

June 14, 2016

**Virginia:**

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

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

Absent: None

**I. Call to Order**

Mr. Hale called the meeting to order at 2:04 PM, with all Supervisors present to establish a quorum.

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

Mr. Hale noted that two (2) items would be added under new business; item E would be consideration of requests for funding by the Sheriff's Department and item F would be accident and sickness coverage for fire and rescue personnel.

**II. Resolution Commending the Public Service of the Late Kitty Lyle (R2016-33)**

Mr. Hale noted this item and asked Mr. Saunders to read the proposed resolution aloud. Afterwards, Mr. Saunders moved to approve resolution **R2016-33**, Resolution Recognizing the Community Service of the Late Katherine "Kitty" Lyle and Ms. Brennan seconded the motion. Mr. Hale commented that Ms. Lyle always had things worked out and did a wonderful job.

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

**RESOLUTION R2016-33  
NELSON COUNTY BOARD OF SUPERVISORS  
RESOLUTION RECOGNIZING THE COMMUNITY SERVICE OF  
THE LATE KATHERINE "KITTY" LYLE**

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**WHEREAS**, Ms. Katherine “Kitty” Lyle, longtime Nelson County community servant has recently passed; and

**WHEREAS**, Ms. Lyle’s outstanding leadership and extensive commitment to the citizens of Nelson County was evident not only through her service as a cafeteria worker in the Nelson County School system but also through her public service as a leader and member of the Gladstone Senior Center and as a founding member and Treasurer of the Nelson County Triad; a joint endeavor between law enforcement, senior residents, and senior organizations to reduce senior-based crimes;

**NOW, THEREFORE, BE IT RESOLVED**, that the Nelson County Board of Supervisors does hereby recognize and commend the late Katherine “Kitty” Lyle for her many years of public service that served to greatly enhance the Community of Gladstone and all of Nelson County.

**III. Resolution Honoring the Late Earl Hamner, Jr. (R2016-34)**

Mr. Hale noted the proposed resolution, moved to approve resolution **R2016-34**, Resolution Honoring the Late Earl Hamner, Jr., and proceeded to read it aloud. He noted Mr. Hamner was from Schuyler and they had met on several occasions. Following the reading of the resolution, Mr. Harvey seconded the motion and noted that *The Waltons* program still ran on satellite TV. Mr. Hale commented that he had attended lunch at the Walton’s Museum that day and it still received visitors on a daily basis.

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

**RESOLUTION R2016-34  
NELSON COUNTY BOARD OF SUPERVISORS  
RESOLUTION RECOGNIZING THE LATE EARL HAMNER, JR.**

**WHEREAS**, Mr. Earl Hamner, Jr., renowned author and writer who grew up in the Nelson County Village of Schuyler has recently passed; and

**WHEREAS**, Mr. Hamner’s life in Nelson County was the basis for the TV family drama *The Waltons* running on CBS from 1972 until 1981; and

**WHEREAS**, Mr. Hamner was recognized by the 2013 Virginia General Assembly for his “many contributions to the cultural landscape of the Commonwealth and nation through his many literary accomplishments in radio, television, film, and print” including: *Fifty Roads to Town* published in 1953, *Spencer’s Mountain* published in 1961, *The Homecoming* published in 1970; the creation of *Falcon Crest* a prime-time soap opera; episodes of *The Twilight Zone*; an Australian series, *The Man From Snowy River*; and co-author of the book, *Odette: A Goose of Toulouse*; and;

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**WHEREAS**, these many accomplishments earned him awards such as: a Television-Radio Writers Award, the George Foster Peabody Award for Distinguished Journalism, Virginian of the Year Award from the Virginia Press Association, Man of the Year Award from the National Association of Television Program Executives, a Virginia Association of Broadcasters Award, the Frederic Ziv Award for Outstanding Achievement in Telecommunications from the University of Cincinnati, the Literary Lifetime Achievement Award from the Library of Virginia, and an Emmy Award for Outstanding Drama Series for The Waltons,

**NOW, THEREFORE, BE IT RESOLVED**, the Nelson County Board of Supervisors does hereby echo the sentiments of the 2013 General Assembly and further recognizes and celebrates the late Earl Hamner Jr. for his portrayal of rural life in Nelson County as well as his lifetime of illustrious literary achievements.

#### **IV. Consent Agenda**

Prior to consideration of the Consent Agenda, the Board agreed by consensus to have staff post draft minutes on the website; labeling them as such.

Mr. Harvey then moved to approve the consent agenda and Mr. Bruguiere seconded the motion.

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

##### **A. Resolution – R2016-35 Minutes for Approval**

**RESOLUTION R2016-35  
NELSON COUNTY BOARD OF SUPERVISORS  
APPROVAL OF MEETING MINUTES  
(April 12, 2016, April 19, 2016, April 26, 2016, and May 3, 2016)**

**RESOLVED**, by the Nelson County Board of Supervisors that the minutes of said Board meetings conducted on **April 12, 2016, April 19, 2016, April 26, 2016, and May 3, 2016** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

##### **B. Resolution – R2016-36 FY16 Budget Amendment**

**RESOLUTION R2016-36  
NELSON COUNTY BOARD OF SUPERVISORS  
AMENDMENT OF FISCAL YEAR 2015-2016 BUDGET  
NELSON COUNTY, VA  
June 14, 2016**

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BE IT RESOLVED by the Board of Supervisors of Nelson County that the Fiscal Year 2015-2016 Budget be hereby amended as follows:

I. Appropriation of Funds (General Fund)

<u>Amount</u>	<u>Revenue Account</u>	<u>Expenditure Account</u>
\$650.00	3-100-009999-0001	4-100-022010-5419

II. Transfer of Funds (General Fund)

<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
\$19,324.00	4-100-999000-9901	4-100-033010-6001

C. Resolution – **R2016-37** COR Refunds

**RESOLUTION R2016-37  
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>
\$77.50	2014-2015 Vehicle License Fee	Julia T. Dixon 304 Howardsville Tpke Stuarts Draft, VA 24477-2818
\$53.25	2015 PP Tax	Barbara O. Carter 344 Piedmont Rd. Gladstone, VA 24553-3201
\$116.25	2013-2015 Vehicle License Fee	Terrance L. Warren Kathy H. Warren 484 Lonesome Pine Rd. Shipman, VA 22971
\$561.09	2014-2015 PP Tax & Vehicle License Fee	VW Credit Leasing LTD

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1401 Franklin Blvd.  
Libertyville, IL 60048-4460

## **V. Public Comments and Presentations**

### **A. Public Comments**

#### 1. Donna Adams, Shipman VA

Ms. Adams described in detail a dispute she has with her right of way to a piece of property she owns. She noted that a neighbor to the property had applied for a building permit for a building that would be located on her right of way; which had been relocated in 2014. She reported that she had spoken to the Planning and Zoning Department who advised her that they could not block the neighbor from constructing the building and she questioned how the County could permit this building that would land-lock her property.

Mr. Hale noted that the Board could not address this issue presently and they would check with the Building Official and Planning and Zoning. He reiterated that there would be follow up and she could expect a call from the Planning and Zoning Director, Mr. Padalino. Mr. Harvey then suggested that Ms. Adams also seek legal advice.

#### 2. Judy Smythers, Circuit Court Clerk

Ms. Smythers thanked the Board for the opportunity to speak and for their support. She then advised that she was resigning her position effective August 1<sup>st</sup> for personal reason and she added in light of recent events, there were no skeletons in her closet. She added that it was time; she had been Clerk in Nelson County for sixteen and a half years and a Clerk for thirty-four and half years. She noted that she had lost her brother recently after a lengthy battle and this had taken a toll on her. She noted that from that she had learned that at her age, she needed to spend precious time with her family and church. Ms. Smythers then noted that according to state statute, the Chief Deputy would be named the interim Clerk on August 1, 2016 and the permanent vacancy would be on the November ballot; thus avoiding the cost of a special election. She added that she wanted to make the transition with Judge Garrett and she noted the office construction to be in a good enough place now for her to step down. She noted that the Board had always been so gracious to her and her staff and she would always be grateful. She concluded by noting that she would be in office until July 29<sup>th</sup> and she hoped in the future she would be able to serve the County in some other capacity.

Mr. Hale then noted from personal experience, as a land surveyor having worked with her and two of her predecessors, that the office was important and her work was greatly appreciated. He added that the public had always been happy with their public service and they understood; however the County would miss her. Ms. Brennan then thanked Ms. Smythers for everything and noted it had been an honor to have her as part of this wonderful place.

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B. Presentation – VDOT 2017 HB2 Funding & Applications (R. Youngblood)

Mr. Rick Youngblood, District Planning Manager of the Lynchburg VDOT office, addressed the Board.

He noted that the Commonwealth Transportation Board had approved the next Six Year improvements using HB2 funding and these were improvements at Route 655 in Colleen, and a turn lane at Route 664. He noted that these had been identified as being important safety projects. He then noted that the name of the funding program had been changed from HB2 to SMART Scale, which stood for: System Management Allocation Resources for Transportation. He added that the scale represented six (6) categories of metrics that projects were scored upon.

Mr. Youngblood then reported that he had met with staff on the next round of submittals and had discussed submitting an application for the Route 6 and Route 151 intersection, which was ranked #4 in terms of safety issues, and an application for a second project at Colleen for access management. He noted that projects were data driven and the investment in the Route 151 Corridor Study had paid off. He advised that \$7 Million worth of projects had come out of the study to increase safety; recognizing the economic development potential in those areas.

Mr. Youngblood went on to say that there would be \$31.5 Million in district program funds available in the next round and that in this year they had thirty-three (33) applications with twenty-three (23) projects approved. He noted that the department was identifying quality projects that would compete well and that after this year, they would go to a two-year cycle and monies would increase over time; creating more opportunities to submit projects. He added that each project was funded fully in the SYIP, so there were no partially funded projects and there was construction money in 2019 and beyond.

Mr. Youngblood then advised that he would provide data sets for the two (2) proposed projects later in the week and that his team was there to provide technical assistance. He noted that they had a great working relationship with staff and the TJPDC.

Mr. Harvey then advised that at Route 664, someone had purchased property there on the inside turn and he recommended that they speak with her quickly because she had some plans. Mr. Youngblood replied that they would work with her to be sure her plans worked with the safety aspect and her economic development efforts.

Mr. Youngblood then noted that the Colleen project would be more about access management and they had discussed having a community meeting with stakeholders on this to get buy-in; so if the application were successful, it would not be a surprise to anyone. He added that after that they would work with the Board on other areas. He advised that the TJPDC was updating the Rural Long Range Plan and there may be some new projects to come out of that. He noted that the Culpeper District was taking the lead on the Route 250 and Route 151 intersection which was Nelson County's gateway into the corridor even

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though it was in Albemarle. He added that it would be beneficial to have Nelson's perspective and he would have them reach out to the County. He noted this intersection was a number one priority even for Albemarle County.

Ms. Brennan then inquired about the Rural Long Range Plan from 2008-2009 that prioritized projects. Mr. Youngblood showed a district-wide map and noted he would provide an electronic copy to staff to distribute.

Ms. Brennan then asked Mr. Youngblood to elaborate on the current Colleen project and then the subsequent application. Mr. Youngblood noted that the current Route 655 intersection would involve turn lane improvements, adding into there and looking at how turns there affected traffic movements. He noted there would be improvements to the right lane and existing lanes. He noted that these were intersection specific safety improvements. He then noted that the Corridor had been identified as needing safety improvements and entrances could be realigned and cross overs limited to improve safe efficient turning movements.

Supervisors then asked how this project meshed with the LOCKN traffic study. Mr. Youngblood noted that the LOCKN study would look at Route 29 and the secondary road system there for improvements that could be made in relation to what would like to be done there. He noted they would explore ingress/egress options and the initial study included looking at an event management plan. He noted that VDOT had done plans with Wolftrap in Northern Virginia to see if they could develop a baseline and grow it based on the potential of increased events; to see how the road system was impacted. He added then they could determine what improvements needed to be made. He noted that they were looking at this from a grand scale and he was looking forward to a successful outcome. Mr. Youngblood then advised that the study would not be done for this year's LOCKN; but they could use the data from it. He then noted they would look at different funding sources for the recommended improvements.

Mr. Bruguiere then noted that at the Route 250 and 151 intersection, the problem stemmed from tractor trailers turning onto Route 64 from Route 29 where they sat and backed up 29 south heading northbound. Mr. Harvey noted that the back-up was 90% commuter traffic at the intersection of Route 151 and 250 and not necessarily large trucks. He noted that many companies would not let their trucks travel through there now.

Mr. Saunders then noted that in Colleen people misjudged things there and he questioned how they could make people think smarter. Mr. Youngblood noted they could not necessarily, however there were things that could be done there to improve safety. Mr. Harvey noted that that the Dairy Isle was taking drivers' attention too there and it was hard to judge how far away cars were in certain areas on Route 29. Mr. Youngblood agreed and noted that Route 6 and Route 29 was similar in that respect.

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C. VDOT Report

Mr. Carter noted that Mr. Austin had advised he was unable to attend the meeting and to send any concerns through him. Supervisors noted no VDOT issues to report.

**VI. New Business/ Unfinished Business**

A. Adoption of FY16-17 Budget – All Funds (**R2016-38**)

Mr. Hale noted that the Board needed to adopt the budget that day unless they wanted to do it at a special meeting later in the month. Mr. Carter then advised that they could go ahead with approval of the budget and then if the Board was amenable to the Sheriff's proposal; the budget would then be amended in July. Mr. Harvey clarified that they were considering adoption of the advertised budget.

Mr. Harvey then moved to approve resolution **R2016-38**, Adoption of Budget Fiscal Year 2016-2017, July 1, 2016 – June 30, 2017 and Mr. Bruguere seconded the motion.

Mr. Hale noted that the required budget adoption process had been followed. Ms. Brennan then questioned whether or not there was a concern over the state budget and the County providing raises to staff. Mr. Carter noted that unless they wanted to hold up the proposed adjustments effective July 1, 2016, the State would determine this in August or September. He noted that the Board's indication was to proceed regardless of what the State did. Ms. McCann noted that the gap to be filled in would be \$60,000 - \$70,000 should the State not provide the raise.

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

**RESOLUTION 2016-38  
ADOPTION OF BUDGET  
FISCAL YEAR 2016-2017  
(JULY 1, 2016-JUNE 30, 2017)  
NELSON COUNTY, VIRGINIA**

**WHEREAS**, pursuant to the applicable provisions of Chapter 25, Budgets, Audits and Reports of Title 15.2 of the Code of Virginia, 1950, the Board of Supervisors of Nelson County, Virginia has prepared a budget for informative and fiscal planning purposes only and has also established tax rates, as applicable, for Fiscal Year 2016-2017 (July 1, 2016-June 30, 2017); and

**WHEREAS**, the completed Fiscal Year 2016-2017 Budget is an itemized and classified plan of all contemplated expenditures and all estimated revenues and borrowing; and

**WHEREAS**, the Board of Supervisors has published a synopsis of the budget, given notice of a public hearing in a newspaper having general circulation in Nelson County and, subsequent thereto, convened a public hearing on the Fiscal Year 2016-2017 Budget.

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**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Nelson County, Virginia that the Fiscal Year 2016-2017 Budget be hereby adopted in the total amount (all funds, revenues and expenditures) of \$74,458,103. The individual fund totals are denoted as follows:

<u>Fund</u>	<u>Budget</u>
General	\$37,497,639.00
VPA	\$ 1,955,745 .00
Debt Service	\$ 3,581,397.00
Capital	\$ 898,230.00
School	\$27,327,312.00
Textbook	\$ 587,409.00
Piney River (Operations)	\$ 218,279.00
Courthouse Project	\$ 2,392,092.00

1) The General Fund includes \$19,457,284 in local funding transferred to the Broadband Fund (\$100,000), the Debt Service Fund (\$3,581,397), the Piney River Water & Sewer Fund (\$40,000), and the School Fund (\$14,985,887 for general operations, \$235,000 allocated for school nursing, \$190,000 allocated for school buses, and \$325,000 allocated for facility corrections mandated by civil rights regulations). Also included is \$1,955,745 in local, state, and federal funds transferred to the VPA Fund.

2) The School Fund includes a transfer of \$209,164 to the Textbook Fund.

**BE IT LASTLY RESOLVED**, that adoption of the Fiscal Year 2016-2017 Budget shall not be deemed to be an appropriation and no expenditures shall be made from said budget until duly appropriated by the Board of Supervisors of Nelson County, Virginia.

**B. Appropriation of FY16-17 Budget – All Funds (R2016-39)**

Mr. Hale noted that this resolution was for the appropriation of funds and it mirrored the previous one noting Revenue and Expenditure amounts of \$ 74,458,103.00.

Mr. Harvey moved to approve resolution **R2016-39**, Fiscal Year 2016-2017 Appropriation of Funds and Mr. Bruguere seconded the motion.

Mr. Bruguere asked if Supervisors got a raise and Mr. Hale noted this could be addressed at any point. Mr. Carter clarified that there were two methods in the State Code for providing a raise to Supervisors.

Mr. Hale then clarified that the Local amount of the budget was roughly a third of the \$75 Million. Mr. Carter advised that the General fund drove all of the other budgets and the other things were subsets of that. He noted that the total budget amount shown was

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somewhat misleading; however that was how it added up to roughly \$74.5 million. Ms. McCann advised that \$37 Million was General Fund monies. Mr. Saunders then noted that it was hard for him to keep increasing the School's budget when they had a school that had not been accredited for seven (7) years. He added that Tye River Elementary had not been accredited since he became a Supervisor. He noted that the Board kept giving them funds and they did not seem to care. Ms. Brennan explained that they had a difficult population there and it was complicated.

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

**RESOLUTION R2016-39  
FISCAL YEAR 2016-2017  
APPROPRIATION OF FUNDS**

**WHEREAS**, the applicable provisions of Chapter 25, Budgets, Audits and Reports of Title 15.2 of the Code of Virginia, 1950 require the appropriation of budgeted funds prior to the availability of funds to be paid out or become available to be paid out for any contemplated expenditure; and

**WHEREAS**, the Nelson County Board of Supervisors has heretofore approved the Fiscal Year 2016-2017 Budget (July 1, 2016 to June 30, 2017) for the local government of Nelson County and its component units; and

**WHEREAS**, the Board of Supervisors now proposes to appropriate the funds established in the Fiscal Year 2016-2017 Budget;

**NOW, THEREFORE, BE IT RESOLVED** by the Nelson County Board of Supervisors that the Fiscal Year 2016-2017 Budget be hereby appropriated on an annual basis by fund category, as follows:

<u>Fund</u>	<u>Revenue(s) (All Sources)</u>	<u>Expenditure(s) (All Departments)</u>
General	\$ 37,497,639.00	\$ 37,497,639.00
VPA	\$ 1,955,745.00	\$ 1,955,745.00
Debt Service	\$ 3,581,397.00	\$ 3,581,397.00
Capital	\$ 898,230.00	\$ 898,230.00
School	\$ 27,327,312.00	\$ 27,327,312.00
Textbook	\$ 587,409.00	\$ 587,409.00
Piney River (Operations)	\$ 218,279.00	\$ 218,279.00
Courthouse Project	<u>\$ 2,392,092.00</u>	<u>\$ 2,392,092.00</u>
	\$ 74,458,103.00	\$ 74,458,103.00

**BE IT FURTHER RESOLVED** by the Board of Supervisors that:

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1. The General Fund appropriation includes the transfer of \$1,955,745 (4-100-093100-9201) to the VPA Fund (3-150-004105-0001), \$3,581,397 (4-100-093100-9204) to the Debt Service Fund (3-108-004105-0100), \$15,735,887 (4-100-093100-9202/Nursing \$235,000, 4-100-093100-9203/Operations \$14,985,887, 4-100-093100-9205/Buses \$190,000, 4-100-093100-9215/Facility Correction) to the School Fund (3-205-004105-0001), \$100,000 (4-100-093100-9114) to the Broadband Fund (3-114-004105-0100), and \$40,000 (4-100-093100-9207) to the Piney River Water & Sewer Fund (3-501-004105-0001). The amounts transferred from the General Fund to the VPA Fund, Debt Service Fund, School Fund, and Piney River Water & Sewer Fund are also included in the total appropriation for each of these funds.
2. The Textbook Fund appropriation includes the allocation of \$209,164 from the School Fund.
3. The appropriation of funds to the School Fund, Textbook Fund, and VPA Fund shall be in total and not categorically.
4. The appropriation and use of funds within the General, Debt Service, Capital, Piney River Water & Sewer, and Courthouse Project Funds shall adhere to the amounts prescribed by the Board of Supervisors for each department therein unless otherwise authorized by the Board of Supervisors.

**C. Proposed Revision to Retiree Health Insurance Assistance Program  
(R2016-40)**

Ms. McCann noted that during the budget process, staff was directed to revise this policy to equalize the health insurance credit; since it was paid by the locality as part of the VRS rate. She noted that she had added Paragraphs 2 and 3 so that all employees would effectively receive a total of \$75 for this credit. She added that those already receiving this credit would be grandfathered in.

Ms. Brennan noted a typo in the resolution and verified that things would stay the way it was for those already retired and that anyone going forward would be subject to the new policy.

Mr. Bruguiere then moved to approve resolution **R2016-49**, Approval of Section 10.4, Retiree Health Insurance Assistance Program, Appendix B, Nelson County Personnel Policies and Procedures Manual. Mr. Saunders seconded the motion and there being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following resolution was adopted:

**RESOLUTION R2016-40  
NELSON COUNTY BOARD OF SUPERVISORS  
APPROVAL OF SECTION 10.4, RETIREE HEALTH  
INSURANCE ASSISTANCE PROGRAM, APPENDIX B,**

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**NELSON COUNTY PERSONNEL POLICIES  
AND PROCEDURES MANUAL**

**WHEREAS**, the County of Nelson, currently provides retiree health insurance assistance to retirees with fifteen (15) or more years of creditable County service, as approved September 14, 1999; and

**WHEREAS**, the Virginia Retirement System also provides a health insurance credit to only certain groups of employees (General registrars and their employees, constitutional officers and their employees, and local social services employees);

**WHEREAS**, the benefit provided by the local program and the Virginia Retirement System health insurance credit program affords a greater total benefit to certain groups of employees;

**NOW THEREFORE, BE IT RESOLVED**, that the current retiree health insurance assistance program is amended effective July 1, 2016 to equalize benefits for all retirees as herein attached to this resolution;

**NOW THEREFORE, BE IT FURTHER RESOLVED**, that the Nelson County Board of Supervisors hereby incorporates the Retiree Health Insurance Assistance Program as amended into the Nelson County Personnel Policies and Procedures Manual. It shall be referenced in Section 10.4, Employee Benefits, Retiree Health Insurance Assistance Program as Appendix B.

D. Consideration of Preliminary Motorola Proposal – Radio Network

Ms. Susan Rorrer, Director of Information Systems presented the proposal. She noted that they had issued the purchase order for the vehicular repeater system and this was now in process. She added that the estimated delivery was six to eight weeks and installation would be a one or two day job.

She then reported that the addition of a tower site in Afton proposed to address the coverage issues in the area. She referred to a few maps provided to the Board that showed what coverage would be with the additional tower site. She noted that in spring, they had visited five (5) tower sites in the Afton area and had evaluated them for suitability of use. In evaluating these, they originally wanted to use the Bear Den Mountain site; however that site had inter-modulation issues that prevented this and the Rockfish Fire Station tower provided comparable coverage. She noted that the Martin Store site did nothing additional or very little in the Afton area and the same in Nellysford area. She added that the thought was this site primarily covered an area already covered by another site.

Ms. Rorrer then noted that Motorola had prepared the preliminary cost proposal and staff was asking the Board if it was an option they wanted to pursue and if it was, Motorola would prepare a final proposal inclusive of a contract for pricing.

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Ms. Brennan asked if the problems at the Bear Den Mountain site could be fixed and Ms. Rorrer noted they could not as there could not be frequencies that did not play well on the same tower and the Virginia State Police had so many that it was difficult to mesh with.

Ms. Rorrer noted that according to the coverage maps provided, the coverage of the proposed Rockfish tower was good along the Route 151 corridor. She added that the areas of issue were: Glass Hollow, Chapel Hollow, and Taylor's Creek. She noted these areas had been improved; however they were hard to get to.

Mr. Hale then deferred to Mr. Harvey for his perspective on this and he noted that cutting back to narrow-banding was the issue as was not penetrating the Quiet Zone. He added that Afton was the pocket hurt the most by this in the county. Ms. Rorrer noted that the Sugar Loaf site provided coverage there in the past and now because of power restrictions, it did not cover there now. She added that if they could raise the power back up it would work and that the National Radio Astronomy Organization (NRAO) was in charge of the Quiet Zone and this was an unregulated agency.

Mr. Bruguiere inquired if they would put up additional antennas on the Rockfish Tower and Ms. Rorrer confirmed they would. She added that they would go on the Broadband Authority's tower and would have to be able to talk to the microwave network.

Mr. Carter then advised that if the Board decided to move forward, staff would come back with options on how to pay for it.

Mr. Hale then confirmed that Staff was asking for direction on the preliminary proposal and then Motorola would come back with a finalized proposal. Mr. Harvey added that approval of the project was being sought.

Mr. Saunders asked what happened if it were not done and Mr. Harvey noted that the County would have danger zones where public safety entities could not communicate. He added that this happened when the County had to go to the new narrow-banding system that sliced frequencies in half and reduced power. Mr. Carter reiterated that doing this was a federal mandate.

Ms. Brennan asked about the site development being so costly and Ms. Rorrer advised that was related to R56 grounding and certain site conditions and was the expense related to protecting the site from lightning and such. She added that the site was not a radio site, so this was not done previously. She clarified that the site was grounded but not to radio standards and there was no generator there. She noted that Blue Ridge Internetworks, the Authority's Network Operator, would bring one out if necessary for broadband purposes. She noted that she had included generators in the budget; however she had been holding off on that. Ms. Rorrer then advised that AT&T was on the tower there now and they had backup power in a self-contained building with power and generator.

Mr. Carter noted that staff had briefly discussed ways to negotiate down the consultant costs; which was currently twice the cost of the equipment.

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Mr. Hale commented that it is with frequency that site development seemed to be way out of proportion to other costs. He then questioned if there was any competition in this industry. Ms. Rorrer noted that staff was just looking into this now; however it was difficult because Motorola had their own electricians etc. She noted that site development also included equipment etc. and that the coverage issues affected the Sheriff's Department also; not just fire and rescue.

Mr. Harvey noted that there was a significant cost and the issue was a portable radio problem, not a mobile issue. He added that the County already had the Motorola system and staff was dealing with the only company they could deal with.

Mr. Hale suggested issuing cell phones to cover those areas and Mr. Harvey advised that could not be done because they had to be able to communicate with everyone involved in the incident at the same time. He added that this had been handed down from above and they had to communicate regionally.

Mr. Carter advised that staff would go back and get the expense down if possible.

Mr. Harvey then moved that Staff be given the go-ahead to proceed with the project and to negotiate what could be negotiated; with not much delay in moving forward.

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

*E. Added: Sheriff Department Request for Funding*

The following information was provided to the Board:

Sheriff's Department Considerations:

- 1) Additional Salary/Benefit Funding for local Position - Salary offer of \$38,400 (salary funding available is \$33,189) Cost: \$6,176
- 2) Additional Salary/Benefit Funding for local Position - Make part-time speed enforcement position full time as Drug Enforcement position. All deputies would share responsibility for speed enforcement. Funding available in FY17 is \$26,646. Cost: \$19,890
- 3) Unanticipated Vehicle Replacement (totaled vehicle-flood damage) - Insurance reimbursement is \$3,750. Total cost for vehicle is \$27,900 plus equipping of \$7,500. Cost: \$31,650.

Total Cost: \$57,716

Mr. Carter reported meeting with the Sheriff's Department to discuss compensation for another employee they wanted to retain and also changing a part time postilion to a full time

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position. He added that they had also lost a vehicle due to flooding; when the vehicle was driven through high water in Lovington and they wanted to replace it with a new vehicle. He noted that they had interest from an individual who was certified and working with the Virginia State Police who would make an immediate impact if they were able to hire them and they would like the Board's approval to offer \$6,176 more than their available funding.

Mr. Carter also noted that the Department had an interest in becoming a member of a regional drug task force and also in making a part time clerical position full time. He noted that they had proposed to use funding for part time traffic enforcement to make these changes and they would assign someone to the regional task force.

Mr. Carter noted that the Board had approved two new vehicles in the new fiscal year budget and they were now down two vehicles and would like consideration to purchase these.

Mr. Carter then advised that the additional funding for the new person and moving the part time to full time would be beneficial to the County and he supported that. He further noted that participation in the regional task force would give the County 16% of any asset forfeitures made by the task force. He advised that the assigned individual would not necessarily work with them full time, but rather from time to time and it was clear that the Sheriff and Captain were committed to improving the efficiency of the department. Mr. Carter noted that he had not studied the vehicle situation; however the totaled vehicle was a 2009 Dodge Charger with a couple hundred thousand miles on it.

Mr. Carter then advised that vacancy savings and supplemental savings was \$34,000 and that would offset costs this year; however they would have to amend next year's budget. Mr. Harvey suggested they use nonrecurring funds to purchase the car. Mr. Carter then advised that they had proposed purchasing three cars and now they needed four because of the one that was totaled. Staff and Supervisors then discussed them transferring whatever equipment was possible.

Mr. Carter then advised that he supported the additional compensation, joining the task force, making the part time position full time, and to purchasing one more vehicle.

Mr. Saunders noted he thought they should proceed with the proposal.

Mr. Carter added that the department had independently contracted with the LOCKN festival and they would work with them to establish a cost for use of the County's equipment for that; and they may realize some revenue from it.

Ms. Brennan then noted her support for the whole proposal. Supervisors then agreed by consensus to proceed with the proposal and with providing three new vehicles, not four.

*F. Added : Accident and Sickness Coverage for Fire and Rescue Volunteers*

Ms. McCann provided the Board with the following information:

**Overview of Accident and Sickness Coverage for Fire & Rescue Volunteers**

As a Benefit to its members, VACORP now offers Accident and Sickness Coverage for fire and rescue volunteers. The attached chart shows side by side comparisons for our current policy through Hartford and the proposed policy through VACORP. VACORP is able to provide this coverage as self-insurance coverage eliminating the necessity for procurement.

The proposed coverage provides better coverage at a lower price. Options are also provided for making the VACORP policy as the primary coverage policy meaning the policy pays first before any other collectable insurance or making the VACORP policy a secondary policy paying after primary coverage. Since health insurance coverage has become mandatory, it is recommended that Option 2 be selected with the \$0 deductible. Even in situations where a volunteer does not have health insurance coverage, medical expense would still be covered up to the medical limits of the policy. This option would yield savings of approximately \$14,000 annually.

Hartford Insurance would like to provide a competitive proposal but we do not anticipate until next week. Staff would request permission to move forward with the recommended coverage from VACORP unless Hartford can provide comparable coverage with a lower premium than we are currently paying.

**Schedule of Benefits-Volunteer Life and Accident Insurance**

	<b>Schedule of Benefits</b>	<b>Proposed</b>	<b>Current Coverage</b>
		<b>VACORP</b>	<b>HARTFORD</b>
	<b>Class 1 Benefits (volunteer members of the organization)</b>	Limit	Limit
1)	<b>Loss of Life Benefits:</b>		
	Accidental Death Loss Benefit	\$75,000	Same
	Seat Belt Benefit	\$20,000	Same
	Dependent Child Benefit	\$5,000	None
2)	<b>Lump Sum Living Benefit:</b>		
	Accidental Dismemberment	\$100,000	\$75,000
	Vision Impairment	\$100,000	\$75,000
	Cosmetic Disfigurement	\$100,000	\$75,000
	HIV Positive	\$100,000	\$75,000
3)	<b>Weekly Income Benefits</b>		
	Total Disability weekly amount actively work	\$600	Same
	Total Disability maximum payment period	To age 70	Same
	Total Disability weekly amount do not actively work	\$100	Same
	Total Disability maximum payment period	104 weeks	Same
	Partial Disability Benefit actively work	Pro-rated	Same

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	Partial Disability Benefit maximum payment period	To age 70	Same
4)	<b>Vocational Rehabilitation Benefit</b>	\$20,000	Same
5)	<b>Medical Expense Benefits</b>		
	Accidental Medical Expense	\$500,000	Same
6)	<b>Heart or Circulatory Malfunction Benefits</b>		
	Accidental Death Benefit	\$50,000	Same
	Accident Medical Expense	\$250,000	Same
	Total Disability weekly amount actively work	\$600	Same
	Total Disability maximum payment period	104 Weeks	Same
	Total Disability weekly amount do not actively work	\$100	Same
	Total Disability maximum payment period	104 Weeks	Same
7)	<b>Influenza, La Grippe, and Pneumonia Benefit</b>		
	Accidental Death Benefit	\$50,000	None
	Accident Medical Expense	\$100,000	Same
	Total Disability weekly amount actively work	\$500	None
	Total Disability maximum payment period	26 Weeks	None
	Total Disability weekly amount do not actively work	\$100	None
	Total Disability maximum payment period	26 Weeks	None
8)	<b>Contagious and Infectious Disease Benefit</b>		
	Accidental Death Benefit	\$50,000	None
	Accident Medical Expense	\$100,000	Same
	Total Disability weekly amount actively work	\$500	None
	Total Disability maximum payment period	26 Weeks	None
	Total Disability weekly amount do not actively work	\$100	None
	Total Disability maximum payment period	52 Weeks	None
9)	<b>Class 2 Benefits (registered Junior members of organization)</b>		
	Accidental Death Benefit	\$25,000	\$10,000
	Accident Medical Expense	Same as Class 1	Same
10)	<b>Class 3 Benefits (members of Auxiliary of the organization)</b>		
	Accidental Death Benefit	Same as Class 1	Same
	Accident Medical Expense	Same as Class 1	Same

		<b>Annual Premium</b>	<b>Annual Premium</b>
	<b>Cost of Coverage:</b>		Per FY17 Budget Estimate
	This policy is Primary		
	Option 1: \$0 Medical Deductible	\$39,220	\$47,000
	Option 2: \$5,000 Medical Expense Deductible	\$29,150	N/A
	This policy pays after other insurance		
<b>**</b>	<b>Option 1: \$0 Medical Expense Deductible</b>	<b>\$32,860</b>	N/A
	Option 2: \$5,000 Medical Expense Deductible	\$22,525	N/A

**\*\* Recommended Option**  
 Volunteer's health insurance is primary and pays first. All co-pays, coinsurance and deductibles would be covered by insurance up to policy limits. If the volunteer does not have insurance, medical expenses would still be covered up to policy limits.

Ms. McCann explained that VACorp could now offer this coverage which the County currently had through Hartford Insurance. She noted the comparison chart and stated that the proposed VACorp policy provided a greater benefit than the current one with Hartford.

She noted that there was an option given for VACorp to be the secondary coverage rather than primary and it had a cheaper premium. She added that the current budgeted amount for Hartford was \$47,000 and through VACORP, the premium would be \$39,220 with them being primary. She noted that the premium would be \$32,860 if VACORP was considered secondary.

Ms. McCann then reported that she had spoken with Hartford and they said that they wanted to submit a proposal and she noted the County had to notify them by July 1, 2016 if it would renew or not. She added that she did not anticipate that they could reduce costs without reducing coverage.

Mr. Harvey then asked if the proposal should be run by the Emergency Services Council and Mr. Hale noted he thought they should proceed given the coverage was greater. Ms. Brennan asked if they should give Hartford the opportunity to match and Ms. McCann suggested that they give them a week or two and see what they offered.

Ms. Brennan then moved to direct staff to find the best coverage at the best cost and Mr. Bruguire seconded the motion.

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Mr. Harvey then suggested that they inform the Council on what staff was doing and Mr. Hale noted he did not see why they would object. Ms. McCann then confirmed that the Board was okay with the policy being secondary.

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

## **VII. Reports, Appointments, Directives, and Correspondence**

### **A. Reports**

#### **1. County Administrator's Report**

**1. Courthouse Project Phase II:** The project is proceeding very well. Roofing of the building addition is nearing completion. Framing of the Phase 1 office area on the second floor 1940s building addition (for County Administration, Finance and HR, and Information Systems) is in process. A contract with BT Conferencing for overall equipping of the Circuit Court has been executed with work in process. Upgrades of building utilities (electrical, hvac, backup generator) are all nearing completion. The May-June Project Progress Meeting has been rescheduled to June 15<sup>th</sup> at 1 p.m. (due to scheduling conflicts). Project completion is at present February 2017 but may slip somewhat due to the very inclement weather conditions in May. However, Jamerson-Lewis is endeavoring to maintain the project completion schedule.

**2. Broadband: A) Expansion Project** – Construction of Phase 1 (RT. 151& 6 to RT. 151 & 664) is nearing completion. Conduit installation is approaching Route 664 and fiber has been pulled to the Nellysford area. The project contractor, CCTS, stated on 6-2 that all phases of the project would now be completed by not later than 7-30-16 (possibly by 7-15). CCTS is also working on service connections to Horizons Village (21-23 new connections), Bold Rock Cider and Devils Backbone Brewery. Phase 2 and 3 permit applications have been resubmitted to VDOT for approval. The project's overall job count for compliance with CDBG grant requirements will likely be more than three times the 12 new jobs required for grant compliance.

Mr. Carter reported that thirty-five (35) plus new customers should be coming on board and that Horizons Village was paying for their own connections aside from the NCBA discount and amortization program.

**B) Broadband Planning Project** – Scheduling of a June work session with Design Nine to work towards project completion at the staff level is pending. Thereafter, staff will coordinate scheduling a work session(s) with the Broadband Authority pertinent to project outcomes and recommendations.

Mr. Carter noted that a build out plan and proposed changes to the rate structure would be included.

**C) Broadband Other** – Stewart Computer Services/Acela Net has become the third Internet Service Provider (ISP) on the local middle mile network and has begun the process of

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marketing to and signing new service agreements. The planned Community Connect program application to USDA-RUS was tabled following a conference call with RUS staff, as County and Design Nine staff agreed that the County's project proposal would have less than minimal chance for success. County staff conducted a conference call with federal NTIA staff on 5-13 for the primary purpose of maintaining lines of communication between the County and NTIA. County staff also had a conference call with federal FCC-E-rate staff to discuss the E-rate program's funding criteria. The discussion with the FCC staff, which included Dr. J. Comer of the County's School Division, was very disappointing as FCC staff strongly stipulated that neither the County nor the School Division could require use of the local middle mile network in the Division's solicitations for internet/broadband services. Vendors seeking to serve the Division can use the local network as a basis for its services proposal but, as noted, neither the County nor the School Division can require use of the local network in issuing RFPs for E-rate supported services. A consideration may be that the NCBA become an E-rate provider. Following the discussion with FCC staff, County staff submitted a statement of concern to Sen. M. Warner's office and will discuss this with the Senator's staff the week of 6-13.

**3. BR Tunnel Project:** The County hosted on 5-17 a very successful tour of the western portal and Tunnel area for the members of the Commonwealth Transportation Board and VDOT staff. Staff Woolpert, Inc. (the project's engineering consultant) and from Buckingham Branch Railroad assisted with the tour. The CTB met in Staunton earlier on 5-17 and made a preliminary decision (to be finalized in June) to provide additional funding to Nelson County with which to complete the Tunnel Project. Woolpert, Inc. is currently working to finalize all project related submittals to VDOT to enable the project to be approved for construction bidding. This work will very likely encompass a modification of the western trail, which is anticipated to reduce construction costs and lessen the steepness of a section of the western trail. Assuming the final funding is approved by the CTB in June, the next steps will be completion of a new project agreement with VDOT (which may require 60-90 days after 7-1) and VDOT/FHA approval of the construction plans.

**4. Lovingson Health Care Center:** County staff has followed up on May 20<sup>th</sup> with Valley Care Management to request a detailed proposal from the company to provide for its acquisition of the Center. No response has been received to date from VCM.

Mr. Carter related that PHA had just contacted him to say they were still interested in the property. He noted he would follow up in providing them with information.

**5. Radio Project:** Issuance of a purchase order to Motorola, Inc. for the acquisition of vehicle repeater systems is in process (and will be completed by 6-14). The Board's June 14<sup>th</sup> meeting agenda includes a preliminary proposal from Motorola, Inc. to utilize the County tower located at the Rockfish Valley. Vol. Fire Department to provide for enhanced radio network communications in the Route 151 Corridor. Additional work on the agreement is necessary. And, a plan to provide for purchase of the equipment, etc. from Motorola is also necessary (the current cost proposal exceeds \$600,000).

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**6. Region 2000 Service(s) Authority:** The Authority's Work Group on future operations, comprised of staff from the Authority's four local government members (C. McGarry is the County's representative), continues to meet and plans to submit its recommendations for next steps to the Authority on 6-23. Subject to receipt of the Work Group's recommendations, the County's representative on the Authority Board is opposed to the Authority incurring significant additional expenses to consider future operational options, as the Authority has previously expended significant time and investment to plan for its future operations, which are currently being challenged by residents of Campbell County and, to some extent, the County's local government, which is a primary beneficiary of the Authority's operations.

Mr. Carter noted he would insist that Campbell County make a decision about the future of the landfill there and then proceed.

**7. FY 15-16:** The current fiscal year ends on June 30<sup>th</sup>. Staff will work towards completing and submitting a preliminary year-end balance report to the Board for the July 12<sup>th</sup> regular session.

**8. Department Reports:** Included with the BOS agenda for the 6-14-16 meeting.

Added: Mr. Carter reported that the County may issue an RFP in early July for the 2018 reassessment and staff was checking the current contract.

## 2. Board Reports

Mr. Saunders had no report.

Ms. Brennan reported the following:

Ms. Brennan reported that she called the Valley Care Management people and left them a voice mail with no response to date. She added that she was discouraged and thought the County should start talking with PHA.

Attended a CIT meeting that day and noted that Major Larry Cindrick was also there. She noted that he had said it was the most powerful and meaningful training he had in his career and they would set up training for dispatchers etc. She added that the shortage of Dispatchers was statewide.

Attended an Atlantic Coast Pipeline meeting as a panelist on Memorial Day at Wintergreen. She noted there were hundreds of people there and it was sponsored by Friends of Wintergreen. She noted they had sent in information to FERC regarding other routes they had identified. She advised that she had reported to the group what the Board had done on this subject and she noted there was a lot of concern about property values and the Realtors there were talking about it.

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Attended a public informational meeting on Bio-solids. She noted the DEQ presenter was very good and he had a map showing where all of the applicants were in the county. She noted that he would not comment on his perspective on biosolids. She advised that an increased number of applications had been made and there was concern about water contamination. She added that no baseline testing had been done and the local government had no say about it.

Mr. Bruguire reported that the Planning Commission was working on the Flood Zone Ordinance and should be finished soon. He noted there was a lot included that he was not sure the Board would approve of. He noted he thought shortcuts could be taken that would still provide service to those in the floodplain.

Mr. Bruguire then reported that Maureen coupled with the Farm Bureau in Richmond were to have a video shoot of the Nelson County Fruit Loop. He noted this would air on PBS and you-tube featuring Nelson County.

Mr. Bruguire then noted that the Board may receive a request to fund the Land Use panel more so they could do more investigation of those properties. He added that some of those were used for other things besides agriculture and needed to be looked at. Mr. Carter noted he would have to check their budget to see if they needed funds and he would speak to the Commissioner of Revenue about it.

Mr. Harvey reported that the Service Authority had two projects; one being refitting of the Schuyler water plant by August. He noted there had been a wastewater issue in Gladstone due to rain events and the INI permit being exceeded there and that George Miller was looking at it. Mr. Robert McSwain in attendance noted that VDOT was not the problem and this issue was probably from the private laterals to the houses. Mr. Bruguire noted that with the recent rains, the reservoir at Blackwater Creek had red mud in it and he wondered how they got the silt out of there. It was noted there had been 10-12 inches of rain in a three day period there.

Mr. Hale asked about the TJPDC meeting and Mr. Saunders noted it was held the night the County had the flooding and he had not attended.

Mr. Hale reported the following:

Attended a Blue Ridge Tunnel tour with Emily Harper and Ben Ford, who has written an updated archeological report that he will send to Woolpert. He noted that Woolpert was moving more toward the original trail alignment and that cultural resources could be gone over and Woolpert would now have that information. He noted that the new trail alignment was looking very good and it would save money. Mr. Carter noted he had not heard back about the proposed change in the width of the trail and that there may be an exemption or exception process that could be pursued.

Reported that the Temporary Events Committee has been meeting and has been very productive. He noted they were working successfully to cover all of the different sized

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events while eliminating the excess language and it would eventually come back to the Board for consideration.

Attended the Senior Lunch that day and noted that Junior Tyler and his wife were eighty (80) years old and had done it for seven (7) years. He noted that they could not continue to do this anymore and were ready to give it up. He noted that the other problem was that the kitchen in the basement used propane and they had an ancient stove. He noted that they were exploring the possibility of having it at the Rescue Squad building on Route 6. Mr. Hale added that they did also deliver lunches to people. He then commended the Tylers for their work and noted there were 60-70 people there that day. He noted that this was done once per month and that other Senior Centers had invited them to join them; however, they did not want to go anywhere else. He then noted that they had written a check back to the County for the balance of funds that were unexpended.

Visited the Mexican restaurant under construction to see how things were going. He noted that it was shaping up and could open in June except they were waiting for the sprinkler system installation and it may open at the end of July. He then noted that he hoped the Board would consider rebating their water connection fee of \$40,000.

Attended the VACO Legislative Forum with Mr. Carter and he noted that only one Legislator, Senator Garret, came out of the eight or ten that were invited.

B. Appointments

Ms. McGarry reviewed the following table:

<b>(1) New Vacancies/Expiring Seats &amp; New Applicants</b>					
<b><u>Board/Commission</u></b>	<b><u>Term Expiring</u></b>	<b><u>Term &amp; Limit Y/N</u></b>	<b><u>Incumbent</u></b>	<b><u>Re-appointment</u></b>	<b><u>Applicant (Order of Pref.)</u></b>
<b>Ag Forestal District Advisory Committee</b>	<b>5/13/2016</b>	<b>4 Years/ 3 Term Limit</b>	<b>Bill Halvorsen (T2)</b>	<b>Y</b>	
<b>Board of Building Appeals</b>	<b>6/30/2016</b>	<b>4 Years/ No Limit</b>	<b>Shelby Bruguere</b>	<b>TBD</b>	
			<b>Steven C. Crandall</b>	<b>TBD</b>	
			<b>Kenneth H. Taylor</b>	<b>TBD</b>	

Jefferson Madison Regional Library Board	6/30/2016	4 Years/ 2 Term Limit	Marcia McDuffie (T1)	Y	Mary S. Cunningham (3)
N.C. Economic Development Authority	6/30/2016	4 Years/ No Limit	R. Carlton Ballowe Emily H. Pelton	Y Y	Deborah L. Brown Mark L. Stapleton (1)
N.C. Library Advisory Committee - West District	6/30/2016	4 Years/ No Limit	Audrey Evans	Y	
N.C. Service Authority Board - 3 Districts	6/30/2016	4 Years/ No Limit	Edward Rothgeb - S David S. Hight - W Tommy Harvey - N	N Y	Gary L. Sherwood
N.C. Social Services Board - Central	6/30/2016	4 Years/ 2 Term Limit	Clifford Savell (T2)	N	Mary S. Cunningham (1) North Darlene Smith - Central Mark L. Stapleton (3) - Central
Piedmont Workforce Network Board	6/30/2016	3 Years/ No Limit	James S. Turpin	N	Mark L. Stapleton (2)
N.C. Planning Commission - 2 Districts	6/30/2016	4 years/ No Limit	Mary K. Allen - S Michael Harman - W	Y Y	
Region Ten Community Services Board	6/30/2016	3 Years/ 3 Term Limit	Patricia Hughes (T2)	Y	Mary S. Cunningham (2)
(2) Existing Vacancies:					
<b>Board/Commission</b>	<b>Terms Expired</b>	<b>Term &amp; Limit Y/N</b>	<b>Number of Vacancies</b>		
JABA Council on Aging	12/31/2015	2 Years/No Limit	1- David Holub	N	None

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She then asked the Board how they would like to proceed and Mr. Hale noted he would like to reappoint everyone who would like to be reappointed in one fell swoop unless other members would like to pull any off. He then read these aloud.

Ms. Brennan then moved to appoint all of the incumbents who wished to continue and Mr. Bruguieri seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the appointments.

Supervisors then looked at those seats whose incumbents did not seek reappointment as follows:

Nelson County Service Authority: It was noted that Gary L. Sherwood had submitted an application. Mr. Saunders suggested this be table as he had not yet spoken to Mr. Sherwood.

Mr. Hale then suggested that if a seat was district specific, then the Supervisor from that district should have the first say in an appointment.

Nelson County Social Services Board: Ms. Brennan nominated applicant Darlene Smith for appointment and there was no second. The chair called for the vote and Supervisors voted unanimously (5-0) by roll call vote to approve the appointment.

Piedmont Workforce Network Board: Ms. Brennan noted she had spoken with Mr. Stapleton and she nominated him for this seat. There was no second, the chair called for the vote, and Supervisors voted unanimously (5-0) by roll call vote to approve the appointment.

C. Correspondence

1. Bernard McGinnis – County Lease of The McGinnis Building

Supervisors discussed the following correspondence

Bernard L. McGinnis  
P.O. Box 38  
Shipman, Virginia 22971

County Administrator, Clerk of the Board of Supervisors  
P.O. Box 336  
Lovingson, VA 22949

Re: County of Nelson lease- The McGinnis Building 80 Front Street Lovingson, VA 22949

Mr. Carter:

Please allow this letter to serve as notice that the current lease with Nelson County, expiring June 30, 2016 will not be renewed. The County may continue to lease the property on a month-to-month basis at the current lease rate. Either party may terminate with thirty days' written notice.

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The property will be marketed for sale commencing July 1, 2016. The County will be given a one-time Right of First Refusal to match any bona fide, third party offer deemed acceptable to Seller. The County will have five (5) business days to respond with its intent to decline or exercise its Right of First Refusal. If the County exercises said right, conveyance of the property shall be under the same terms and conditions of the third party offer.

Please do not hesitate to call me at 434-263-5895 or email - [bkmcgi@aol.com](mailto:bkmcgi@aol.com) with any questions.

Sincerely,  
Bernard L. McGinnis

Supervisors were also provided with the following staff evaluation of the McGinnis building:

McGinnis Building  
80 Front St, Lovington  
Deficiencies:

1: Severe settling on the Northeast and Southeast corners of building, settling has caused parapet wall to severe and pull away from roof structure 2.25". Settling has caused exit doors in rear of building to become out of adjustment and very hard to open. Cracks in bathroom sheetrock have been documented and growth of cracks are very apparent

2: Maintenance staff has unclogged 4" waste line from women's bathroom on several occasions from what's believed to be a settling issue also.

3: Building needs new roof and gutters as soon as possible, this was reported to landlord several years ago.

4: HVAC equipment has been a constant issue of break downs and repair. Technician/contractor has stated to county staff that he has told landlord units **need** to be replaced.

Mr. Harvey stated that the County departments should prepare to leave the building. Mr. Bruguere suggested that they stay until the building was sold and then go from there and he noted he could not see the County buying the building with the current issues. He added that the County should suggest to Mr. McGinnis that it would continue to rent the building until he sold it.

Mr. Harvey noted that they both had the option of a thirty-day notice and the Board agreed by consensus to rent the building until it was sold.

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Mr. Saunders then noted that the County's rental payments totaled \$97,000 annually, not including the rent paid on the Health Department. He noted that the County had not gotten any response for the Lovingson Healthcare Center building and it was sitting there.

He noted that a question was brought up about putting it back on the books and he noted that \$1 Million in value only provided \$7,000 per year in taxes. He then suggested the County could renovate it in phases with annual debt being \$131,000 for \$2 Million borrowed and that did not include rental savings. He noted that that the County was paying almost \$100,000 per year in rent and could renovate the old healthcare building for \$1.5 Million for that annual payment. He added that it was foolish to give the building away and still pay rent. He then noted rent was being paid for the McGinnis building, the Department of Social Services, Recreation, the Registrar, and Extension offices. He added that the County had a lease for the Health Department until 2019 with Blue Ridge Medical Center for the local share of \$25,500 and the County may be able to use the State subsidy for them if they relocated.

Ms. Brennan noted she thought it would be impossible to phase the use of the building and she was interested in finding something that would provide meaningful services to the community.

Mr. Hale questioned the renovation number used by Mr. Saunders and he noted that he was estimating \$2 Million; however he thought they could do it in phases and could make it so that it would cover all of the departments that were paying rent, for that amount.

Mr. Hale supposed that was something to think about especially if there was no buyer. Mr. Harvey noted there was not likely to be a buyer but rather a taker. Mr. Saunders and Mr. Harvey agreed that the Board needed to set some type of time limit on this.

Mr. Harvey stated that the County had to have space and it was crazy to keep paying these rents. Mr. Hale noted that of the \$98,000 in rent, \$59,000 went to the Nelson Center and this had been a partnership with the County. It was noted that the County did not pay rent for the Economic Development and Tourism office since the County owned the Library building.

Mr. Harvey noted that the County gave the Nelson Center the building and they were to raise money and they did not, so they borrowed money. He added that the County then leased space there to pay for the amount borrowed and it should be paid by now. Mr. Carter advised that the loan was front loaded and now the debt service payment had decreased from 5-7 years ago and was less than \$7,500 per year.

Mr. Harvey noted he thought that the Lovingson Healthcare Building was a better location and could give new life to the town of Lovingson.

Ms. Brennan then asked for some more time to work on it.

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Mr. Carter advised that Piedmont Housing Alliance had emailed him the previous day to indicate their renewed interest and they may be interested in a partnership with Region Ten. He added that they were partners with JABA at the Ryan School Apartments.

Mr. Hale noted he was in agreement that it made sense to not pay rent and to have County offices in County buildings. He noted his concern was that the LHCC building was old and maybe it should be demolished and they should start all over designing something that suited. He noted the County needed to analyze this. Mr. Carter reminded the Board that Architectural Partners had taken a look at the building and said it would take \$4.5 Million to renovate it to suit, based on a two hour walk through.

Mr. Hale noted that a sentiment was expressed that some conclusion be reached and he suggested they give the rest of the summer to gather proposals.

Mr. Saunders then moved to give sixty (60) more days to entertain offers and after that, look at doing something else and Mr. Bruguere seconded the motion.

Mr. Saunders stated he did not want to give the building away. Ms. Brennan noted that she thought giving sixty (60) days to continue looking for a provider to provide services that were sorely needed in the community was really bad.

Mr. Carter advised that Ms. Brennan and Staff had made a concerted effort to make it work; however it was very difficult and no one was interested in the building. Mr. Saunders then clarified that he agreed a concerted effort had been made; however he thought it was time to move on.

Mr. Hale noted he had reservations about the County taking on another substantial capital project when it was just finishing one. He agreed that the County needed to do something and Mr. Saunders stated that this capital project had the potential to pay for itself.

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

## *2. Added: Peter Agelasto Email Correspondence*

Mr. Harvey noted correspondence received from Peter Agelasto that referenced the Rockfish Valley Historic District as a reason for FERC to reconsider the route of the Atlantic Coast Pipeline. He questioned how Mr. Agelasto could create the historic district without property owners knowing about it. Ms. Brennan noted that she went to meetings about it, many people were there, and property owners did know about it. She added that the Historical Society had looked into it and enough properties were identified. She noted that the district was a valid thing even though Mr. Dodd was opposed to it and he nor anyone else was required to participate in it.

Mr. Bruguere noted that the problem with the historic district designations was that it was unknown what the subsequent Boards would do in terms of setting restrictions. He noted

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that currently once these were created, homeowners could go after taxpayer money to fix their own house.

Mr. Hale then noted that this correspondence did not require the Board to take action and Mr. Harvey noted that the correspondence was in response to the Atlantic Coast Pipeline.

Mr. Hale then commented that he has seen a number of historical treasures torn down and if these had been identified and valued by citizens they may still be there. He added that he was referring to the bank building on the corner in Lovington and Midway Mills on the James.

### *3. Added: Correspondence from TJEMS*

Ms. Brennan noted the correspondence on TJEMS funding sent from Bill Keene. Mr. Harvey noted he thought Staff took the wrong impression from the meeting with TJEMS. He added that the County got a tremendous amount of services from them and the issue was that the County could not provide enough people to train. He noted he was not sure how they would operate if they were not given the funding they asked for.

Mr. Carter advised that the TJEMS Director told staff that they had not provided any services in the County in two (2) years. Mr. Harvey noted that according to the Director, he was mistaken and he wanted to ask the Board to reinstate the full funding.

Mr. Harvey then noted he has served on their Board and the State EMS Board and it was a good organization. Mr. Carter then noted that if the funding was restored, Nelson would be paying more than anyone else in the region. Mr. Harvey then suggested that the TJEMS Director and Bill Keene come and present to the Board. Supervisors agreed by consensus and asked Staff to invite them to the afternoon session in July.

### *D. Directives*

Mr. Bruguere, Mr. Harvey, and Mr. Saunders had no directives.

Ms. Brennan asked about the status of the Wild Wolf sewer system issues and Mr. Carter noted that Ms. Wolf was working with a consultant and the Health Department to move forward with a private system.

Mr. Hale inquired about the status of Oceanwide Seafood paying its delinquent meals taxes and Mr. Carter noted that he understood that the Commissioner was going over there to discuss it and Mr. Bruguere added that he thought they had worked out a payment plan.

## **VIII. Recess and Reconvene Until 7:00 PM for the Evening Session**

At 5:15 PM, Mr. Bruguere moved to adjourn and reconvene at 7:00 PM. Mr. Saunders seconded the motion and there being no further discussion, Supervisors voted unanimously by voice vote to approve the motion and the meeting adjourned.

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**EVENING SESSION  
7:00 P.M. – NELSON COUNTY COURTHOUSE**

**I. Call to Order**

Mr. Hale called the meeting to order at 7:19 PM with four (4) Supervisors present to establish a quorum and Mr. Harvey being absent. Mr. Hale apologized for the Board being late getting back from the break and noted that Mr. Padalino would not be present and Mr. Carter would be presenting the Special Use Permit request.

**II. Public Comments**

Mr. Hale opened the floor for public comments and the following persons were recognized:

1. Marta Keene and Kim Peele, JABA

Ms. Keene distributed a Spring Update brochure for April 2016. She noted the front page story regarding insurance counseling and noted that JABA was sending a counselor to Nelson County once per week. She noted that this person had specifically volunteered to come to Nelson. She then noted story #2, "Senior Centers Keeping a Watchful Eye Out" which gave examples of a caring group looking out for each other. She then noted that they had made greater outreach efforts in Rosewood Village and would soon be sharing those stories.

**III. Public Hearings**

**A. Special Use Permit #2016-01 - Ms. Elizabeth Jackson, Tax Map Parcel #7-A-25:** Pursuant to Zoning Ordinance Article 5 ("Residential District R-1"), Section 5-1-2a ("Double-wide mobile home mounted on a permanent concrete or block foundation"), the applicant requests approval to replace a former single family dwelling, damaged in a fire, with a double-wide manufactured home. The subject property is a 2.0-acre parcel zoned Residential (R-1) and Agricultural (A-1), located in Afton at 1617 Avon Road.

Mr. Carter noted that the Board was asked to consider Special Use Permit #2016-01 for Ms. Elizabeth Jackson, Tax Map #7-A-25 located at 1617 Avon Road in Afton. He noted the subject property was two (2) acres in size and had split zoning of R-1 and A-1. He advised that fire had destroyed the single family detached home and because the new structure would be located in the R-1 area of the property, it had to have a special use permit per Section 5-1-2a of the Zoning Ordinance.

Mr. Carter reported that the minor site plan had been waived, the Health Department had okayed the septic system for new use, and the setbacks could be met. Mr. Carter then noted that the four (4) criteria considered for these had been met as follows:

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- A. *The use shall not tend to change the character and established pattern of development of the area or community in which it proposes to locate.*
- B. *The use shall be in harmony with the uses permitted by right in the zoning district and shall not affect adversely the use of neighboring property.*
- C. *The proposed use shall be adequately served by essential public or private services such as streets, drainage facilities, fire protection and public or private water and sewer facilities.*
- D. *The proposed use shall not result in the destruction, loss or damage of any feature determined to be of significant ecological, scenic or historic importance.*

He then noted that following their public hearing, the Planning Commission had recommended approval of the special use permit subject to Health Department approval and subject to compliance with all setback requirements.

The Board then indicated they had no questions for Mr. Carter or the applicant. Mr. Hale noted that Mr. Padalino had provided each member with a detailed report including photos etc. so they were very familiar with it.

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

Mr. Bruguiere moved to approve Special Use permit #2016-01 and Ms. Brennan seconded the motion. Mr. Hale noted that it certainly made sense and the request was understandable and he thought it appropriate that it be approved.

There being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion.

#### **IV. Other Business (As May Be Presented)**

There was no other business considered by the Board.

#### **V. Adjournment**

At 7:30 PM, Ms. Brennan moved to adjourn and Mr. Bruguiere seconded the motion. There being no further discussion, Supervisors voted unanimously by voice vote to approve the motion and the meeting adjourned.