

AGENDA
NELSON COUNTY BOARD OF SUPERVISORS
April 25, 2013

**THE REGULAR MEETING CONVENES AT 7:00 P.M. IN THE
BOARD OF SUPERVISORS ROOM, SECOND FLOOR, COURTHOUSE, LOVINGSTON**

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

- II. Public Comments**

- III. Consent Agenda**
 - A. Resolution - **R2013-27** April Declared Fair Housing Month
 - B. Resolution - **R2013-28** Minutes for Approval

- IV. New/Unfinished Business**
 - A. Approval of 2013 Emergency Operations Plan Update (**R2013-24**)
 - B. FY14 Budget Work Session

- V. Other Business (As May Be Presented)**

- VI. Adjournment**

RESOLUTION R2013-27
NELSON COUNTY BOARD OF SUPERVISORS
APRIL DECLARED FAIR HOUSING MONTH 2013

WHEREAS, April is Fair Housing Month and marks the 45th 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,

NOW THEREFORE BE IT RESOLVED, 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.

Adopted: April 25, 2013

Attest: _____, Clerk
Nelson County Board of Supervisors



**PIEDMONT
HOUSING
ALLIANCE**

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Mark Giles

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Leigh B. Middleditch, Jr.

David J. Toscano

Gordon J. Walker

Memorandum

TO: Nelson County Board of Supervisors

FROM: Karen Reifenberger, Deputy Director, Piedmont Housing Alliance

George Kreiger, Nelson County Community Development Foundation

DATE: March 29, 2013

RE: Fair Housing Month Resolution

April is Fair Housing Month, and this April marks the 45th 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.

A recent Report on Fair Housing Compliance in the Rental Housing Market in the City of Charlottesville and Albemarle County found that housing discrimination based on race, disability, and familial status may limit housing opportunities in our area. Key differences noted were 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.

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, creating comprehensive educational materials and public awareness campaigns, and chairing the Regional Fair Housing Advisory Meetings. Last year, PHA provided 25 education sessions for over 450 people and assisted 89 callers with fair housing information and/or advocacy. Nelson County Community Development Foundation works with PHA to promote fair housing awareness in all its housing programs.

We invite you to celebrate Fair Housing Month by participating in one of these upcoming events:

Fair Housing Forum: Is There a Fair Housing Gap in the Charlottesville Area?

Tuesday, April 23rd from 10 am – noon

Charlottesville City Council Chambers

This panel presentation and interactive discussion will identify fair housing gaps and initiatives to promote equal housing opportunity. Topics and speakers will include HUD's role in promoting and enforcing fair housing, PHA's recent fair housing compliance testing report, local government's responsibilities to Affirmatively Further Fair Housing, TJPDC's Fair Housing & Equity Assessment, City of Charlottesville's Human Rights Commission, and other local fair housing issues. This event is designed to engage community members, local government officials, planners, community organizations and advocates, rental and real estate professionals, housing and community development staff.

Fair & Accessible Housing Seminar for People with Disabilities & Advocates

Wednesday, April 24th 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.

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.

RESOLUTION-R2013-28
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF MEETING MINUTES
(March 21, 2013, March 28, 2013, April 2, 2013, and April 9, 2013)

RESOLVED, by the Nelson County Board of Supervisors that the minutes of said Board's meetings conducted on **March 21, 2013, March 28, 2013, April 2, 2013, and April 9, 2013** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

Approved: April 25, 2013

Attest: _____, Clerk
Nelson County Board of Supervisors

March 21, 2013

Virginia:

AT A CONTINUED MEETING of the Nelson County Board of Supervisors at 3:00 p.m. in the Board of Supervisors Room located on the second floor of the Nelson County Courthouse.

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

Absent: None

I. Call to Order

Mr. Harvey called the meeting to order at 3:05 pm, with all Members present to establish a quorum.

II. FY13-14 Budget Work Session

Mr. Carter noted that staff would address questions from the Board, then go through the general fund, and then do schools, compensation, agencies and then categorical considerations.

In response to Board questions, staff noted the following:

Recurring and Non-recurring Contingency:

Mr. Carter explained that the contingency containing carry-over from the previous fiscal year was non-recurring; not something to be used for ongoing operations but rather to be used for one-time expenses or buying down debt. He noted that the recurring contingency funds were tax funds that were not obligated that would recur and could be used for ongoing operations. It was reiterated that the non-recurring contingency was \$1,240,176 and the recurring contingency was \$1,375,828 in the current budget and was set aside for the Board's allocation. Mr. Carter added that the School's funding request exceeded the recurring amount but that this was where those funds would come from. He then noted that generally, if these funds were not used within the current fiscal year, then they became nonrecurring contingency funds (carryover) in the next fiscal year. Mr. Carter reiterated that there was no new funding provided to the Schools in the budget at this point and they were starting with level funding.

Impact of Reassessment:

Mr. Hale noted that the results of the reassessment could have an impact on the use of these recurring contingency funds. Mr. Carter then related that it was likely that the reassessment would result in property values being at the same lower level as the previous reassessment that was done in 2012. He added that the Board would be looking at this next year and that staff would be asking the Board to

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equalize the tax rate in order to maintain the same level of revenue. Ms. McCann then added that it has been previously noted that the present proposed FY14 budget did assume that the Board would equalize the tax rate because this would impact the second half of the fiscal year's tax collections. She added that the Board could have to make up the difference in this year's budget if they did not equalize it.

Mr. Carter noted that staff would have the Assessors report when they got closer to being done. He added that they had currently assessed approximately 44% of the County's properties and that in September they would be in data checking mode.

Ms. Brennan then suggested that if it was likely that the assessments decreased, the Board should rethink refinancing the courthouse debt for 20 years instead of 15 in order to reserve over \$100,000 for the Board's use. Ms. McCann noted that they did have the ability to change the refinancing term; however they would have to let VRA know as soon as possible even though the refinancing closing date had been pushed to June fifth.

Revenues:

Mr. Carter noted some slight changes in revenues due to having received updated numbers from the state on local sales tax etc.

Ms. McCann then reported that overall revenues had increased \$458,000 from this fiscal year, not including grants. Mr. Carter noted that these were available recurring monies for use on the expenditure side.

Mr. Hale then suggested that the tax rate increase that was previously put in place resulted in this cushion and was a source to consider when looking at tax rates. It was noted that the Board could choose to equalize the expected decline in real estate tax revenues using these funds. Ms. McCann then reported that a penny in real estate tax rate was equivalent to \$287,164.

Mr. Carter noted that the Board had approximately \$.05 in funds that could be used to offset a tax rate increase. He added that if they needed \$.25 next year to equalize the revenue, then this would enable them to increase the tax rate by \$.20. Mr. Carter noted that the Board had a lot of nonrecurring money but that did not fix the problem.

EMS Revenue Recovery:

Mr. Carter noted that staff was taking a hard look at the revenue recovery program for rescue squad service and noted that other billing companies were being explored. The logistics of how these funds were being collected was briefly discussed. Staff noted that it was not sure if the current billing company was audited, but that one of the issues was that rescue squad personnel were not taking patient insurance information during transport. He added that they were also having problems getting face sheets from the hospitals in order for the billing company to be able to bill insurance companies timely. Members and staff then briefly discussed the timeliness of the billing process and it was noted that there was a lag between getting the transport information, verifying it, and getting it to the billing company. Mr. Carter reported that for example, the January transport data was due to the billing company by the middle of February and this cycle continued on a monthly basis.

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Ms. McCann explained that transports that did not have their insurance information collected got an informational statement from the billing company asking for the patient's insurance information to be sent back to them. In response to questions, Mr. Carter noted that if the patient did not have insurance and could not pay the bill it was written off. Ms. McCann then noted that part of the problem was that some patients that did have insurance were also being written off because they were not sending in their insurance information.

Mr. Carter then explained that all of the rescue squads had Toughbook computers that patient information was gathered on and then transmitted electronically. He added that some were compiling the information longhand and entering it later; which could cause billing delays. He noted that Jaime Miller was tracking all of these submissions and was following up with the squads as necessary.

Mr. Carter noted that these revenues should be up and they were not. It was noted that the call report showed that call volume was only down 100 and some calls and that there were approximately 1,200 transports per year.

The write-off policy was briefly discussed and staff noted that the Board had initially authorized soft billing only.

Mr. Bruguiere noted that there were a number of stand-bys and transport refusals causing expense that was not reimbursed. Mr. Carter added that there was a "frequent flyer" problem but that this was down from previous years. Mr. Carter then noted that the County had never tried to implement a collection program thus far.

The Amherst County revenue recovery program was mentioned and Mr. Carter reported that Ms. Miller had spoken with them regarding their program and that at one point; they were only getting 3% collections with the same billing company as the County. Ms. McCann noted that the company had an incentive to collect since they were paid 6%-7% of collections.

Mr. Carter noted that he had mentioned to Region 2000 that they should consider doing the ambulance transport billing for the region and they were going to discuss it. Staff noted that it would be more expensive to do this in house.

Mr. Carter then explained that the current billing company was procured through cooperative procurement through Fairfax County's RFP. He added that staff was looking at who else has this with another billing company that the County could use in order to speed up the procurement process. Mr. Carter added that Albemarle County was having similar problems with the same billing company and also with getting face sheets from UVA Hospital.

In response to Ms. Brennan, Mr. Carter noted that it was unsure whether or not Sequestration was going to affect the County and he noted that if there were an impact it would probably be on the Schools and Social Services; but this was to be determined.

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Expenditures:

Mr. Carter noted a large increase in the E-911 budget; which was primarily due to the radio project and associated equipment and system maintenance agreements. Ms. McCann noted that the maintenance agreement cost was going from \$120,000 in the current year to \$175,000 next fiscal year.

Mr. Carter noted that the proposed budget only reflected \$180,000 for school buses that was set aside last year and there were no operational increases presently shown.

Members and staff briefly discussed school transportation and it was noted by Mr. Bruguere that no report on school transportation was received last year; which was confirmed by Mr. Carter. Members and staff reiterated concerns that there were a lot of buses on the road with minimal ridership. Mr. Harvey noted that this was explained last year and that they had to have the number of buses running that would work for maximum capacity. He added that in the afternoons there were more students picked up from the High School and Middle School and in the mornings there were all ages on the buses. He noted that timing was a factor and that members needed to understand that they would see empty buses in the afternoon, and that they should look at these in the mornings.

Mr. Hale suggested having David Johnson, the Director of Transportation for the Schools come to report on this and it was noted that staff should go through Dr. Collins to arrange this.

Staff then noted that reasons for expenditure changes were included on the spreadsheet provided and Ms. McCann briefly reviewed these. She noted that the staff bonuses given in the current year affected a change in most departments.

County Attorney:

It was noted that Phil Payne had requested that the County pay \$1,630 for the cost of books, conference expenses, and association dues. Following brief discussion, the Board agreed by consensus that these were business expenses and not the County's responsibility, and these were zeroed out. Mr. Carter noted that the County has used his legal services a lot for Broadband out of necessity.

Board of Equalization:

Staff noted that the Board of Equalization would need to be established in November/December.

Treasurer:

Ms. McCann noted that that the Treasurer had requested funding for an online bill pay service that provided access to assessment information and billing history etc. Ms. McCann added that the current BAI system was another option but may be more expensive; however it should be looked at also.

Members noted that assessment information was now available through GIS and staff noted that the proposed software would mainly provide a convenience to citizens. Members agreed to come back to this item.

Finance:

Ms. McCann noted that maintenance agreements on financial software and hardware were down.

Technology:

Ms. McCann noted a \$7,200 increase in computer equipment which included replacing the firewall that was at the end of its life and the san server. Ms. McCann noted the inclusion of a GIS parcel maintenance increase that stemmed from needing to redo parcel lines on the maps per citizen reports. Mr. Carter clarified that when the GIS was done, the data was dumped and then inconsistencies were identified which were now being resolved.

Land Use: Included wages for field visits this year.

Board of Elections:

Ms. McCann reported that there were no primary expenses included and that the rent for the Registrar's space was included with all other rents in the Buildings & Grounds budget.

Mr. Carter then reported that the Registrar's relocation had been submitted to the Department of Justice and that she needed to move by April 22nd or would have to wait until after the primaries were held. He then noted that staff had been looking at her Internet connection and running the fiber on poles would cost \$3,100 and a wireless solution would cost \$8,000. He added that the building was served by DSL; however her office could not be served by it per Verizon. Members then questioned whether or not the building owner could help offset this cost and Mr. Carter noted it was possible. He then added that staff was going with the fiber option at this point. He clarified that currently, there was no fiber going down Front Street and that this may also be a benefit to others wanting to connect to the network. He related that the outside plant company would install the fiber and BRI or Lumos could provide the services.

Ms. McCann then advised the board that \$3,000 could be cut out of the postage expense, due to office relocation notices going out this fiscal year and not next.

Courts:

Ms. McCann noted that this was where court appointed attorneys were paid from and it included Court Services, VJCCA and Clerk's expenses. She noted that 90% of compensation for these departments comes from the State.

Commonwealth Attorney: Members left this budget as presented.

Sheriff's Department:

Staff noted that Part time speed enforcement was reduced because historically, this was left at a minimal amount and then once they saw how the revenue was coming in, this was adjusted accordingly. It was reported that they have made a substantial request now; wanting to increase revenues from \$180,000 currently in the budget to \$410,000 to cover new expenditure requests.

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Members and Staff discussed the number of deputies currently employed and how this affected their request for more deputies. Mr. Harvey indicated he was fine with approving their request if their revenues covered the costs. Ms. McCann noted the impending responsibility to offer health insurance if part time employees worked more than 30 hours per week and she suggested that the Board may want to limit this.

Some members noted that they wanted to see them have insurance since their lives were on the line. Mr. Carter then advised that this cost was not factored in and that the Board would have to be cognizant of this going forward and could not treat one group of employees differently than another. Members noted that there were more associated costs with full time employees than part time employees.

Members then decided that the department must make the revenue number or some of the approvals for expenditures would be rescinded. They also decided to hold off on funding for three extra cars and they would reevaluate this in January as they thought it best to stagger the purchase of new cars more. Mr. Carter then noted that Sheriff Brooks has been consistent on bringing in revenue.

Ms. McCann then advised the Board that a fourth security person would be doing other things since it only took three to provide the needed coverage and the Board noted that they were okay with this because it gave the department some flexibility.

Public Safety and Emergency Services: Ms. McCann noted adjustments were in salaries and training.

EMS Council:

Ms. McCann noted that the difference for next year was more funds for reimbursable expenses. Mr. Bruguiere then asked if the Council had provided a letter requesting funds for incentives and Ms. McCann noted that it had not been included in their budget request. Ms. McCann then located the letter in the agency book and advised that \$2,000 per agency had been requested. Mr. Hale noted that Faber Fire Department had provided monies for this in the past but it had been discontinued.

Ms. McCann noted that the Council had \$10,313 cash on hand and would use \$2,500 to help fund an EMT class that would be taught in the county. She added that they had used \$7,668 of the \$10,000 given for supplies to purchase fuses and foam for the Fire Departments and to cover an overage on costs budgeted for Volunteer Appreciation Day.

Mr. Harvey then noted that the rescue squad and fire department budgets were done based on expenses incurred over a twelve month period. Members then discussed devising a means for the fire and rescue agencies to provide more consistent reporting; with them possibly providing their year's worth of receipts for expenses, or giving all of the agencies the same accounting software program to use. Ms. Brennan then noted that she would like to see if there were economies of scale that could be realized from this and they would do this as a good thing for the squads. Mr. Hale suggested that the burden of this should fall on the EMS Council.

Mr. Carter then noted that any accountability measures for staff to take needed to be directed by the Board and Mr. Harvey suggested that they work from the inside out not from the outside in on this.

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Mr. Carter then noted while he was not being critical of the rescue agencies, it had been difficult to get them to use the Toughbook computers even when they were free and training was provided by the County. He added that there was still one agency not cooperating.

Mr. Bruguire and Mr. Harvey discussed facilitating a meeting between the EMS Council and the Board and Mr. Harvey suggested that the meeting be with the Captains and the Board only. Mr. Bruguire then noted that the issue to be discussed was helping the agencies buy vehicles. He added that they were having special meetings to evaluate every squad's vehicles and their needs.

Mr. Harvey then noted that it was already in the Board's plan to fund rescue vehicles and Mr. Bruguire noted that the discussion was how they could fund a fire truck per year.

Mr. Carter then recommended that the Board get a detailed proposal from the Council on this and Mr. Harvey suggested that maybe the County could use the interest free loan fund to do this and then replenish it over time. He added that there was no reason for rescue squads to buy rescue vehicles. Mr. Carter then added that Grant Massie was researching the grants for EMS vehicles and he thought that local governments were eligible. He noted that if so, the County should apply every year.

Mr. Harvey noted that they needed to discuss what types of fire vehicles were needed in the county and needed to be practical about it. Mr. Hale added that he thought the Board recognized the difficulty in the ability of Fire Departments to purchase new trucks and they should look into this. Mr. Bruguire added that the EMS Council wanted to analyze who needed what and decide. Mr. Harvey suggested that they needed to set a standard and also that they had pump tests done and the County needed to pay for these tests.

Members decided that Mr. Harvey and Mr. Bruguire would go to the meeting on this and Mr. Saunders reiterated Mr. Carter's suggestion that they present a proposal on this to the Board.

Members then noted that the Council needed to update the loan process and Mr. Carter advised that staff could help to write this up; however no direction was given.

Meeting with the EMS Council was again discussed briefly; with members reiterating that they needed to discuss who needed vehicles first and then Mr. Harvey and Mr. Bruguire would advise the Council together at their upcoming special meeting.

III. Other Business (As May Be Presented)

There was no other business discussed by the Board.

IV. Adjournment

At 5:16 PM, Ms. Brennan moved to continue the meeting until 6 PM on Thursday, March 28th for a budget work session 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.

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Virginia:

AT A CONTINUED MEETING of the Nelson County Board of Supervisors and joint meeting with the Nelson County Broadband Authority at 6:00 p.m. in the Board of Supervisors Room located on the second floor of the Nelson County Courthouse.

Present: Constance Brennan, Central District Supervisor - Vice Chair
Thomas H. Bruguire, Jr. West District Supervisor- Chair
Larry D. Saunders, South District Supervisor
Allen M. Hale, East District Supervisor
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
Paul Jacobsen, Esq. Bond Counsel

Absent: None

I. Call to Order

Mr. Bruguire called the joint meeting with the Broadband Authority to order at 6:00 pm, with four (4) Supervisors present to establish a quorum and Mr. Hale arrived shortly thereafter.

II. New/Unfinished Business

A. 2013 VRA Refinancing (R2013-17)

Mr. Carter noted that the County had been working with VRA to put together a refinancing package to refinance the \$7,500,000 Courthouse loan with Rural Development and the 1999 School Literary Fund loan; which would result in significant savings to the County. He added that the term of the Literary Fund loan refinancing would be the same and would end in 2019 and that the Rural Development loan refinancing was on a fifteen year schedule as was previously decided by the Board. He added that the Chairman has signed the documents and that Bond Counsel Paul Jacobsen recommended endorsement of the resolution presented.

Ms. Brennan then inquired as to whether or not the Board could change the fifteen year term for the Rural Development refinancing and Mr. Jacobsen advised the Board that the County has been approved for a fifteen year financing and presumably the County would be approved for a longer term. He noted that the term could be changed if it were within the next several weeks.

Mr. Harvey then moved to approve resolution **R2013-17** Nelson County Board of Supervisors Approving Lease Refinancing of Courthouse and School Capital Improvements. Mr. Saunders seconded the motion and there being no further discussion,

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Supervisors voted unanimously (4-0) by roll call vote to approve the motion and the following resolution was adopted:

RESOLUTION R2013-17
NELSON COUNTY BOARD OF SUPERVISORS
APPROVING LEASE REFINANCING OF COURTHOUSE
AND SCHOOL CAPITAL IMPROVEMENTS

WHEREAS, in 2009 the County of Nelson, Virginia (**the “County”**) and the Economic Development Authority of Nelson County, Virginia, (**the “EDA”**) entered into an agreement related to a lease revenue financing of a County capital project, and to accomplish such financing the EDA issued its \$7,500,000 Public Facility Lease Revenue Bond, Taxable Series 2009 (**the “Courthouse Obligation”**); and

WHEREAS, the proceeds of the Courthouse Obligation were used to finance a portion of the costs of the design, acquisition, construction and equipping of certain improvements, additions and renovations to the County's courthouse, public safety and administrative facilities (**the “Courthouse Project”**) and provide for the payment of the issuance costs of the Courthouse Obligation; and

WHEREAS, in 1999 the County entered into an agreement with the Literary Fund of Virginia for the financing of school facilities in the County in the original principal amount of \$5,000,000 (**the "School Obligation" and, together with the Courthouse Obligation, the "Prior Obligations"**); and

WHEREAS, the proceeds of the School Obligation were used to finance a portion of the costs of the design, acquisition, construction and equipping of Rockfish River Elementary School in the County (**the "School Project" and, together with the Courthouse Project, the "Projects"**); and

WHEREAS, the Prior Obligations are each subject to redemption at the option of the County and the Board of Supervisors of the County (**the “Board”**) wishes to refund the Prior Obligations to achieve debt service savings for the benefit of the County, and the Board has determined that it is in the best interest of the County to enter into a lease financing arrangement to refund the Prior Obligations, subject to the terms and conditions herein; and

WHEREAS, the Board has the power to acquire by lease essential real property and personal property consisting of a portion of the Courthouse Project and as further described in the Local Lease Acquisition Agreement and Financing Lease (as defined below) (**the “Leased Property”**); and

WHEREAS, the Leased Property is essential to the governmental functions of the County and the Board reasonably expects the Leased Property to continue to be essential to the governmental functions of the County for a period not less than the terms of the Prime Lease (as defined below) and the Local Lease Acquisition Agreement and Financing Lease; and

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WHEREAS, the Board proposes to enter into (a) the Prime Lease and the Local Lease Acquisition Agreement and Financing Lease with Virginia Resources Authority (“**VRA**”) and (b) related documents in connection with refunding the Prior Obligations; and

WHEREAS, to assist in providing refunding of the Prior Obligations, VRA intends to (a) issue its Series 2013A VRA Bonds (**as more particularly defined in the below defined Local Lease Acquisition Agreement and Financing Lease, the “VRA Bonds”**) and, subject to VRA credit approval, to make available a portion of the proceeds to the County to refund the Prior Obligations; (b) acquire a leasehold interest in the Leased Property pursuant to the terms of the Prime Lease; and (c) lease the Leased Property to the County pursuant to the terms of the Local Lease Acquisition Agreement and Financing Lease (**collectively, the “Lease Obligations”**); and

WHEREAS, the County has submitted its application to VRA to currently refund the Prior Obligations and to undertake the Lease Obligations; and

WHEREAS, the Local Lease Acquisition Agreement and Financing Lease shall indicate that the County agrees to undertake the Lease Obligations on terms, determined by VRA to be fair and accepted by the County that, subject to VRA’s Purchase Price Objective (as defined below) and market conditions, achieves an aggregate net present value debt service savings of not less than approximately 3% of the par amount of the Prior Obligations (**the “Targeted Savings”**); and

WHEREAS, VRA has advised the County that the sale date of the VRA Bonds is tentatively scheduled for May 8, 2013 but may occur, subject to market conditions, at any time between April 30 and May 31, 2013 (**the “VRA Sale Date”**), and that VRA’s objective is to pay the County an amount which, in VRA’s judgment, reflects the market value of the Lease Obligations under the Local Lease Acquisition Agreement and Financing Lease (**the “Purchase Price Objective”**), taking into consideration such factors as the purchase price received by VRA for the VRA Bonds, the underwriters’ discount and other issuance costs of the VRA Bonds, and other market conditions relating to the sale of the VRA Bonds; and

WHEREAS, the Local Lease Acquisition Agreement and Financing Lease shall provide that the aggregate total principal components of Lease Obligations will not exceed the parameters set forth herein; and

WHEREAS, there have been presented to this meeting drafts of the following documents (**together, the “Basic Documents”**) in connection with the transactions described above, copies of which shall be filed with the records of the Board:

- A. Prime Lease, between the County and VRA, dated as of June 1, 2013 conveying certain interests in the Leased Property to VRA (**the “Prime Lease”**);

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- B. Local Lease Acquisition Agreement and Financing Lease, between the County and VRA, dated as of April 4, 2013 (i) providing for a portion of the proceeds of the sale of the VRA Bonds to be provided by VRA to the County to refund the Prior Obligations and (ii) conveying to the County a leasehold interest in the Leased Property (**the “Local Lease Acquisition Agreement and Financing Lease”**); and
- C. Leasehold Deed of Trust and Security Agreement, between VRA and certain deed of trust trustees to be named therein, dated as of June 1, 2013 regarding VRA’s leasehold interest in the Leased Property (**the “Leasehold Deed of Trust”**).

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. It is hereby found and determined that the terms of the Basic Documents in the respective forms presented to this meeting and incorporated in this Resolution are in the best interests of the County for the refunding of the Prior Obligations.

2. The Basic Documents and related financing documents are hereby approved in substantially the respective forms presented to this meeting. The Chairman, Vice-Chairman, County Administrator and any officer of the Board who shall have power generally to execute contracts on behalf of the Board be, and each of them hereby is, authorized to execute, acknowledge, consent to and deliver, as appropriate, the Basic Documents and related financing documents. The actions of the Chairman, the Vice Chairman and the County Administrator, each of whom is authorized to act, shall be conclusive, and no further action shall be necessary on the part of the County. The final pricing terms of the Local Lease Acquisition Agreement and Financing Lease will be determined by VRA, subject to VRA’s Purchase Price Objective and market conditions described in the Recitals hereof; provided, however that (i) the Lease Obligations shall be composed of principal components having a maximum aggregate principal amount of not to exceed \$8,850,000 (**the “Maximum Authorized Principal Amount”**), (ii) the aggregate net present value debt service savings resulting from refunding of the Prior Obligations shall not be less than the Targeted Savings, and (iii) the Lease Obligations shall be payable over a term expiring not later than December 1, 2033. Subject to the preceding terms, the Board further authorizes VRA to determine the aggregate total of principal and interest components of the Lease Obligations, establish a schedule of Lease Obligations including the dates and amounts and the optional and extraordinary prepayment provisions, if any, of the Lease Obligations, all in accordance with the provisions hereof. The term of the Prime Lease shall not be more than five years longer than the term of the Local Lease Acquisition Agreement and Financing Lease; such term is intended to provide security to VRA in the event of default or non-appropriation by the County, all as more fully set forth in the Local Lease Acquisition Agreement and Financing Lease (or any supplement thereto).

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The Chairman, the County Administrator, or either of them and such other officer or officers of the County as either may designate are hereby authorized and directed to enter into the Local Lease Acquisition Agreement and Financing Lease.

As set forth in the Local Lease Acquisition Agreement and Financing Lease, the County agrees to pay such “supplemental interest” and other charges as provided therein, including such amounts as may be necessary to maintain or replenish any VRA Reserve (as defined in the Local Lease Acquisition Agreement and Financing Lease).

Rental Payments (as defined in the Local Lease Acquisition Agreement and Financing Lease) due under the Local Lease Acquisition Agreement and Financing Lease shall be payable in lawful money of the United States of America and otherwise comply with the terms set forth in the Local Lease Acquisition Agreement and Financing Lease. The County may, at its option, prepay the principal components of Rental Payments upon the terms set forth in the Local Lease Acquisition Agreement and Financing Lease.

3. The same officers of the Board, and the County Administrator and the County Attorney be, and each of them hereby is, authorized and directed to take all actions and procure, execute and deliver any and all other agreements, financing statements, papers, instruments, title insurance policies, real property surveys and inspections, opinions, certificates, affidavits and other documents, and to do or cause to be done any and all other acts and things necessary or proper for carrying out the purposes and intent of this resolution and the Basic Documents, including the redemption or prepayment of all or a portion of the Prior Obligations, the release and transfer of interests in the Courthouse Project and other property that may serve as security for the Courthouse Obligation and the final selection of property to be utilized as the Leased Property as may be required by VRA prior to the recording of the Local Lease Acquisition and Financing Lease. The same officers are authorized and directed to work with the County’s bond counsel, Sands Anderson PC, and representatives of VRA, including without limitation McGuireWoods LLP, Bond Counsel to VRA, to perform all services and prepare all documentation necessary or appropriate for the execution, delivery and recording, as appropriate, of the Basic Documents.

4. The County represents and covenants that it shall not take or omit to take any action the taking or omission of which would (a) cause the VRA Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (**the “Code”**) or (b) otherwise cause interest on any VRA Bonds to be includable in the gross income for Federal income tax purposes of the registered owners thereof under existing law. Without limiting the generality of the foregoing, the County shall comply with any provision of law that may require it at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds of the VRA Bonds. The County shall pay any such required rebate from legally available funds.

5. The County covenants that it shall not permit any proceeds derived from the Lease Obligations to be used in any manner that would result in (a) 10% or more of such proceeds being used in a trade or business carried on by any person other than a governmental unit, as provided in Section 141(b) of the Code, provided that no more than 5% of such proceeds may be used in a trade or business unrelated to the County's use of the Project, (b) 5% or more of such proceeds being used with respect to any "output facility" (other than a facility for the furnishing of water), within the meaning of Section 141(b)(4) of the Code, or (c) 5% or more of such proceeds being used directly or indirectly to make or finance loans to any persons other than a governmental unit, as provided in Section 141(c) of the Code; provided, however, that if the County receives an opinion of nationally recognized bond counsel that compliance with any such covenant is not required in order to prevent the interest on the VRA Bonds from being includable in the gross income for Federal income tax purposes of the registered owner thereof under existing law, the County need not comply with such covenant to the extent provided in such opinion.

6. Such officers of the County as may be requested are authorized and directed to execute and deliver a tax compliance agreement in relation to the Lease Obligations (**the "Tax Compliance Agreement"**) in the form approved by the Chairman or Vice Chairman of the Board or the County Administrator, or any of them, in collaboration with the County's bond counsel, with such completions, omissions, insertions and changes as may be approved by the officers of the County executing such Tax Compliance Agreement, whose approval shall be evidenced conclusively by the execution and delivery thereof.

7. The undertaking by the County under the Local Lease Acquisition Agreement and Financing Lease to make Rental Payments and any other payments due under the Lease Obligations shall be a limited obligation of the County, payable solely from funds to be appropriated by the Board from time to time for such purpose and shall not constitute a debt of the County within the meaning of any constitutional or statutory limitation or a pledge of the faith and credit of the County beyond any fiscal year for which the Board has lawfully appropriated from time to time. Nothing herein or in the Lease Obligations shall constitute a debt of the County within the meaning of any constitutional or statutory limitation or a pledge of the faith and credit or taxing power of the County.

8. The Board believes that funds sufficient to make payment of all amounts payable under the Lease Obligations can be obtained. While recognizing that it is not empowered to make any binding commitment to make such payments beyond the current fiscal year, the Board hereby states its intent to make annual appropriations for future fiscal years in amounts sufficient to make all such payments and hereby recommends that future Boards do likewise during the term of the Lease Obligations. The Board directs the County Administrator, or such other officer who may be charged with the responsibility for preparing the County's annual budget, to include in the budget request for each fiscal year during the term of the Lease Obligations an amount sufficient to pay all amounts coming due under the Lease Obligations during such fiscal year. As soon as practicable after the submission of the County's annual budget to the Board, the County

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Administrator is authorized and directed to deliver to VRA evidence that a request for an amount sufficient to make the payment of all amounts payable under the Lease Obligations has been made. Throughout the term of the Lease Obligations, the County Administrator shall deliver to VRA within 30 days after the adoption of the budget for each fiscal year, but not later than July 1, a certificate stating whether an amount equal to the Rental Payments and any other amounts due under the Lease Obligations which will be due during the next fiscal year has been appropriated by the Board in such budget. If at any time during any fiscal year of the County, the amount appropriated in the County's annual budget in any such fiscal year is insufficient to pay when due the amounts payable under the Lease Obligations, the Board directs the County Administrator, or such other officer who may be charged with the responsibility for preparing the County's annual budget, to submit to the Board at the next scheduled meeting, or as promptly as practicable but in any event within 45 days, a request for a supplemental appropriation sufficient to cover the deficit.

9. The County authorizes and consents to the inclusion of information with respect to the County to be contained in VRA's Preliminary Official Statement and VRA's Official Statement in final form, both prepared in connection with the sale of the VRA Bonds, a portion of the proceeds of which will be used to purchase the Lease Obligations. If appropriate, such disclosure documents shall be distributed in such manner and at such times as the Chairman of the Board, the Vice Chairman of the Board or the County Administrator, each of whom is authorized to act, shall determine. The Chairman of the Board, the Vice Chairman of the Board or the County Administrator, each of whom is authorized to act, are authorized and directed to take whatever actions are necessary and/or appropriate to aid VRA in ensuring compliance with Securities and Exchange Commission Rule 15c2-12.

10. The recitals to this resolution are hereby incorporated by reference and are declared to be findings of the Board in connection with its decision to refund the Prior Obligations.

11. The Board hereby determines that it is in the best interests of the County to authorize the County Treasurer to participate in the Virginia State Non-Arbitrage Program in connection with the Lease Obligations if requested by VRA.

12. Nothing in this Resolution, the Basic Documents or other related documents shall constitute a debt or a pledge of the faith and credit of the County, and the County shall not be obligated to make any payments under the Basic Documents except from funds that may be appropriated by the Board.

13. All acts of the officers, agents and representatives of the County that are in conformity with the purposes and intent of this resolution and in furtherance of the leasing of the Leased Property by the County to finance the refunding of the Prior Obligations are hereby approved, ratified and confirmed.

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14. Any authorization herein to execute a document shall include authorization to deliver it to the other parties thereto, to record such document where appropriate and to pay from County funds all appropriate recording fees, taxes and related charges.

15. This Resolution shall be effective immediately upon its adoption.

B. FY13-14 Budget Work Session

This item was considered at the Board's regular session at 7:00 pm.

III. Other Business (As May Be Presented)

There was no other business considered by the Board

IV. Adjournment

AT 6:57 PM, Mr. Bruguire moved to continue the Broadband Authority meeting until April 9th at 1pm and adjourn the Board of Supervisors Meeting. Mr. Saunders seconded the motion and there being no further discussion, Members voted unanimously (5-0) by roll call 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 7:00 p.m. in the Board of Supervisors Room located on the second floor of the Nelson County Courthouse.

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

Absent: None

I. Call to Order

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

II. Public Comments

Seeing no one from the public in attendance, Mr. Bruguire did not open the floor for public comments.

III. New/Unfinished Business

A. FY13-14 Work Session

Members and Staff continued to review departmental budgets as follows:

E-911 Program:

Ms. McCann noted that the increases in this budget were relative to maintenance service contracts and equipment. She added that the simulcast system maintenance costs were greater and there was a CAD Software upgrade required by DaPro since they were going to a new platform.

Forest Fire Service: No change was noted

Mr. Hale then suggested that staff include a column on the spreadsheet that reflected the % change from projected budget to revised budget so the Board could identify large changes.

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EMS Council:

Mr. Harvey reported that he met with all of the Fire Chiefs and their biggest need was equipment. He noted that they were looking at ways to provide them with needed vehicles and agreed on priorities. He added that the Board did not need ambulances in the budget and that they should make sure that every six months a squad could get a grant for half of the cost of an ambulance and the County would pay the other half. He noted this way; they would get two for the price of one as these grants were usually offered twice per year. He reiterated that they would need to plan out their grant applications to hit these two periods. He added that the squads' owning the vehicles was a sticking point.

Mr. Harvey then reported that the Fire Departments wanted to look at three basic trucks: a mini-pumper that cost in the \$125,000 range, engines that cost in the \$300,000 range and tankers that cost under \$200,000. He suggested setting basic price limits for each type of vehicle and then anything over the base model, the squads would pay for. Mr. Harvey added that they had discussed providing \$300,000 per year until the agencies got up to speed; however three mini-pumpers were needed as soon as possible. He noted the priority order for the first year was Lovington, Faber, and then Montebello; with the second cycle order being an engine for Gladstone and the third cycle being a tanker for Piney River. He noted that Rockfish and Wintergreen did not need anything and that all agreed that they wanted the smaller inexpensive trucks.

Mr. Harvey reiterated that the interest free loan funds could be used to get this started and then it would be replenished. Mr. Hale noted that it was a hardship for the agencies to pay \$10,000 a year to repay loan funds. He added that the Board ought to consider purchasing at least two of the mini pumpers in the current year budget with nonrecurring funds.

Mr. Carter suggested working with the squads to develop a replacement schedule and he advised that the Board did have the ability to purchase the first set of trucks in the current fiscal year.

Mr. Bruguiere suggested that agencies could trade in their old vehicles to cut the cost of these and Mr. Saunders suggested putting one of these older fire vehicles at the Wingina fire station as there was currently not much equipment down there.

Members then noted that the squads' ambulances were rotating into the Paid EMS rotation; however if the County bought these, then the County should save in mileage fees being paid to the squads now.

Members agreed by consensus that purchasing mini-pumpers would be a good thing and that squads may also need to get rid of old vehicles. It was agreed that each squad only needed a mini pumper, tanker, engine, and a brush truck for operations.

Mr. Hale noted that the subject needed work and Mr. Harvey noted that the squads were getting together and coming up with a plan. He added that a lot of pricing and research

had been done on the mini pumpers and that discounts may be realized if several were purchased at one time.

Paid EMS:

Ms. McCann noted that the current year budget included \$613,000 of revenues that were allocated to expenditures. She noted that a \$648,175 budget had been submitted to the County by Curtis Sheets of Wintergreen Rescue. She noted that the largest increase was in the mileage because it had been underestimated in the current year. She added that the budget included the EMS billing and Mr. Sheet's budget.

Ms. McCann noted that the mileage rate was \$2.50 per mile and the cost for this should be \$75,000; however Mr. Sheets indicated that he would accept the lower rate of \$2.00 per mile for Wintergreen and therefore used an expense amount for this of \$67,000.

Mr. Harvey then noted that he would hold a meeting with the Rescue Captains like the one held with the Fire Captains and that this reimbursement arrangement may change.

Mr. Carter then reported that the Station II bunk house renovation contracts and MOU were in process and there was a cost of \$35,000 for this renovation. He related that he had changed the notice provision in the MOU from 30 days to 60 days. Mr. Harvey suggested that the board pursue Kirt's building for this purpose and then the County would own the facility.

Ms. McCann then reported that a salary and benefit increase was submitted at a cost of \$40,000 plus which included a 2.5% raise and then merit raises for certifications gotten.

Mr. Bruguere and Mr. Harvey commented that they would both like to see the paid crew uniforms say Nelson Rescue instead of Wintergreen Rescue and Mr. Carter noted that the County has contracted with them for these services. Mr. Harvey noted he would like to revisit this and added that he thought that the rescue vehicles should all say Nelson County EMS and then have the squad's name somewhere on the vehicle.

Regional Jail

Mr. Carter reported that this budget was based on % of prisoner population and that Nelson's share was increasing to offset decreases in the % share of Charlottesville and Albemarle. He added that it was usually 6%-8% and that adjustments were made at the end of the year. He noted that a big problem had been a backlog in the processing of state prisoner transfers which were supposed to occur after a prisoner had been incarcerated for a year. He added that overall the jail staff was excellent.

Building Inspections:

Ms. McCann noted that this budget included \$12,144 for a part time storm water management inspector position starting in April 2014.

Mr. Carter noted that staff would be bringing the storm water management documents to the Board for approval in June. He added that July 1, 2014 was the effective date and the plan was to let the Soil and Water Conservation District contract to do plan reviews, then the County would do inspections and enforcement would be outsourced. Mr. Carter then advised that staff could adjust this budget mid-year for this if the position was needed. Supervisors agreed by consensus to remove the \$12,144 in funding for this position for now.

Animal Control:

Ms. McCann noted that there was an increase in the Professional Services line that pays the Veterinarian's costs for euthanizing. It was noted that this was previously performed by Animal Control staff until the problems occurred. Mr. Carter advised that staff could be trained to do this again; however the department was having trouble staying fully staffed and was currently down an officer. He noted that there had been a lot of turnover and that the County was looking for another part time ACO now to replace Sandy Solar who was leaving.

Mr. Carter then noted that staff thought that the grade and compensation should be raised for these positions; which would help with employee retention. Ms. McCann added that she had estimated it would cost approximately \$11,000 to do this.

Supervisors agreed by consensus to move forward with the proposed grade change as soon as possible and staff advised that the Board would have to formally approve the position reclassifications.

Mr. Carter then reported that the department was much improved and in response to questions, he noted that the Veterinarian performs euthanasia at both the shelter and at the office. He also noted that the department tried to adopt animals out to citizens or Almost Home as much as possible.

Medical Examiner: Ms. McCann reported no change to this budget.

IV. Other Business (As May Be Presented)

Introduced: Planning Commission Items

Ms. Brennan noted that the cabin issue had been discussed at the Planning Commission meeting the previous night.

She also reported that they discussed complaints regarding fluttering signs on Rt. 151 that were in the VDOT right of way. She noted that the Planning Commission would like a story in the paper on the issue of these signs. She suggested that a letter be sent out to people along Route 151 because of the traffic study being done there. Mr. Carter noted that VDOT had related that there would be some enforcement done soon regarding these

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signs. Ms. Brennan indicated she would like it to be a positive letter. Mr. Bruguiera advised that if the sign was not in the VDOT right of way, then the County should address it as a zoning violation; however if it was in their right of way, then it was VDOT's responsibility. Following discussion, no direction was given by the Board on this or action taken.

Introduced: County Flag

Ms. Brennan referred to the color swatches and noted that the flag colors should be more of a hunter green and gold as shown. She then asked Supervisors about minimizing the soldier in the front of the Courthouse on the county seal. She noted that her research on this showed that there was no historical basis for the current seal design. Ms. McGarry noted that the previous version of the seal containing the soldier was cleaned up while staff was working on the Courthouse signage project. She noted that a picture had been taken from the same view angle that incorporated the soldier in the foreground of the historic courthouse and then the seal was cleaned up from that image. Ms. Brennan then noted that she had spoken to the Historical Society and they wanted the soldier removed. Supervisors then agreed by consensus to remove the soldier from the seal. Ms. McGarry then clarified that this revised seal should be used going forward for all County applications. Members confirmed this and noted that staff should exhaust all stock of letterhead etc. first.

Members then briefly discussed ordering different sized flags for sale etc.

Introduced: Adult Recreation Softball League

Mr. Saunders noted having several visits from Mr. Parks regarding the adult softball league and he has noted that the Recreation Department will not respond to his emails or calls and he asked Mr. Carter to have them respond.

Mr. Hale noted that he had brought up the same subject with him and that Mr. Park had said that the problem was the lack of support from the Recreation Department and the cost of participation. Mr. Carter noted that the Board has in the past said that the adult recreation programs should be self supporting. It was noted that if Mr. Park was not getting a response, that was a problem and Mr. Carter noted that they had responded before to his inquiries; however he was not sure if they had recently.

Mr. Saunders reported that Mr. Park had numbers showing that the program did work to support itself and Mr. Carter noted that Mr. Park wanted more teams involved to increase the competition and wanted to do this by lowering the fees. Mr. Carter then advised the Board that he would look into it and Ms. Brennan suggested that it would be good for Emily to have support when she spoke with Mr. Park and that Emily, Mr. Carter, and Mr. Park should meet on this.

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V. Adjournment

Prior to adjournment, Members agreed by consensus to continue the meeting until Tuesday, April 2nd at 1:00 pm for a budget work session.

At 8:24 PM, Mr. Hale moved to continue the meeting until Tuesday, April 2nd at 1:00 pm for a budget work session and there was no second.

There being no further discussion, Supervisors voted unanimously by voice vote to approve the motion and the meeting adjourned.

DRAFT

April 2, 2013

Virginia:

AT A CONTINUED MEETING of the Nelson County Board of Supervisors at 1:00 p.m. in the Board of Supervisors Room located on the second floor of the Nelson County Courthouse.

Present: Constance Brennan, Central District
Larry D. Saunders, South District – Vice Chair
Allen M. Hale, East District
Thomas D. Harvey, North District – Chair
Thomas H. Bruguire, Jr. West District
Stephen A. Carter, Clerk
Melissa Thompson, Acting Deputy Clerk
Debra K. McCann, Director of Finance and Human Resources

Absent: Candice W. McGarry, Deputy Clerk

I. Call to Order

Mr. Bruguire called the meeting to order at 1:11 PM, with four Supervisors present to establish a quorum and Mr. Harvey arriving thereafter.

II. NEW BUSINESS/UNFINISHED BUSINESS

A. FY 13-14 Budget Work Session

E-911 Maintenance Agreements:

Members began by reviewing the E-911 budget which contained increases due to the higher cost of maintenance service contracts. Mr. Carter noted it increased \$54,000 and is all attributable to the radio project. Mr. Carter explained that even though all of this equipment is new, these were more like insurance in case something went wrong. Mr. Carter noted that these numbers were provided by Motorola and there is the potential for this to be lower. Mr. Hale noted there being a progression of higher costs over the years. Mr. Carter noted that staff would get the documents on this. Ms. McCann noted that \$83,200 was associated with a full year for the radio system; however this could be lowered for a partial year to \$77,000. She noted this budget line included maintenance on a variety of systems with different companies. Mr. Carter noted that these ensured immediate coverage if something goes down. Members discussed the necessity of these maintenance agreements and it was agreed that public safety communications could not be down. Ms. McCann then noted that Ms. Rorrer's itemization of these totaled \$165,900 and her request was for \$175,000 which meant this line could be reduced by \$9,100. Members questioned what services were received on these and Mr. Hale noted that he thought these kinds of things needed more oversight. Ms. McCann noted that there were warranty issues if service was not provided by a certified person from the associated company. Mr. Carter noted that staff would provide the specifics of these to the Board.

Mr. Saunders noted that the new equipment should be under warranty and maybe maintenance service contracts could be purchased after the first year. Staff discussed that it was possible some of the

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maintenance service contracts would not be needed until the end of next fiscal year and Ms. McCann reiterated that the radio system number could be lowered by \$9,100. Members agreed by consensus to make this reduction.

Waste Management:

Ms. McCann noted that a reduction in tonnage was expected and therefore the tipping fees paid were reduced. She noted that transportation fees went up somewhat due to inclusion of a full year of transportation to the new Campbell County landfill. Mr. Carter noted this was approximately twenty-five miles roundtrip further than the previous site. Mr. Carter noted the tipping fee was going to increase to \$29 per ton due to the cost of opening a new cell at the landfill. He noted that being a member of the solid waste authority was still working to the County's benefit. He then noted that Bedford City would be leaving the Authority and would be providing the Authority a reimbursement of some amount. Members and staff briefly discussed a possible land acquisition by the Authority as the current site has 17 years of useful life. Mr. Carter reported that the commercial rate was \$55/ton at the County's transfer station and it was \$39/ton at the landfill; however this was going to increase.

Ms. McCann noted that the lease/rent line was for the Cove Valley Recreation Center water lease that was arranged when the property was acquired from them for the collection site. Mr. Carter then noted that he thought that the collection site establishment debt was over in 2017. He noted the term was ten years for this debt.

Buildings and Grounds:

Ms. McCann noted a reduction of 2.4% and that staff had allowed \$45,000 for maintenance agreements relative to the new building and has lowered this based on actual numbers. She noted that \$16,800 was added for the Registrar's rent and utilities in that agreement. She added that after this it was a .18% increase. Member briefly discussed the Registrar's move and it was supposed that she would not move until after the primaries. It was noted that rents were paid for the McGinnis building at \$14,000 per year and then the Nelson Center at \$53,000 to \$56,000 per year, with the renewal to be considered at the Board's next meeting. Ms. McCann noted that the McGinnis rent was lower than market rate since the County has made capital investments in the building.

Staff noted that mowing for the courthouse was done by Larry Eanes who does a lot around the county. It was noted that this was bid out periodically and was now under contract for a couple of years. Staff noted that the state did the mowing at Nelson Wayside; however Mr. Carter noted that if this needed to be done, Staff would add it to the County's mowing contract or would have Mr. Truslow do it.

Staff noted that fertilizer has been applied to the courthouse lawn according to the soil sample results that were obtained. Mr. Saunders questioned this as he thought the Blair contract provided for the establishment of grass. Mr. Carter indicated he was unsure about this as some negotiations had been made regarding the landscaping and he added that Mr. Truslow was fixing the problems.

Staff noted that any remaining landscaping issues could be addressed out of this budget or from the courthouse project fund balance. Ms. Brennan noted the landscaping committee was meeting on Friday.

Motor Pool:

Ms. McCann noted that the increase there was due to the addition of three Sheriff's vehicles, an Animal Control truck, and a general motor pool vehicle estimated at \$25,000, since the old jeep needed replacing. Staff added that the old jeep was no longer reliable to take on longer trips. She added that employees were required to use County vehicles if they were available in order to avoid paying them mileage to use their personal vehicles. Ms. Brennan suggested getting a hybrid vehicle and Mr. Carter noted that it would need to be a four wheel drive so that it could be used for the land use people, Planning and Zoning, and to travel to the communications towers etc. It was suggested that it did not have to be a full sized SUV and members briefly discussed hybrid vehicles as an option. Ms. McCann noted that she would see what was available on state contract and would aim to get the most fuel efficient vehicle possible. Staff confirmed that no more than three Sheriff's vehicles would be purchased until December or January. Ms. McCann confirmed that these additional vehicles were not in the budget at this point.

Recreation:

Staff noted that this budget was basically the same and members requested a memo from Ms. Harper detailing her budget summary. Mr. Carter noted that he had sent a report from her to the Board on the softball program that showed that the county subsidized the program to an extent. He noted that she pointed out that the participants did not want to pay individually if the team did not have a sponsor. He noted that \$35 was charged per child for youth basketball in addition to the sponsor's fee so he was not sure why there was a concern with paying the adult softball fees. He noted the cost per team to be \$450 and that if a sponsor was gotten for the team for even partial sponsorship then the individual cost would be lower. He added that Ms. Harper has supposed that lack of team organization was a contributing factor to the decline in the number of participating teams. Mr. Carter noted that some capital expenditure has been made for the backstop, netting and fencing. He noted that having a Supervisor on site was beneficial as oftentimes the police have had to be called during games. Mr. Bruguere noted that one team he knew of had people working out of the county now and it was hard for them to get back to play games. Mr. Carter added that notices were put out regarding team registration, but that staff did not go out and recruit teams.

Mr. Hale inquired about the \$9,200 listed for printing and binding and postal services and he supposed this was related to the brochure. He questioned the efficiency of doing the brochure and that interested people had many other means of getting this information. Ms. McCann noted that this was reduced by \$1,100 because they were going to print fewer guides and that the postal services line was reduced from \$5,000 to \$200 because the department would not be mailing these anymore and would rather just put them out around the county and post the information on the County's website.

Ms. Brennan inquired about monies for football uniforms and Mr. Carter noted that they were going to try to resurrect the youth football program in the county. He added that the county has had problems recruiting enough kids to have teams. It was acknowledged that there were kids going to other counties for this and that soccer had become very popular. Mr. Carter noted that he had really pushed to get this restarted.

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Mr. Hale noted that generally he would like to see cuts made and the funds not put back into the budgets somewhere else.

Staff noted that trail maintenance was increased, football uniforms were added and programs were more successful with paid umpires rather than using volunteers. Staff noted that any unexpended funds did come back to the County. Ms. McCann noted that departments projected what their yearend expenditures would be when they submitted their budget forms and many project they would spend it all and then they did not; so this was not always accurate. Mr. Carter noted that this becomes carryover funds and Ms. McCann noted that at this point any of those unexpended funds were incorporated into the proposed budget.

Planning and Zoning:

Ms. McCann noted that the primary reason for the decrease was the decrease in staffing. She noted that the department now only had the Director, Secretary, and half a year of salary and benefits to fill the Planner position in January. She noted there was some part time salary included for Grant Massie who occasionally helped with Planning. Members suggested that the half a year Planner position should not be included and could be dealt with as a budget amendment. Staff noted that Mr. Massie also worked as a part time Recycling Coordinator and would likely be affected by the new healthcare laws. Members noted that Mr. Massie would have to allocate his time accordingly between positions. Ms. Brennan noted that she thought the office was left in less than ideal condition and that Mr. Padalino was struggling with things that should have already been done that were not. She noted the amount of Zoning violations and Ordinance work to be done. Mr. Carter noted that he did not think the previous Director left things undone but rather Mr. Padalino was getting acclimated to his new responsibilities. Members decided by consensus to remove the half time Planner salary and benefits. Mr. Carter did iterate that Mr. Padalino thought the Planner position was needed.

Community Development:

Ms. McCann noted that this budget was unchanged and Members asked staff to change this department's name to Economic Development. Members agreed that Ms. Kelley was a good steward of her budget funds and Staff noted that 2% of the lodging tax had to go towards this department. Mr. Hale noted he was skeptical about the return on investment for printing and binding expenses. Ms. McCann noted that most of this was advertising in travel magazines in addition to creating the brochure. Mr. Bruguere noted that these brochures were very popular at his business and were used by their patrons.

Anti-litter Grant:

Staff noted that this grant came from DEQ and was used by KNB or the Recycling Coordinator.

Extension Service:

Ms. McCann noted that they have asked for a 4% salary and benefit increase and the County pays for about one third of this. She noted everything else was level funded. It was noted that Virginia Tech suggested the pay increase percentage. Mr. Bruguere reiterated the constant complaints regarding the 4-H program. Ms. McCann reported that the salary increase was a merit increase for agents and a

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promotion for Antwan Rose to Extension Agent status for earning his Masters Degree. She added that the benefit rate had increased from 27.75% to 29.25%. She noted that the County pays for 100% of the two Nelson positions and 15% of one of the Amherst County specialists. Ms. McCann noted that a formula drives how much each locality pays towards specialists. No changes were made to this budget.

Refunds:

Staff noted that the increase was based on the amount of refunds given this year and did fluctuate from year to year. Ms. McCann noted that these came from the Commissioner of Revenue's office and were also ambulance billing refunds.

Employee Salary Adjustment:

Ms. McCann noted that this was where salary adjustment amounts were accounted for and that the current year's salary adjustment had been moved to each department. She then explained that the amount of \$2,550 budgeted was related to the VRS hybrid plan for employees hired after January 1, 2014. She noted that this did not include a disability requirement so a locality would have to provide long and short term disability according to VRS specifications. She noted that this could be done one of two ways. One was through VRS for a charge and the other was to go out privately for this. She noted that she was not sure the county could find a provider and VACorp could not by law provide this. She added that VACorp was researching providers. She noted the Board would have to declare how they would handle this by sometime in the fall and the decision would be binding. Ms. McCann noted that all employees would have the option to go into the hybrid plan and how many would opt for this was indeterminate at this point.

Social Services:

Ms. McCann noted that of the total, \$338,282 was local funding for the department with CSA being \$713,700 of the total and local CSA funding being \$250,000. She added that the total local funding was then \$588,282. Members and staff discussed that the CSA funds were mandated and Ms. McCann noted that one of the increases was due to an increase in legal expenses. She explained that in this fiscal year, the County allowed DSS to cover this by reimbursing the County by \$25,000 less than they would have. She added that it was then decided that this was not the best way to do it and this should show up as an expense on their side. She added that their reimbursement on the revenue side went up accordingly with the expense side. Members indicated that they would like to see the funding details for this department in the future. Ms. McCann then noted that all federal and state revenues for this went into the general fund; unlike how it was handled for the schools. She explained that it after it went into the general fund, it was then transferred out. She noted that the Compensation Board revenue was similarly handled.

Staff then noted that the break out of revenue sources for Compensation Board supported departments could be provided. Staff then noted that very few departments were supported with federal revenues: DSS and PILT only.

Transfers:

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1. Transfer to Debt Service – Ms. McCann noted that this budget was forthcoming and was the amount budgeted to pay for debt service.
2. Transfer to Piney River Debt and Operations:

Ms. McCann noted that projections showed this budget would need approximately \$60,000 but that staff would need to see if any fund balance was in the bank account that could be used to offset a portion of this. She noted that the Board may need to consider increasing these rates that were put in place in 2006 and were substantially lower than those of the Service Authority. She added that this could help reduce the deficit in this fund. Mr. Hale noted that staff has been directed to work with the Service Authority on the possibility of them taking on this system and Mr. Carter noted that county staff has delivered a proposal and is waiting for the Service Authority to respond. He added that the county has shown them how they could take it over and not lose money. Ms. McCann noted that the problem now was that the stock pile of grinder pumps purchased with grant funds has been depleted and now the repair and replacement of these had ramped up. Mr. Carter also noted that the NCSA is billing the County with a 30% mark up to manage this system. He added that this was another subsidy that they were getting from the County. Staff noted meeting with NCSA staff in November and that they were shown how to take it over and gradually increase the rates to support the system. He noted they were supposed to have come back to the County with their review of the numbers and added that it could be self supporting under them. Mr. Hale confirmed that the Service Authority would not be raising rates this year.

Staff then confirmed that the County was still subsidizing the fire hydrants for \$156,000 per year and then paying the debt service for another \$150,000. Mr. Carter recommended that the Board seriously reconsider this also.

Members and staff briefly discussed the transfer of this system with some members noting that they thought the NCSA ought to own every water and sewer system in the county; however it was noted that the Service Authority likely did not want the county system. Members briefly discussed this and it was noted that this was subject to further review. Members acknowledged that NCSA was on more solid financial ground now with their new leadership.

3. Transfer to Broadband Operations:

Ms. McCann noted that this was a tentative number but was what was anticipated as the operations shortfall. Members noted that this would change in due course and would hopefully become self supporting.

Agencies:

Health Department: Ms. McCann noted that the elevated amount was due to the \$71,000 in state funds appropriated to them to use to purchase furnishings for the new space. She noted that the base amount was \$223,268 and was going to \$244,000 and included an increase in rent for the BRMC space. Staff noted that this represented their request. Staff noted that the share split was 60% state and 40% local. It was noted that the lease was annually renewable and the hope was that they would stay there long term.

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Region Ten: Staff noted that they asked for a \$20,508 increase which was an increase of 28.5%. She noted that their occupancy costs increased overall due to increases in rent, utilities, and needed repairs to several properties. Miscellaneous expenses increased almost \$45,000 and were primarily related to travel and fuel costs. She added that they included a 1.2% increase in salaries. She noted they had done a compensation study and 50% of those recommendations were agreed upon by the Region Ten Board and the rest would be done the following year. She added that a funding formula was developed which took the cost of services for Nelson and backed out those costs covered by state and federal money, then they figured a percentage of the total cost of services. She noted that Nelson was 6.1% of the total. She noted that based on population, the county was 6.4% of the total; and they took an average of the County's share of services and population and got 6.25% which they applied to the total cost of services for FY12. This was how they came up with the \$90,286 request. Members and staff then briefly discussed the reasonableness of this method. Ms. Brennan noted that they had been level funded since at least 2009 and Mr. Carter noted that the premise by staff was to level fund everyone initially.

Members and staff briefly discussed the services provided by Region Ten and it was noted that it was difficult to evaluate their funding sources. It was noted that the proposed number of beneficiaries was 486 of a total of 5,985 for a proposed percent of total beneficiaries of 8.1%. Mr. Hale noted the importance of what Region Ten did, he suggested that they ought to receive an increase; however was not sure by how much. Ms. McCann noted that Region Ten had advised staff some years ago that they were obligated to provide these services and that even if the County did not fund them, the services would have to be provided. She added that the methodology used to come up with the funding request was reasonable. Mr. Carter noted that he did not have much argument with their request.

Ms. Brennan then moved that the Board fund Region Ten's full request and Mr. Hale seconded the motion. There being no further discussion, Supervisors voted (3-1-1) by voice vote to approve the motion, with Mr. Bruguere voting No and Mr. Harvey abstaining.

PVCC: Ms. McCann noted that they requested less money for FY14. She added that they looked at population and applied their formula and the requested amount came out lower. The Board agreed by consensus to continue this funding

Thomas Jefferson Planning District Commission: Noted this was part of the Planning budget and asked for a \$530 increase based on a per capita cost. Members requested that this be taken out of the Planning budget and included in the non-departmental budget with the other agencies.

Thomas Jefferson Soil and Water Conservation District: Ms. McCann noted that they requested a \$6,000 increase to add a technical position to address workload related to storm water management. She noted that funding for this would come from other localities and the state. Mr. Carter noted the county would contract with them for storm water related services next year. He added that this position would be district wide. He noted that the summary for Nelson included continuation of the existing program with no salary increase included.

Ms. McCann noted that the county's funding was currently \$25,500 and they were asking for \$31,500. It was discussed that the person may not be hired if they did not receive the increase in funding. Members and staff discussed their explanation and agreed it needed further clarification. Mr. Bruguere noted that

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they had gotten a grant to fund septic system repairs in Rockfish following the results of the river study that was done. Ms. McCann noted that they did not have the staff to administer these programs and was why they were requesting the position. Mr. Hale then noted that if the other localities did not step up and fund this position, then he thought that this should be reconsidered.

Members agreed by majority consensus (3-2) to fund the requested amount of \$31,500.

Thomas Jefferson Regional Library: Ms. McCann noted that they were requesting a \$10,038 increase. Mr. Harvey noted that they fund the regional needs first and then the local needs. Mr. Hale noted that they had received extra funding from the state within the last week. Ms. McCann noted that they had added local staff time to create a full time position with benefits from a part time one. Mr. Hale noted that he would like to ask them the impact of the additional funding from the state and how that affected things locally. Mr. Harvey suggested that they fund the additional staff expense in memory of Ms. Caroline Tucker who recently passed. The Board took no action until more information could be obtained regarding the impact of additional state funding.

Thomas Jefferson EMS Council: Ms. McCann noted that their request was the same as the previous year and the Board agreed by consensus to continue this funding.

Jefferson Area Board for Aging (JABA): Ms. McCann noted that their request contained a 2% salary increase, adding hours for a Transition Coordinator and a part time CNA position at the Nelson Center. She added that the CNA position had previously been funded by a grant that has ended.

Ms. McCann noted that they were asking for an increase of \$7,851 which was an increase of 8.7% and was mostly related to the community center component. She added that \$7,645 was related to the CNA position. Ms. McCann noted that they wanted the position to provide support for increasingly frail members of the community that attend the center so that they could better participate in their programs. Ms. Brennan noted that she would find out more about the need for this position and no action was taken.

JAUNT: Ms. McCann noted that they provided two proposals and what was shown was what would be required to maintain current services. She noted that \$63,083 was the County's share and \$20,411 was Wintergreen's share for a total of \$83,495. She noted the other option they provided was to increase the request by \$5,000 to reinstate monthly service to the food pantry; which was not a current service. Mr. Carter noted that the food pantry occurred on a Saturday each month. Ms. McCann noted that the Nelson Community Foundation had provided the funding for this service through October. It was noted that the Wintergreen's share was negotiated by JAUNT; however the County was the pass through. She noted that this was subject to change once the actual amount for Wintergreen was determined. Ms. McCann noted that they have never been able to provide a number of unduplicated beneficiaries but rather they give the number of trips provided. Members then agreed by consensus to provide funds of \$63,083 to maintain existing services.

MACAA: Ms. McCann noted they requested an increase of \$6,496 which was an increase of 21.7%. She noted slight increases in their current programs and \$5,000 for a new program called Family Sufficiency that was projected to have ten beneficiaries; representing a benefit of \$500 per person. Ms Brennan suggested they provide funding for the Head Start and Project Discovery programs and not the new

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program. Members agreed by consensus to fund the \$1,496 increase in the current programs for a total funding amount of \$24,914.

Shelter for Help in Emergency: Ms. McCann noted that their request was the same as the previous year and the Board agreed by consensus to continue this funding

Sexual Assault Resource Agency (SARA): Ms. McCann noted that their request was the same as the previous year and the Board took no action. She added that in FY12, they served 32 Nelson residents and were projecting to serve 35 in FY14.

OAR/Community Corrections: Ms. McCann noted there were three components to their request: pretrial services, which was a level request and local probation which was an increased request from \$1,445 to \$2,769 and was intended to ultimately reduce the County's jail costs. Members and staff then discussed what was provided with pretrial services. Ms. McCann then noted that the third component was criminal justice planning which had not been funded in the past and the request was for \$3,362. She noted this was more of a regional planning position between agencies and supported a part time staff position. She noted that this made up the largest part of their requested increase. Members then agreed by consensus to fund the increases except for the planning position; which would give them a total amount of \$3,269.

Economic Development Authority: Ms. McCann noted that their request was the same as last year. She noted that this was used to pay them for meetings and mileage. It was noted that they were now only meeting quarterly and therefore their budget was reduced by 1/3 of the current number for a funding amount of \$2,285.

Thomas Jefferson Economic Development Partnership: Mr. Carter noted that they had gone to a per capita funding formula that reduced their request. He added that the county should not be growing substantially but that the contribution could not be less than \$10,000. He noted that this was \$1,200 less than the current amount and the Board agreed by consensus to provide this funding.

Nelson County Community Development Foundation (NCCDF): Ms. McCann noted that their request was the same as the previous year and the Board agreed by consensus to continue this funding

Central Virginia Small Business Development Center: Ms. McCann noted that their request was the same as the previous year. Members then asked for information regarding participation numbers and Ms. McCann noted that their emphasis was on assistance for existing businesses rather than those starting new businesses. She added that they anticipated ten beneficiaries in FY14. Members questioned the benefits provided and noted that funding for this had been previously provided by the EDA. Mr. Carter noted that good services were provided; however he questioned the demand for them. Members then agreed by consensus to fund half of the request at \$3,750.

Senior Center Meals: Ms. McCann noted that Gladstone asked for the same amount, Rockfish asked for a lot more at a request of \$21,075 and they were currently getting \$8,367. She noted that they showed 80 participants this year with 100 projected for next year; however the number of meals was seemingly doubled. She added that they showed the same number of weeks of operation and an increase in donated meals. Ms. McCann then noted the per meal costs for each center with Gladstone being \$3.17 per meal, Schuyler being \$4.62 per meal and Rockfish being \$7.27 per meal. Mr. Harvey supposed that other

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things were being wrapped up into this cost and he questioned whether or not they really had 80 people at Rockfish. Staff noted that Gladstone had 50 participants; however their meals were served once per week and Schuyler and Rockfish served meals once per month. Members then agreed by consensus to level fund all of them.

Virginia Institute of Government: Ms. McCann noted that their request was the same as the previous year and the Board agreed by consensus to continue this funding. Mr. Carter noted that they provide assistance to localities in answering peer questions and also provide training programs that the County staff has never taken advantage of. Members agreed that for minimal cost, the County received a benefit and agreed by consensus to continue this funding.

Wintergreen Performing Arts: Ms. McCann noted that their request was the same as the previous year and was comprised of \$5,000 local dollars and \$5,000 in grant funds. The Board agreed by consensus to continue this funding

Dental/Rural Health Outreach Program (RHOP): Ms. McCann noted this was the dental voucher program and they requested \$6,000 this year vs. \$9,884 funded last year. Mr. Bruguere questioned the need for this and Ms. McCann noted that people were served on a sliding scale at the dental clinic, however this was for all low income patients, not just children, who needed care that could not be provide there. Members then agreed by majority consensus to fund the \$6,000 request.

Community Center Tax Refunds: Ms. McCann noted that this was the line that provided the Community Centers their tax rebates after they were paid by them and it was what it was.

Volunteer Coalition (RHOP): Ms. McCann noted that they were funded at \$5,100 this year and were now asking for \$20,500 for next year. Ms. Brennan noted that she thought that they just got \$15,000 from the Community Development Foundation and thought this should be checked on. Ms. McCann noted that the program was not being done by volunteers now but rather by paid staff and that was what the funding request was for. Mr. Carter suggested that they may be able to get Medicaid reimbursement for this and Ms. McCann noted that these services were also coordinated by JABA and JAUNT. Members then agreed by majority consensus to provide them level funding of \$5,100.

CASA: Ms. McCann noted that their request was the same as the previous year and the Board agreed by consensus to continue this funding.

Blue Ridge Medical Center (BRMC) - Latino Outreach Program: Ms. McCann noted that they added a Latino Outreach Program at a cost of \$11,040, which was previously provided by a grant that has now ended. Members then agreed by majority consensus not to provide this funding.

Legal Aid: Ms. McCann noted that they requested \$12,000 and that this has not been funded previously. Members then agreed by majority consensus not to provide this funding.

Ms. McCann then noted that the remaining budget items were: Capital Outlay, Schools, Compensation, and the other funds.

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Members then asked for a copy of the School's budget. Ms. McCann then distributed a list of items included in their budget request and the cost for an overall salary increase of 1% for all employees, which would cost \$165,000. She noted that the list included an overhaul of the teacher's scale which was more expensive. Ms. McCann noted that if they did an across the board raise, then the proposed merit raise and salary scale overhaul costs would go away. She added that Ms. Irvin indicated that if they did a 3% raise across the board for all employees, their request would be around \$800,000. She noted that the other component was the health insurance and members noted they would discuss this further next session.

Members and staff discussed when to have another work session and it was decided to just work on the budget next Tuesday night at the regular meeting.

Mr. Harvey inquired as to where the ambulances were in the budget and Ms. McCann noted they were in Capital Outlay. Mr. Harvey then indicated that the mini pumper trucks discussed for purchase for the Fire Departments were more expensive than previously thought and that he advised the EMS Council President that the Board would likely agree to pay \$125,000 of the \$175,000 total.

B. Other (As May be Presented)

Introduced: County Seal

Mr. Bruguere noted having spoken to several people who wanted the soldier to remain part of the County seal and he recommended reducing the image but keeping it in. Ms. Brennan noted that the Historical Society wanted it removed and Mr. Bruguere noted that some of the Historical Society people were the ones that approached him about wanting to keep it. He and Ms. Brennan noted that they would discuss this further.

II. ADJOURNMENT

At 3:57 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 Board of Supervisors Room located on the second floor of the Nelson County Courthouse.

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

Absent: Thomas H. Bruguere, Jr. West District Supervisor- Chair

I. Call to Order

Ms. Brennan called the meeting to order at 2:15 pm, with four Supervisors present to establish a quorum and Mr. Bruguere being absent due to illness.

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

II. Consent Agenda

Ms. Brennan listed the Consent Agenda items for consideration and asked Supervisors if there were any questions.

Mr. Harvey then confirmed that the EMS interest free loan application submitted by Rockfish Fire Department was not for an entirely new truck but was for the re-chassis of one of their existing boxes and it included everything.

Mr. Carter then noted to the Board that the Virginia Cooperative Extension lease had been left out of the Board's package and that in this agreement rent would be \$1,893 per month and that Parks and Recreation would be \$2,950 per month for a total annual lease amount of \$58,116. He noted that this was for the same amount of space leased and the increase was based on the CPI. He added that these were one year leases that annually renewed with the terms being the same for both.

Mr. Hale then moved to approve the consent agenda with the additional lease agreement included as noted by Mr. Carter.

Mr. Saunders 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 resolutions were adopted:

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A. Resolution – **R2013-18** COR Refunds

**RESOLUTION R2013-18
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>
\$ 30.00	Business License Fees	Jenkins Services, LLC 45681 Oakbrook Court #113 Sterling, VA 20166
\$ 38.50	2012 PP Taxes	Kingswood Baptist Church 159 Kingswood Lane Arrington, VA 22922
\$ 145.79	2012 PP Taxes	Joanne Lynne Hirsch 160 Rosewood Drive Nellysford, VA 22958

B. Resolution – **R2013-19** Minutes for Approval

**RESOLUTION-R2013-19
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF MEETING MINUTES
(March 12, 2013)**

RESOLVED, by the Nelson County Board of Supervisors that the minutes of said Board's meeting conducted on **March 12, 2013** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

C. Resolution – **R2013-20** April Designated as National County Government Month

**RESOLUTION R2013-20
NELSON COUNTY BOARD OF SUPERVISORS
NATIONAL COUNTY GOVERNMENT MONTH – APRIL 2013**

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“SMART JUSTICE: CREATING SAFER COMMUNITIES”

WHEREAS, the nation’s 3,069 counties provide a variety of essential public services to communities serving more than 300 million Americans; 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, county governments are often the entity providing both direct and indirect services to enhance the lives residents and are responsible for maintaining public safety and the efficient use of local tax dollars; and

WHEREAS, currently more than 13 million individuals are booked into county jails each year and more than 700,000 individuals are booked into state and federal prisons; and

WHEREAS, National Association of Counties President Chris Rodgers is encouraging counties to promote effective community corrections programs across the country through his 2012-13 “Smart Justice” presidential initiative; 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, that the Nelson County Board of Supervisors, does hereby designate April 2013 as National County Government Month.

D. Resolution – **R2013-21** NC EMS Loan Fund Application, Rockfish Vol. Fire Dept.

**RESOLUTION-R2013-21
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF EMS COUNCIL INTEREST FREE LOAN REQUEST FOR
ROCKFISH VALLEY VOLUNTEER FIRE DEPARTMENT
RE-CHASSIS OF 1998 AMBULANCE BODY**

RESOLVED, by the Nelson County Board of Supervisors that the request for interest free loan funds in the amount of \$125,000.00, as approved by the Emergency Services Council on March 19, 2013, is hereby approved.

E. Resolution – **R2013-22** Annual Lease Agreement with Nelson Center, LLC

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**RESOLUTION R2013-22
NELSON COUNTY BOARD OF SUPERVISORS
AUTHORIZATION TO EXECUTE LEASE AGREEMENT WITH
NELSON CENTER, LLC FOR LEASED OFFICE SPACE FOR
NELSON PARKS AND RECREATION AND VIRGINIA COOPERATIVE
EXTENSION**

BE IT RESOLVED, by the Nelson County Board of Supervisors that the County Administrator is hereby authorized to execute the annual lease agreement with The Nelson Center, LLC for the rental of office space and shared space for use by the Nelson County Parks and Recreation Department and the Virginia Cooperative Extension Office.

F. Resolution – **R2013-23** FY12-13 Budget Amendment

**RESOLUTION R2013-23
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF FISCAL YEAR 2012-2013 BUDGET
NELSON COUNTY, VA
April 9, 2013**

BE IT RESOLVED by the Board of Supervisors of Nelson County that the Fiscal Year 2012-2013 Budget be hereby amended as follows:

I. Appropriation of Funds (General Fund)

Amount	Revenue Account	Expenditure Account
\$ 336.00	3-100-009999-0001	4-100-022010-7001

II. Transfer of Funds (General Fund)

Amount	Credit Account (-)	Debit Account (+)
\$ 30,000.00	4-100-999000-9905	4-100-021040-3020
\$ 5,300.00	4-100-999000-9905	4-100-013010-1010
\$ 500.00	4-100-999000-9905	4-100-013010-5201
\$ 1,600.00	4-100-999000-9905	4-100-013010-5401
\$ 4,250.00	4-100-999000-9905	4-100-013010-5413
\$ 1,050.00	4-100-999000-9905	4-100-013010-5501
<u>\$ 42,700.00</u>		

III. Public Comments and Presentations

Prior to public comments, Ms. Jaime Miller introduced new dispatcher Shawn Wood. She noted that he was a 2011 graduate of NCHS and had been a volunteer since 2007. She noted that he had attended Ferrum College, had gotten his ALS licensure and runs with

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the paid rescue staff when he was not on duty. She added that Mr. Wood lived in Lovington.

A. Public Comments

There were no persons wishing to be recognized for public comment

B. VDOT Report

Mr. Austin of VDOT gave the following report:

Mr. Austin reported that there were unpaved roads funds in the transportation budget; however these funds were not available unless a road had a vehicle count of 200 per day. He added that the County did not have any eligible roads meeting these criteria. He noted that in the Six Year plan, in the third or fourth year, VDOT would go back to a formula and the County may be able to get more unpaved road funds then. He added that the County would still get Telefee money to apply to this. He then noted that in May/June, VDOT and the County would be putting the Secondary Six Year Plan (SSYP) together.

Mr. Austin reported that brush clean up in the County was continuing and that Route 6 was being worked on this week or next.

Mr. Austin reported the follow up from the report of mud wash on Adial road and he noted there were some issues with the properties there and that work needed to be done on private property. He added that they would clean up the area as they could; however Sugar Hill Rd. was several private entrances that combined together there and was not necessarily a subdivision. Mr. Carter advised that possibly David Thompson could check on erosion coming into road.

Mr. Austin reported that the Rt. 6 flashing lights were being worked on and they had additional money to have these put on Rt. 635 and Rt. 151 and north Route 151 and Rt. 6. He noted that they would have to apply for safety funds for turning lanes and that these were compared statewide. He advised that they were seeing that funds would not be available for the full cost and he recommended holding off to see if they had to supplement both of these or not. He noted that it may be July or August before they heard back.

Mr. Jerry Harter from traffic engineering noted that if they got what they were asking for and used the additional funds from the road projects; they should be able to do left turn lanes at both locations.

Mr. Austin noted that there would be another public information meeting in May on the Rt. 151 corridor study.

Mr. Austin reported that the southbound lanes of the bridge at Woods Mill were closed and the detour was working okay. He noted that the tentative completion was November.

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In response to questions, Mr. Harter noted that the traffic light at the detour had the ability to give more green light time if the traffic backed up too far. It was noted that they did have to close off the Nelson Wayside there coming from the north.

Ms. Brennan then confirmed that the flashing lights on Route 6 would take place and that the balance would be used to do something else, possibly the left turn lanes that were mentioned.

Mr. Harvey inquired about status of the speed study on Route 151 status and Mr. Harter reported that the end of Route 151 study had been completed and VDOT was not recommending it be changed; however the planning study would look at this one more time.

Mr. Harvey then noted that he would like for the speed to be consistent from Rt. 250 to Rt. 664 and suggested that this speed limit go to 50 mph and Nellysford went to 35 mph in order to compromise. He added that from the Bank to past the Post Office in Nellysford, the speed needed to be 35 mph. Mr. Harter explained that VDOT tried to work in 10 mph increments; however he could mention this idea to the planning study people.

Mr. Hale noted that he thought that overall, the 45mph speed limit on Rt. 151 has improved the situation and Ms. Brennan agreed. Mr. Harvey also agreed but noted that the accidents that were occurring have not been speed related. Ms. Brennan added that accidents were more severe when speeds were higher.

Mr. Harter then noted that there were two other projects submitted for Safety Funds: one was shoulder widening on Rt. 29 north at the county line and a modification to the blinking signals at Colleen so that they would be vehicle activated by vehicles in the median or at the side road. He added that the sign would be changed to say watch for turning vehicles.

Ms. Brennan advised Mr. Austin that she had been notified that when the bridge over the Tye River was replaced; a historical marker was removed and needed to be replaced.

Ms. Brennan then advised Mr. Austin that there was a place on Rt. 6 and Rt. 151 where the sight distance to pass was iffy going in one direction. She noted it was just over the new bridge over the north fork going west.

Ms. Brennan then inquired as to what happened to cause a fire in the median at Buck Creek Lane and members and VDOT staff noted that a tractor trailer had a tire blow up that caught everything on fire.

IV. New Business/ Unfinished Business

A. NC Emergency Operations Plan – 2013 Revisions (R2013-24)

Ms. Jaime Miller reported that the major change to the Emergency Operations Plan was the format so that it mirrored the state and federal plans. She added that the former plan

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had incorrectly labeled ESFs; which were now fixed and served as chapters of the plan. She noted that the names of specific people in positions were removed from the body of the document in order for it to be updated easier in between cycles. She added that there were some minor grammar and spelling corrections made and names and phone numbers were updated.

Ms. Miller then noted that the EOP had a section on NIMS compliance and she noted that the County would fall under federal compliance with common terminology; which helped obtain federal and state funds.

Mr. Carter then advised the Board that the county had a responsibility with the state to adopt the revised EOP by the end of the month and he recommended approval of the revised document. Ms. Miller noted that she had been working on this for the last year.

Mr. Harvey suggested that the equipment needed updating and Ms. Miller noted that it did but that the document included what was given to her by the agencies when it was requested.

Ms. Miller then advised that the County would test the plan every year and that she was assisting the planning committee in coordinating the exercise in late spring or early summer so that they could see what changes to it might be needed.

Ms. Brennan then inquired as to whether or not the Board would approve any of these changes and Ms. Miller advised that the plan was updated as needed but that it was only approved by the Board every 4 years. Ms. Miller then noted that the plan would have tabs that included the appropriate names.

Mr. Hale then advised that he would like to wait to approve the plan until the second meeting to allow more time for review. The Board then agreed by consensus to defer this until the next Board meeting on April 25, 2013 and no action was taken.

B. Personnel - Reclassification of Animal Control Positions (R2013-25)

Mr. Carter noted that this was presented at the last budget work session and that the reclassification would help these positions with compensation, recruitment, and retention. He added that the proposed resolution authorized staff to revise these job descriptions to change the grade and the hourly wages would be adjusted for these part time positions as of May 1, 2013.

Mr. Carter then noted that the cost to implement this was a few thousand dollars and Mr. Saunders added that he thought it was reported at approximately \$4,500 for both positions. It was clarified that this reclassification did not include the Animal Control Supervisor position.

Mr. Hale then moved to approve resolution R2013-35, Approval of Job Description Change Animal Control Officer and Animal Shelter Attendant. Mr. Saunders seconded

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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:

**RESOLUTION R2013-25
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF JOB DESCRIPTION CHANGE
ANIMAL CONTROL OFFICER &
ANIMAL SHELTER ATTENDANT**

NOW THEREFORE, BE IT RESOLVED, that the Nelson County Board of Supervisors hereby approves job description revisions as follows:

Animal Control Officer will be changed from a Grade 9 to a Grade 12.

Animal Shelter Attendant will be changed from a Grade 3 to a Grade 8.

BE IT FURTHER RESOLVED, that employees holding such positions shall have their hourly wage adjusted effective May 1, 2013.

C. Establishment of 2013 Personal Property Tax Relief (R2013-26)

Mr. Carter noted that establishing the Personal Property Tax Relief has been an annual responsibility of the locality since Governor Kaine's administration. He noted that there was a distribution formula established by the state and he noted the amount of the County's annual allotment. He added that the Personal Property Tax relief percentage was established to offset this amount.

Mr. Carter then reported that the recommend relief percentage was 46%. He noted that Ms. McCann had provided a comparison that showed that if the Board used 47% instead there would be a shortfall of \$50,000. He noted that this was due to adjustments that may occur over the year and that these were averaging around \$100,000. He added that this never comes out at zero; however staff was trying to be close.

Mr. Hale then clarified and confirmed that the personal property owner got tax relief from this tax and then the money was reimbursed to the County by the state up to its allocation amount and the effort was to equalize this as much as possible.

Mr. Carter noted that only relief was provided on the first \$20,000 of vehicle value. He added that some did not receive any relief and that the County has been within 5% or less on this estimate over the past few years.

Mr. Hale then moved to approve resolution **R2013-26**, 2013 Personal Property Tax Relief establishing the relief percentage at 46% for qualifying vehicles.

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Mr. Saunders 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:

RESOLUTION R2013-26
2013 Personal Property Tax Relief

WHEREAS, the Personal Property Tax Relief Act of 1998, Va. Code § 58.1-3524 has been substantially modified by the enactment of Chapter 1 of the Acts of Assembly, 2004 Special Session I (Senate Bill 5005), and the provisions of Item 503 of Chapter 951 of the 2005 Acts of Assembly; and

WHEREAS, the Nelson County Board of Supervisors has adopted an Ordinance for Implementation of the Personal Property Tax Relief Act, Chapter 11, Article X, of the County Code of Nelson County, which specifies that the rate for allocation of relief among taxpayers be established annually by resolution as part of the adopted budget for the County.

NOW THEREFORE BE IT RESOLVED that the Nelson County Board of Supervisors does hereby authorize tax year 2013 personal property tax relief rates for qualifying vehicles as follows:

- Qualified vehicles with an assessed value of \$1,000 or less will be eligible for 100% tax relief;
- Qualified vehicles with an assessed value of \$1,001 to \$20,000 will be eligible for **46%** tax relief;
- Qualified vehicles with an assessed value of \$20,001 or more shall be eligible to receive **46%** tax relief only on the first \$20,000 of assessed value; and
- All other vehicles which do not meet the definition of “qualifying” (business use vehicle, farm use vehicle, motor homes, etc.) will not be eligible for any form of tax relief under this program.

BE IT FINALLY RESOLVED that the personal property tax relief rates for qualifying vehicles hereby established shall be effective January 1, 2013 through December 31, 2013.

D. FY13-14 General Fund Budget

Members agreed to consider this item last on the agenda.

Members considered this time after item V. and determined it would be unfair to have the workshop without Mr. Bruguire present.

Mr. Carter then noted that staff had put together a guide on what was left to review and he noted that the major decisions should not take that long. He added that staff suggested that the Board hold another afternoon work session. He added though that staff would

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like to get the Board's consensus on the real property tax rate and that staff was not proposing any changes. He noted that this would help the Commissioner and Treasurer to move along with their work. He added that the tax rates would be included in the budget resolution and he would send the Board the current rates. Members then agreed by consensus to leave the real property tax rates the same as they were in the current year.

Members then took a five minute break and upon returning, members indicated the need to conduct a closed session.

Mr. Harvey 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 or consideration of the acquisition of real property for a public purpose. Mr. Saunders seconded the motion and there being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion.

Members conducted the closed session and upon its conclusion, Mr. Harvey moved to come out of closed session and Mr. Hale seconded the motion. There being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion and members returned to open session.

Mr. Harvey then moved that the Nelson County Board of Supervisors certify that, in the closed session just concluded, nothing was discussed except the matter or matters specifically identified in the motion to convene in closed session and 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 (4-0) by roll call vote to approve the motion and the closed session was lawfully certified.

Members then took no action related to the closed session that was held.

V. Reports, Appointments, Directives, and Correspondence

A. Reports

1. County Administrator's Report

Mr. Carter reported the following:

A. Courthouse/Government Center Project (All Related):

1) Courthouse Addition – Status pending from Blair Const. on project completion.

Mr. Carter noted that Blair had indicated that the concrete work was finished and this needed verification. He noted that there was one change order still in process having to do with the cooling tower – the exhaust did not go above the enclosure roofline. He added that two CO2 sensors would be installed inside the building that week. He noted that the HVAC system analyzed the air and then was programmed to work to ensure constant fresh air. Mr. Saunders inquired as to whether or not this was a design flaw and noted that if the system was not designed properly, the County should not have to pay for

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this. It was noted that Wiley Wilson's likely response would be that the system works and that the CO2 sensors would be an enhancement to make it better.

Mr. Hale reported that the landscaping was being done and Mr. Carter confirmed that they were coming back to reseed and he would have to check to see if they would be planting trees. Mr. Hale noted that he saw trees being planted at the lower end of the parking lot and Mr. Harvey noted that he thought that the County wanted to deal with the grass.

Ms. Brennan then noted that they needed to stop any planting.

2) Courthouse Display: Complete. Consultant working on addition plaque.

Mr. Carter noted that staff had brought over structural engineers from Nolen Frisa to design a support system for the judges stone tablet and they had sent over a drawing for them to look at. Ms. Brennan asked that staff be sure to have the Board look at it before moving forward.

3) Courthouse Signage: Complete.

4) Law Office Retaining Wall: Complete with exception of v-ditch rework.

5) Jefferson Building: Price Masonry proposal to be discussed with Bldg. Committee.

6) Magistrate's Building: Lynchburg Restoration completing door and window installations. Price Masonry Contractors Inc. will then complete interior re-plastering.

Mr. Carter noted that this should be complete by the end of the month.

7) Circuit Courtroom HVAC: WW proposal pending receipt for 2 replacement options.

Mr. Carter noted that the Judge has asked that the noisy unit be addressed and that he would follow up on potential solutions for this.

B. Broadband Project: Tower lease agreements with SCS pending. NCBA rate revisions in process. BRIW in process with marketing and subscription work. Staff completing project close out requirements with NTIA. Installation costs for fiber services a public concern.

Mr. Carter noted that he thought that BRI was getting close on DSL deployment with Verizon. Mr. Carter then noted that the installation discount was helpful and that BRI offered to finance the fiber installations over five years to make this work better. He added that addressing this expense was an issue and aerial drops were being considered wherever possible to minimize this expense. He noted that staff was in contact with AEP to obtain a similar pole attachment agreement as the one with CVEC.

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Mr. Hale then asked if at some point could the NCBA be other people than the Board and he noted that they would come up for reappointment in June. He added he would like for Staff to see if this was advisable or not. Mr. Carter then noted that this depended on the Board Members 'comfort level and that he knew this was a lot to contend with. It was noted that in the Service Authority's case it has been beneficial to have Supervisors on it; however it may be good to bring in people onto the NCBA who were more comfortable. He added thought that he would like to have Board members on the NCBA especially since the Board of Supervisors was subsidizing its operations to a point.

Mr. Carter then noted that Staff would make it work. Members briefly discussed whether or not these seats should be advertised yet and members agreed they would give this more thought for discussion at the next meeting.

C. 2012 Radio Project (Narrow banding): In process.

D. Lovington Health Care Center: JABA staff completing further evaluation of facility; discussions with County staff and BOS to follow.

Mr. Carter noted that there were a lot of details to be looked at and that he would report on this once these have been analyzed. He added that MFA was not relocating until 2015.

Ms. Brennan added that the JABA people thought that the market feasibility study results were encouraging, an architect was looking at the building pro-bono, MFA was working on pro-forma operations numbers, and therefore JABA needed more time to report back.

E. VRA Refinancings (Courthouse & Literary Loan): In process – close June 2013.

Mr. Carter noted that staff had received the amortization schedules and there would be slightly more savings than initially thought.

F. 2014 General Reassessment: Wampler-Eanes has suggested June or July BOS report.

G. Stormwater Program (Local): In process (staff, TJSWCD, consultant).

H. Trail Projects: BRRT – in process. BRT – VDOT grant decision pending. Fed request – no.

Mr. Carter reported that the Tunnel tour would likely not be rescheduled as the objective of the tour was to get members of the CTB who would vote on the grant funding to come and he was not sure there was time to do this before then.

Mr. Hale reported that he had gotten a call from Jeff Moore a Supervisor in Augusta County who advised him that the Staunton CTB member's district had excess funds and Mr. Moore indicated that this person would be supportive of the project. He added that

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there was no firm date on when they would allocate these funds but that there was significant support from VDOT staff of the project. Mr. Hale added that the Culpeper CTB position was vacant.

I. Route 151 Corridor Study: In process.

J. FY 13-14 Budget: In process.

K. Emergency Services: School Division assessment in process.

L. School Project (Lights/Bleachers): Consultant proposal pending receipt.

Mr. Carter reported that preliminary estimates are approximately \$400,000 plus for these items. He noted that this included approximately \$50,000 to upgrade the electric service, \$150,000 for lights at each field, \$50,000 for the bleachers, and then the Mosely costs.

Mr. Carter then noted that the NCSB voted to move forward with the Honeywell performance contracting where the financing of the upgrades would be paid for by the savings generated by the improvements over fifteen years. He added that they would be doing a lease purchase financing with Pinnacle Public Finance for approximately \$2,153,960 over fifteen years for a total cost of \$3,129,473.

He added that if the energy savings did not cover the cost of improvements, then Honeywell paid the difference. He then noted that the NCSB decided to do a graduated financing instead of level amortization.

Mr. Carter then noted that staff and Mosely discussed looking at the cost of replacing the football field lights with four poles; however he thought this would be cost prohibitive. He noted that this could possibly be planned for down the road.

2. Board Reports

Mr. Saunders had no report.

Mr. Hale reported that the 40th anniversary of TJPDC was ongoing and that they had successful dinner at Veritas Winery. Mr. Hale then noted that the PDC leadership has been in place for a year and three months and that they wanted input from County staff as to what we were getting out of them. He added that if the County was not getting much, they needed ideas of how they could be more useful to the county.

Ms. Brennan noted that it would be good for them to give the Board report on what they have done for the County and Mr. Hale noted he would ask the PDC to provide this.

Mr. Carter noted that is his past experience with other PDC administrations, they would develop an annual work program that involved doing one project in each locality per year.

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Mr. Hale then reported that the following week the Tunnel Foundation was meeting, that committees had been formed and there were some good ideas there. He added that they had planned to have a fundraising event in August at Veritas. He then noted that Mary Lions had done a book on the workers who had built the tunnel and was exploring having it published by a firm in Lynchburg. He added that the book focused on the Irish workers.

Mr. Harvey reported that the Service Authority has been meeting and they had gotten the letter from the County regarding the subsidies. Mr. Carter noted not having received a response yet and Mr. Harvey noted that Mr. Miller was directed not to respond yet. He added that the NCSA was growing its fund balance right now.

Mr. Hale clarified that previously, the required reserve was not there and now it was. He added that they would be talking with the Board about monies available but needs within the system was to be discussed.

Mr. Harvey then reported that he had attended a school safety meeting and that they committee would review all of the recommendations from the working committee before they got to the School Board.

Ms. Brennan reported that the Lovington Healthcare facility, if converted to assisted living, would have dementia care; which would be needed in the future.

Ms. Brennan reported that the DSS Board had training and some administrative things were addressed.

Ms. Brennan reported that the JABA Board had named a new CEO named Marta Keene. She noted that she has been working for JABA for six months and has a long work history in the aging area that would enable her to do a great job. She added that Ms. Keene had a lot of new ideas for the direction to go in.

Ms. Brennan then reported that the Planning Commission had a workshop and discussed different things.

Ms. Brennan reported attendance of a TJCCJB meeting and noted that they would send out a report on their projects.

Ms. Brennan then reported that a Courthouse Landscape Committee Meeting that she organized was held including Doug Coleman, Michael Lachance, Paul Truslow, Sam Saunders, and Susan Beemeister, who was also a Landscape Architect. She noted that they looked at the planting inventory and some needed to be healed in. She noted that each person left the meeting with a little job; however it was too late to do anything of significance now. She added that the soil as so bad and would need enhancement and that she would meet with Mr. Carter and Ms. McCann to look at funding for this.

B. Appointments

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Ms. McGarry noted that there were no appointments to be made at the present meeting and that the majority of the next ones to be made were in June and December. She noted to Ms. Brennan that JABA had contacted her regarding whether or not Ms. Brennan needed to be reappointed to the JABA Board of Directors; however this had not yet been resolved and would possibly come back before the Board.

C. Correspondence

There was no correspondence considered by the Board.

D. Directives

Mr. Harvey had no directives.

Mr. Saunders noted that he would like to see a profit and loss statement from the Recreation Department for the last few years on all of its programs.

Mr. Harvey expressed a concern that the larger expense was for adult programs and that they should spend the money on the kids.

Mr. Saunders indicated that he was hearing that the adults were paying their own way and Mr. Carter noted he thought this was misinformation.

Mr. Harvey noted that he would like to see the department's participation numbers.

Mr. Carter then noted that the department offered an extensive list of programs. He added that they had taken over the little league baseball and that basketball and soccer were very successful programs. He noted that they still had not been able to develop a football program but would try again this year.

Mr. Carter then noted that he would be meeting with Mr. Parks regarding his concerns; however he was not sure he could give him any answers that he would be satisfied with.

Mr. Saunders noted that he had been approached by someone who had concerns about where the revenues went. He noted for the record that he was not accusing anyone of anything; however this subject had been brought up to him by two different people at two separate times and the parties did not know each other. Mr. Carter assured Mr. Saunders and the Board that he did not believe that there was anything inappropriate happening within that department and that the revenues went back into the general fund to cover the cost of the programs. He noted that the concession stand may be outsourced to others.

Mr. Hale noted that Parks and Recreation ought to be looking at the Sturt property and he noted that he was available to discuss this. He added that he thought the plan for use of this property ought to come out of that department and the effort be headed up by them.

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Mr. Hale then inquired as to the status of the new appraisal being done on the property adjacent to the tunnel and Mr. Carter noted he would have to check on this and would report back.

Ms. Brennan asked about the progress on improving the Rt. 250 wayside and Mr. Harvey noted that who owned the property was still unresolved as both Mr. Carter and VDOT had paperwork showing each owned the property.

Mr. Hale reported meeting at the Nelson Wayside in Woods Mill to look at replacing the port-o- john there with something more permanent. He added that using an electric toilet had been discussed. He reported that Mr. Bell said they would only have to pump the unit he was looking at twice a year. Members briefly discussed this and how the unit would be kept clean.

Ms. Brennan added that she would like to put in a canoe ramp there at the wayside.

Ms. Brennan then noted that she could not attend the Mayors and Chairs meeting in April and Mr. Hale indicated that he may go.

Ms. Brennan inquired as to whether or not staff was still checking into the Board meeting in the courtroom and Mr. Carter noted that Mr. Truslow was measuring out the configuration and that there may not be enough space for it.

Ms. Brennan asked what would happen with the door on the old jail building and Mr. Carter noted it would be replaced or repainted and that staff was waiting for good weather to paint the trim etc.

Ms. Brennan inquired about the smoke free campus issue and Mr. Carter reported that an employee survey had been done and that he needed to check with Phil Payne to see what the Code provided on this. He reported that the employee input was to have designated smoking areas rather than making it a smoke free campus.

Ms. Brennan inquired as to having the reverse 911 system contact cell phones and Mr. Carter noted that staff was getting prices on this. He added that Ms. Rorrer had gotten a quote for \$7,000 thus far.

Ms. Brennan then inquired as to the County utilizing performance contracting for county offices and Mr. Carter noted that staff could have Wiley Wilson look at doing a perfunctory one. He noted that past analysis had shown that the cost of doing one far outweighed the savings according to an AEP assessment that was done for two years. He added that the new side should be very efficient and the old should be done at one time whenever the renovations were done.

VI. Recess and Reconvene for Evening Session

April 9, 2013

Prior to adjournment, Members agreed by consensus to cancel the evening session and hold a budget work session on April 23, 2013 at 1pm.

At 4:35 PM, Mr. Hale then moved to cancel the evening session and adjourn until 1pm on April 23, 2013 for a budget work session. There being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion and the meeting adjourned.

Memo

To: Stephen A. Carter, County Administrator
From: Jaime D. Miller, Emergency Services Coordinator
CC:
Date: April 23, 2013
Re: Summary of Changes to EOP

Steve,

The major change that will be noticed with the Emergency Operations Plan is the format has been changed. The format was changed to be aligned with the format used by the State and Federal Plans, using the Emergency Support Functions (ESFs). Our previous plan had ESFs labeled; however, they were not the correct ESFs. I have aligned our ESFs to match those with other plans.

Other changes of note are that names of officials were removed from the body of the document and placed only in the Annex or in the Checklists; this will make changing the plan easier. The EOP is supposed to be a living document and changed after major events, training and exercises, etc; maintaining specific names throughout the body of the document would make frequent changes much more labor intensive. This will allow changes to be focused on the plan and not the people involved, as the positions will remain the same.

Other changes included making grammar and spelling corrections, updating phone numbers, names, positions, etc.

Should you have any questions please feel free to contact me.

Jaime D. Miller
Emergency Services Coordinator

RESOLUTION R2013-24
NELSON COUNTY BOARD OF SUPERVISORS
2013 EMERGENCY OPERATIONS PLAN UPDATE

WHEREAS, the Nelson County Board of Supervisors recognizes the need to prepare for, respond to, and recover from natural and man-made disasters; and

WHEREAS, the County of Nelson has a responsibility to provide for the safety and well being of its citizens and visitors; and

WHEREAS, the County of Nelson has established and appointed a Director of Emergency Services

NOW, THEREFORE, BE IT RESOLVED by the Nelson County Board of Supervisors, that this Emergency Operations Plan as revised in April 2013 is officially adopted, and

BE IT FURTHER RESOLVED that the Director of Emergency Services, or her designees, is tasked and authorized to maintain and revise as necessary this document over the next five (5) year period or until such time it be ordered to come before the Board.

Adopted: _____, 2013

Attest: _____, Clerk
Nelson County Board of Supervisors