through the assessment of how many of each unit would be required two to three times.

Mr. Harvey noted that the chargers for walkies were not needed if that was what the vehicle chargers were for and Mr. Hale agreed.

Mr. Hale indicated that he was not prepared to approve the changes until they had a better understanding of it as it was a 10% increase. Mr. Harvey noted that most of it was in the Wintergreen component. Mr. Hale suggested that some of the added cost was for engineering and they should have designed it right to begin with.

Mr. Carter noted that even with the analysis done to develop the project, they have been aware all along that the design may change from the initial establishment. Mr. Bruguiere then inquired if there was any contingency provided for in the Motorola contract and Mr. Carter noted he would have to check and he was not sure about that. He noted that there probably was, however they were at the point of needing approximately \$99,000 more in funding.

Mr. Bruguiere suggested that they could approve the resolution and then get the information from Ms. Rorrer. Mr. Hale inquired as to why the Board should authorize a transfer of \$112,000 if only \$99,000 was needed and Mr. Carter suggested it would be a good idea in case of overruns, as it was only \$10,000 more. He then added that they could authorize the \$99,000 or could wait until September to reconsider it.

Mr. Hale then noted that anytime the Board was faced with a significant change in plans, they would like a clear explanation. He added he was unclear as to why they needed multiunit chargers and Mr. Harvey agreed noting that they could charge either three or six units at a time and he did not think they needed this many.

Members then agreed by consensus to table this subject until September 10th when they could consider the details of the changes.

Mr. Carter then noted that throughout the development of the equipment list, it had been a struggle to get information from each agency until after it had started. Mr. Harvey then noted that it was the right count to start with. Mr. Hale then noted that if given the opportunity, squads would want more and Mr. Harvey added that the radios were for Officers and responders and Mr. Hale added that if a person never responded to calls, they did not need a portable radio.

Mr. Hale then reiterated that the Board needed full justification for the request.

IV. Other Business (As May Be Presented)

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Introduced: Gladstone Fire and Rescue Service Ambulance Grant

Mr. Carter reported that Gladstone Fire and Rescue Service (GFRS) was going to go forward with a grant submission for the OEMS 50/50 grant funding for an ambulance.

He noted that they had given the specifications listed and the total configured cost was \$166,550 with 50% funding from OEMS and then the Board would pay the other half. He noted that they were also presenting a request for the Board to consider funding of a Striker power cot at \$13,000.

Mr. Harvey then suggested that GFRS could apply for no interest loan funding or apply for a hardship grant from the state for this equipment. He noted that they did tell them that squads would get into a cycle of applying for grants so that they were not all applying for the grants at once. He added that the ambulances were no longer on state contract anymore but that the price presented was not a bad price. He noted that Rockfish Valley Fire Department was doing a rechassis for \$140,000.

Mr. Bruguiere noted that the Planning District Commission grant writer had come to the last EMS Council meeting and said that grants could no longer be gotten for rechassis; they had to be all new. Mr. Carter noted that the application document discouraged applications for rechassis.

Mr. Saunders inquired as to what OEMS would base the 50% funding on if there was no state contract amount and members and staff agreed this was unclear.

Mr. Carter noted that staff had met with Pat Groot from the Planning District to talk with her about grants and Mr. Hale advised that the County should take advantage of her expertise. Mr. Carter noted that Grant Massie was tasked with finding grants for the County; however he was tied up with Planning and Zoning at this point.

Mr. Saunders then noted that GFRS was asking if the Board would fund the 50% for the ambulance. Mr. Harvey noted that if they applied for the grant and got it; they would not necessarily have to take it; however Mr. Saunders supposed that they would not turn it down.

Mr. Harvey noted that in the past squads were not buying equipment for reasonable amounts and were getting more than was needed. He noted that they may have to get three different bids on these now. He added that they were trying to get on a cycle of getting this equipment like the fire departments were.

Mr. Carter then advised the Board that the Planning District Commission receives Federal Home monies each year and member localities could get a significant amount of these funds for projects. He also suggested that the EMS Council and squads should think about aggregating the fire funds and four for life funds to give to one agency for something big.

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Mr. Harvey noted that a substantial amount of funds was turned over to GFRS when the old Gladstone Rescue was dissolved.

Mr. Carter then noted that if GFRS knew the Board would fund 50% of the cost it would strengthen their grant application. Mr. Harvey stated that the Board would match the state funding and they would work it out. He added that the Board had recently given \$75,000 to the Fire Departments. In connection with funding the stretcher, Mr. Bruguere advised that they seek funds for this from the County's interest free loan program.

Introduced: Blue Ridge Crozet Tunnel Foundation Fundraiser Invitations

Mr. Hale noted that each Board Member has a gratis invitation to the Blue Ridge Crozet Tunnel Foundation fundraiser dinner and he requested that the members RSVP. He added that the Foundation would gladly accept any other donations.

Mr. Hale then noted that each of the member locality's governing officials were given a gratis invitation for themselves and their spouse and that Veritas Winery was donating the facility and the dinner for the event.

V. Adjournment

At 7:42 PM, Mr. Harvey moved to adjourn and Mr. Hale seconded the motion. There being no further discussion, Supervisors voted unanimously by voice vote to approve the motion and the meeting adjourned.