

AGENDA
NELSON COUNTY BOARD OF SUPERVISORS
June 26, 2014
THE CONTINUED MEETING CONVENES AT 4:00 P.M.
IN THE GENERAL DISTRICT COURTROOM
AT THE COURTHOUSE IN LOVINGSTON

- I. Call to Order**
- II. Public Comments**
- III. Presentation – Blue Ridge Railway Trail (E. Harper)**
- IV. Board/Commission Appointments**
- V. Other Business**
 - A. Resolution Authorizing Sole Source Procurement for a Maintenance Agreement with Alcatel-Lucent (R2014-45)**
 - B. FY14 Budget Amendment (R2014-46)**
- VI. Adjournment**



1996-2014

A lot has happened between 1959 & 2014



Groundbreaking





Phase 1 Opened 2003 Piney River to Roses Mill



Mile 0 – 1.6



The Piney River



Piney River Bridge & Rose Mill Trailhead

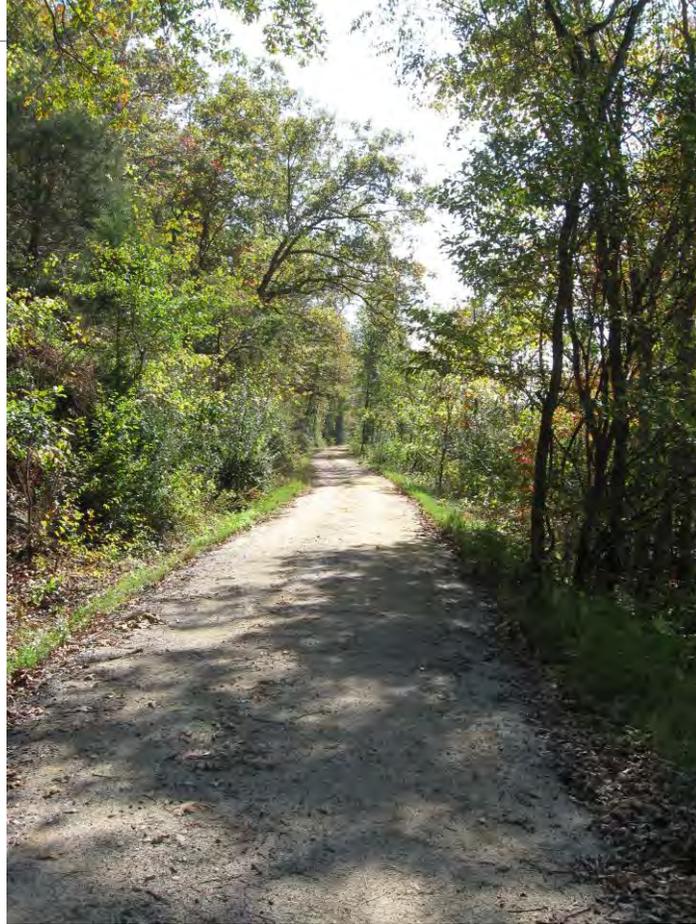


Phase II Opened Nov. 2008



Roses Mill To Naked Creek Bridge

1.6- 4 Mile



Phase III

The Depot, Railroad History & The Naked Creek Bridge



Mile 0 & the Track Trail Kiosk



Naked Creek Bridge

BeforeAfter



Historic Park - Milepost 7 2012 Scale Shed & Scales



Work in Progress

Dec. 2013



January 2014



Tip Car



The Historic Park



RRES Destination Imagination Team Project 2013



Kids in Parks Track Trail Kiosk & Bench donated by Boxley



Trail Maps

Located at the
Piney River & Roses Mill
Trailheads

Information:
Rules & Regulations
Mileage
Amenities
Area Map



Virginia Blue Ridge Railway Trail

Nelson & Amherst Counties

PHASE I

Architectural Services: Land Planning & Design Associates, Inc. – Bill Mechnick

Contractor: Keith Barber Construction Inc. Project Manager: Fred Boger

Completed: Piney River to Rose Mill

Funding: Enhancement Grant (VDOT)

PHASE II

Architectural Services: Land Planning & Design Associates, Inc. – Bill Mechnick

Contractor: Keith Barber Construction Inc. Project Manager: Fred Boger

Completed: 4 bridges - Enhancement Grant (VDOT)

Trail -Recreational Trail Fund (DCR)

Congressional Grant - Goodlatte

PHASE III

Architectural Services: Architectural Partners – Mark Smith

Land Planning & Design Associates, Inc. – Julie Basic

Contractor: Keith Barber Construction, Inc. Project Manager: Fred Boger & Emily Harper

Completed: Depot Restoration, Covered Naked Creek Bridge, Restored the Scales, Tip Car, & Push Car

Funding: Enhancement Grant (VDOT)

Thank you for your interest in the Virginia Blue Ridge Railway Trail

We will continue to maintain and improve the trail.

You can be a part of this process by donating your time or contributions to the Foundation.

The Virginia Blue Ridge Railway Foundation

P.O. Box 1318 Amherst, VA 24521

Nelson County

434-263-7130 eharper@nelsoncounty.org

Amherst County

434-946-9371 slchristian@countyofamherst.com

Restored railway trail set to debut Saturday

Rachael Smith | Posted: Thursday, June 5, 2014 11:00 am



Virginia Blue Ridge Railway Trail

The final phase of the project now is complete with the restoration of two historic sites along the trail — the Piney River Depot (pictured) and the Historic Railroad Park.

The Virginia Blue Ridge Railway Trail has officially opened for good after more than 15 years and three phases of planning, funding, designing and dreaming, the Virginia Blue Ridge Railway Trail Foundation, in partnership with Nelson and Amherst counties, invites the public to enjoy the natural beauty of the restored trail this Saturday from noon to 2 p.m. to celebrate its grand opening as part of National Trails Day.

The final phase of the project, which runs along a former rail bed through Amherst and Nelson counties, now is complete with the restoration of two historic sites along the trail — the Piney River Depot and the Historic Railroad Park.

“It is a very nice, scenic trail,” said Emily Harper, Nelson Parks and Recreation Director. “It goes along the Piney and Tye Rivers and is very quiet and private. A great place for bicyclists and it’s a great place for kids. It’s a nice, flat, easy trail.”

The project began more than 20 years ago in 1987, when Steve and Popie Martin purchased an easement because it runs alongside their farm in Amherst. The Martins were concerned with competitors who were also interested in the land, and what they might turn it into.

“We bought the railway right away,” Popie said. “We did it to protect ourselves.”

Ten years later, the Martins were approached by the Sierra Club, the Blue Ridge Saddle and Harness Club and the Nelson Bicycling Alliance with the idea of creating a railway trail. The Martins couldn’t think of a better use for the site, and accepted.

This committee evolved into the Virginia Blue Ridge Railway Trail Foundation. The board gained the support of the local governments as well as the regional planning district commissions.

Funding was one of the biggest hurdles for the group, but eventually the project received eight grants through the state, administered by the Virginia Department of Transportation through the federal Transportation Enhancement Program. The property then was donated to both Amherst and Nelson counties.

The trail begins in Nelson, crosses the Piney River into Amherst, then crosses the Tye River back into Nelson. The two counties share responsibility of maintaining cleanup.

After three phases of construction and planning, the trail now expands about seven miles long.

The latest phase of the project included completing the restoration of the Piney River Depot, putting a covered bridge at Naked Creek and adding trail signs.

Mark Smith was the architect and project manager during the third phase of the project. His firm, Architectural Partners, became involved with the project in 2012.

Restoring the depot was the easy part, he wrote in an email, since it is the type of historic rehabilitation project that the firm normally performs.

Other aspects of the project, such as the tip car, which is like a dump truck on rail wheels, and the restoration of the weigh scales and a pit at the historical park, were unique.

“These parts of the project were fun to do, and I probably will not get another client that has these types of restoration pieces included in our projects (but would like to),” Smith wrote.

Janet Hunter, former president of the Virginia Blue Ridge Railway Trail, said she can remember when the project was started all those years ago.

“Four or five of us went down there and it was a mess,” Hunter said. “We couldn’t even find the old rail bed. But we thought, ‘wouldn’t it be a nice thing to do. Let’s see if we can make it happen.’”

She said the board members put in physical labor to clear away brush and clean up the entire trail during monthly work days. They also spent time researching the history of the railroad and the geology and geography of the area.

Both Harper and Hunter are happy with how the trail turned out but still hope to change one thing. Currently, there is no exit at the end of the trail.

“It is a huge relief to have it done, but we would still like to ultimately get a right-of-way to get a trail head at the Tye River Depot,” Hunter said.

With limited bike trails in the area, Harper said the trail is beneficial to all who enjoy hiking, bicycling or horseback riding — or even cross-country skiing in the winter when it snows.

“This trail was specifically made for [horseback riding],” she said. “You need somewhere to bike. You need somewhere to ride your horse.”

The easement around the trail does not include the nearby rivers in many spots, so trail users are discouraged from getting in the water. However, the river may be accessed certain times of the year for special events, such as the Piney River Mini Triathlon each year in April, in which participants run, bike and paddle along the river.

Though the board plans to expand the trail further east in the future, the hope now is to just bring residents out to enjoy the trail and all it has to offer.

“We say we are done and it’s so nice to get to that stage,” Hunter said. “But the board will continue to attend to the trail and approach the right-of-way but for right now, we are done.”

The trail offers an incentive for children through a Blue Ridge Parkway Foundation called TRACK Trails. The trail provides pamphlets for kids that helps them identify different plants and animals on the trail. Once they finish, the kids can register online and receive prizes.

“It’s such a wonderful thing to have this trail because it’s something the families can enjoy,” Hunter said. “It’s a wonderful resource and user-friendly. It was truly a grass-roots effort.”

“We love the trail,” Popie said. “We think it’s a wonderful use of the property. You don’t see much of civilization or telephone lines, and there is so much wildlife to be seen. Every time we see someone on the trail, it makes us happy.”

IF YOU GO

- » What: Grand opening of the Virginia Blue Ridge Railway Trail
- » When: This Saturday from noon to 2 p.m. (June 7)
- » Where: The Piney River Depot and trailhead, located at 3124 Patrick Henry Highway in Piney River
- » More info: Lunch available for purchase. For more information, call (434) 263-7130 or email

eharper@nelsoncounty.org.

June 26, 2014

(1) New Vacancies/Expiring Seats & New Applicants :					
Board/Commission	Term Expiring	Term & Limit Y/N	Incumbent	Re-appointment	Applicant (Order of Pref.)
Nelson County Service Authority	6/30/2014	4Years/No Limit	Allen Hale - East Russell Otis - Central Tommy Harvey - North	N Y Y-Verbal	Robert McSwain
Local Board of Building Code Appeals	6/30/2014	4Years/No Limit	Robert L. Yoder Robin Meyer	Y Y	
Economic Development Authority (EDA)	6/30/2014	4Years/No Limit	Natt A. Hall, Jr. J. Alphonso Taylor	Y Y	
Library Advisory Committee	6/30/2014	4Years/No Limit	Ellen Bouton - North Nancy K. Kritzer - East	Y N	
Planning Commission	6/30/2014	4Years/No Limit	Phillipa Proulx - North Emily Hunt - East Linda Russell - Central	Y Y	
Department of Social Services Board	6/30/2014 6/30/2017	4Years/2 Term Limit	Joan Giles - West Pauline Page - East Donald Gray - North	Y Y N	
TJ Area Community Criminal Justice Board	6/30/2014	3Years/2 Term Limit*	Jim Hall	Y	
<i>* term limit does not apply if noone else is qualified</i>					
(2) Existing Vacancies:					
Board/Commission	Terms Expired	Term & Limit Y/N	Number of Vacancies		
JABA Advisory Council	12/31/2013	2 Year/No Limit	Deborah Harvey	N	No Applications Received

NELSON COUNTY SERVICE AUTHORITY

NAME, ADDRESS & PHONE

TERM 4 Years, No Limits

VACANT– **North District**

June 8, 2010 – June 30, 2014

Russell B. Otis - **Central District**

July 1, 2010 - June 30, 2014

286 Riverfield Farm LN

Faber, VA 22938

H: (434) 263-5527

W: (434) 325-8531

rotiswpoa@cs.com

Allen M. Hale- **East District**

July 1, 2010 -June 30, 2014

3130 Laurel Rd.

Shipman, VA 22971

W: (434) 263-8671

super@buteobooks.com

Edward L. Rothgeb- **South District**

July 1, 2012 - June 30, 2016

P.O. Box 98

Shipman, VA 22971

H: (434) 263-5272

David S. Hight – **West District**

July 1, 2012 - June 30, 2016

P.O. Box 5

Roseland, VA 22967

H: (434) 277-5351

Authority : Established by the Code of Virginia §15.2-5113 and Nelson County Code Chapter 12 - Utilities

Membership: 5 Members appointed by Election District.

Term: 4 Years, July 1 – June 30. No term limits

Summary of Duties: To serve as the governing Board of the Nelson County Service Authority.

Meetings: Regular meetings are held monthly on the third Thursday of each month at 2pm. Members are compensated \$75 per meeting plus mileage paid at the existing State mileage rate per BOS Resolution dated April 12, 2005.



Nelson County Service Authority Board

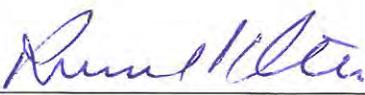
Please return form to:

County Administrator's Office
Attn: Candy McGarry - Appointments
P.O. Box 336
Lovington, VA 22949
Fax: (434) 263-7004 or cmcgarry@nelsoncounty.org

YES - I would like to be considered for re-appointment to this Board/Committee.

NO - I would not like to be considered for re-appointment to this Board/Committee.

Printed Name: Russell B. Otis

Signed Name:  Date: 5/6/2014

NELSON COUNTY BOARDS AND COMMISSIONS APPLICATION FORM

Subject: Appointments - Statement of Interest Form

Completing this form is one way to indicate your interest in being considered for appointment to some of the Boards, Commissions and Committees appointed by the Board of Supervisors. All appointments remain at the discretion of the Board of Supervisors.

Please complete and mail this form to:

Nelson County Board of Supervisors
Attention: Stephen A. Carter, Clerk of Board
Post Office Box 336
Lovingston, VA 22949

or fax to (434) 263-7004.

Date: **June 17, 2014**

Mr. Mrs. Ms.

Name: **Robert J. McSwain**

List a maximum of three (3) Boards on which you are interested in serving.

1. **Nelson County Service Authority**
2. _____
3. _____

Home Address: **3254 Dutch Creek Lane, Shipman, VA 22971**

Occupation: **Retired** Employed by: **N/A**

Home Phone No.: **434-263-6714** Business Phone No.: **N/A**

Fax No.: **N/A** E-Mail Address: losthorseshoe2@gmail.com

Do you live in Nelson County? **Yes**

Are you currently a member of a County Board, Commission, Committee or Authority? **Yes**

If yes, list the Board(s): **Board of Equalization**

What talent(s) and/or experience can you bring to the Board(s)?

I have been attending the NCSA board meetings since 2005 as an interested citizen, and I am already familiar with the operations and finances of the organization. Although I have no formal education

with respect to water and sewer operations, as a former employee of the U.S. Government for 30 years, I am well acquainted with managing programs under tight budgetary constraints, coordinating inter-agency dialogue, and setting policies that require long-term strategic thinking.

What do you feel you can contribute to the Board(s) and to the community that may not be evident from information already on this form?

My original reason for attending NCSA meetings was to learn about the impact of the Authority's projects on the County budget and local development. If I am appointed to the Board, my goal would be to look for ways to improve the long-term viability of the water and sewer system, taking into account the needs of the customers, the costs to the County as a whole, and long-term environmental considerations.

ATTENDANCE REQUIREMENTS

Section 2-153, Absences, Chapter 2, Administration, Article V. Appointments for Boards and Commissions of the Nelson County Code, an appointee of the Board of Supervisors who either (a) fails, during a calendar year, to attend seventy-five percent of the regular meetings of the board or commission of which he/she is a member, or (b) is absent for three consecutive regular meetings, shall be deemed to have tendered his/her resignation from such position. The Board of Supervisors may accept such resignation by appointing another person to fill the position.

In light of the above, will you be able to attend at least 75% of the regular meetings of the boards to which you may be appointed?

Yes

LOCAL BOARD OF BUILDING CODE APPEALS

<u>NAME & ADDRESS</u>	<u>TERM ENDING</u>
Clarence Craig, Jr. 3973 Williamstown Road Shipman, VA 22971 (434) 263-5858	JUNE 30, 2016
Kenneth H. Taylor 2415 Arrington Road Arrington, V A 22922 (434) 263-5564	JUNE 30, 2016
Steve Crandall 13804 Patrick Henry Highway Roseland, V A 22967 (434) 325-2125	JUNE 30, 2016
Robin Meyer (Architect) 15 Orchard Rd. Charlottesville, VA 22903 (434) 987-4112 rmeyer@nelsoncable.com	JUNE 30, 2014
Robert L. Yoder (Architect) 80 Tuckahoe LN Nellysford, VA 22958 (757) 675-1449 BobYoderArchitect@gmail.com	JUNE 30, 2014

LOCAL BOARD OF BUILDING CODE APPEALS

Establishment:

Established per Section 36-105, of the Code of Virginia, 1950 as amended and Section 119 of the Virginia Uniform Statewide Building Code effective March 1, 2011 and Ordinance O2011-05 adopted August 9, 2011

Term:

Four year terms except for the first three initial appointees' terms shall expire on June 30, 2012. The remaining two appointees' terms shall expire June 30, 2014. Members may be re-appointed without limitation. A member appointed to fill a vacancy shall serve the unexpired term of the member being replaced. At the request of the Board of Supervisors, a serving member may sit beyond the expiration of his term until such time as his successor may be appointed; however, the successor's term shall not be extended by such delay.

Composition:

Members of the LBBCA shall be selected by the Board of Supervisors on the basis of their ability to render fair and competent decisions regarding application of the USBC and shall to the extent possible, represent different occupational or professional fields relating to the construction industry. At least one member should be an experienced builder; at least one member should be a licensed architect or professional engineer, and at least one member should be an experienced property manager. Employees and officials of the locality shall not serve as members of the LBBCA.

Summary of Duties:

To rule on disagreements between the local enforcers of the Virginia Statewide Fire Prevention Code ("the SFPC") or the Virginia Uniform Statewide Building Code ("the USBC") and those persons being regulated under the codes. The power of the local board of appeals is to, when presented with an appeal, rule on the application of the SFPC or USBC by the enforcing agency or to rule on the enforcing agency's denial of a modification request. In exercising these powers, the local board of appeals may reverse or affirm, wholly or partly, or modify any decision under review as well as to determine whether an appeal is properly before them

Meetings:

The LBBCA shall meet at least once annually to assure a duly constituted board, appoint officers as necessary, and receive such training on the USBC as may be appropriate or necessary from staff of the locality. Members are compensated \$75 per meeting.



Nelson County Local Board of Building Code Appeals

Please return form to: County Administrator's Office
Attn: Candy McGarry - Appointments
P.O. Box 336
Lovington, VA 22949
Fax: (434) 263-7004 or cmcgarry@nelsoncounty.org

YES - I would like to be considered for re-appointment to this Board/Committee.

NO - I would not like to be considered for re-appointment to this Board/Committee.

Printed Name: Robin Meyer

Signed Name: Robin J. Meyer Date: 4.15.14



Nelson County Local Board of Building Code Appeals

Please return form to: County Administrator's Office
Attn: Candy McGarry - Appointments
P.O. Box 336
Lovington, VA 22949
Fax: (434) 263-7004 or cmegarry@nelsoncounty.org

YES - I would like to be considered for re-appointment to this Board/Committee.

NO - I would not like to be considered for re-appointment to this Board/Committee.

Printed Name: ROBERT L. YOOPER

Signed Name:  Date: _____

NELSON COUNTY ECONOMIC DEVELOPMENT AUTHORITY

NAME, ADDRESS & PHONE

TERM

Mark B. Robinette
P.O. Box 135
Roseland, VA 22967
434-277-9251 (H)
mrobinette@co.bedford.va.us

July 1, 2011 -June 30, 2015
(Appointed 2-14-12)

John Bruguiera
8063 Rockfish Valley Hwy
Afton, VA 22920
434-277-5516 (W)
540-456-6778 (H)
THB@Ceva.net

July 1, 2011 -June 30, 2015

R. Carlton Ballowe
19218 Thomas Nelson Hwy
Faber, VA 22938
434-263-6285 (H)
434-996-7796 (W)
catbalu1@aol.com

July 1, 2012 –June 30, 2016
(Appointed 3-12-13)

Emily H. Pelton
1488 Afton Mountain Rd.
Afton, VA 22920
434-531-7754 (Cell)
540-456-8000 Ext.103 (W)
Emily@veritaswines.com

July 1, 2012 –June 30, 2016

Gregory J. Kelly
602 Wills Lane
Lovingsston, VA 22949
434-263-8336
gkelly@forcvec.com

July 1, 2013 – June 30, 2017

Natt A. Hall, Jr.
462 Horseshoe Mountain Rd.
Roseland, VA 22967
434-361-1780

July 1, 2010 – June 30, 2014

J. Alphonso Taylor
288 Village Rd.
Shipman, VA 22971
434-263-5894 (H)
434-263-6195 (W)

July 1, 2010 – June 30, 2014

- Authority: **Established pursuant to the Code of Virginia §15.2-4903 et seq.**
- Membership: Consists of seven (7) County Resident members
- Term: 4 years, July – June (Staggered) with **no term limits.**
- Summary of Duties: To administer the provisions of Virginia State Code §15.2-4905
- Meetings: Meets on the 1st Thursday of each month. Members are compensated \$75 per meeting plus mileage.



Nelson County Economic Development Authority

Please return form to: County Administrator's Office
Attn: Candy McGarry - Appointments
P.O. Box 336
Lovington, VA 22949
Fax: (434) 263-7004 or cmcgarry@nelsoncounty.org

YES - I would like to be considered for re-appointment to this Committee.

NO - I would not like to be considered for re-appointment to this Committee.

Printed Name: J. Alphonso Taylor

Signed Name: J. Alphonso Taylor Date: April 22, 2014



Nelson County Economic Development Authority

Please return form to:

County Administrator's Office

Attn: Candy McGarry - Appointments

P.O. Box 336

Lovington, VA 22949

Fax: (434) 263-7004 or cmcgarry@nelsoncounty.org

YES - I would like to be considered for re-appointment to this Committee.

NO - I would not like to be considered for re-appointment to this Committee.

Printed Name: Narr Hall

Signed Name: Narr Hall Date: 4/20/14

NELSON COUNTY LIBRARY ADVISORY COMMITTEE

NAME, ADDRESS & PHONE

TERM :4 Years, July-June

Ellen Bouton – **North District**
395 Goodwin Creek Trail
Afton, Va. 22920
(540) 456-6746

July 1, 2010 – June 30, 2014

Jane Strauss- **Central District**
112 River View Lane
Faber, VA 22938
(434) 263-8294
msjane@ntelos.net

July 1, 2011 - June 30, 2015

Nancy K. Kritzer- **East District**
5018 Stagebridge Rd.
Shipman, VA 22971

October 11, 2010 - June 30, 2014

Jean B. Holliday- **South District**
24 Kingswood Ln
Arrington, VA 22922
(434) 263-5266

June 30, 2013 – July 1, 2017

Audrey D. Evans – **West District**
1184 Dickie Rd.
Roseland, VA 22967
(434) 277-5814
bossmare@ceva.net

July 1, 2012 - June 30, 2016
(Appointed 2-12-13)

Membership: 5 Members by Election District.

Term(s) of Office: Regular Terms are 4 years July – June, with no term limits. Membership is voluntary.

Summary of Duties: To serve in an advisory capacity to the Jefferson Madison Regional Library Nelson member of the Board, the JMRL Librarian, and the Nelson Librarian.

Meetings: Monthly on the 3rd Monday from 4-6 PM at the Nelson Memorial Library. Members serve on a voluntary basis.



Nelson County Library Advisory Committee

Please return form to: County Administrator's Office
Attn: Candy McGarry - Appointments
P.O. Box 336
Lovington, VA 22949
Fax: (434) 263-7004 or cmcgarry@nelsoncounty.org

YES - I would like to be considered for re-appointment to this Committee.

NO - I would not like to be considered for re-appointment to this Committee.

Printed Name: Ellen Bouton

Signed Name: Ellen H. Bouton Date: 28 April 2014



Nelson County Library Advisory Committee

Please return form to: County Administrator's Office
Attn: Candy McGarry - Appointments
P.O. Box 336
Lovington, VA 22949
Fax: (434) 263-7004 or cmcgarry@nelsoncounty.org

YES - I would like to be considered for re-appointment to this Committee.

NO - I would not like to be considered for re-appointment to this Committee.

Printed Name: Nancy Kritzer

Signed Name: nancy k Kritzer Date: 6-4-14

NELSON COUNTY PLANNING COMMISSION

NAME, ADDRESS & PHONE

TERM EXPIRATION

Phillipa Proulx – **North District**
950 Avon Road
Afton, VA 22920
(540) 456-6849

June 30, 2014

Linda C. Russell- **Central District**
1236 Stoney Creek W.
Nellysford, VA 22958
(434) 361-2137

June 30, 2014

Emily K. Hunt- **East District**
P.O. Box 150
Schuyler, VA 22969

June 30, 2014

Mary Kathryn Allen- **South District**
1115 Gladstone Road
Gladstone, VA 24553
(434) 933-8214 (H)
(434) 942-7695 (W)
mkallen@vaems.org

June 30, 2016

Michael E. Harman – **West District**
2828 Embly's Gap Road
Roseland, VA 22967
(434) 277-5016

June 30, 2016

Authority: Established by the Code of Virginia §15.2-2200 et seq. and County Code Article II, Sec.9-26

Membership: 6 members: 5 Appointments by Election District, with 1 appointed Board of Supervisors member.

Term: 4 Years, July 1 – June 30, **No Term Limits**

Summary of Duties: As Established by the Code of Virginia §15.1-427.1 et seq., the Board members serve in order to promote the orderly development of the County and to plan community centers with adequate highway, utility, health, educational and recreational facilities, and to provide for the needs of agriculture, industry and business in future growth. This includes interpretation and development of the County Zoning and Subdivision Ordinance with review of citizen applications for re-zoning requests, conditional use permits, and subdivision requests with subsequent recommendations to the Board of Supervisors for action on such applications.

Meetings: Regular meetings are held the fourth Wednesday of each month with the exception of November. Members are compensated \$75 per meeting plus mileage paid at the existing State mileage rate.

RECEIVED

APR 25 2014

COUNTY ADMINISTRATOR'S
OFFICE



Nelson County Planning Commission

Please return form to:

County Administrator's Office

Attn: Candy McGarry - Appointments

P.O. Box 336

Lovington, VA 22949

Fax: (434) 263-7004 or cmcgarry@nelsoncounty.org

YES - I would like to be considered for re-appointment to this Board/Committee.

NO - I would not like to be considered for re-appointment to this Board/Committee.

Printed Name: _____

Linda Russell

Signed Name: _____

Linda Russell

Date: _____

4/22/14



Nelson County Planning Commission

Please return form to: County Administrator's Office
Attn: Candy McGarry - Appointments
P.O. Box 336
Lovingson, VA 22949
Fax: (434) 263-7004 or cmcgarry@nelsoncounty.org

YES - I would like to be considered for re-appointment to this Board/Committee.

NO - I would not like to be considered for re-appointment to this Board/Committee.

Printed Name: PHILIPPA PROULX

Signed Name: P. Proulx Date: 4-15-14

NELSON COUNTY SOCIAL SERVICES BOARD

NAME, ADDRESS & PHONE

TERM (July – June) 4 Years, 2 Term Limit

Joan Giles – **West District**
719 Cow Hollow Road
Roseland, VA 22967
(434) 277-9266
Jgiles1242@gmail.com

July 1, 2010 – June 30, 2014 (**Reg. Term 1**)

Pauline Page – **East District**
134 Miles LN
Faber, VA 22938
434-263-8223
nomondays@aol.com

July 1, 2010 – June 30, 2014 (**Reg. Term 1**)

Constance Brennan
524 Buck Creek Lane
Faber, VA 22938
H (434) 263-4690
connie@cstone.net

January 2014 – December 31, 2014

Donald Gray – **North District**
1188 Afton Mtn. Rd.
Afton, VA 22920
540-456-6016

July 1, 2013 – June 30, 2017 (**Reg. Term 2**)
(Effective October 1, 2009)

Joseph B. Williamson – **South District**
115 Phoenix Rd.
Arrington, VA 22922
(434) 263-8874
jwilliamson@nelson.k12.va.us

July 1, 2011 – June 30, 2015 (**Reg. Term 1**)

Clifford Savell – **Central District**
14 Crystal Lane
Faber, VA 22938
434-361-0165
funex@falafeldog.com

July 1, 2012 – June 30, 2016 (**Reg. Term 1**)

Authority: Established by the Code of Virginia §63.2-300 et seq.

Membership: 5 Members appointed by Election District.

Term: 4 Years, July 1 – June 30. **2 term limit**

Summary of Duties: To provide, either directly or through the purchase of services subject to the supervision of the Commissioner and in accordance with regulations adopted by the Board, any or all child welfare services herein described when such services are not available through other agencies serving residents in the locality such as: Protecting the welfare of all children including handicapped, homeless, dependent, or neglected children; preventing or remedying, or assisting in the solution of problems that may result in the neglect, abuse, exploitation or

delinquency of children; preventing the unnecessary separation of children from their families by identifying family problems, assisting families in resolving these problems and preventing the break up of the family where preventing the removal of a child is desirable and possible;

NELSON COUNTY SOCIAL SERVICES BOARD

Summary of Duties Cont'd:

Restoring to their families children who have been removed by providing services to the families and children; placing children in suitable adoptive homes in cases where restoration to the biological family is not possible or appropriate; and assuring adequate care of children away from their homes in cases where they cannot be returned home or placed for adoption.

The local board is also authorized and, as may be provided by regulations of the Board, shall provide rehabilitation and other services to help individuals attain or retain self-care or self-support and such services as are likely to prevent or reduce dependency and, in the case of dependent children, to maintain and strengthen family life.

Meetings: Regular meetings are held monthly on the third Tuesday of each month at 1:00 PM at the Dept. of Social Services building in Lovington. Members are compensated \$75 per meeting plus mileage paid at the existing State mileage rate.



Nelson County Social Services Board

Please return form to:

County Administrator's Office

Attn: Candy McGarry - Appointments

P.O. Box 336

Lovington, VA 22949

Fax: (434) 263-7004 or cmcgarry@nelsoncounty.org

YES - I would like to be considered for re-appointment to this Board/Committee.

NO - I would not like to be considered for re-appointment to this Board/Committee.

Printed Name:

Pauline Page

Signed Name:

PAULINE PAGE

Date: *4-16-14*



Nelson County Social Services Board

Please return form to: County Administrator's Office
Attn: Candy McGarry - Appointments
P.O. Box 336
Lovington, VA 22949
Fax: (434) 263-7004 or cmcgarry@nelsoncounty.org

YES - I would like to be considered for re-appointment to this Board/Committee.

NO - I would not like to be considered for re-appointment to this Board/Committee.

Printed Name: JOAN Giles

Signed Name: Jean Giles Date: 5-16-14

THOMAS JEFFERSON AREA COMMUNITY CRIMINAL JUSTICE BOARD

NAME, ADDRESS & PHONE

TERM

Governing Body Representative

Annually Appointed

Connie Brennan connie@cstone.net
524 Buck Creek Lane
Faber, VA 22938
434-263-4690

January 1, 2014– December 31, 2014
(Annual BOS Resolution)

Citizen Representative

3 Years, 2 Consecutive Term Limit

James E. Hall jimhall171@gmail.com
194 Horseshoe Rd.
Arrington, VA 22922
434-263-6343

July 1, 2011 – June 30, 2014 (**Term 3**)

Authority: Established by the Code of Virginia §53.1-180 et seq. & §19.2-152 et seq.

Membership: Local membership is one (1) Governing Body Representative and one (1) Citizen Representative. Members serve on a volunteer basis.

Term(s) of Office: The Governing Body representative is annually appointed at the BOS annual organizational meeting; the Citizen Representative Term is 3 years with a **2 consecutive term limit unless no other person meets the criteria for the position.**

Summary of Duties: To enable participating localities to work together to develop community-based pretrial court services and post conviction alternatives to incarceration for misdemeanants and certain non-violent felons.

Meetings: Meetings are held 4 times a year usually on a Monday evening at 5:00 PM at the Albemarle County Office Building. Thomas Jefferson Area Community Criminal Justice Board, Thomas Jefferson Area Crisis Intervention Team (CIT), 750 Harris Street, Suite 207, Charlottesville, VA 22902, Office: (434) 296 - 2441 Ext: 117, FAX: (434) 979 – 4038 thomasvh@oar-jacc.org

Candy McGarry

From: Jim Hall <jimhall171@gmail.com>
Sent: Thursday, April 17, 2014 11:08 AM
To: Candy McGarry
Cc: 'Stephanie Garbo'
Subject: FW: CCJB Question
Attachments: Continued Service - TJ Community Criminal Justice Board James E. Hall.doc

Mrs. McGarry,

I did send an email inquiring about the reappointment to CCJB over a month ago. Apparently like other emails it went into the Never Never Land of Emails. I do appreciate the outline you have given Miss Garbo and myself concerning the appointment. As I have stated in the past I do want to continue to serve on the CCJB and await any other correspondence that you may send.

I do hope that the information you have provided will answer Miss Garbo's questions.

Thank You

Jim Hall, Colonel
Retired Police Chief
Nelson County Rep.
194 Horseshoe Road
Arrington, VA 22922
434-579-1139 (Cell)
434-263-6343 (Home)

From: Candy McGarry [mailto:CMcGarry@nelsoncounty.org]
Sent: Thursday, April 17, 2014 10:20 AM
To: jim hall
Cc: Stephanie Garbo
Subject: RE: CCJB Question
Importance: High

Hi Jim,

I have not received any correspondence from you regarding your CCJB appointment (are you thinking of the James River ASAP Board?); however it does expire 6/30/2014. This is the end of your third consecutive term and we were going with the following code language which allowed you continue beyond your 2 term limit (see attached letter dated June 21, 2011):

the Citizen Representative Term is 3 years with a 2 consecutive term limit unless no other person meets the criteria for the position.

We will advertise the seat and if no other person meets the criteria for the position, I am confident the BOS will make your reappointment at either their June 10th or July 8th meeting. We will keep you apprised of how the solicitation for candidates is going and do very much appreciate your service and willingness to continue to serve on the Board!

Please let me know if you have any other questions/concerns, thank you!

Best, Candy

Candy McGarry
Nelson County Administrator's Office
Administrative Asst./Deputy Clerk
ph: 434-263-7002
fax: 434-263-7004

From: jim hall [<mailto:jimhall171@gmail.com>]
Sent: Thursday, April 17, 2014 10:00 AM
To: Stephanie Garbo
Cc: Candy McGarry
Subject: Re: CCJB Question

I have contacted Mrs McGarry but have not heard back. By way of this email I am copying her. I am not sure when the Board of Supervisors will make the appointment. I have indicated to Mrs. McGarry that I am willing to continue to serve on the CCJB. I plan to be at the Executive Board meeting on May 5th at 4:30 pm.

Jim

On Apr 17, 2014 9:15 AM, "Stephanie Garbo" <sgarbo@oar-jacc.org> wrote:

Good Morning,

I am following up from our meeting in March about you potentially being reappointed to serve on the CCJB. I had that it was your first term that was ending on 6/30/14. You stated it was definitely not your first term and you would talk to the Nelson County BOS to determine if they would reappoint you or someone else.

Our next meeting is on 5/5 5:30-7, with the Executive Committee meeting at 4:30. The meeting will be at the Thomas Jefferson Planning District (407 E Water St. Charlottesville). I am working on finalizing the agenda.

Thank you for all of your assistance.

Stephanie Garbo, MA

Criminal Justice Coordinator

OAR-Jefferson Area Community Corrections

750 Harris St. Suite 207

Charlottesville, VA 22903

[434-296-2441](tel:434-296-2441) x117

Fax: [434-979-4038](tel:434-979-4038)

June 13, 2014

To: Steve Carter

From: Susan Rorrer

RE: Alcatel-Lucent Microwave Maintenance Agreement

The County wishes to enter into a three year maintenance agreement with Alcatel-Lucent for support and maintenance of the County's microwave network. The Alcatel-Lucent microwave network provides the required connectivity between radio communications tower sites for the County's simulcast radio communications system and is therefore considered critical public safety infrastructure which must be operational 24 x 7 x 365.

The maintenance agreement provides 24/7 technical support to staff and service providers for troubleshooting alarms and failures in the system, provides software patch and maintenance releases, provides for repair or exchange of all Alcatel-Lucent equipment and parts, provides 24/7 four hour onsite response for corrective maintenance for all assistance requests and annual preventive maintenance.

The contract price is \$44,357.00 per year for three years for a total of \$133,071 over the contract period. The three year agreement (versus one year agreements) provides a savings to the County in the amount of \$6,243 over the three year period. The County's procurement policy states that sole source procurements for amounts greater than \$100,000 require that the Board of Supervisors pass a resolution authorizing the procurement. The following information provides justification for the sole source procurement:

Alcatel Lucent is the manufacturer of the equipment that the County wishes to cover under the maintenance agreement.

Alcatel Lucent is the only source available for manufacturer provided technical support.

Alcatel Lucent is the only source available to obtain software patch and maintenance releases.

Alcatel Lucent is the only source available to provide the manufacturers return for repair services.

RESOLUTION R2014-45
PROCUREMENT EXCEPTION
ALCATEL-LUCENT MICROWAVE MAINTENANCE AGREEMENT

WHEREAS, the Nelson County Purchasing Manual amended November 10, 2011 prescribes procedures for Sole Source purchasing such that the purchase of non-professional services greater than \$100,000 requires a resolution approved by the Board of Supervisors reflecting the written sole source determination; and

WHEREAS, Title 2.2-4303 of the Code of Virginia requires the local governing body to make written determination and documentation that competitive sealed bidding or competitive negotiation is either not practicable or not fiscally advantageous; and

WHEREAS, the County currently utilizes Alcatel-Lucent microwave technology in the delivery of its public safety communications and desires to enter into a 3-year maintenance agreement with Alcatel-Lucent for a total of \$133,071 versus a year to year agreement that would cost the County approximately \$6,243 more over the same three year period;

NOW, THEREFORE, BE IT RESOLVED by the Nelson County Board of Supervisors that the formal bidding process is not practicable or fiscally advantageous because the microwave network system was manufactured by Alcatel-Lucent and is the equipment that the County wishes to cover under the maintenance agreement. Alcatel-Lucent is the only source available for manufacturer provided technical support, is the only source available to obtain software patches and maintenance releases from, and is the only source available to provide for the manufacturer's return for repair services;

BE IT FINALLY RESOLVED by the Nelson County Board of Supervisors that a procurement exception is allowed such that the County is authorized to enter into a 3-year maintenance agreement with Alcatel-Lucent in the amount of \$133,071.

Adopted: _____, 2014

Attest: _____, Clerk
Nelson County Board of Supervisors

Nelson County

Purchasing Policy

and Procedures

As Approved by the
Nelson County Board of Supervisors
By Resolution on November 10, 2011

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CHAPTER ONE INTRODUCTION

By resolution of the Board of Supervisors, Nelson County implemented a system of central accounting in 1983 whereby accounting entries for the School Board, Department of Social Services, and General County government are maintained within a centralized accounting software. An internal part of the County's accounting system is the policies and procedures applicable to purchasing supplies, equipment, materials and commodities for all departments, offices, and employees of the County. The Purchasing Agent is responsible for managing County purchases under the supervision of the County Administrator. Presently the School Board and Department of Social Services are performing all purchasing for their activities independently of the Board of Supervisors. This system is authorized by the Code of Virginia.

All available appropriations will be checked and verified before a Purchase Order is issued. Although it is the responsibility of the department head to keep expenditures within the appropriated budget, this is verified by the Finance Department prior to the issuance of each Purchase Order. To the maximum extent feasible, purchasing requirements will be automated as a part of the County's *accounting software*. Budgetary reports are processed within the same accounting software. The issuance of the actual Purchase Order and recording the encumbrance may be tracked within the accounting software or by other means as deemed administratively necessary and in conformance to governmental accounting standards. *Examples of the required forms are contained in the appendices of this report.*

Any employee who makes an unauthorized purchase, or otherwise fails to follow county procurement regulations as stated herein, may have their purchasing responsibilities suspended or revoked, may face additional disciplinary action including termination of employment, and may be held personally liable for any charges incurred.

The Virginia Code should be used to reference any issues not directly included within this document. Sections of the Code of Virginia applicable to purchasing in Nelson County are as follows:

§ 15.2-414. County purchasing agent.

- A. *The county shall have a county purchasing agent. The county administrator shall, unless and until the board selects a county purchasing agent or designates some other officer to act as county purchasing agent, exercise the powers conferred and perform the duties imposed upon the county purchasing agent.*
- B. *The county purchasing agent shall, subject to such exceptions as the board may allow, make all purchases for the county and its departments, officers and agencies.*
- C. *The county purchasing agent may also transfer supplies, materials and equipment between, and sell surplus equipment, materials and supplies not needed by, the departments, officers and agencies of the county.*
- D. *With the approval of the board, the county purchasing agent may establish specifications or standards for equipment, materials and supplies to be purchased and inspect deliveries to determine their compliance with such specifications and standards.*

E. *All purchases and sales by the county purchasing agent shall be made in accordance with Chapter 43 (§ 2.2-4300 et seq.) of Title 2.2 and under such rules and regulations consistent with Chapter 43 of Title 2.2 as the board provides.*

F. *The county purchasing agent shall have charge of such storage rooms and warehouses of the county as the board provides.*

§ 15.2-1238. Certification of sufficient funds.

Except in emergency, no order for delivery on a contract or open market order for supplies or contractual services for any county department or agency shall be awarded until the chief financial officer has certified that the unencumbered balance in the appropriation concerned, in excess of all unpaid obligations, is sufficient to defray the cost of such order.

§ 2.2-4300-C. Declaration of intent (ethics in public contracting).

To the end that public bodies in the Commonwealth obtain high quality goods and services at reasonable cost, that all procurement procedures be conducted in a fair and impartial manner with avoidance of any impropriety or appearance of impropriety, that all qualified vendors have access to public business and that no offeror be arbitrarily or capriciously excluded, it is the intent of the General Assembly that competition be sought to the maximum feasible degree, that procurement procedures involve openness and administrative efficiency, that individual public bodies enjoy broad flexibility in fashioning details of such competition, that the rules governing contract awards be made clear in advance of the competition, that specifications reflect the procurement needs of the purchasing body rather than being drawn to favor a particular vendor, and that the purchaser and vendor freely exchange information concerning what is sought to be procured and what is offered. Public bodies may consider best value concepts when procuring goods and nonprofessional services, but not construction or professional services. The criteria, factors, and basis for consideration of best value and the process for the consideration of best value shall be as stated in the procurement solicitation.

§ 2.2-4304. Cooperative procurement.

A. *Any public body may participate in, sponsor, conduct, or administer a cooperative procurement agreement on behalf of or in conjunction with one or more other public bodies, or public agencies or institutions or localities of the several states, of the United States or its territories, the District of Columbia, or the U.S. General Services Administration, for the purpose of combining requirements to increase efficiency or reduce administrative expenses in any acquisition of goods and services.*

A public body may purchase from another public body's contract even if it did not participate in the request for proposal or invitation to bid, if the request for proposal or invitation to bid specified that the procurement was being conducted on behalf of other public bodies, except for:

1. *Contracts for architectural or engineering services; or*

2. *Construction in excess of \$200,000 by a local public body from the contract of another local public body that is more than a straight line distance of 75 miles from the territorial limits of the local public body procuring the construction. The*

installation of artificial turf or other athletic surfaces shall not be subject to the limitations prescribed in this subdivision. Nothing in this subdivision shall be construed to prohibit sole source or emergency procurements awarded pursuant to subsections E and F of § [2.2-4303](#).

In instances where any authority, department, agency, or institution of the Commonwealth desires to purchase information technology and telecommunications goods and services from another public body's contract and the procurement was conducted on behalf of other public bodies, such purchase shall be permitted if approved by the Chief Information Officer of the Commonwealth. Any public body that enters into a cooperative procurement agreement with a county, city, or town whose governing body has adopted alternative policies and procedures pursuant to subdivisions A 9 and A 10 of § [2.2-4343](#) shall comply with the alternative policies and procedures adopted by the governing body of such county, city, or town.

B. Subject to the provisions of §§ [2.2-1110](#), [2.2-1111](#), [2.2-1120](#) and [2.2-2012](#), any authority, department, agency, or institution of the Commonwealth may participate in, sponsor, conduct, or administer a cooperative procurement arrangement on behalf of or in conjunction with public bodies, private health or educational institutions or with public agencies or institutions of the several states, territories of the United States, or the District of Columbia, for the purpose of combining requirements to effect cost savings or reduce administrative expense in any acquisition of goods and services, other than professional services. A public body may purchase from any authority, department, agency or institution of the Commonwealth's contract even if it did not participate in the request for proposal or invitation to bid, if the request for proposal or invitation to bid specified that the procurement was being conducted on behalf of other public bodies. In such instances, deviation from the procurement procedures set forth in this chapter and the administrative policies and procedures established to implement this chapter shall be permitted, if approved by the Director of the Division of Purchases and Supply.

Pursuant to § [2.2-2012](#), such approval is not required if the procurement arrangement is for telecommunications and information technology goods and services of every description. In instances where the procurement arrangement is for telecommunications and information technology goods and services, such arrangement shall be permitted if approved by the Chief Information Officer of the Commonwealth. However, such acquisitions shall be procured competitively.

Nothing herein shall prohibit the payment by direct or indirect means of any administrative fee that will allow for participation in any such arrangement.

C. As authorized by the United States Congress and consistent with applicable federal regulations, and provided the terms of the contract permit such purchases:

1. Any authority, department, agency, or institution of the Commonwealth may purchase goods and nonprofessional services, other than telecommunications and information technology, from a U.S. General Services Administration contract or a contract awarded by any other agency of the U.S. government, upon approval of the

director of the Division of Purchases and Supply of the Department of General Services;

2. Any authority, department, agency, or institution of the Commonwealth may purchase telecommunications and information technology goods and nonprofessional services from a U.S. General Services Administration contract or a contract awarded by any other agency of the U.S. government, upon approval of the Chief Information Officer of the Commonwealth; and

3. Any county, city, town, or school board may purchase goods and nonprofessional services from a U.S. General Services Administration contract or a contract awarded by any other agency of the U.S. government.

§ 2.2-4342. Public inspection of certain records.

- A. Except as provided in this section, all proceedings, records, contracts and other public records relating to procurement transactions shall be open to the inspection of any citizen, or any interested person, firm or corporation, in accordance with the Virginia Freedom of Information Act (§ 2.2-3700 et seq.).*
- B. Cost estimates relating to a proposed procurement transaction prepared by or for a public body shall not be open to public inspection.*
- C. Any competitive sealed bidding bidder, upon request, shall be afforded the opportunity to inspect bid records within a reasonable time after the opening of all bids but prior to award, except in the event that the public body decides not to accept any of the bids and to reopen the contract. Otherwise, bid records shall be open to public inspection only after award of the contract.*
- D. Any competitive negotiation offeror, upon request, shall be afforded the opportunity to inspect proposal records within a reasonable time after the evaluation and negotiations of proposals are completed but prior to award, except in the event that the public body decides not to accept any of the proposals and to reopen the contract. Otherwise, proposal records shall be open to public inspection only after award of the contract.*
- E. Any inspection of procurement transaction records under this section shall be subject to reasonable restrictions to ensure the security and integrity of the records.*
- F. Trade secrets or proprietary information submitted by a bidder, offeror or contractor in connection with a procurement transaction or prequalification application submitted pursuant to subsection B of § 2.2-4317 shall not be subject to the Virginia Freedom of Information Act (§ 2.2-3700 et seq.); however, the bidder, offeror or contractor shall (i) invoke the protections of this section prior to or upon submission of the data or other materials, (ii) identify the data or other materials to be protected, and (iii) state the reasons why protection is necessary.*

CHAPTER TWO

PURCHASE REQUISITIONS

This chapter outlines the recommended use of Purchase Requisitions for all departments and offices in Nelson County. Rules and procedures for preparing Purchase Requisitions must be closely followed if the purchasing system is to be successful.

Purchase Limit Requirements:

The following requirements are applicable to all purchases except those governed by "Special Situations" (as stated later in Chapter Two):

A. Under \$2,500:

The County of Nelson, Virginia permits, through its Purchasing Agent or specific designees, purchases for goods and services under \$2,500 without submitting a Requisition for Purchase or obtaining a Purchase Order.

B. \$2,500 to \$50,000:

For purchases between \$2,500 and \$30,000, there must be either three (3) telephone, three (3) written, or three (3) internet quotations. Purchases greater than \$30,000 and up to \$50,000 shall require the written informal solicitation of a minimum of four (4) bidders or offerors. Additionally, for purchases of goods and services other than professional services that are expected to exceed \$30,000, a public notice shall be posted on either the Department of General Services' central electronic procurement website, or any other appropriate websites. Please see below for specific information and instructions.

C. Over \$50,000 and up to \$100,000:

Purchases of supplies, materials, equipment, and non-professional services greater than \$50,000 and up to \$100,000 shall require the written solicitation of four (4) bidders or offerors and a public notice shall be posted on either the Department of General Services' central electronic procurement website, or any other appropriate websites. Purchases of professional services greater than \$50,000 and up to \$100,000 shall be procured through the competitive negotiation process as set forth in the Code of Virginia, § 2.2-4301 et. seq.

D. Over \$100,000:

The Virginia Public Procurement Act (*Code of Virginia, Sect. 2.2-4300 et. seq.*) shall be followed for all purchases over \$100,000 unless otherwise authorized by the Board of Supervisors.

All County departments and offices must submit a *Requisition for Purchase (Exhibit 1)* for any item or group of items totaling \$2,500 to \$100,000. The requisition should be prepared well in advance of the need for the goods and services to allow ample time for delivery. The Requisition for Purchase must be completed by the department head or his/her duly authorized representative. Each department head must submit to the Purchasing Department a list of personnel in his/her department authorized to approve the Requisition for Purchase. Department heads or their representatives are authorized to obtain written, telephone and/or internet quotations.

The Requisition for Purchase must be prepared and submitted to the Finance Department for a Purchase Order to be generated. The originating department is responsible for resolving any questions regarding the anticipated purchase before the Purchase Requisition is forwarded to the Finance Department. All requests must specify the suggested vendor, complete with address and

contact information. The Purchasing Agent reserves the right to make the final choice of a vendor. Any disputes regarding vendor selection are to be resolved by the County Administrator.

- In an effort to promote ecological or “green” products and services when available for purchases under \$100,000, preference may be granted to such vendors if the price differential does not exceed two percent (2%) of the otherwise lowest price quote.
- If the vendor providing the lowest estimate is not selected for purchases under \$100,000, sufficient written justification must be provided supporting vendor selection.

The details of the goods or services requisitioned should be clearly stated on the Purchase Requisition. The quantity should be indicated as well as the units in which the goods are ordered, e.g., pounds, dozen, each. The using department shall include the price for each unit and attach the required quotes. If the total purchase exceeds the \$100,000 maximum allowable, or \$50,000 for the purchase of professional services, a written request for proposal or invitation for bids must be issued.

The department head or his/her authorized representative must certify on each requisition that the items requested are necessary and that un-obligated funds are available by comparing requisitions with periodic budget expenditure reports furnished to department heads by the Finance Department.

For purchases totaling \$2,500 to \$100,000 quotes must be provided as indicated herein when submitting a Requisition for Purchase. For purchases between \$2,500 and \$30,000, at least *three (3)* quotations (telephone, internet, or written) should be obtained and recorded on the *Telephone/Internet Quotation Form (Exhibits 2 and 3)*. The Purchasing Agent has the authority to make exceptions on the necessary competition on a case by case basis for purchases \$30,000 or less. Purchases of supplies, materials, equipment and non-professional services greater than \$30,000 and up to \$100,000 shall require the written informal solicitation of a minimum of four (4) bidders or offerors and a public notice shall be posted on either the Department of General Services’ central electronic procurement website, or any other appropriate websites. Purchases of professional services greater than \$30,000 and up to \$50,000 shall require the written informal solicitation of a minimum of four (4) bidders or offerors. The Purchasing Agent, his/her representative, or the Department Head shall obtain all written quotations on the standard *Request for Written Quotation Form (Exhibit 4)* and attach them to the requisitions.

Occasionally, an office will make several purchases at one time under \$2,500 in order to avoid going through the Purchase Order procedure. This practice known as *split purchasing*, is detrimental to the goal of exercising proper fiscal control over County expenditures. If this practice becomes the rule rather than the exception, the remedy employed will be to require purchase orders for all expenditures, regardless of an amount. The Purchasing Agent may elect to set lower thresholds for purchase order requirements by department as necessary to assure competitive pricing for purchases under \$2,500.

Any requisition of supplies, materials, equipment and non-professional services totaling over \$100,000 must be obtained through competitive sealed bidding, unless otherwise authorized by the Board of Supervisors. Competitive negotiation may be utilized in lieu of competitive sealed bidding in accordance with the provisions of the Code of Virginia. Professional services over \$50,000 shall be procured through the competitive negotiation process. The procedures for competitive sealed bidding and competitive negotiation shall be followed as established in § 2.2-4301 of the Code of Virginia. The bidding document shall include the following information as appropriate for the procurement method selected:

- The department or office requesting bids.
- The specific deadline for the submission of sealed bids which includes the date, time and place. All sealed bids are to be clearly marked on the envelope.
- The amount and type of bond required, if any.
- The description of the items or work to be done.
- Completion date.
- Trade-in information, if applicable.
- Conditions of delivery.
- Notification of requirement that all bidders must submit signed statements of non-collusion with other bidders on the bid in question.
- Place where complete plans and specifications can be obtained or reviewed.
- Other compliance requirements as identified in the Virginia Public Procurement Act.

Bids are to be opened and read at the specific time and place at a meeting open to the public. Bids not received on time are to be returned unopened. Any or all bids may be rejected. All bids are formally awarded by the Nelson County Board of Supervisors or by the Purchasing Agent in accordance with the Board directives. A central bid award history file will be kept on record.

Exemptions from Competitive Procurement:

Those items and services exempt from normal competitive procurement procedures are as follows:

- Items traded or exchanged with another locality
- Dues, Subscriptions and Memberships
- Books, Magazines, and Periodicals
- Travel and Training Expense
- Utility Charges and Services
- Advertising
- Purchases from the State Penitentiary, State or Federal Surplus Property Centers, or through State contracts
- Legal Services
 - The Code of Virginia (§ 2.2-4344) allows exemption for legal services from competitive procurement. The County of Nelson may enter into contracts for legal services, expert witnesses, and other services associated with litigation or regulatory proceedings

without competitive sealed bidding or competitive negotiation, provided that the pertinent provisions of Chapter 5 (2.2-500 et seq., Code of Virginia) remain applicable.

- The purchase of goods or services that are produced or performed by:
 - Persons, or in schools or workshops, under the supervision of the Virginia Department for the Blind and Vision Impaired; or
 - Nonprofit sheltered workshops or other nonprofit organizations that offer transitional or supported employment services serving the handicapped as provided for in § 2.2-4344 of the Code of Virginia.
- Purchases of insurance or electric utility services if purchased through an association of which the County is a member if the association was formed and is maintained for the purpose of promoting the interest and welfare of and developing close relationships with similar public bodies, provided such association has procured the insurance or electric utility services by use of competitive principles and provided that the public body has made a determination in advance after reasonable notice to the public and set forth in writing that competitive sealed bidding and competitive negotiation are not fiscally advantageous to the public. The writing shall document the basis for this determination as provided for in § 2.2-4344 of the Code of Virginia.
 - Local Government Self-Insurance Pools organized pursuant to Chapter 27 of Title 15.2 of the Code of Virginia (§ 15.2-2700 et seq.) are owned by the political subdivisions which are its members. As such the Virginia Public Procurement Act does not apply, and it is not necessary for a local government to procure bids for insurance if it has elected to participate in a self-insurance pool.
- The purchase of goods, products, or commodities from a public auction sale if determination is made in advance and in writing by the County Administrator or his/her designee that the purchase is in the best interest of the county.
- Certain essential election materials and services as provided for in § 24.2-602 of the Code of Virginia.

Special Situations:

During the normal course of County government operations a number of special situations arise when purchasing goods or services. They are considered to be special for a variety of reasons such as infrequency of occurrence, technical considerations or need for uninterrupted supply. The County has anticipated and identified most of these circumstances for which applicable procedures have been developed. The following section of this chapter addresses the purchasing rules for special situations.

Equipment Repairs:

For equipment not covered by a service agreement, the responsible department will order the repair after evaluating the situation to be certain the cost of repair will not exceed the replacement cost of the equipment. The responsible department will submit a Purchase Requisition if the estimated cost of repair exceeds \$2,500. A minimum of two (2) vendor

estimates must be obtained. The Purchasing Agent will authorize repair after evaluating the cost, necessity, and any other significant considerations appropriate to the situation.

Vehicle Repairs:

Vehicle repair covered by insurance reimbursement is subject to estimate requirements as established by the insurance carrier. All other vehicle repair, not covered by insurance, should be performed at the Nelson County School Bus Garage. If repairs are extensive and must be out-sourced, then departments must submit a Purchase Requisition to the Finance Department and provide two (2) repair estimates. The Purchasing Agent or his/her designee will authorize repair after evaluating the cost, necessity, and any other significant considerations appropriate to the situation.

Bulk or Volume Purchasing:

When appropriate, the Finance Department will purchase particular groups of commodities for multiple departments whenever practical and cost effective. Consolidating purchases by buying in bulk provides an opportunity for securing significant savings due to volume buying.

The Finance Department will identify commodities where bulk purchasing will be to the County's advantage and request departments to submit their requirements. Appropriate procurement procedures will be followed.

Sole Source Purchasing:

Sole source procurement is made when there is only one source practicably available for the goods or services required. In a sole source situation, competition is not available or there are no practicable alternatives. This differs from a proprietary purchase where the product required is manufactured by only one company, but is sold through distributors and competition between them can be obtained. Upon a determination in writing by the County Administrator or his/her designee that there is only one source practicably available for that which is to be procured, a contract may be negotiated and awarded to that source without a competitive procurement process. The writing shall document the basis for this determination and validate that the purchase is in the best interest of the public.

For purchases of goods and non-professional services greater than \$100,000 and for purchases of professional services greater than \$50,000, the Board of Supervisors shall approve a resolution that reflects the written sole source determination. A written notice shall be issued stating that only one source was determined to be practicably available and identifying that which is being procured, the contractor selected, and the date on which the contract was or will be awarded. This notice shall be posted on the Department of General Services' central electronic procurement website or other appropriate websites, and in addition, the County may publish in a newspaper of general circulation on the day the County awards or announces its decision to award the contract, whichever occurs first.

Maintenance Agreement Purchasing:

It is best to consider purchasing equipment maintenance agreements at the time of the equipment purchase in order to obtain competitive pricing during purchase negotiations. If maintenance agreements are obtained separately after equipment is purchased, price quotes and purchase requisitions are required subject to cost as outlined under the *Purchase Limit Requirements* section herein unless the exceptions noted below are applicable.

- Annual renewals may be initiated for up to four (4) years following the original contract period provided that the cost does not increase more than five percent (5%) per annum.
- Multiple year contract renewals may be renewed for only one additional contract period provided that the annual renewal increases do not exceed five percent (5%) per annum.
- In each of these instances (annual renewals/multiple year contract renewals), a purchase requisition is required, but no quotes must be obtained for a purchase order to be issued provided the cost increases meet the above criteria.
- Warranty extensions may be negotiated with the manufacturer or licensed provider. The Purchasing Agent or his/her designee may authorize warranty extensions after evaluating the repair/replacements costs, necessity, and other significant considerations. The warranty extension cost should never exceed the replacement cost.

Procedures for Emergency Purchases:

Instances may arise in which the defined purchasing system will not secure the needed goods or services within the necessary time frame.

The *definition of an emergency* would include a breakdown or imminent potential breakdown in essential services, or circumstances under which goods or services are needed for immediate use in work which may vitally affect the health, safety and welfare of the public, or which may interrupt the normal operations of County services as well as other appropriate circumstances. Emergency purchase procedures do not apply to situations arising from poor planning, overlooked requirements or inadequate forecasting. Emergency purchasing is not intended to serve as a balance for poor management. If the Purchasing Agent is not satisfied that the purchase was an emergency, the County Administrator will be notified and appropriate action will be taken.

- *During Normal Business Hours* - The user department shall immediately notify the Purchasing Agent, who will either supply or purchase the needed items directly, or will authorize the using department to do the same (if the purchase exceeds \$2,500). Competitive procurement should be utilized as is practicable under the circumstances.
- *Outside Normal Business Hours* - The user department will directly purchase the needed items, and the department head will forward to the Purchasing Agent a completed Requisition for Purchase (if the cost exceeds \$2,500) using competitive procurement as is practicable under the circumstances. For all emergency purchases, the delivery ticket, receipt or other documentation with a brief written description of the circumstances regarding the purchase must be forwarded to the Purchasing Agent by the next business work day. The County Administrator may authorize an extension to this due date in extreme emergencies.

CHAPTER THREE PURCHASE ORDERS

A Purchase Order is a formal offer by the County to purchase goods or services from a supplier or vendor for future delivery. The Purchase Order is an offer and may be withdrawn by the County at any time up until it is accepted in writing or by the beginning of performance as in the case of services.

Each Department Head or Constitutional Officer must submit to the Finance Department a list of no more than 3 personnel in his/her department authorized to initiate a purchase requisition. Ultimately, however, the Department Head or Constitutional Officer for each department is responsible for purchases made by authorized personnel in that department. Additionally, the Department Head or Constitutional Officer is responsible for ensuring that all purchases are within the departmental budget.

Once the certified *Requisition for Purchase* has been received by the Finance Department, all available appropriations will be checked and verified to confirm that the unencumbered balance exists sufficient to meet the obligation. Upon confirmation of the availability of funds, the actual purchasing process begins. The requisition is verified for accuracy and compliance with the purchase limit requirements established herein. Additionally, the Purchasing Agent will commence or supervise the formal bidding process, if applicable. Finally, after the optimal vendor is determined, a *Purchase Order (Exhibit 5)* is prepared and issued. All Purchase Orders must be signed by the purchasing agent or his/her designee.

Purchase Orders issued will be processed as follows:

- The original (white copy) will be mailed or faxed directly to the vendor when the order is placed.
- The second copy (green) will be returned to the department making the requisition. When the goods are actually received by the department, the items, quantities, and prices should be checked against the Purchase Order for accuracy. Once verified, this copy of the Purchase Order will be attached to the invoice(s) and submitted to the Finance Department for payment processing.
- The third copy (yellow) will be retained by the Finance Department in an alphabetical vendor file.
- The fourth copy (pink) will be retained by the Finance Department in a numerical Purchase Order file.

CHAPTER FOUR

INVOICE PROCESSING

Generally, in order to minimize the possibility of simple transcription errors, judgment errors, or intentional defalcations, assigned duties and responsibilities for the various steps within a system should be assigned to different individuals. This basic premise of good internal control gives integrity to the system and the information obtained there from.

The following is a description of functional responsibility in regard to invoice processing:

- **Department Heads/Constitutional Officers:** All invoices must be submitted for payment with a completed *Approved Invoice Register (Exhibit 6)* by the 3rd working day of each month (unless otherwise designated by the Finance and Human Resources Department). The register must be signed by the Department Head, Constitutional Officer, or designee authorizing payments. Each invoice/receipt for purchase must include the departmental budget code designation for the expenditure and the authorizer's initials documenting approval of the expense.
- **Finance Technician:** Verification is made to determine that Purchase Orders have been obtained for required purchases (according to procurement policy) and that items purchased, prices, and account code designations listed on the Purchase Orders and invoices are in agreement. Any discrepancies are resolved before further processing and payment is authorized only for items actually received. The Finance Technician makes manual corrective changes as necessary which must be verified and authorized by the Purchasing Agent. Invoices are entered into the accounting software and an edit list for vendor checks to be processed is generated for accuracy verification. Once verified, these checks are produced and submitted to the Treasurer's Office for signature and verification by check register. Checks ready for release are randomly reviewed by another member of the Finance Department staff. Payment reports are produced from the accounting system for signature approval by the Board of Supervisors' chairperson. Vendor invoices, purchase orders, invoice registers, check registers, and other payment system reports are kept on file in the Finance Department according to records management requirements as determined by the Library of Virginia for each of these documents.
- **Purchasing Agent:** Purchase Orders are issued by the Purchasing Agent after approving the Requisition for Purchase as submitted by the Department Head/Constitutional Officer. Any manual corrections made to invoice registers by the Finance Technician will be verified/authorized by the Purchasing Agent. The Invoice Register summary provided by the Finance Technician is verified for accuracy. The Purchasing Agent or his/her designee initiates and/or supervises formal procurement processes as necessary for purchases of professional services over \$50,000 and for purchases of supplies, materials, equipment, and non-professional services over \$100,000 and tracks contractual payments to vendors to ensure the County is invoiced in accordance with contract provisions.

CHAPTER FIVE

DISPOSITION OF SURPLUS PROPERTY

The Finance Department has the responsibility of maintaining documentation of the County's fixed assets and surplus equipment disposition. County department heads shall notify the Purchasing Agent of all tangible property under their management with a cost of at least \$5,000 to be claimed as a fixed asset and all tangible property (regardless of value) deemed to be surplus. This notification shall take place on an annual basis for auditing purposes.

Equipment and other County tangible property may be deemed surplus if it is no longer required, if it is not economically feasible to operate or repair, or if it is obsolete. It is the responsibility of the department to periodically review its equipment and determine that which is surplus by notifying the Purchasing Agent in writing. Such property may be disposed of by one of the following means and/or measures:

- Redistribution of serviceable excess equipment to other County departments or public schools.
- Recyclable material contracts for disposal of items such as but not limited to scrap metal, paper, waste oil, scrap tires, obsolete computers, etc.
- Disposal of surplus County tangible property through sealed bid, auction (including online public auctions), or fixed-price sale to allow competitive bids wherever feasible in accordance with the Code of Virginia § 15.2-1236; 1950, § 15-544; 1962, c.623, § 15.1-108; 1977, c. 217; 1980, c. 16; 1982, c. 647; 1997, c. 587.
- If reasonable attempts of disposal through the bidding or fixed-price sales process are unsuccessful, then the County Administrator is authorized to arrange for disposition of the item(s).
- Disposal of surplus items purchased with grants must meet grant requirements for disposal.
- Trade-in allowances on equipment being replaced shall be applied against the purchase cost of new equipment whenever possible in order to obtain competitive pricing.
- Dismantle surplus property for parts use in repairs.
- Scrap surplus items that are damaged, obsolete, etc., having no market value may be deposited at a County solid waste site provided such items are not prohibited by the Nelson County Solid Waste Ordinance.
- Donate surplus property directly to a charitable or nonprofit organization or public body as appropriate and allowable by law.
- Disposal by any other means requires written approval by the County Administrator or his/her designee.

Real Property shall not be included in the disposal guidelines of Surplus Property. Under § 15.2-734 of the Code of Virginia regarding purchase, sale, exchange, or lease of real property, no such land shall be disposed of unless and until the governing body has held a public hearing concerning such disposal.

CHAPTER SIX

TRAVEL EXPENSES AND USE OF COUNTY CREDIT CARDS

Authorized travel on County business paid with County funds shall be governed by regulations as stated in section 6.15 of the Nelson County Personnel Policies and Procedures Manual. For travel expenses reimbursed by state, federal, or grant funding, the guidelines of the appropriate funding source shall apply.

Department Heads, Constitutional Officers, and other employees authorized to use County credit cards are required to abide by the regulations set forth in section 20.1 of the Nelson County Personnel Policies and Procedures Manual. All employees are given a printed copy of sections 6.15 and 20.1 of the policy to keep for reference and must complete an acceptance form confirming their receipt of and agreement to comply with the policy guidelines.

APPENDIX A
PURCHASING POLICY FORMS (EXHIBITS 1-6 ATTACHMENT FILES)

- A-1. Exhibit 1 - Requisition for Purchase
- A-2. Exhibit 2 - Telephone / Internet Quotation Form
- A-3. Exhibit 3 - Telephone / Internet Single Vendor Quotation Form
- A-4. Exhibit 4 - Request for Written Quotation
- A-5. Exhibit 5 - Purchase Order
- A-6. Exhibit 6 - Approved Invoice Register

**RESOLUTION R2014-46
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF FISCAL YEAR 2013-2014 BUDGET
NELSON COUNTY, VA
June 26, 2014**

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

I. Appropriation of Funds (General Fund)

<u>Amount</u>	<u>Revenue Account (-)</u>	<u>Expenditure Account (+)</u>
\$ 3,252.00	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>
\$ 4,000.00	4-100-999000-9901	4-100-032020-5415

Adopted: _____, 2014

Attest: _____, Clerk
Nelson County Board of Supervisors

EXPLANATION OF BUDGET AMENDMENT

- I. The **General Fund Appropriation** reflects an appropriation request by the Commonwealth Attorney for asset forfeiture funds in the amount of **\$3,252**. This request is to purchase office furniture/equipment.
- II. The **Transfer of Funds** includes a transfer from General Fund Contingency for fire and rescue fuel expense in the amount of **\$4,000**.

