

8 November, 2013

To: Board of Supervisors

From: S. Carter *SA*

Re: November 14, 2013 Board of Supervisors Meeting (Agenda Summary)

The re-scheduled November 2013 meeting of the Board of Supervisors will be conducted on at 2 p.m. on 11-14-13 in the General District Courtroom. Per discussion of the agenda with Chairman Bruguiere, the evening session has been canceled. A brief summary of the matters to be considered includes:

I. Call to Order: Chairman Bruguiere inclusive of Moment of Silence and Pledge of Allegiance.

II. Consent Agenda: In addition to minutes, refunds and an FY 13-14 Budget amendment (see agenda); the consent agenda includes a resolution providing for acceptance of property to be acquired from Lynn and Bruce Tyler pertinent to the County's Blue Ridge Tunnel Project.

III. Public Comments & Presentation: Following the Board's receipt of input from the public, the Board will hear presentations from Mr. David Blount on the 2014 TJPDC Legislative Program and from Ms. Alyson Sappington on implementation of the state mandated local Stormwater Management Program. An approval resolution is included for endorsement of the 2014 Legislative Program. With regard to the Stormwater Management Program, Ms. Sappington's presentation is the introductory step in initiating local approval of the County's Stormwater Management Program. Material included in the agenda for the Board's review include a draft stormwater ordinance, policy and procedure documents, fee program fee schedules, an implementation schedule and an application flow chart. It is noted that County's program must be endorsed by the Board by not later than April 2014 for submittal to VA-DEQ and, thereafter, the program will become effective on July 1, 2014.

Following the above presentations, the Board will consider information developed by staff to provide for transportation related recommendations to the Commonwealth Transportation Board and VDOT for the ensuing Fiscal Year 2015-2020 Six Year Improvement Program (FY 15-20 SYIP – Primary System). The agenda includes the most recent recommendations (as submitted in 2011) with subsequent changes and recommendations related to the recently completed Route 151 Corridor Study. Input from the County, as established by the Board, must be submitted to the CTB and VDOT by not later than December 6, 2013 for consideration for inclusion in the FY 15-20 SYIP.

IV. New Business: As may be presented.

V. Reports, Appointments, Directive, Correspondence: See Agenda

VI. Adjournment: Board of Supervisors

AGENDA
NELSON COUNTY BOARD OF SUPERVISORS
November 14, 2013

**THE REGULAR MEETING CONVENES AT 2:00 P.M. IN THE GENERAL DISTRICT
COURTROOM OF THE COURTHOUSE IN LOVINGSTON**

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

- II. Consent Agenda**
 - A. Resolution –**R2013-73** Acceptance of Conveyance – Tyler Property
 - B. Resolution –**R2013-74** Minutes for Approval
 - C. Resolution –**R2013-75** COR Refunds
 - D. Resolution –**R2013-76** FY13-14 Budget Amendment

- III. Public Comments and Presentations**
 - A. Public Comments
 - B. Presentation – 2014 TJPDC Legislative Program Approval (**R2013-77**)
 - C. Presentation – Stormwater Management Program Implementation (A. Sappington)
 - D. VDOT Report
 - 1. 2015-2020 Six Year Improvement Plan (Primary SYIP)

- IV. New Business/ Unfinished Business (As May Be Presented)**

- V. Reports, Appointments, Directives, and Correspondence**
 - A. Reports
 - 1. County Administrator’s Report
 - 2. Board Reports
 - B. Appointments
 - C. Correspondence
 - D. Directives

- VI. Adjournment – The Evening Session Has Been Cancelled**

RESOLUTION R2013-73
NELSON COUNTY BOARD OF SUPERVISORS
AUTHORIZATION FOR ACCEPTANCE OF CONVEYANCE
BRUCE K. TYLER & LYNN A. TYLER

RESOLVED, by the Nelson County Board of Supervisors that the County Attorney, Philip D. Payne, IV is hereby authorized to accept the conveyance of property from Bruce K. Tyler and Lynn A. Tyler on behalf of the Nelson County Board of Supervisors; the conveyed property being .67 acres more or less, together with various easements, and .933 acres together with various easements all in the Rockfish Magisterial District of Nelson County.

Approved: November 14, 2013

Attest: _____, Clerk
Nelson County Board of Supervisors

RESOLUTION R2013-74
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF MEETING MINUTES
(October 8, 2013 and October 24, 2013)

RESOLVED, by the Nelson County Board of Supervisors that the minutes of said Board's meetings conducted on **October 8, 2013 and October 24, 2013** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

Approved: November 14, 2013

Attest: _____, Clerk
Nelson County Board of Supervisors

October 8, 2013

Virginia:

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

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

Absent: None

I. Call to Order

Mr. Bruguiera called the meeting to order at 2:05 pm, with all Supervisors present to establish a quorum.

- A. Moment of Silence
- B. Pledge of Allegiance – Ms. Brennan led the Pledge of Allegiance.

II. Consent Agenda

Mr. Hale noted a minor correction to the minutes for approval. He noted a correction to a person's name who spoke during public comments and this correction was duly noted by Ms. McGarry.

Ms. Brennan then moved to approve the Consent Agenda and Mr. Saunders seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following resolutions were adopted:

- A. Resolution –**R2013-67** Minutes for Approval

**RESOLUTION R2013-67
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF MEETING MINUTES
(September 10, 2013 and September 26, 2013)**

RESOLVED, by the Nelson County Board of Supervisors that the minutes of said Board's meetings conducted on **September 10, 2013 and September 26, 2013** be and hereby are

October 8, 2013

approved and authorized for entry into the official record of the Board of Supervisors meetings.

B. Resolution –**R2013-68** COR Refunds

**RESOLUTION R2013-68
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>
\$120.20	2010-2011 PP Tax & Vehicle License Fee	Jennifer Renee Lawson Ricketts 1513 West Beverly Street Staunton, VA 24401

C. Resolution –**R2013-69** FY13-14 Budget Amendment

**RESOLUTION R2013-69
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF FISCAL YEAR 2012-2013 BUDGET
NELSON COUNTY, VA
October 8, 2013**

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>
\$ 5,000.00	3-100-009999-0001	4-100-031020-5419
\$ 7,500.00	3-100-003303-0055	4-100-032010-7020
\$ 2,688.00	3-100-001303-0019	4-100-091030-5690
\$ 15,188.00		

II. Transfer of Funds (General Fund)

<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
\$ 50,000.00	4-100-999000-9905	4-100-091030-5665

October 8, 2013

D. Resolution –**R2013-70** Domestic Violence Awareness Month

**RESOLUTION R2013-70
NELSON COUNTY BOARD OF SUPERVISORS
OCTOBER, 2013 AS DOMESTIC VIOLENCE AWARENESS MONTH**

WHEREAS, violence against women, children, and men continues to become more prevalent as a social problem in our society; and

WHEREAS, the problems of domestic violence are not confined to any group or groups of people but cross all economic, racial and societal barriers, and are supported by societal indifference; and

WHEREAS, the crime of domestic violence violates an individual's privacy, dignity, security, and humanity, due to systematic use of physical, emotional, sexual, psychological and economic control and/or abuse, with the impact of this crime being wide-ranging; and

WHEREAS, in our quest to impose sanctions on those who break the law by perpetrating violence, we must also meet the needs of victims of domestic violence who often suffer grave physical, psychological and financial losses; and

WHEREAS, it is victims of domestic violence themselves who have been in the forefront of efforts to bring peace and equality to the home; and

WHEREAS, no one person, organization, agency or community can eliminate domestic violence on their own—we must work together to educate our entire population about what can be done to prevent such violence, support victims/survivors and their families, and increase support for agencies providing services to those community members; and

WHEREAS, the Shelter for Help in Emergency has led the way in the County of Nelson in addressing domestic violence by providing 24-hour hotline services to victims/survivors and their families, offering support and information, and empowering survivors to chart their own course for healing; and

WHEREAS, the Shelter for Help in Emergency commemorates its 34th year of providing unparalleled services to women, children and men who have been victimized by domestic violence;

NOW THEREFORE, BE IT RESOLVED, in recognition of the important work being done by the Shelter for Help in Emergency, that the Nelson County Board of Supervisors, do hereby proclaim the month of October 2012 as DOMESTIC VIOLENCE AWARENESS MONTH, and urge all citizens to actively participate in the scheduled activities and programs sponsored by the Shelter for Help in Emergency, and to work toward the elimination of personal and institutional violence against women, children and men.

E. Resolution –**R2013-71** Disability Employment Awareness Month

**RESOLUTION R2013-71
NELSON COUNTY BOARD OF SUPERVISORS
PROCLAMATION OF OCTOBER AS DISABILITY
EMPLOYMENT AWARENESS MONTH**

October 8, 2013

WHEREAS, every year since 1945 the President of the United States has proclaimed a National Observance in October to promote the employment of individuals with disabilities; and

WHEREAS, this tradition continues in October 2013 with “Because We Are EQUAL to the Task” as the theme for this year’s National Disability Employment Awareness Month; and

WHEREAS, nearly one in five Americans have some type of disability, making people with disabilities the nation’s largest minority; and

WHEREAS, our community needs to harness the potential of all of its citizens so that our economy can continue to grow and our labor force can meet the challenges on the horizon; and

WHEREAS, work is fundamental to identity, providing the opportunity to lead a more independent, self-directed life for all people; and

WHEREAS, we recognize that disability is a natural part of the human experience and affirm that disability in no way should limit a person’s ability to make choices, pursue meaningful careers, or participate fully in all aspects of life; and

WHEREAS, all of us have benefited from the achievements and contributions of people with disabilities; and

WHEREAS, attitudinal barriers can hinder people with disabilities from realizing their full potential; and

WHEREAS, education and public awareness are the most powerful tools for increasing sensitivity and achieving full integration and inclusion of people with disabilities into all aspects of life;

NOW, THEREFORE BE IT RESOLVED , the Nelson County Board of Supervisors hereby proclaims October 2013 as **DISABILITY EMPLOYMENT AWARENESS MONTH** in the County of Nelson, and calls this observance to the attention of all our citizens.

F. Resolution –**R2013-72** November 2013 BOS Meeting Date Change

RESOLUTION-R2013-72
NELSON COUNTY BOARD OF SUPERVISORS
RESCHEDULING OF FIRST NOVEMBER 2013 REGULAR MEETING

WHEREAS, the Nelson County Board of Supervisors hereby establishes that an alternate date for the Board’s regular monthly meeting on **November 12, 2013** is necessary due to the attendance of some members of said governing body at the annual conference of the Virginia Association of Counties through November 12, 2013;

NOW THEREFORE BE IT RESOLVED, by the Nelson County Board of Supervisors pursuant to §15.2-1416 (Regular meetings) of the Code of Virginia that the regular meeting of the Board on **Tuesday, November 12, 2013** be and hereby is rescheduled to **Thursday, November 14, 2013**.

BE IT FURTHER RESOLVED, that pursuant to §15.2-1416 (Regular meetings) of the Code of Virginia, all remaining Board of Supervisors meetings in calendar year 2013 shall be held in the General District Courtroom of the Courthouse in Lovingson, Virginia, unless otherwise resolved by said Board.

III. Public Comments and Presentations

A. Public Comments

1. Jason Hatfield, Disabilities Services Board Representative

Mr. Hatfield noted that it was his understanding that resolution **R2013-71** from the Consent Agenda would be read aloud. Mr. Hale then read aloud **R2013-71**, Proclamation of October as Disability Employment Awareness Month. Mr. Hatfield then noted that he would like it to be known that the proclamation was about civil rights and not just people with disabilities.

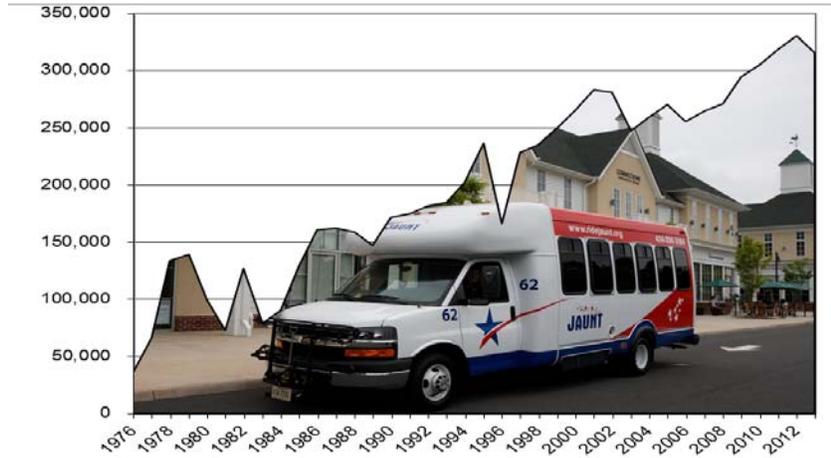
Following public comments, Ms. McCann introduced new employee, Stormy Hopkins, employed as the new Planning and Zoning Secretary starting October 1, 2013. She noted that Ms. Hopkins had worked at Sweetbriar College for seventeen years and brought a lot of skills to the office.

B. Presentation – JAUNT Annual Report (D. Shaunesey)

Ms. Donna Shaunesey, Executive Director of Jaunt presented the following power point over viewing their activities for FY 2013:

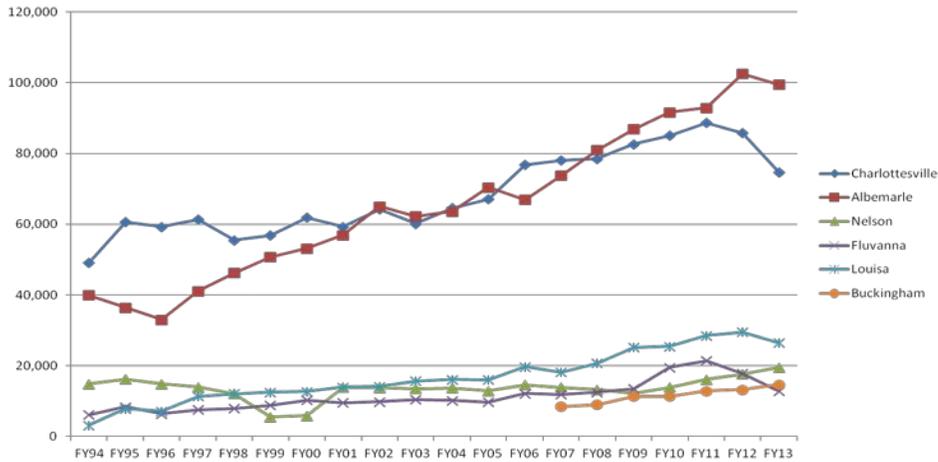
Ms. Shaunesey noted that there had been a small downturn in ridership due to cutbacks in some programs as shown below.

TOTAL ANNUAL RIDERSHIP



Ms. Shaunesey noted an upturn in Nelson was shown below and there was a downturn in Fluvanna County.

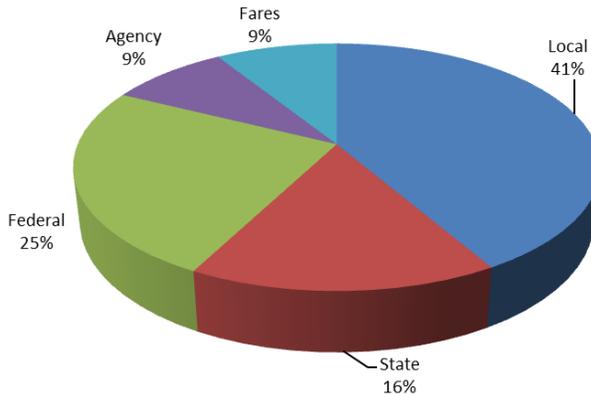
PUBLIC RIDERSHIP FY93 TO FY13



Ms. Shaunesey noted the shares of funding below.

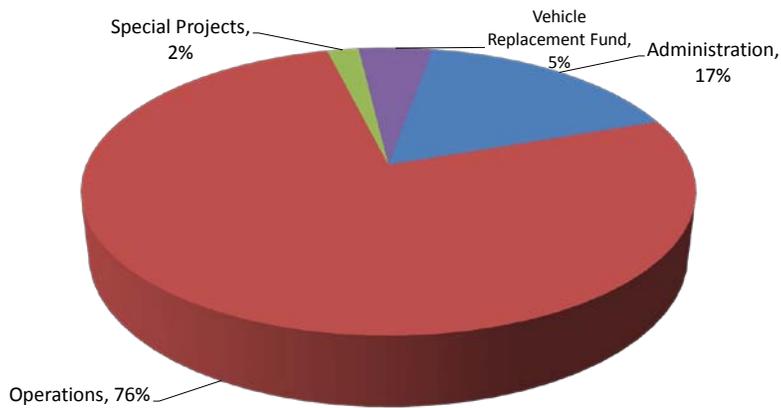
OVERALL FINANCIAL PICTURE: Revenue

FY13 Operating Revenues = \$5.7 million



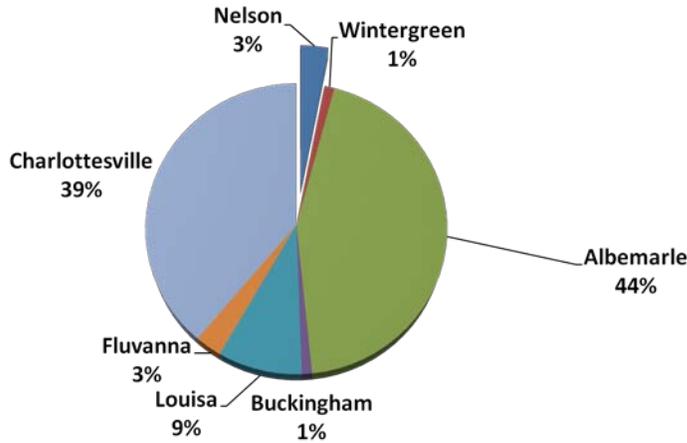
Ms. Shaunesey noted the % expenses and that they had to provide the local match for vehicle expenses in order to get federal dollars. She added that there were many things listed under administration that others would consider operations; such as maintenance on their scheduling software etc.; however the State had rules that they had to follow on this.

OVERALL FINANCIAL PICTURE: Expenses



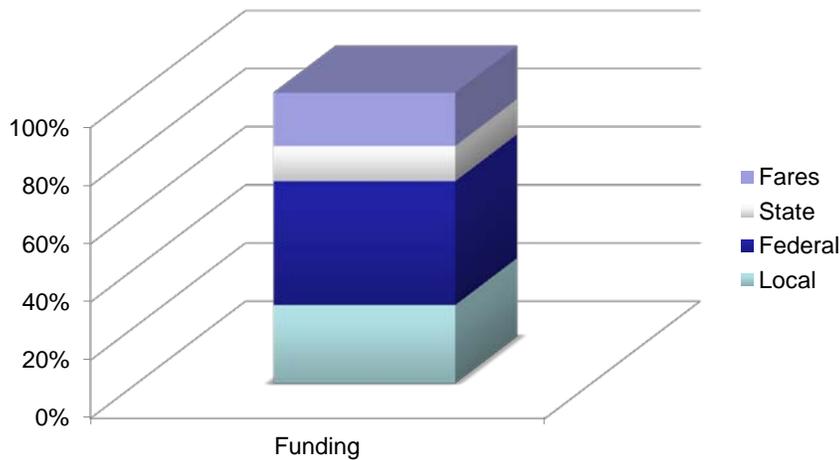
Ms. Shaunesey noted that the local funding shares shown below were roughly proportional to the ridership.

LOCAL FUNDING SHARES

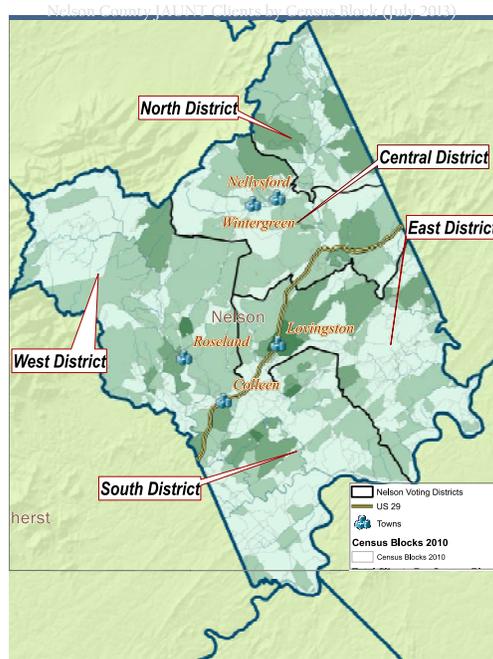


Ms. Shaunesey noted that they had to have local funding in order to draw down state and federal funds.

COUNTY TRANSIT FUNDING

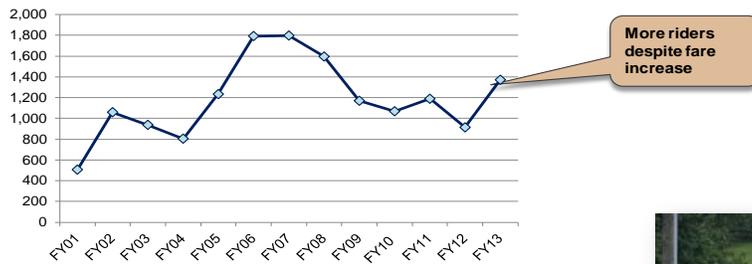


Ms. Shaunesey noted that the dark colored areas shown were where the most people were picked up in July.



Ms. Shaunesey noted that System wide ridership went up 50% even though the fare went up \$1 as shown below.

MIDDAY ROUTE

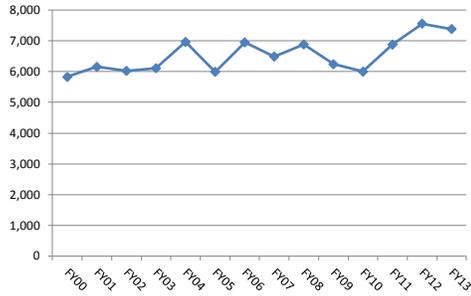


This route increased by 50% - highest rate of increase throughout JAUNT!



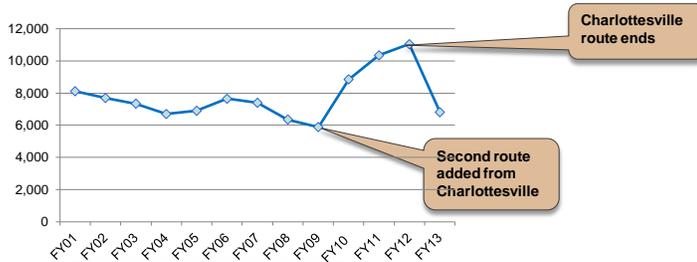
Ms. Shauneseey noted that on the Commuter Routes, they were charging \$1 more there and the ridership dropped slightly.

COMMUTER ROUTES to Charlottesville



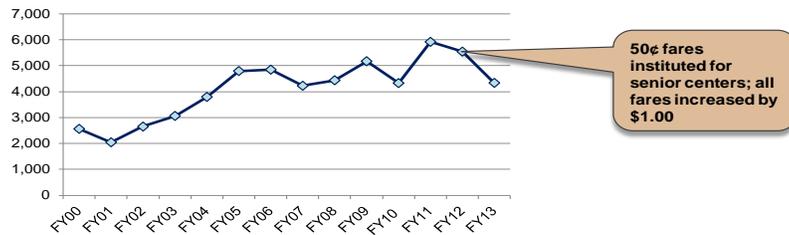
Ms. Shauneseey noted that they added on a second route to Wintergreen from Charlottesville and that one of the Wintergreen workers bought a car and car-pooled others to Wintergreen to work. She noted that they wanted to see this happen as people became self sufficient.

COMMUTER ROUTES to Wintergreen



Ms. Shaunesey noted that they expected to see a bit of a downturn in the intracounty route ridership as shown below due to the fare implementation for seniors and the fare increase for others.

INTRACOUNTY SERVICE



Ms. Shaunesey then noted that funding from the State and JABA provided the local match for this. She added that it went towards farm trips and fieldtrips. She also noted that ARC Medicaid transportation had been directed to JAUNT now instead of them using a private provider.

SOME HIGHLIGHTS

- Senior Shopping Grant provided nearly 200 field trips for seniors
- Human service agency service tripled with Arc transportation



Ms. Shaunesey noted more highlights of the year below.

MORE HIGHLIGHTS

- Five Nelson drivers won safe driving awards this year
- Our nonprofit, JAUNT Friends, distributed 1,100 tickets to passengers in need



Ms. Shaunesey noted that in 2014, they would be finding services to implement quickly in order to use the funding and were adding a 5pm return route from Charlottesville. She added that the route had been extended to the UVA research park now. Ms. Shaunesey noted that there was no local match required for this and they could not cut services; the local maintenance of effort was required. She then noted that there was an older grant in place that would add another midday route to Charlottesville in November.

FY14 Preview

Additional state funding this year will allow us to add some service this winter:

- Adding a 5 PM return for commuters to Charlottesville
- Extending the Piney River Route to UVA's Research park to allow existing riders to continue.



Ms. Shaunesey also reported the following statistics for Nelson County:

**JAUNT in Nelson County
FY13**

	Number of Trips		
	FY11	FY12	FY13
Piney River Route	3,362	3,261	3,029
Lovingston Route	3,481	4,303	4,359
Wintergreen Routes	2,142	3,413	2,616
Intracounty Services	5,919	5,543	4,337
Midday to Charlottesville	1,160	914	1,372
Total Public Service	16,064	17,434	15,713
Agency Service	4	1,074	3,531
GRAND TOTAL	16,068	18,508	19,244

Children	0%
Adults	68%
Seniors	32%
People with Disabilities (all ages)	37%

Highlights of the Year in Nelson County

- Public ridership decreased in the County with the Wintergreen services leading the way, but for the happy reason that one of the riders purchased his own vehicle and is providing service from Charlottesville to Wintergreen as a private citizen.
- The Midday service to Charlottesville showed a 50% increase – the highest throughout the JAUNT system in FY13.
- Human service agency transportation increased three-fold as we provided Medicaid transportation for clients of the Arc. This has increased the proportion of trips for people with disabilities from 25% to 37% of our total.

C. Presentation – MACAA, Introduction of New Executive Director Barbara Miller

Ms. Margaret Morton introduced new MACAA Director Barbara Miller. Ms. Miller then addressed the Board and noted that she was originally from Pennsylvania and she was happy to be there representing MACAA. She added that she was trying to do more outreach in the outlying counties in financial literacy and that case workers were to provide these services to Nelson. She noted that financial literacy was seen as a need in all communities especially when transportation was an issue. She noted that the goal was to make sure people knew how to budget and were aware of tools they could use. She then noted that they were re-

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establishing the Wheels to Work project again; where people donated vehicles and then MACAA matched them up with a citizen. Ms. Miller then complimented Ms. Margaret Morton on her wonderful outreach skills and noted that MACAA was a strong agency and she wanted it to provide the services that were needed. She then mentioned that they still had the Project Discovery Program and thanked the Board for its support.

D. VDOT Report

Mr. Don Austin reported the following:

1. New "No Parking" signs were installed on Route 800 near the quarry as requested by Mr. Hale.
2. Installation of a pipe and patchwork on Roseland Road had been done.
3. South Powell's Island road was being finished; they were working on the pipe end walls now.
4. The concrete end walls mentioned by Mr. Harvey at the previous meeting located north of Lovington had been looked at and they would be looking at the other location. Mr. Harvey noted that this ultimately may be the landowner's problem.
5. The pipe issue north of Lovington would require open cutting of Route 29 and he noted this would begin the following week and should take one week to complete.
6. Paving of the street beside the courthouse would be started in the next couple of weeks.
7. Randy Hamilton would like to have a work session on the secondary six year plan (SSYP). He suggested scheduling this soon to start working on it. Discussed working with Mr. Hamilton and having a called meeting or having it at the November meeting. Mr. Hamilton would like to get started early this year. The Board and staff discussed scheduling this and Mr. Austin noted he would work with Mr. Carter and Mr. Hamilton.

Ms. Brennan inquired if the Route 6 flashing light sign was going to be working soon and Mr. Austin noted they would finalize everything and that there was a hold up on the electrical part. He added that these were so high due to the visibility coming over the hill.

Ms. Brennan noted that also on Route 6 there was a drop off in the pavement at the edges and the ditches were full of leaves.

Mr. Hale noted that the leveling along the Rockfish River Rd. was looked at and there were half a dozen spots where deep holes existed and needed filling in.

Mr. Saunders noted the following:

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1. He appreciated the workers cleaning up Route 29.
2. He has received a complaint about wash boarding and dust on Route 654, Cedar Creek Rd. He noted there was a lot of traffic on that road. Mr. Austin suggested that this road should be discussed at the SSYP workshop for inclusion in the plan.
3. He noted that it was great that they were working on South Powell's Island road.

Mr. Bruguire noted that on Dark Hollow Road, off of Roseland Rd. there were large places under the pine trees where the pavement was completely gone and needed to be patched. He added this was right before Seaman's Orchard.

Mr. Harvey noted the following:

1. A Cherry tree had fallen up to the edge of the road on the eastbound side of Route 151, before getting to Morningside Farm and Pounding branch.
2. Noted that the rumble strips were being put everywhere, even in passing zones on Route 151. Mr. Austin noted he would check on this.

Mr. Bruguire then inquired if there would be a formal report from VDOT on LOCKN festival transportation outcomes. Mr. Austin noted that he was not aware there would be and that their formal comments were made during the follow up meeting. Mr. Carter noted that at the follow up meeting, there was broad discussion and that VDOT was pleased with how it went. Mr. Austin added that the formal notes from the meeting could be shared with the County and the LOCKN promoters.

IV. New Business/ Unfinished Business (As May Be Presented)

There was no new or unfinished business considered by the Board.

V. Reports, Appointments, Directives, and Correspondence

- A. Reports
 1. County Administrator's Report

Mr. Carter reported the following:

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

- 1) **Courthouse Addition:** Complete. Final retainage is pending payment to Blair Construction (resolution of inspection costs related to project punch list is pending).

Mr. Carter noted that the re-inspection work that identified discrepancies was being looked at and the County was asking Blair to report on this as far as who should pay for this.

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2) Jefferson Building: In process. A change order has been requested but is pending receipt for completion of exterior repairs and painting of the structure (possibly an unpainted finish).

Mr. Carter reported that Owen would need more time to finish their work, possibly until November 18th. He added that they had originally said they would finish in 60 days and the County had given them 90 days and they still would not finish on time. He added that Owen had indicated that the soapstone gift from judges would be installed this week or next.

Mr. Hale noted he was unclear on the change order and it was clarified that it was to address the exterior of the building that was not part of current contract. Mr. Carter added that experts have said that the County may want to fix the brick and then repaint it or leave the brick finish. Mr. Hale noted that the repair work done under the windows looked good. Mr. Bruguere added that something should be done with the plaster on the back side of the building.

Mr. Hale then inquired about what was in the old furnace room now and Mr. Carter noted there was now a concrete floor in there. He added that the space could be used for storage if the space could be kept weather tight. He noted that there were two rooms in the basement area there and that Paul Truslow had worked with the contractor to put in PVC piping that was 8-10 inches in diameter along with a sump pump to address any water that was in there. He added that the floor had been raised up and was ready to go.

Mr. Saunders asked if the Commonwealth Attorney's Office would be in there by the end of November and Mr. Carter was hopeful they would. It was suggested that the exterior work be done before bad winter weather set in and it was noted that they could move in even if the exterior work was not done. He noted that the change order was to come that week and he would ramp it forward.

Ms. Brennan noted that the Courthouse Committee needed to get together to look at next phases. Mr. Carter noted that remodeling the current Commonwealth's Attorney's space for the Superintendent and using his current office for a conference room had been discussed and then things could go from there.

Mr. Carter reported that Paul Truslow and Billy Hart had created a larger evidence room for the Circuit Court Clerk however this did not address the Clerk's overall space needs.

Mr. Hale noted that they had come to no solution on who to put in the vacant space upstairs; however it was noted that Susan Rorrer had a preference to be in the old Board room space if they got moved out of the basement, since that would be near the central nervous system of IT.

Mr. Carter then noted that staff was cleaning out the other side of the basement area so it could be used for storage and records could be kept straight.

3) Magistrate's Building: Restoration of electrical service (request to AEP made) and flooring installation are the balance of work to complete.

It was noted that the flooring would be wood laminate flooring.

B. Broadband Project: NCBA public hearing on tower rate amendment for WISPs scheduled (October 24th). First tower lease(s) with SCS is pending signature by company. NTIA approval pending for provision to cellular carrier to provide for tower lease(s). Broadband Project close out reports and filings have been submitted to NTIA for review and subsequent grant.

Mr. Carter reported that Mr. Stewart has the agreements and he needed to add the agreement date and an effective date. He noted that then he would do the loading analysis and then he could get on the towers. He added that Mr. Stewart has indicated that he wants to use all of the towers. He noted that each effective date needed to be 30 days from the agreement date. He noted that Mr. Stewart would lease each tower individually.

Mr. Saunders then reiterated for the record that everything related to the tower contracts was in SCS's court now. Mr. Carter concurred and noted that staff has spent a significant amount of time with Mr. Stewart in getting everything set. Mr. Harvey noted that Mr. Stewart was misinforming the public and saying that the County was holding him up from being on the towers. Mr. Saunders then indicated that was the reason he wanted to clarify this issue in public session.

C. 2012 Radio Project (Narrow banding): In process. Summer 2014 completion.

Mr. Carter reported that currently the Sugarloaf tower was being worked on and equipment was being replaced.

D. Lovingson Health Care Center: Status of feasibility assessment is pending from JABA.

Mr. Carter noted that staff was waiting for JABA to schedule a meeting on this. He added that Chris Murray had retired and JABA had just gotten additional information that they would meet with the County on before he would be reporting back to the Board.

E. BR Tunnel and BR Railway Trail Projects: 1) **BRRT** – Project Pre-Bid meeting completed on 10-3. Construction bids due on 10-18. 2) **BRT** – VDOT/FHA review of Phase 1 construction plans in process. Approval received from VA-DCR to proceed with eastern trail property acquisitions.

Mr. Carter noted that the Blue Ridge Trail project included renovation of the large depot building and installation of a cover on one of the bridges. He noted that the weigh station would also be refurbished using \$300,000 in VDOT grant funds.

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Mr. Carter then noted that for the Blue Ridge Crozet Tunnel Project, the drawings were under review and the County could proceed with the property acquisitions per DCR. He added that the County should receive survey information for the contracts by the end of the week.

Mr. Hale noted that he had a copy of the Shumate plat; however he requested that he be provided a copy of the Woolpert plat to review when it came in.

Mr. Carter reported that Mr. Tyler wanted to use the Shumate plat and that it would be attached to the contract. He added that he had given him a preliminary plat that Woolpert had done; however he had insisted that the Shumate plat be used. Mr. Carter then noted that the County would be ready to proceed to closing once the documents were finalized.

Mr. Carter then reported that the VDOT Central Office wanted to do a photographic history of the tunnel project and would be taking before and after pictures of the tunnel maybe starting next week.

The portal entrances were discussed and Mr. Hale noted that the east portal on the Nelson County side has had rock slides that blocked the flow of water out of the tunnel. He noted that once this was taken out it would drain. He added that water was coming in from many places and that part of the restoration would be the installation of drainage channels on each side of the trail. He noted that Phase III, the most expensive phase, would be repairing the brickwork that lined the tunnel and also stabilized it.

F. EMS (Revenue Recovery Program): Contract close out conducted with Fidelis. Contract with EMS Management & Consultants, Inc. commences 12-1-13.

Mr. Carter noted that Staff would be meeting with the new company on the transition in the week to follow.

G. Health Department Demolition: Hazardous materials abatement and building demolition procurement are in process.

Mr. Carter reported that the County was able to use cooperative procurement, riding Culpeper County's contract to hire Joel Loving from Charlottesville to develop the hazardous material abatement specifications for the Health Department building demolition. He added that DEQ had provided positive comments regarding using the cinderblock as fill material at the landfill. He noted that there would be no E&S plan required for that. He noted that specifications would be put together for the removal of the framing etc. and there would have to be a site grading plan.

In response to questions, Mr. Carter noted that Mr. Loving's quote to do the work was approximately \$5,000 and the threshold was \$2,500 for quotes. He added that Mr. Loving had agreed to honor Culpeper County's pricing and he could report the contract price during the evening session.

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Mr. Carter reiterated that there was hazardous material to deal with and Mr. Harvey and Mr. Hale indicated that they thought that someone who does demolition work would know how to take the building down. Mr. Carter noted that the County would include the hazmat report in the bid package to do the demolition.

H. 2014 General Reassessment: Status update pending receipt.

Mr. Carter reported that the Assessors would be finished by the end of the week and then they would have the notice schedule etc. to report back to the Board.

I. Lockn Festival: 2013 review meeting conducted on 10-3 with second meeting on 10-7.

Mr. Carter noted that the first review meeting was a roundtable discussion from all of the department's perspectives. He noted that the second meeting was what the future plan was and how the County could help to support it. He added that Mr. Frey was in New York that day meeting with the Festival's financial backers to decide the future of the Festival. He noted Mr. Frey was optimistic and was committed to doing it again.

J. Albemarle Charlottesville Regional Jail: Col. Ron Matthews retiring 12-31-13. Recruitment in process for new superintendent.

Mr. Carter commented that Albemarle County was handling the recruiting process as they did last time. He noted that since Ron Matthews has been there, things have gotten more effective, they were trying to reduce recidivism, and efforts were made to run the jail smoothly.

K. Personnel: New employees – Sara Turner (County Administration), Stormy Hopkins (Planning and Zoning), Kenyon Gibson (Econ. Development & Tourism – PT).

Mr. Carter noted that Sara Turner was hired in the County Administrator's office and had worked a couple of days last week. He added that she had; however gotten called back to work until her notice period was up and would return the following week. He noted that Ms. Turner has been telecommuting and had an office in Maryland. He added that she lives at Davis Creek and her husband Travis is a county native.

Mr. Carter then reported that Ms. Kenyon Gibson was filling a Part Time, weekend slot that already existed at the Visitor Center. He added that the previous person had left and the Center was now fully staffed. Mr. Carter added that the Visitor Center was operated 7 days per week.

L. Stormwater Management: Project status report to BOS at 11-13 meeting. Program implementation steps to proceed thereafter.

Mr. Carter noted that Ms. Alysson Sappington of the TJSWCD would report on this at the Board's November meeting. He noted that following this presentation, the process would start where storm water management items would be introduced to the Board. He noted for instance the Board would have to act on an Ordinance by April that would have to be sent to

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DCR for approval. Mr. Carter added that the consultants had developed policies and procedures for Nelson and Louisa Counties. Mr. Bruguere then noted that the program was uniform across the state.

M. Other: BOS Input.

Mr. Hale noted that he had been contacted by Black Dog Salvage, who works with a production company in finding buildings etc. to salvage. He noted that they come in and take everything out of a building that was salvageable. He suggested that the County have them look at the Health Department building before the demolition. He added that he had discussed the old Massies Mill School with them also and they said that they had personnel who were knowledgeable about that.

Members briefly discussed the location of Black Dog Salvage and whether or not they would pay for something valuable.

Mr. Harvey suggested that the County bid out demolition of this building after any salvaging has been done.

Mr. Hale noted that he would look into this and would report back. It was noted that the old Massies Mill School was currently open and anyone could walk in. Mr. Harvey then suggested that it needed to be insured in case something happened and Mr. Carter noted that the building was a good candidate for demolition.

2. Board Reports

Mr. Harvey and Mr. Saunders had no report.

Ms. Brennan:

Ms. Brennan inquired as to Mr. Carter's response to a letter from an Animal Control Officer regarding their future use of firearms. Mr. Carter noted that he had spoken to Theresa Brooks and Kevin Wright and they were working on that. He noted that from his perspective, the County needed a highly effective policy on the use of weapons and training on this before they were given the authority to use weapons. He noted that he had emphasized following the chain of command on this type of issue as well.

Ms. Brennan noted that the soapstone plaque was ready to go and she would check with Mark Waller on this.

Ms. Brennan asked that Mr. Carter check on the status of Maureen Kelly's vehicle and she noted that the one she had seen her in was pretty ratty.

Ms. Brennan inquired about staff having written a letter to get the upper Rockfish River looked at for scenic river designation and Mr. Carter noted it had been done.

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Ms. Brennan reported that she attended a memorial service for Claude DeFosse. She then inquired as to what now happened with the trail and Mr. Carter noted that it continued and was part of the deed.

Ms. Brennan reported attending a meeting with Hank Theiss of Wintergreen who noted that there was not much new going on and they were waiting to see what Mr. Justus wanted to do.

Ms. Brennan reported that there was nothing going on at the Department of Social Services at the moment.

Ms. Brennan reported attending a Crisis Intervention Team meeting and discussed identifying persons that may have mental health issues and to be sure that they got the help needed in order to be kept out of jail. She added that training was being done with the County and Wintergreen deputies.

Ms. Brennan reported that there was nothing happening at JABA and that Marta Keene, the new Executive Director was getting good evaluations. She added that the PACE program for the elderly was coming along.

Ms. Brennan reported that the Community Criminal Justice Board (CCJB) met in Fluvanna and had presented on probation violations. She added that they assessed an individual in terms of risk and the kind of violation.

Mr. Hale:

Mr. Hale reported that the TJPDC was going to hire a head hunter firm to search for a new Executive Director. He noted that David Blount was going to do the Legislative Program and would continue to be the Acting Director; assigning tasks to staff. Mr. Hale noted that the Legislative Forum was coming up on December 3, 2013 at 6pm and it was a good opportunity to meet with the Legislators that came.

Mr. Bruguere:

Mr. Bruguere reported attending the LOCKN Festival meetings. He noted that they did want to come back and had expected that they would lose money the first year, then would break even, and then would make money. He reiterated that Mr. Frey was going to New York to consult with the Festival investors. Mr. Bruguere then noted that at the first meeting, there were VDOT people there and they were positive but also acknowledged that there were things that they could do differently. He added that the travelling public was not held up at all and he suggested not blocking the crossover at Route 56 West. He noted that they also discussed not closing schools for two days and possibly coordinating more with the schools on the dates. He added that Labor Day weekend was not a good time to have the Festival and that businesses preferred to do it after Labor Day as well. He noted that there were things that VDOT and Oak Ridge would like to get done and there were partnerships that could be forged for water and sewer infrastructure. He noted that the group had

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discussed the ticket site having a link to the County website so Festival goers could easily see what else was available etc. He noted that there were not too many negative things said and that overall the Festival could be a win/win for the County; however some things needed to be ironed out.

Mr. Saunders added that they were looking to double attendance if they came back next year and that they were looking into a lane from Tye River Elementary to Oak Ridge to alleviate safety concerns and help traffic flow into the site. He confirmed that water, sewer and electricity were discussed. He also noted that he was pleasantly surprised with VDOT's comments.

Mr. Bruguire noted that the County would know if they wanted to come back by the end of the year and this would enable them to work the Festival into the school calendar for next year so as not to lose educational days. Mr. Carter noted that the Festival planning was done in 4-6 months so the school closing was a last minute situation.

B. Appointments

Ms. McGarry noted that the only appointment for consideration was for the JAUNT Board. She noted that Ms. Janice Jackson would like to be reappointed and that Ms. Shaunesey of JAUNT would love to have her back.

Mr. Hale then moved to reappoint Ms. Janice Jackson to the JAUNT Board and Ms. Brennan seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

C. Correspondence

There was no correspondence considered by the Board.

D. Directives

There were no Directives given by the Board.

VI. Recess and Reconvene for Evening Session

Members briefly acknowledged the item on the agenda for the night session and Mr. Harvey 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.

EVENING SESSION

7:00 P.M. – NELSON COUNTY COURTHOUSE

I. Call to Order

Mr. Bruguiera called the meeting to order at 7:00 PM, with four Supervisors present to establish a quorum and Ms. Brennan being absent.

II. Public Comments

1. Greg McCormick, Vice President of Nelson County Baseball Association.

Mr. McCormick noted that he was sharing great strides of the Association since its formation and asking the Board for input on how to best move forward from this point. He reported that a baseball clinic had been well attended and they had finished their first fall ball season. Mr. McCormick related that the team had played in Buckingham and an umpire there had commented on how well mannered and knowledgeable the kids were. He added that their first fall ball season had exceeded expectations. Mr. McCormick then noted that they intended to be a Dixie Youth franchise in the spring which would require that there are dugouts on all fields and at present two fields did not have them. He noted that new bases were needed, as was the grading and seeding of the fields. Mr. McCormick added that the bridge crossing the creek needed improvement for accessibility purposes. Mr. McCormick added that he felt a need to react to these specific needs now in order to support a quality baseball program in Nelson and the Board's support was needed to move forward.

2. Brandon Page, President of Nelson County Baseball Association

Mr. Page reiterated what Mr. McCormick said. He added that he wanted to make baseball the way it used to be in Nelson. He added that they taught life lessons through the sport and wanted to be there for the kids by improving things. Mr. Page then denoted the season records for the various age divisions. He noted that Dixie Youth does not do fall ball and was more for spring but their rules were applied in the fall. He added that they wanted to stay under the Dixie program because it had more to offer the kids. Mr. Page then noted that many kids from Cove Creek played fall ball and said that they only played at Cove Creek because it was an organized program. He noted that 18 of 22 Cove Creek players would be back in spring.

Mr. Harvey noted the field improvements being made at RVCC and Mr. Page said he was aware of it and he had spoken to the travel team involved. He added that they would like to offer the same thing in Afton as was being offered on the eastern side of the County and would like to be able to utilize that field as well.

Mr. Saunders then inquired as to whether or not they had a cost estimate for the needed improvements to the Lions Field. Mr. Page said they did have some estimates on the dugouts and grading but would like to speak with a VDOT representative on the bridge. Mr. Saunders asked what specifically needed to be done in order to play in spring and Mr. McCormick replied that the fences, dugouts, and grading at two fields needed to be done and they had estimated it was approximately \$10,000 worth of work. He added that it would cost approximately \$1,500 - \$2,500 for fencing and \$600-\$1,200 for the dugouts.

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Mr. Bruguere suggested that they check to see if any of the fields were in the flood plain as this had been an issue at Fleetwood. Mr. McCormick noted that they would have cement blocks on a pad; which was the cheapest route to go.

Mr. Saunders then inquired as to the organization's fundraising and it was noted that they were holding raffles and approaching businesses for donations. Mr. Page added that they were asking for donations from Lowes and have asked contractors for surplus materials and some have offered to donate their time to help build the dugouts.

Mr. Bruguere then noted that the Board would discuss this at a later date to see what could be done; however he noted that they would need to go through the County's Recreation Department for funding since they ran the league. He added that he was supportive of their efforts and was glad the league was Dixie Youth again.

3. Reverend Foster, Shipman

Reverend Foster noted that he was concerned about the old Ryan School and how it came to be on the County's tax rolls when as far as he knew, there was no deed to the property and it was given by Thomas Ryan to the Trustees and the blacks of the Shipman area. He added that Ryan had given the land to Nelson County to build the training school.

Mr. Harvey then advised that he start his inquiries on the tax status of the property with the Commissioner of Revenue's Office. Mr. Foster then indicated that his niece had paid taxes on the property and that now she should be able to use it.

Mr. Carter also advised Mr. Foster that there was a deed for the property recorded in the Clerk's Office. He added that the property was no longer used as a school and was private property that no one really owned and at some point it was put back on the tax rolls.

Mr. Foster noted that he wished more citizens would attend the Board meetings and Mr. Saunders thanked him for taking the time to come out to speak to the Board. He added that he was always welcome and they welcomed his comments.

III. Public Hearings

- A. **Special Use Permit Application # 2013-004, Rockfish Valley VFD** Special Use Permit #2013-004, submitted by Mr. Tommy Harvey on behalf of Rockfish Valley Volunteer Fire Department and Rescue Squad, located at 11100 Rockfish Valley Highway, Afton, Tax Map Parcel #7-A-9B, and is zoned Agricultural (A-1). The application seeks approval to, "allow two (2) additional 30,000 gallon propane tanks," pursuant to Section 4-1-29A of the Zoning Ordinance.

Mr. Padalino noted that the application was submitted by Mr. Harvey on behalf of the Rockfish Volunteer Fire Department and was for an open storage permit to allow two

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additional 30,000 gallon propane tanks for Foster Fuels. He then referred to the map showing the parcel on Rockfish Valley Highway. He noted that the property was zoned A-1 and was 26 acres. He then showed an aerial image of the property that currently has two 30,000 gallon liquid propane tanks for Tiger Fuel located on it. He noted the screening of the current tank area that would also screen the additional tanks. He added that they were only interested in having one tank immediately and would reserve one for future use. It was clarified that if granted approval, they would not have to return when the second one was to be installed.

Mr. Harvey noted that there would be separate driveways to each set of tanks and they would not share driveways. He added that the Fire Department was more than willing to limit the tanks number of tanks to four 30,000 gallon tanks and no more would be added in the future.

Mr. Hale then confirmed that the new tanks would be north of the trees and the screening would remain in place. Mr. Harvey added that when heading south on Rt. 151, a person could barely see the ones that were currently there and that they were willing to plant more trees; however if traveling northbound, one of the new tanks may be seen.

Mr. Bruguiere then opened the public hearing and the following persons were recognized:

1. Timmy Spicer, Foster Fuels

Mr. Spicer addressed the Board and noted he looked forward to answering any questions they had about the site.

Mr. Saunders noted he no problem with what was in the report and what the Planning Commission had recommended.

Mr. Harvey noted that Foster Fuels serviced the schools and having these tanks at the site would cut down on traffic.

It was noted that the main office of Foster Fuels was located in Brookneal and they had other satellite offices.

Mr. Hale inquired as to the history in terms of the hazard of these tanks and Mr. Spicer noted that these were heavily regulated per the fire code and that the number of incidents was very small. He noted that there were duplicate procedures at the tanks and the statistics provided to the Planning Commission noted that 1 tank in 37 million had a problem and these were not necessarily tank issues.

2. Watt Foster, Owner of Foster Fuels

Mr. Foster thanked the Board for the opportunity and noted that Foster Fuels had been in business for 92 years. He added that it was a family owned community company and he was

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looking forward to working in Nelson County. Mr. Harvey added that all of the employees in the Nelson office were county residents.

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

Mr. Hale moved to approve Special Use Permit application #2013-004 submitted by Mr. Tommy Harvey on behalf of Rockfish Valley Volunteer Fire Department and Rescue Squad, located at 11100 Rockfish Valley Highway, Afton, Tax Map Parcel #7-A-9B, to allow two (2) additional 30,000 gallon propane tanks," pursuant to Section 4-1-29A of the Zoning Ordinance.

Mr. Saunders seconded the motion and Supervisors voted (3-0-1) by roll call vote to approve the motion with Mr. Harvey abstaining. Mr. Harvey noted that he did not have a conflict of interest; however since he was the applicant he abstained from the vote.

IV. Other Business (As May Be Presented)

Mr. Carter noted to the Board that he was supportive of the Dixie Youth Program. He added that the Parks and Recreation Department had been instrumental in getting into the Dixie Youth program and in doing the field work at the Lions Field. It was noted that the County had a year to year contract with the Hollands to use the fields that may run through August. He noted that they also used the Nelson Center field because of the lights. Mr. Bruguere noted that players tended to go to Cove Creek Park because of the facilities. Mr. Carter reiterated that the County has been maintaining the Lions Fields. Members and staff discussed the logistics of the County improving property that it did not own and Mr. Saunders noted that it should not be an issue to improve the property. Mr. Carter then noted that if the County was able to put lights on the High School ball fields, the youth program would be able to transition the programs to over there.

V. Adjournment

At 7:40 PM, Mr. Harvey moved to adjourn the meeting and Mr. Hale seconded the motion. There being no further discussion, Supervisors voted unanimously by voice vote to approve the motion and the meeting adjourned.

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Virginia:

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

Present: Thomas D. Harvey, North District Supervisor
Thomas H. Bruguiera, Jr. West District Supervisor- Chair
Constance Brennan, Central District Supervisor - Vice Chair
Larry D. Saunders, South District Supervisor
Allen M. Hale, East District Supervisor
Stephen A. Carter, County Administrator
Candice W. McGarry, Administrative Assistant/Deputy Clerk
Susan Rorrer, Director of Information Systems

Absent: None

I. Call to Order

Mr. Bruguiera called the meeting to order at 7: 00 PM with all Supervisors present to establish a quorum.

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

II. Public Comments

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

1. Michael Allenby, Charlottesville resident and Festy partner

Mr. Allenby noted that he lived in Charlottesville; however he was a partner in the Festy held at Devil’s Backbone in the county. He noted that he saw their events as an opportunity to showcase Nelson County. He noted that 3,500 people attend a normal Festy weekend event and he added that the county would want those demographics coming back to Nelson. Mr. Allenby noted that he wanted to see better connectivity at their events and that their attendees needed the ability to communicate on site and on their way coming down to the site. He then inquired as to whether or not private funds could be used for the local match for the Local Innovation Grant being discussed by the Board for the fiber extension down to Route 664.

Mr. Carter noted that yes, this was a possibility. Mr. Allenby noted that there was a node at the end of the Route 151 fiber route and he would like to see the extension happen and would like to continue the conversation.

Mr. Bruguere advised Mr. Allenby to get together with others to discuss having a private public venture with the County. He added that he should also keep talking about this with Mr. Carter and county staff.

III. New/Unfinished Business

A. Sheriff's Department Request for Impound Lot

Mr. Bruguere, Ms. Brennan, and Mr. Harvey noted that they were not in favor of the Sheriff's proposal to put an impound lot in the lower parking area of the courthouse parking lot. Mr. Carter noted he was approached by the Department and he said he would bring it to the Board for discussion. He added that they were concerned there would be a cost in the near future for use of the current location; however Mr. Carter advised that he would report back to them to keep looking for another location.

Mr. Bruguere noted that he was concerned that the new parking lot would get junked up and he noted that previously cars were not disposed of timely.

Mr. Saunders inquired as to there being any alternatives proposed. Mr. Carter noted that there may be other alternatives that he had discussed with Sheriff Brooks; however monitoring these sites could be an issue. He noted that the Jenny's Creek property was fenced and locked and was an option, the Massies Mill property site was noted to be an option since there was a six days a week, twelve hour a day operation right next door at the trash collection site that could monitor it.

Ms. Brennan then supposed that fencing would have to be paid for if the site was not fenced already and Mr. Carter confirmed that the County would have to pay for this and the Sheriff had offered to commit some asset forfeiture money towards this. Mr. Carter then advised that the estimate for fencing provided by Paul Truslow was \$13,220.

Mr. Hale then noted he was also not in favor of using the lower lot. Mr. Harvey noted that the other locations mentioned were not favorable. He added that there could be nice cars that were confiscated, not just old junk cars. He suggested that Mr. Carter look into using the land behind the High School, which would provide for a concealed location.

Mr. Carter then noted that they were currently using property at Front Street Garage free of charge; however the Sheriff foresees this ending. Mr. Harvey then advised that a \$35 per day storage fee was the norm.

Mr. Carter then indicated that the current administration would be more proactive in disposing of these vehicles than the previous one.

It was noted that the County could use the land behind the parking lot; however it was noted that the County would have to build a bridge across the creek there.

Mr. Carter then noted he would speak to Dr. Collins and David Johnson about using the land behind the bus garage for this and Mr. Harvey noted that the schools did have a graveyard area over there also.

Members then reiterated that the location could not be remote and Mr. Carter indicated that staff would keep working on it. The Board then reiterated their consensus that they were not in favor of the proposed site in the lower courthouse parking lot.

B. Jefferson Building Renovation -Exterior Change Order

Mr. Carter noted that Owen had submitted a change order to do the exterior work on the Jefferson building and he noted that if the Board wanted to finish the exterior with Owen, it exceeded the available funding and the County would need an additional appropriation to do it.

Mr. Carter then showed several pictures of the exterior of the building. He noted that Mr. Owen had a subcontractor who learned the brick trade with Jimmy Price and the proposal entailed stripping off all of the cement based cover from the sides. He added that where the building was painted, they wanted to use a paint on solution and then use an adhesive to peel it off. He noted that they could remove layers of paint using this method. He added that it was all brick behind the paint/stucco and that in the past, the brick was covered up with concrete base and it was detrimental to the building. He noted that they would put a lime based application on there and then on the other sides; they would just apply lime based paint. Mr. Carter noted that they would also re-point the brick at the base of the building. Mr. Carter then explained that when they peel off the concrete material it pulls off the surface of the brick with it, so they wanted to use a thicker lime based paint. Mr. Carter noted that removal of the cement material would fix the moisture problem because it currently did not enable the building to breath in and out. It would then have a stucco appearance on the east side.

Mr. Carter then noted that the first thing they would do was take off the paint using peel away #1 and then they would use an adhesive to peel off the paint. He added that they would have to chip away some of the stucco where it was thicker and would not put it back anywhere except for one small area. Mr. Carter added that they would also keep the chimney, would re-mortar the joints, give it a smoother appearance, and paint it. He noted that the first coat of paint and scaffold would cost \$8,950 and each additional coat was \$4,820. He noted that they thought it would take 3 coats to make it right.

Mr. Carter noted that what Mr. Owen recommended was what the Board has heard from Mr. Price and Mr. Parr. He added that he spoke with Mr. Parr and he could not do the work until spring. Mr. Carter added that the price for paint removal did not include implementing heating conditions to do the work. He noted that Owen had indicated that they would try to make it more cost effective; however the total cost of paint removal was \$41,381.60. He reiterated that they said that they would try to get this down but it was not a guarantee. Mr. Carter then noted that the cumulative price of all of the work was just under \$88,000. Mr. Carter then noted that there were courthouse project funds of \$680,233.04 available for this project if the Board so desired.

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Mr. Saunders noted that he did not see where they would have a moisture problem. He added that what was proposed was the Cadillac option. He noted that the brick could be painted and then if there was a problem down the road, they could still go to this option.

Mr. Carter then reported that he had gotten a recommendation from Randy Vaughn of Wiley Wilson on paint that could be used. He noted that they could do what Mr. Saunders suggested and that Mr. Vaughn had indicated that with the work done on the inside of the building, moisture should not be a problem. He noted that the exterior work could be done for less cost and it would be fixed aesthetically. Mr. Bruguere agreed and noted that working on the stucco may damage more than they thought.

Ms. Brennan questioned how they would know if there was moisture damage on the inside if the exterior was not done the way they suggested. Mr. Carter noted that both Mr. Price and Mr. Parr have said that the cement stucco on the outside was keeping moisture in and it was wicking up through the walls. He added that Mr. Purvis, a subcontractor of Mr. Owen, formerly worked with Mr. Price and he was sure he had the same philosophy.

Mr. Saunders noted that there were many houses with brick and stucco in the county.

Mr. Hale then noted that people involved in the restoration of historic buildings all want to do a restoration that brings the building back and preserves it. He noted that he has heard their arguments and does not doubt that they know what they are talking about. He added that doing less expensive options would work and it would look as good but it would not last. He added that they have looked at this before and he reluctantly concludes that they really should not spend this amount of money on the building exterior at this time; however maybe down the road. He noted that they needed to have it cleaned, patched, re-pointed, smoothed out, and painted. He added that this would cost something but not as much and that the Board needed a figure on that to be able to decide.

It was noted that the removal of stucco and peeling the paint off were the major costs in the proposal.

Ms. Brennan questioned how long the paint job would last and members agreed by consensus that the Board was not ready to go with this proposal but rather wants an estimate for the fixing of the brick and painting.

Mr. Saunders suggested telling Owen that the County would get quotes and Mr. Carter asked for direction on this. Members noted that Mr. Carter could get a price and then get the Board's consensus to proceed if the cost was less than the project overage of \$40,320.51. The Board agreed by consensus to proceed and get the exterior done now instead of waiting until spring.

Members and staff discussed blocking up the hole shown on the picture that was towards the lower side of the building. Mr. Carter noted that this may be a window; however he would have to find out.

C. Massies Mill Recreation Center Building

Mr. Carter noted that he has gotten an inquiry from a local resident regarding getting stuff out of the Massies Mill Recreation Center building and he told them he would have to ask the Board. He noted that staff had shown her the property because she had related that she was interested in rehabbing it. He added that then a salvage company had showed interest in the Health Department building.

Mr. Carter then showed pictures of the building and noted that they had tried to patch the roof but they had cut holes in it. He showed pictures of the bathrooms and noted that Paul Truslow thought that they could salvage the soapstone dividers in there. Mr. Carter then showed various interior and exterior pictures that indicated a state of disrepair. Mr. Saunders noted that all of the stainless steel appliances that were there were now gone.

Members and staff briefly discussed the possibility of the use of the furnaces at the Heritage Center.

Mr. Carter reported that he had not heard back from the interested citizen since the site visit.

Mr. Saunders noted that there were some veneer benches in there but they were peeling and there were some old slate blackboards that had been removed and replaced with the newer ones.

It was noted that the building would be hard to secure with the holes in the roof. Mr. Hale noted that he thought the building should be demolished and Mr. Saunders added it should be condemned and was a liability to the County.

Mr. Hale then noted that the Black Dog Salvage Company could not find anything there or at the Health Department to salvage.

Members then agreed by consensus to remove and store the soapstone dividers from the Massies Mill Recreation Center building.

Mr. Hale then inquired how to go about getting a company to demolish the building and Mr. Carter noted that staff had just put the Health Department demolition out to bid. He added that he was checking with VDOT to see who owned the curb and sidewalk.

Members and staff then briefly discussed saving some of the trees on site and Mr. Saunders noted that he had discussed going over the grading plan at the pre bid conference. He noted that the Maple tree would be close but could probably be saved.

Mr. Carter then noted that he had spoken to DEQ about taking the cinderblock to the landfill for fill and that was looking good. He added that it was tested for lead paint and looked okay.

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Mr. Carter then noted that the IFB was sent to six companies recommended by Joel Loving and that Paul Truslow had gotten interest from local and regional companies. He added that the project was posted on a clearinghouse site and advertised in the NC Times.

Ms. Brennan then inquired as to why they couldn't use the demolition material to fill the hole on site and Mr. Saunders noted it was illegal to bury it.

Mr. Hale then noted he thought that the County ought to move forward to demolish the Massies Mill Recreation Center building and the County should go ahead and remove the soapstone. Ms. Brennan noted that she would like to salvage the furnace for the Heritage Center; however Mr. Saunders did not think it would be beneficial.

Mr. Hale then moved that staff proceed with steps to have the old Massies Mill School demolished but have the soapstone removed and anything else of value.

Ms. Brennan seconded the motion.

Mr. Bruguiere then asked that if it were demolished, could the block be used at the landfill and Mr. Carter noted the County would have to go through the same routine of checking for asbestos and lead paint etc. He noted that he was hoping the County could use it at the Transfer Station as it would be more cost effective.

Mr. Hale then noted that he made the motion to protect the health and public safety of the citizens of the county and the building was an eyesore and a liability.

Mr. Carter then advised that he had looked at the State code on the disposition of public property; however he would need to confirm with Phil that this did not pertain to the demolition of buildings.

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

Mr. Saunders then noted as a point of information that Dr. Criswell still had two pieces of equipment in the Health Department building and that Staff should contact him to see if he wanted it.

IV. Other Business (As May Be Presented)

Introduced: CDBG Grant for Fiber Optic Network Extension

Members inquired about the potential CDBG grant to extend the fiber optic network and Mr. Carter noted that time was not of the essence; however the longer the wait, the more likely funds may be distributed to others.

He noted that putting in an application depended upon how the Board felt about extending it etc. Mr. Bruguiere noted that if it were extended to Route 6 and southward

October 24, 2013

there would be more opportunity for customers. Mr. Hale noted that he still thought the Board needed an analysis of the return on investment. Mr. Carter reiterated that there would be a 50% match required and the program was open submission.

The Board's consensus was to bring this item back. It was noted that the local match could be a public/private initiative. Mr. Saunders noted that he agreed with Mr. Hale; however he also agreed with Ms. Rorrer in that the extension would be a place to get revenue and he would be in favor of it.

Members then asked that this be brought back in November.

V. Adjournment

At 8:00 PM, Mr. Hale moved to adjourn and there was no second. There being no further discussion, Supervisors voted unanimously by voice vote to approve the motion and the meeting adjourned.

DRAFT

RESOLUTION R2013-75
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>
\$76.19	2012 PP Tax & Vehicle License Fee	Jactino Sanchez-Garcia 101 Old Courthouse Turnpike LO Lynchburg, VA 24501
\$98.09	2013 PP Tax & Vehicle License Fee	Terri Johnson 567 Buffalo Bend Road Amherst, VA 24521
\$601.28	2011-2013 PP Tax & Vehicle License Fee	Cameron Enterprises P.O. Box 22845 Oklahoma City, OK 73123

Adopted: November 14, 2013

Attest: _____, Clerk
Nelson County Board of Supervisors

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

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

October 10, 2013

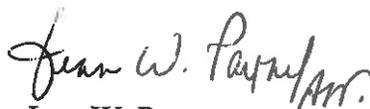
Mr. Thomas Bruguiera, Chairman
Nelson County Board of Supervisors
P. O. Box 336
Lovington, VA 22949

Re: Sanchez-Garcia, Jactino
101 Old Courthouse Turnpike LO Lynchburg, VA 24501
1998 Chevrolet GMT-400 # 0605

This letter shall serve as written request that a 2012 personal property tax and vehicle license fee refund of \$76.19 be issued to the above referenced taxpayer. This vehicle was garaged in Lynchburg city for all of 2012.

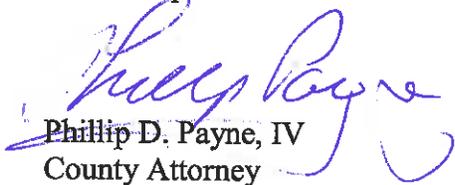
Supporting data is available in this office for you review.

Respectfully requested,



Jean W. Payne
Commissioner of Revenue

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



Phillip D. Payne, IV
County Attorney

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

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

October 22, 2013

Mr. Thomas Bruguere, Chairman
Nelson County Board of Supervisors
P. O. Box 336
Lovington, VA 22949

Re: Johnson, Terri
567 Buffalo Bend Road Amherst, VA 24521
2005 Toyota Corolla #1522

This letter shall serve as written request that a 2013 personal property tax and vehicle license fee refund of **\$98.09** be issued to the above referenced taxpayer. This vehicle is in Amherst County.

Supporting data is available in this office for you review.

Respectfully requested,



Jean W. Payne
Commissioner of Revenue

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



Phillip D. Payne, IV
County Attorney

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

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

November 5, 2013

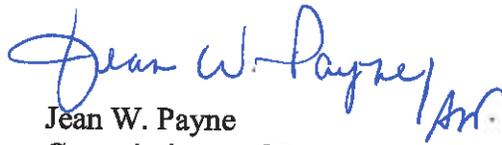
Mr. Thomas Bruguere, Chairman
Nelson County Board of Supervisors
P. O. Box 336
Lovington, VA 22949

Re: 2008 Ford Fusion #3955

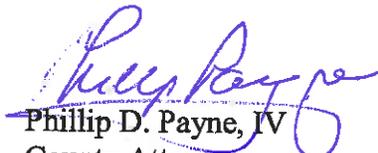
This letter shall serve as written request that a refund for 2011, 2012 and first half 2013 personal property tax and vehicle license fees of **\$601.28** be issued to the above referenced taxpayer. This vehicle was not owned in Nelson county for these periods.

Supporting data is available in this office for you review.

Respectfully requested,


Jean W. Payne
Commissioner of Revenue

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


Phillip D. Payne, IV
County Attorney

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

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

November 5, 2013

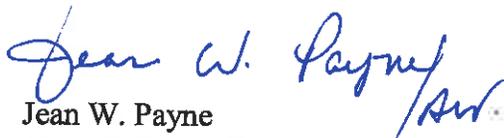
Mr. Thomas Bruguiere, Chairman
Nelson County Board of Supervisors
P. O. Box 336
Lovington, VA 22949

Re: Cameron Enterprises
P O Box 22845 Oklahoma City, OK 73123
2008 Ford Fusion #3955

This letter shall serve as written request that a refund for 2011, 2012 and first half 2013 personal property tax and vehicle license fees of **\$601.28** be issued to the above referenced taxpayer. This vehicle was not owned in Nelson county for these periods.

Supporting data is available in this office for you review.

Respectfully requested,


Jean W. Payne

Commissioner of Revenue

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

See above letter, letter revised for payee information.

Phillip D. Payne, IV
County Attorney

RESOLUTION R2013-76
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF FISCAL YEAR 2013-2014 BUDGET
NELSON COUNTY, VA
November 14, 2013

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>
\$ 600.00	3-100-001601-0007	4-100-021060-7007
\$ 702.00	3-100-002404-0007	4-100-082050-6008
\$ 1,302.00		

II. Transfer of Funds (General Fund)

<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
\$ 9,850.00	4-100-999000-9905	4-100-043040-5409

Adopted: November 14, 2013

Attest: _____, Clerk
Nelson County Board of Supervisors

EXPLANATION OF BUDGET AMENDMENT

- I.** The **General Fund Appropriation** reflects an appropriation request by the Circuit Court Clerk in the amount of **\$600** for scanner replacement. The current scanner would not work properly when the probate office was moved upstairs. She has proposed that this expense will be reimbursed from copying fees collected by her office. Also requested is an appropriation for **\$702** for the FY14 Litter Prevention Grant (VA). The awarded amount was \$702 more than the budgeted estimate.

- II.** The **Transfer of Funds** includes a transfer from General Fund Contingency for **\$9,850** requested by the Sheriff's Department for additional funds within the Motor Pool budget for equipping the new vehicles. The total amount originally requested during the budget process by the Sheriff for vehicles and equipping is \$80,000. To date 3 vehicles have been purchased and one vehicle has been equipped. There is \$1,825 remaining with 2 vehicles still to be equipped. The Sheriff's request is attached. The department has been advised of available funds throughout the purchasing process. The remaining balance of contingency funding after this request is \$1,298,131.



Nelson County Sheriff's Office

94 Courthouse Square
PO Box 36
Lovington, VA 22949
434-263-7050
434-263-7056 (Fax)

W. David Brooks
Sheriff

October 24, 2013

Nelson County Board of Supervisors
94 Courthouse Square
Lovington, Va 22949

RE: Budget Amendment

The Nelson County Sheriff's Office requests a budget amendment to line item 43040-5409 in the amount of \$9,850.00. This request is for the necessary funds to equip and stripe the new Sheriff's Office vehicles. Due to the market, we were unable to purchase vehicles that were compatible with the older fleet on hand; therefore, we were unable to switch out equipment from one vehicle to the next thus causing the influx in price.

Sincerely,

A handwritten signature in cursive script that reads "W. David Brooks".

W. David Brooks
Sheriff
Nelson County Sheriff's Office



Stuehary

Public Safety Outfitting Division
404 Crowell Lane #3
Lynchburg, VA. 24502
Phone: 434-237-2705 Fax: 888-556-3229

Estimate #: 140
For: Supplies and Labor

Date: September 27, 2013 Vehicle #: Undercover Car
Customer Name: Nelson County Sheriff's Office Year: _____ Mileage: _____
Address: 84 Court House Square Vehicle: _____ Description: 2013 /2014 Ford Interceptor Sedan
Livingston, VA. 22949 VIN #: _____
Attn.: Scott Bradner Phone: 434-665-6394

Part Number	Description	Qty.	Sell Price	Ext. Price	Labor	Freight
ELUC2S010W-BEZ	TPvoepgVojvf st brVoeif sDpwf s0 IMFE! Jbt f sUJjohrhMhi ulJu121.27Vedix 021!! dcbctjodwef t Jot f suIM ot IS2!Fyuf n f! Bohrrf! Lbjof IGbt i f s0X i jt	2	\$ 71.26	\$ 142.52		
ENFSGS3(BW)	oGPSDF=ITjohrIEf di 0HjmeNpvouMhi ul TBFIDbt t 12-121.27wCbad (l pvt joh-23! MFE-IEvbrdDpqs.!Cwf 0k i jt	2	\$ 103.89	\$ 207.78		
EPL8000WS/TD/B/FPI-S	TPvoepgQoobdn0 Lbd spsX joet i jr nel Mhi ubsex OTI spvel !Ub f f IEpx ot !.ICwf -! X i jt IMFE!	1	\$ 702.78	\$ 702.78		
EPL8000RD/B/FPI-S	TPvoepgQoobdn0 Lbd spsSf bstEF di l Mhi ubsex OTI spvel.Cwf IMFE! bx ju tubgjd esp dipo	1	\$ 672.22	\$ 672.22		
ELUC2S010R-BEZ	TPvoepgVojvf st brVoeif sDpwf s0 IMFE! Jbt f sUJjohrhMhi ulJu121.27Vedix 021!! dcbctjodwef t Jot f suIM ot IS2!Fyuf n f! Bohrrf! Lbjof IGbt i f s0ISf e	2	\$ 71.26	\$ 142.52		
ENT2B3B/FPI-S	TPvoepgJbaf st f dpa0 /Voeif sNjepsIVsgdf l NpvouMhi ux 0.bjof IGbt i f s4.X f ehf t -3. Dvswf st Vsgdf !Bebqps -INpvoujHbt l f u ! ll bsex bsf !.ICwf	2	\$ 135.91	\$ 271.82		
EL3SN8K2LPH	TPvoepgMdf st f Qbad ICabd f ul psj(poubrh NpvoupsIMFE40 INjoiMhi ul l. In pvou l3! ghl ul -pof ipolf bdt lJef lpgui f tjal ot f tqbad l Jf b0 *	1	\$ 14.67	\$ 14.67		
EL3SNB	TPvoepgIMFE40 INjoiTVsgdf INpvouMhi ul 23wJodwef t !NpvoujHbt l f u ! ll bsex bsf !! Cwf	2	\$ 47.67	\$ 95.34		
295SLSA6	Whelen 100/200 W Scan-Lock Self Contained Siren/Switch	1	\$ 387.00	\$ 387.00		
SA315P	Whelen Projector Series Speaker	1	\$ 188.40	\$ 188.40		
SAK39	Whelen Vehicle specific speaker mounting bracket- Ford Interceptor	1	\$ 21.60	\$ 21.60		
CC-PH-L-18	Troy interceptor Sedan Console- includes ACFDPI-MNT Floorplate, FP-WS295HFS9-4" Faceplate for Whelen Switch Box, Faceplate for Motorola XTL 2500, and various blank plates	1	\$ 337.50	\$ 337.50		
AC-INBHG	Troy 4" INTL Beverage Holder w/fingers	1	\$ 41.25	\$ 41.25		
AC-FOAM-58	Troy 5 x 8 Foam Arm Rest Pad including p/n AC-ARM-BASE (floor plate arm rest base) and AC-ARM-PED (arm rest pedestal insert mount)	1	\$ 108.75	\$ 108.75		
SHO-ME 14.0553	12 Volt Outlet- 3 Outlets	1	\$ 24.00	\$ 24.00		
	Freight Charges (shipping and handling)	1	\$ -	\$ -		\$ 150.00
	Installation Labor (Install all above equipment, mount customer provide radio and antenna, and mount radar system)		\$ -	\$ -	16	

Strobe Light Front
corners

Sound off
light bar 5 lights
rear deck

Outside Labor	Description	Amount	TOTAL HOURS
Other:			16
Other:			
Other:			Total Labor \$ 1,040.00
Other:			Total Parts \$ 3,358.15
Other:			Misc. Shop Supplies \$ 120.00
Other:			Freight \$ 150.00
			Total \$ 4,668.15
			Outside Labor \$
			Grand Total \$ 4,668.15 *

Labor Hours, Parts, and Pricing are subject to change.
This job estimate is valid for 30 Days.

Local and/or State Taxes were not figured in this quote

You can accept this offer by signing a copy of this Estimate, in the space provided below and returning it to Patriot Safety Supply via fax or mail.
Please contact Ronnie Slesney by phone or by email (rslesney@patriot2s.com) for any questions regarding this job estimate.

Patriot Safety Supply
404 Crowell Lane #3
Lynchburg, VA. 24502
Phone: 434-237-2705
Fax: 888-556-3229

Date: _____
Signature: _____
Print Name: _____

THANK YOU FOR YOUR BUSINESS!!!



Public Safety Outfitting Division
404 Crowell Lane #3
Lynchburg, VA, 24502
Phone: 434-237-2705 Fax: 888-556-3229

Estimate #: 141
For: Supply and Labor

Date: September 27, 2013
Customer Name: Nelson County Sheriff's Office
Address: 84 Court House Square, Lexington, VA, 22449
Vehicle #: Slick Top Patrol
Mileage:
Description: 2013 /2014 Ford Interceptor Sedan
VIN #:
Attn: Scott Bradner Phone: 434-665-6304

FRONT
COCKPIT
LIGHT

grill lights
EMF5633/PAW

WINDSHIELD
EPL8000MS/TD/A/PP-5

REAR DOCK
EPL8000R/D/S/PP-5

REAR CORNER
ELUC25010R-BEZ

MIRROR LIGHTS
ENT283B/PP-5

REAR
MOUNT
LIGHTS

5 INCH
BOX
ZSSLSA6

SPEAKER
BRACKET
SAK39

CONSOLE / ARM REST
CUP HOLDER

AC-ARM-BASE
AC-ARM-PED

SHO-NE 14.0553
425-559 w/ 425-5485

PH0334MTS12SCA

ST0308TMS12

GK200421USSCA

Installation Labor (Install all above equipment, mount customer provide radio and antenna, mount customer supplied radar system, and mount customer supplied Panasonic Toughbook)

Outside Labor

Other:

Other:

Other:

Other:

Other:

Other:

Other:

Other:

Part Number	Description	Qty.	Sell Price	Est. Price	Labor	Freight
ELUC25020B-BEZ	Soundoff Universal UnderCover™ LED Insert Single Light Kit, 10-16 Vdc w/ 10' cable. Includes Insert, Lens #1 (Extreme Angle) & In-line Flasher (Blue) w/beads	2	\$ 71.26	\$ 142.52		
EMF5633/PAW	FORCED Single Dock/Git to Mount Light, SAE Class 1, 10-16v, Black Housing, 12 LED, Dual Color - Blue/White	2	\$ 103.89	\$ 207.78		
EPL8000MS/TD/A/PP-5	Soundoff Pinnacle™ Interior Windshield Lightbar w/ Shroud & Tube Downs - Blue, White LEDs	1	\$ 702.78	\$ 702.78		
EPL8000R/D/S/PP-5	Soundoff Pinnacle™ Interior Rear Dock Lightbar w/ Shroud -Blue LEDs with traffic direction	1	\$ 672.22	\$ 672.22		
ELUC25010R-BEZ	Soundoff Universal UnderCover™ LED Insert Single Light Kit, 10-16 Vdc w/ 10' cable. Includes Insert, Lens #1 (Extreme Angle) & In-line Flasher (Red) w/beads	2	\$ 71.26	\$ 142.52		
ENT283B/PP-5	Soundoff Interceptor™ Under Mirror/Surface Mount Light w/ In-line Flasher, 3-Wedges, 2-Curved Surface Adaptors, Mounting Gasket & Hardware - Blue	2	\$ 135.91	\$ 271.82		
EL35ABR12LPH	Soundoff License Plate Bracket, Horizontal Mount for LED3™ Mini Lights - mounts 2 lights, one on each side of the license plate (each)	1	\$ 14.67	\$ 14.67		
EL35NB	Soundoff LED3™ Mini Surface Mount Light, 12v Includes Mounting Gasket & Hardware - Blue	2	\$ 47.67	\$ 95.34		
ZSSLSA6	Whelen 100/200 W Scan-Lock Self-Contained Siren/Switch	1	\$ 387.00	\$ 387.00		
SAK39	Whelen Projector Series Speaker	2	\$ 188.40	\$ 376.80		
SAK39	Whelen Vehicle specific speaker mounting bracket - Ford Interceptor	1	\$ 21.60	\$ 21.60		
CC-PL-18	Troy Whelen® Siren Console - includes AC/DC-PINT Floorplate, PP-WS1534F50-6" Faceplate for Whelen Switch Box, Faceplate for Motorola XTL 2500, and various blank plates	1	\$ 337.50	\$ 337.50		
AC-ARM-BASE	Troy 4" INTL Beverage Holder w/Ingers	1	\$ 41.25	\$ 41.25		
AC-ARM-PED	Troy 5" x 8" Foam Arm Rest Pad including p/n AC-ARM-BASE (floor plate arm rest base) and AC-ARM-PED (arm rest pedestal insert mount)	1	\$ 108.75	\$ 108.75		
SHO-NE 14.0553	12 Volt Outlets - 3 Outlets	1	\$ 24.00	\$ 24.00		
425-559 w/ 425-5485	Jotto Desk 12+ PI Sedan Console Computer Mount	1	\$ 239.07	\$ 239.07		
PH0334MTS12SCA	Serina #10s RP Uncoated Poly Partition 12-14 Interceptor Sedan w/ SCA	1	\$ 527.20	\$ 527.20		
ST0308TMS12	Serina 2 pc lower extension panel 12-14 Sedan	1	\$ 56.80	\$ 56.80		
GK200421USSCA	Serina D-T-Rail Mount Universal Weapons Mount w/ locks and trigger switch. Freight Charges (shipping and handling)	1	\$ 300.34	\$ 300.34		
	Installation Labor (Install all above equipment, mount customer provide radio and antenna, mount customer supplied radar system, and mount customer supplied Panasonic Toughbook)				22	\$ 375.00

CRS Price 95.00 + 8.50 = 103.50

NOT ON CRS quote

CRS quoted wheelie w/ 5 lights mine is all the way across

NOT ON CRS quote mine is all the way across

CRS price 95.00 + 8.50 = 103.50

NOT ON CRS quote

NOT ON CRS quote

CRS price 469.20 my price is 387.00

NOT ON CRS quote

CRS price 579.00

my price is 487.50 before console as well

NOT ON CRS quote

NOT ON CRS quote, should make to use existing key

CRS price 598.00

my price 584.00

NOT ON CRS quote

THIS IS ESTIMATE, COULD BE LESS

Description	Amount	TOTAL HOURS	Total Hours
Other:			22
Other:		Total Labor	\$ 1,430.00
Other:		Total Parts	\$ 4,487.56
Other:		Misc. Shop Supplies	\$ 120.00
Other:		Freight	\$ 375.00
Other:		Total	\$ 6,356.56
Other:		Outside Labor	\$
Other:		Grand Total	\$ 6,356.56

Labor Hours, Parts, and Pricing are subject to change. This job estimate is valid for 30 Days. Local and/or State Taxes were not figured in this quote

You can accept this offer by signing a copy of this Estimate, in the space provided below and returning it to Patriot Safety Supply via fax or mail. Please contact Ronnie Stoney by phone or by email (rstoney@patriotsupply.com) for any questions regarding this job estimate.

Date: _____
Signature: _____
Print Name: _____

THANK YOU FOR YOUR BUSINESS

November 7, 2013

TO: Members, Nelson County Board of Supervisors
Nelson County Administrator

FROM: David C. Blount, Acting Executive Director/Legislative Liaison

RE: 2014 TJPDC Legislative Program

Attached is the draft 2014 TJPDC Legislative Program. As I discussed when I met with you in September, I will be presenting the program and seeking approval of it at your November 14 meeting. The titles of the program's priority areas are listed below; please note that some have been regional priorities for a number of years. The top priority in the proposed program is public education funding, while we maintain our focused attention on state funding obligations, mandates and cost shifting in the second priority.

- 1) Public Education Funding
- 2) State Mandates and Funding Obligations
- 3) Transportation Funding and Devolution
- 4) Chesapeake Bay TMDL
- 5) Land Use and Growth Management
- 6) Comprehensive Services Act

As in the past, the legislative program draft also contains sections that highlight ongoing local government positions. You will note that changes in these sections under "Areas of Continuing Concern" are underlined where the language is new, while language proposed for deletion is stricken. I will be happy to discuss the suggested changes to the draft program when we meet on November 14. Thank you.

Recommended Action: Approve the draft TJPDC legislative program.

2014

Thomas Jefferson Planning District Legislative Program

Representing the Local Governments of:

**Albemarle County
City of Charlottesville
Fluvanna County
Greene County
Louisa County
Nelson County**

October 2013

**Allen Hale, Chairman
David Blount, Acting Executive Director/Legislative Liaison**

PRIORITY ITEMS

PUBLIC EDUCATION FUNDING

*Legislative Position of Charlottesville City and the
Counties of Albemarle, Fluvanna, Greene, Louisa and Nelson*

PRIORITY: The Planning District localities urge the State to fully fund its share of the realistic costs of the Standards of Quality without making policy changes that reduce funding or shift funding responsibility to localities. Further, we believe that unfunded liability associated with the teacher retirement plan should be a shared responsibility of state and local government.

Rationale: The state will spend about \$5.3 billion on public education in FY14, about 30% of its general fund budget. The level of state funding for FY14 remains below the FY09 amount by more than \$250 million; state per pupil expenditures for FY14 of \$4,880 are still well below the FY09 high of \$5,274 per pupil by almost \$400. Meanwhile, local governments boost education funding by spending over \$3.3 billion more per year than required by the state.

Reductions in state public education dollars the last four to five years have been accomplished mainly through policy changes that are decreasing the state's funding obligations moving forward. For example, the state has "saved" millions of dollars by shifting costs to localities through making some spending ineligible for state reimbursement or lowering the amount of the payback. It previously imposed a cap on state funding for education support personnel and has reduced funding for other support costs.

Policy changes to the Virginia Retirement System (mandatory teacher 5% for 5%) are not a zero sum game for localities and do nothing to reduce a \$15.2 billion unfunded teacher pension liability. A coming GASB rules change will assign liabilities associated with cost-shared pension plans (like the Virginia teacher plan) to the government (in our case, local) that makes the payment, potentially impacting credit ratings. The state sets standards and benefits for teachers; it should take responsibility for part of their pension plan's unfunded liability. Meanwhile, contribution rates are expected to surge again, as the State pays back previously borrowed VRS funds and seeks to make up for past underfunding.

Position Statements:

The State should resist further policy changes that require localities to fund a greater share of costs. State funding should be realistic and recognize actual needs, practices and costs; otherwise, more of the funding burden will fall on local taxpayers. Localities and school divisions should have flexibility to meet requirements and management their budgets when state funding decreases and cost-shifting occurs.

We also take the following positions:

- 1) The State should not eliminate or decrease funding for benefits for school employees.
- 2) Localities in our region should be included in the "Cost of Competing Adjustment" available to various localities primarily in Northern Virginia.
- 3) We support establishment of a mechanism for local appeal of the calculated Local Composite Index to the State.
- 4) We urge state financial assistance with school construction and renovation needs, including funding for the Literary Loan and interest rate subsidy programs. The State should discontinue seizing dollars from the Literary Fund to help pay its costs for teacher retirement.

STATE MANDATES & FUNDING OBLIGATIONS

*Legislative Position of Charlottesville City and the
Counties of Albemarle, Fluvanna, Greene, Louisa and Nelson*

PRIORITY: The Planning District localities urge the governor and legislature to 1) not impose financial or administrative mandates on localities; 2) not shift costs for state programs to localities; and 3) not further restrict local revenue authority.

Rationale: Locality budgets continue to be challenged by slowly-recovering local revenue, stagnant state funding and additional requirements. While state general fund appropriations have increased by \$2 billion since FY09, state assistance to local governments for locally-administered programs is \$375 million less for FY14 than in FY09. These reductions have not been accompanied by program changes that could alleviate financial burdens on localities, as state standards prescribe how services are to be delivered and localities have to meet such standards regardless of the costs. The governor and state officials have boasted of state budget “surpluses” the past four years, yet continue to approve unfunded and underfunded state requirements and shift costs to localities, straining local ability to craft effective and efficient budgets to deliver services mandated by the state or demanded by residents.

Position Statements:

We oppose unfunded state and federal mandates and the cost shifting that occurs when the state fails to fund requirements or reduces or eliminates funding for state-supported programs. Any state funding reductions for state-required services/programs should be accompanied by relaxation or suspension of the state requirement or flexibility for the locality to meet the requirement. We support efforts to improve and enhance the process for determining local fiscal impacts of proposed legislation, including additional state involvement and resources to support such fiscal analyses and reinstatement of the “first day” introduction requirement for bills with local fiscal impact.

Changes to Virginia’s tax code or in state policy should not reduce local government revenue sources or restrict local taxing authority. Any legislative or study committee examining such revenues or authority should include local government representation. This includes proposals to alter or eliminate the BPOL and Machinery and Tools taxes, or to divert Communications Sales and Use Tax Fund revenues intended for localities to other uses. Instead, the legislature should broaden the revenue sources available to local governments.

The State also should not confiscate or redirect local general fund dollars to the state treasury, as was done in 2012 when it directed a portion of fines and fees collected at the local level pursuant to the enforcement of local ordinances to the Literary Fund. The State should refrain from establishing local tax policy at the state level and allow local governments to retain authority over decisions that determine the equity of local taxation policy. The State should equalize the revenue-raising authority of counties with that of cities, and also should ensure the appropriate collection of transient occupancy taxes from online transactions.

TRANSPORTATION FUNDING and DEVOLUTION

*Legislative Position of Charlottesville City and the
Counties of Albemarle, Fluvanna, Greene, Louisa and Nelson*

PRIORITY: The Planning District localities urge the State remain focused on providing for sufficient state revenues to expand and maintain our transportation infrastructure. It is imperative that the State restore formula allocations for secondary/urban construction and for unpaved roads. We oppose any legislation or regulations that would transfer responsibility to counties for construction, maintenance or operation of current or new secondary roads.

Rationale: State leaders took a big step this past year toward addressing transportation infrastructure needs with approval of a transportation funding package that is expected to generate nearly \$800 million per year by 2018, with funding targeted primarily for road maintenance, rail and transit. Under the approved plan, revenues for transportation are being generated from policy changes that 1) eliminated the gas tax and converted it to a wholesale tax (on both gas and diesel); 2) increased the state sales tax from 5% to 5.3%, while also hiking the motor vehicle sales tax and the alternative fuel vehicles annual fee; 3) diverted additional general fund dollars to transportation; and 4) will utilize internet sales tax collections, should federal law be put in place. Previous legislative changes (2012) authorize \$500 million of the top for Commonwealth Transportation Board priorities before funds are provided to the construction fund. Accordingly, construction funding for secondary and urban roads, suspended in 2010, has not been restored and is not due to resume until 2016.

Position Statements:

We urge the state to restore formula allocations for secondary/urban construction and for unpaved roads, and we support stable and increasing dollars for cities and towns to maintain roads within their jurisdictional boundaries. Funding for urban, suburban and secondary road improvements are vital to our region's ability to respond to local and regional congestion and economic development issues.

Concerning secondary road devolution, we believe that efficient and effective transportation infrastructure, including the secondary road system, is critical to a healthy economy, job creation, a cleaner environment and public safety. In the past 20 years, the number of miles travelled on Virginia roadways has steadily increased, while the attention to maintaining the nearly 50,000 mile secondary system took a back seat. We oppose shifting the responsibility for secondary roads to local entities, which could result in vast differences among existing road systems in different localities, potentially placing the state at a competitive economic disadvantage with other states when considering business and job recruitment and movement of goods.

We support ongoing state and local efforts to coordinate transportation and land use planning, without eroding local land use authority, and state incentives for localities that do so. We urge VDOT to be mindful of various local and regional plans when conducting corridor or transportation planning within a locality or region. We also take the following positions:

- 1) We support enabling authority to establish mechanisms for funding transit and non-transit projects in the region.
- 2) While we opposed the closing of VDOT's Louisa residency facilities and support its reopening, we also support the option for the locality to purchase the property.

CHESAPEAKE BAY TMDL

*Legislative Position of Charlottesville City and the
Counties of Albemarle, Fluvanna, Greene, Louisa and Nelson*

PRIORITY: The Planning District localities support the goal of improved water quality, but believe it is imperative that we have major and reliable forms of financial and technical assistance from the federal and state governments if comprehensive water quality improvement strategies for local and state waters emptying into the Chesapeake Bay are to be effective. We support fairness in applying requirements for reductions in nutrient and sediment loading across source sectors, along with accompanying authority and incentives for all sectors to meet such requirements. The Planning District localities are in strong agreement that we will oppose actions that impose monitoring, management or similar requirements without providing sufficient resources.

Rationale: As the result of various court settlements concerning the Clean Water Act of 1972, the Environmental Protection Agency is enforcing water quality standards in the Chesapeake Bay watershed by imposing a pollution diet (known as Total Maximum Daily Load, or TMDL) to reduce pollution to acceptable levels. Bay states submitted plans for achieving TMDL goals of reducing nitrogen, phosphorous and sediment flowing into the Bay. The TMDL and Virginia Watershed Implementation Plan require two-year milestones for the state and localities. As local governments will be greatly impacted by initiatives to reduce pollutants into state waters of the Bay watershed, it is imperative that aggressive state investment in meeting such milestones occurs. This investment must take the form of authority, funding and other resources being in place to assure success, and must ensure that cost/benefit analyses are conducted of solutions that generate the greatest pollution reductions per dollar spent.

Local governments particularly are concerned about the various effects on their communities and their economic growth. There will be costs to meet reduced pollutant discharge limitations for localities that own/operate treatment plants. Local governments will be required to develop and implement nutrient management programs for certain large, public properties. Costs for stormwater management regulations will fall on both new development and redevelopment. There will be economic impacts due to increased cost for compliance by agriculture and increased fees charged by the permitted dischargers.

Position Statements:

- 1) We support sufficient state funds for the full cost of implementing TMDL measures that will be required of local governments. This includes costs associated with revised stormwater management regulations and requirements for locally-implemented stormwater management programs, as fees that have been authorized likely will be inadequate to cover costs associated with the new programs. The state should consider using state budget surplus dollars to fund such measures. We also support allowances for modified stormwater management plans for individual lots.
- 2) We support sufficient federal funds for grants and low-interest loans for capital costs, such as for permitted dischargers to upgrade treatment plants and for any retrofitting of developed areas, while minimizing the economic impact of increased fees.
- 3) We support sufficient state funding for a) the Cooperative Extension Service and Soil and Water Conservation Districts to aid farmers with best management practices (BMP) in their operations, and b) the Soil and Water Conservation Board for monitoring resource management plan compliance.
- 4) We believe that implementation of the Nutrient Trading Act to allow exchange of pollution allocations among various point and nonpoint sources should contain such exchanges within a particular watershed, so as to improve the health of local waters.

LAND USE and GROWTH MANAGEMENT

*Legislative Position of Charlottesville City and the
Counties of Albemarle, Fluvanna, Greene, Louisa and Nelson*

PRIORITY: The Planning District localities encourage the state to provide local governments with additional tools to manage growth, without preempting or circumventing existing authorities.

Rationale: In the past, the General Assembly has enacted both mandated and optional land use provisions applicable to local governments in order to address growth issues. While some have been helpful, others have prescribed one-size-fits-all rules that hamper various localities that may approach their land use planning differently. Preemption or circumvention of existing local authority hinders localities in implementing the comprehensive plan or overseeing land uses. Moreover, current land use authority often is inadequate to allow local governments to provide for balanced growth in a manner that protects and improves quality of life.

Position Statements:

The General Assembly should grant localities additional tools necessary to meet important infrastructure needs that are driven by development. We endorse efforts to have impact fee and proffer systems that are workable and meaningful for various parties, but we oppose attempts to weaken our current proffer authority. Rather, we support revisions to the current road impact fee authority that would include additional localities and provide: 1) a fair allocation of the costs of new growth on public facilities; 2) facility costs that include various transportation modes, schools, public safety, libraries and parks; 3) effective implementation and reasonable administrative requirements; and 4) no caps or limits on locality impact fee updates.

We also take the following positions:

- 1) We oppose efforts to unnecessarily expand and commercialize the definition of farm operations that would impede local abilities to protect the property values, health, safety and welfare of citizens in the locality.
- 2) To enhance our ability to pay for infrastructure costs and to implement services associated with new developments, we support localities being given authority to enact local ordinances for determining whether public facilities are adequate (“adequate public facility,” or APF ordinances).
- 3) We support optional cluster development as a land use tool for local governments.
- 4) Concerning conservation of land, we support a) state funding for localities, at their option, to acquire, preserve and maintain open space; b) authority to generate local dollars for such efforts; c) additional incentives for citizens to create conservation easements; and d) authority for localities, at their option, to enact scenic protection and tourist enhancement districts.

COMPREHENSIVE SERVICES ACT

*Legislative Position of Charlottesville City and the
Counties of Albemarle, Fluvanna, Greene, Louisa and Nelson*

PRIORITY: The Planning District localities urge the state to be partners in containing costs of the Comprehensive Services Act (CSA) and to better balance CSA responsibilities between state and local government. We also request increased state dollars for local CSA administrative costs.

Rationale: Since the inception of the Comprehensive Services Act in the early 1990's, there has been pressure to hold down costs, to cap state costs for serving mandated children, to increase local match levels and to make the program more uniform by attempting to control how localities run their programs. After years of steep increases (ranging from five to 16 percent) in state and local costs of residential and non-residential mandated services, CSA pool expenditures for state and local governments have declined or remained steady the last four years as the number of youth receiving services has dropped. Costs remain challenging to forecast because of factors beyond state and local control (number of mandated children in a community, severity of problems, service rates, and availability of alternative funding).

In addition, localities pay the overwhelming majority (80%) of costs to administer this shared program. State dollars for administration have not increased since the late 1990's. At the same time, administrative costs have jumped due to additional data collection and reporting requirements.

Position Statements:

We take the following positions:

- 1) The state should either provide additional funding to localities for administrative support or revise its data collection and reporting requirements.
- 2) The state should provide full funding of the state pool for CSA, with allocations based on realistic anticipated levels of need.
- 4) The state should establish a cap on local expenditures in order to combat higher local costs for serving mandated children, costs often driven by unanticipated placements in a locality.
- 5) The categories of populations mandated for services should not be expanded unless the state pays all the costs.
- 6) The state should be proactive in making residential facilities and service providers available, especially in rural areas.
- 7) In a further effort to help contain costs and provide some relief to local governments, we recommend that the state establish contracts with CSA providers to provide for a uniform contract management process in order to improve vendor accountability and to control costs.

AREAS OF CONTINUING CONCERN

ECONOMIC and WORKFORCE DEVELOPMENT

The Planning District's member localities recognize economic development and workforce training as essential to the continued viability of the Commonwealth. We support policies that closely link the goals of economic and workforce development and the state's efforts to streamline and integrate workforce activities and revenue sources. We also support increased state funding for workforce development programs.

- We support the state's Economic and Workforce Development Strategic Plan for the Commonwealth that more clearly defines responsibilities of state and local governments and emphasizes regional cooperation in economic, workforce and tourism development.
- We support meaningful opportunities to boost regional collaboration and projects. Specifically, we endorse enhanced state funding for the Regional Competitiveness Act to initiate and sustain such efforts. ~~to continue meaningful opportunities for regional projects.~~ We also support increased state funding for the Industrial Site Development Fund, the Governor's Opportunity Fund and tourism initiatives that help promote economic development in localities and regions.
- We encourage the state and local governments to work with other entities to identify, to provide incentives for ~~incentivize~~ and to promote local, regional and state agricultural products and rural enterprises, and to encourage expansion and opportunities for such products and enterprises.
- We support ~~restructuring of the Virginia Cooperative Extension Service (VCES) that preserves beneficial extension agents and the services they provide, and that increases~~ increased state funding for the Virginia Cooperative Extension Service ~~VCES~~.
- We encourage continuing state incentives and support for expediting deployment and reducing the cost of broadband technology, particularly in underserved areas.

ENVIRONMENTAL QUALITY

The Planning District's member localities believe that environmental quality should be funded and promoted through a comprehensive approach, and address air and water quality, solid waste management, land conservation, climate change and land use policies. We are committed to protection and enhancement of the environment and recognize the need to achieve a proper balance between environmental regulation and the socio-economic health of our communities within the constraints of available revenues. Such an approach requires regional cooperation due to the inter-jurisdictional nature of many environmental resources, and adequate state funding to support local and regional efforts.

We believe the following:

- The state should not impose a fee, tax or surcharge on water, sewer, solid waste or other local services to pay for state environmental programs. To do so would set a disturbing precedent whereby the state could levy surcharges on local user fees to fund state priorities.
- The legislature should continue to provide funding for wastewater treatment and other necessary assistance to localities as it works to clean up the state's impaired waterways. The state also should explore alternative means of preventing and remediating water pollution.
- We oppose legislation mandating expansion of the Chesapeake Bay Preservation Act's coverage area. Instead, we urge the state to 1) provide legal, financial and technical support to localities that wish to

comply with any of the Act's provisions, 2) allow localities to use other practices to improve water quality, and 3) provide funding for other strategies that address point and non-point source pollution.

- We support legislative and regulatory action to 1) ensure that alternative on-site sewage systems will be operated and maintained in a manner that protects public health and the environment, and 2) increase options for localities to secure owner abatement or correction of system deficiencies.
- The state should be a partner and advocate for localities in water supply development and should work with and assist localities in addressing water supply issues, including investing in regional projects. Also, the state's water supply planning efforts should continue to involve local governments.
- We support legislation enabling localities, as a part of their zoning ordinances, to designate and/or reasonably restrict the land application of biosolids to specific areas within the locality, based on criteria designed to further protect the public safety and welfare of citizens. In addition, we support increased local government representation on the Biosolids Use Regulation Advisory Committee.
- We support scenic river designation for a portion of the Tye River in Nelson County.

HEALTH and HUMAN SERVICES

The Planning District's member localities recognize that special attention must be given to developing circumstances under which people, especially the disabled, the poor, the young and the elderly, can achieve their full potential. Funding reductions to community agencies have been especially troublesome, as their activities often end up preventing more costly services later. The delivery of health and human services must be a collaborative effort from federal, state and local agencies. We urge the General Assembly to ensure funding is available to continue such valuable preventive services.

- We oppose any changes in state funding or policies that result in an increase of the local share of costs for human services.
- The state should increase funding to the Virginia Juvenile Community Crime Control Act (VJCCCA) program, which has cut in half the number of juvenile justice commitments over the past decade.
- The state should provide sufficient funding to allow Community Services Boards (CSBs) to meet the challenges of providing a community-based system of care, including maximizing the use of Medicaid funding. We believe children with mental health needs should be treated in the mental health system, where CSBs are the point of entry. We support state action to increase investment in the MR waiver program for adults and young people and Medicaid reimbursement for children's dental services. We also oppose any shifting of Medicaid matching requirements from the state to localities, and request sufficient federal and/or state financial resources associated with new or additional roles and responsibilities for local governments due to any expansion of Medicaid.
- We urge full state funding to offset any increased costs to local governments for additional responsibilities for processing applications for the FAMIS program.
- We support funding for mental health and substance abuse services at juvenile detention centers.
- We oppose new state or federal entitlement programs that require additional local funding.
- We support the provision of sufficient state funding to match all available federal dollars for the administration of mandated services within the Department of Social Services (DSS), and to meet the staffing standards for local departments to provide services as stipulated in state law. Additionally, the state should not assess penalties on localities resulting from federal Title IV-E foster care audit findings; rather it should adequately fund, equip and support local DSS offices.
- We support sufficient state funding assistance for older residents, to include companion and in home services, home delivered meals and transportation.
- We support the continued operation and enhancement of early intervention and prevention programs (and renewal of CSA Trust Fund dollars to support them), including school-based prevention

programs which can make a difference in children's lives. This would include the state's program for at-risk four-year-olds and the Child Health Partnership and Healthy Families programs, as well as Part C of the Individuals with Disabilities Education Act (infants and toddlers).

- The legislature should provide full funding to assist low-income working and TANF (and former TANF) families with childcare costs. These dollars help working-class parents pay for supervised day care facilities and support efforts for families to become self-sufficient. We oppose any initiatives to shift traditional federal and state childcare administrative responsibility and costs to local governments. We believe the current funding and program responsibility for TANF employment services should remain within the social services realm. We also support a TANF plan that takes into account and fully funds state and local implementation and support services costs.

HOUSING

The Planning District's member localities believe that every citizen should have an opportunity to afford decent, safe and sanitary housing. The state and localities should work to expand and preserve the supply and improve the quality of affordable housing for the elderly, disabled, and low- and moderate-income households. Regional housing solutions and planning should be implemented whenever possible.

- We support the following: 1) local flexibility in the operation of affordable housing programs, 2) creation of a state housing trust fund, 3) local flexibility in establishment of affordable dwelling unit ordinances, 4) grants and loans to low- or moderate-income persons to aid in purchasing dwellings, and 5) the provision of other funding to encourage affordable housing initiatives.
- We support enabling legislation that allows property tax relief for community land trusts that hold land for the purpose of providing affordable homeownership.
- We support measures to prevent homelessness and to assist the chronic homeless.
- We support incentives that encourage rehabilitation and preservation of historic structures.
- We support retaining local discretion to regulate the allowance of manufactured homes in zoning districts that permit single-family dwellings.
- We encourage and support the use of, and request state incentives for using environmentally friendly (green) building materials and techniques, which can contribute to the long-term health, vitality and sustainability of the region.

PUBLIC SAFETY

The Planning District's member localities encourage state financial support, cooperation and assistance for law enforcement, emergency medical care, criminal justice activities and fire services responsibilities carried out locally.

- We urge the state to make Compensation Board funding a top priority, fully funding local positions that fall under its purview. It should not increase the local share of funding constitutional offices or divert funding away from local offices, but increase money needed for their operation. Local governments continue to provide much supplemental funding for constitutional officer budgets when state funding is reduced.
- We urge continued state funding of the HB 599 law enforcement program (in accordance with *Code of Virginia* provisions), the drug court program and the Offender Reentry and Transition Services (ORTS), Community Corrections and Pretrial Services Acts. We also support continued state endorsement of the role and authority of pretrial services offices.

- The state should continue to allow exemptions from the federal prisoner offset and restore the per diem payment to localities for housing state-responsible prisoners to \$14 per day. Also, the state should not shift costs to localities by altering the definition of state-responsible prisoner.
- We support restoration of state funding responsibility for the Line of Duty Act.
- We urge state funding for the Volunteer Firefighters' and Rescue Squad Workers' Service Award Program and other incentives that would help recruit and retain emergency service providers. Further, the state should improve access to and support for training for volunteer and paid providers.
- We encourage shared funding by the state of the costs to construct and operate regional jails; however, we do not believe the state should operate local and regional jails.

LOCAL GOVERNMENT STRUCTURE and LAWS

The Planning District's member localities believe that since so many governmental actions take place at the local level, a strong local government system is essential. Local governments must have the freedom and tools to carry out their responsibilities.

- We oppose intrusive legislation involving purchasing procedures; local government authority to establish hours of work, salaries and working conditions for local employees; matters that can be adopted by resolution or ordinance; and procedures for adopting ordinances.
- We request that any changes to the Virginia Freedom of Information Act (FOIA) preserve 1) a local governing body's ability to meet in closed session, 2) the list of records currently exempt from disclosure under FOIA, and 3) provisions concerning creation of customized computer records. We support changes to allow local and regional public bodies to conduct electronic meetings as now permitted for state public bodies.
- We support allowing localities to use alternatives to newspapers for publishing various legal advertisements and public notices.
- We oppose any changes to state law that further weaken a locality's ability to regulate noise or the discharge of firearms.
- We support expanding local authority to regulate smoking in public places.
- The state should amend the Code to require litigants in civil cases to pay for the costs associated with compensating jury members.
- We support authorization for the court to issue restricted driver's licenses to persons denied them because of having outstanding court costs or fees.
- ~~We support legislation to include Albemarle County as a locality enabled to restrict the number of inoperable vehicles which may be kept outside of an enclosed building or structure on residential or commercial property.~~
- We support legislation to allow localities to give developers the option to install sidewalks or to contribute corresponding funds in connection with ~~new~~ residential development or redevelopment.
- ~~The state should enable localities to retain civil penalties collected from illegal sign removal in the right of way.~~
- ~~We support a pilot program to combine voting precincts into centralized voting centers for primary elections, in order to study their potential efficacy and cost savings.~~
- We support increased state funding for regional planning districts.
- We support legislation to increase permissible fees for courthouse maintenance.
- We oppose attempts to reduce sovereign immunity protections for localities.
- We support enactment of an interest rate cap of 36% on payday loans, fees and other related charges.

RESOLUTION R2013-77
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF 2014 THOMAS JEFFERSON PLANNING DISTRICT
LEGISLATIVE PROGRAM

RESOLVED, by the Nelson County Board of Supervisors that the 2014 Thomas Jefferson Planning District Legislative Program be and hereby is approved by said governing body with the legislative program to serve as the basis of legislative positions and priorities of the member localities of the Thomas Jefferson Planning District Commission for the 2014 Session of the Virginia General Assembly, with amendments presented by Mr. Blount on November 14, 2013 as well as incorporation of the recommendations put forth by the Board as applicable.

Adopted: November 14, 2013

Attest: _____ Clerk,
Nelson County Board of Supervisors

NELSON COUNTY BOARD OF SUPERVISORS MEETING – November 14, 2013

EXISTING VIRGINIA STORMWATER MANAGEMENT PROGRAM (VSMP)

VS. VSMP BEGINNING JULY 1, 2014

	EXISTING VSMP	VSMP AS OF JULY 1, 2014
Administration	<ul style="list-style-type: none"> • DEQ 	<ul style="list-style-type: none"> • Local administration
SWPPP	<ul style="list-style-type: none"> • Not reviewed prior to construction 	<ul style="list-style-type: none"> • To be reviewed locally
Permit coverage	<ul style="list-style-type: none"> • Through DEQ 	<ul style="list-style-type: none"> • Through DEQ but will need coordination locally: local approval prior to coverage; “E-permitting system”
Technical criteria	<ul style="list-style-type: none"> • Quality & quantity 	<ul style="list-style-type: none"> • Quality & quantity, but new computation methods and criteria
Fees	<ul style="list-style-type: none"> • Paid to DEQ for permit coverage • 1 - <5 acres = \$450 • \geq5 acres = \$750 	<ul style="list-style-type: none"> • Paid to locality & DEQ to cover all costs • 1 - <5 acres = \$2,700 (DEQ share = \$756) • \geq5 acres: \$3,400 - \$9,600 (DEQ share: \$952 - \$2,688)

FEES

- ▶ Established in VSMP Permit Regulations
- ▶ Covers Average Local SWM Program Costs
- ▶ Long-Term BMP Maintenance Inspections
 - Costs NOT Covered
- ▶ Localities Can Establish Different Fees
 - SWCB Approval
 - State Portion Remains Same

Disturbed Area (acres)	Statewide Fee	28% to DEQ (Fixed Amount)	Locality Portion (May Be Changed)
< 1 (Subdivision)	\$290	\$81	\$209
\geq 1 & < 5	\$2,700	\$756	\$1,944
\geq 5 & < 10	\$3,400	\$952	\$2,448
\geq 10 & < 50	\$4,500	\$1,260	\$3,240
\geq 50 & < 100	\$6,100	\$1,708	\$4,392
\geq 100	\$9,600	\$2,688	\$6,912

**LOCALLY ADMINISTERED EROSION AND SEDIMENT CONTROL PROGRAM
VS. LOCALLY ADMINISTERED STORMWATER MANAGEMENT PROGRAM**

	EROSION & SEDIMENT CONTROL	STORMWATER MANAGEMENT
Land disturbance trigger	<ul style="list-style-type: none"> • $\geq 10,000$ sq. ft. 	<ul style="list-style-type: none"> • ≥ 1 acre
Water issues addressed	<ul style="list-style-type: none"> • Addresses water quality <i>during</i> construction (related to soil erosion) & channel adequacy 	<ul style="list-style-type: none"> • Addresses water quality and quantity <i>after</i> development (related to impervious surfaces)
Local implementation	<ul style="list-style-type: none"> • Program Administration, Plan Review, Inspections, Enforcement 	<ul style="list-style-type: none"> • SAME
Fees	<ul style="list-style-type: none"> • Fees to cover program costs at discretion of locality 	<ul style="list-style-type: none"> • Fees required to cover state & local program costs (see attached schedule, local share can be altered w/SWCB approval)
State permit coverage	<ul style="list-style-type: none"> • Not required 	<ul style="list-style-type: none"> • Required
	EROSION & SEDIMENT CONTROL	STORMWATER MANAGEMENT
Permanent practices	<ul style="list-style-type: none"> • Maintenance plan required (but Nelson County requires recorded maintenance agreement) • No engineering certification for installation 	<ul style="list-style-type: none"> • Recorded maintenance agreement required • Construction record drawing required (sealed & signed by professional) • Enforcement for long-term maintenance
Agriculture & Forestry	<ul style="list-style-type: none"> • Exempt 	<ul style="list-style-type: none"> • Exempt
Single family homes in "common plan"	<ul style="list-style-type: none"> • Handled through Agreement in Lieu of Plan 	<ul style="list-style-type: none"> • Covered under full "common plan of development" (ultimate build-out)
Single family homes separately built	<ul style="list-style-type: none"> • Exempt 	<ul style="list-style-type: none"> • If greater than 1 acre, plan, permit & fee required.

TIMELINE

VSMP Permit Regulations (background & where we are now)

- ▶ January 29, 2005 – DCR/DEQ began statewide coverage of SWM Program
- ▶ September 2011 – amended SWM Regulations became effective
- ▶ Local VSMP to be established by July 1, 2014
- ▶ Localities to approve “SWM General Permit Coverage” (DEQ will continue to issue general permit (5 years))

DEADLINES (has been a moving target this past year)

- ▶ December 15, 2013 – Application to be local “Program Authority” due to DEQ. Will include final drafts of:
 1. Policies and Procedures (draft complete)
 - ▶ Administration of Program
 - ▶ Plan Review
 - ▶ Inspection
 - ▶ Enforcement
 2. Final draft of SWM Ordinance (need informal consensus of BOS with intent to proceed)
 - ▶ Used DEQ Model Ordinance
 3. Funding and Staffing Plan (draft complete)
 4. Partnering Agreement/MOU/Contract (only authorized for plan review & inspections)
 - ▶ Intent to Contract
- ▶ April 1, 2014 – final adopted Ordinance and Application due to DEQ
- ▶ July 1, 2014 – VSMP Approval & Implementation per Regulations

TO DO:

- ▶ In November or early December: BOS Decisions
 - Staffing for Inspections & Plan Reviews (including draft contract/MOU if applicable)
 - Fee Schedule
 - Permission to Submit SWM Ordinance (as Final Draft)
- ▶ Dec.15, 2013: submit application to DEQ
- ▶ Early 2014: county must finalize contract/MOU if applicable
- ▶ Public Participation for SWM Ordinance
- ▶ March 1, 2014: Final BOS approval of Ordinance
- ▶ April 1, 2014: Submit final application to DEQ
- ▶ July 1, 2014: Local VSMP begins

LOCAL IMPLEMENTATION OF VSMP

NELSON COUNTY





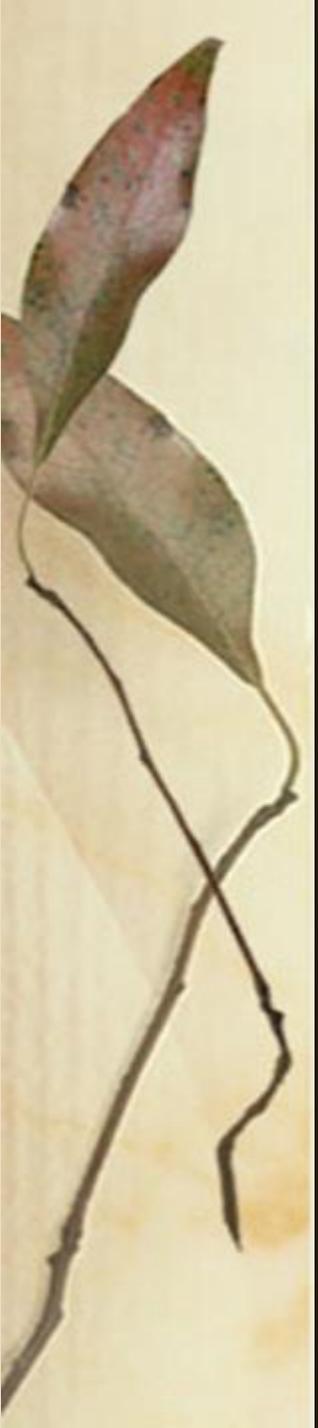
COMPARISON: EXISTING VSMP vs. VSMP AS OF JULY 2014

ADMINISTRATION:

NOW	• DEQ
JULY	• Local administration

SWPPP:

NOW	• Not reviewed prior to construction
JULY	• To be reviewed locally



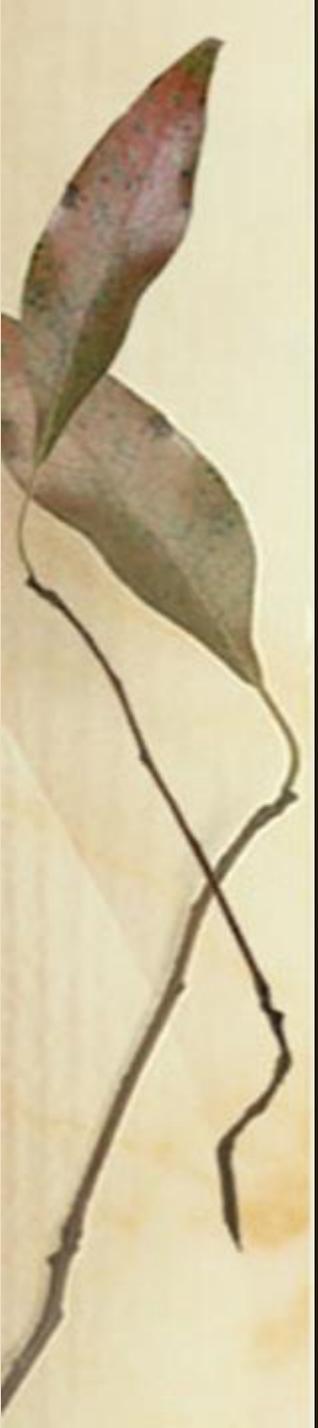
COMPARISON: EXISTING VSMP vs. VSMP AS OF JULY 2014

PERMIT COVERAGE:

NOW	<ul style="list-style-type: none">• Through DEQ
JULY	<ul style="list-style-type: none">• Through DEQ but will need local coordination & plan approval

TECHNICAL CRITERIA:

NOW	<ul style="list-style-type: none">• Quality & quantity
JULY	<ul style="list-style-type: none">• Quality & quantity, but new computation methods & criteria



COMPARISON: EXISTING VSMP vs. VSMP AS OF JULY 2014

FEES:

NOW	<ul style="list-style-type: none">• Paid to DEQ for permit coverage• 1 - <5 acres = \$450• <u>≥</u>5 acres = \$750
JULY	<ul style="list-style-type: none">• Paid to locality & DEQ to cover all costs• 1 - <5 acres = \$2,700 (DEQ share = \$756)• <u>≥</u>5 acres = \$3,400 to \$9,000 (DEQ share: \$952 to \$2,688)

FEES:

Disturbed Area (acres)	Statewide Fee	28% to DEQ (Fixed Amount)	Locality Portion (May Be Changed)
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≥ 100	\$9,600	\$2,688	\$6,912

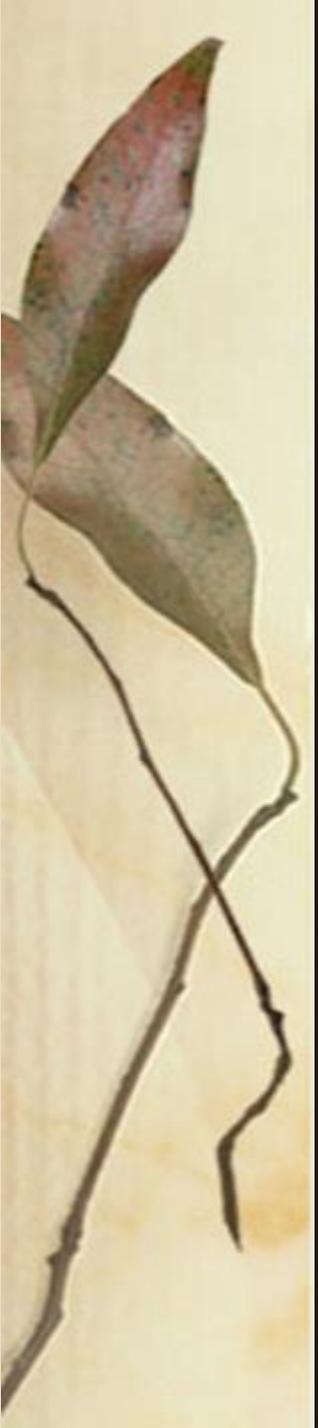
LOCAL E&SC PROGRAM vs. LOCAL VSMP

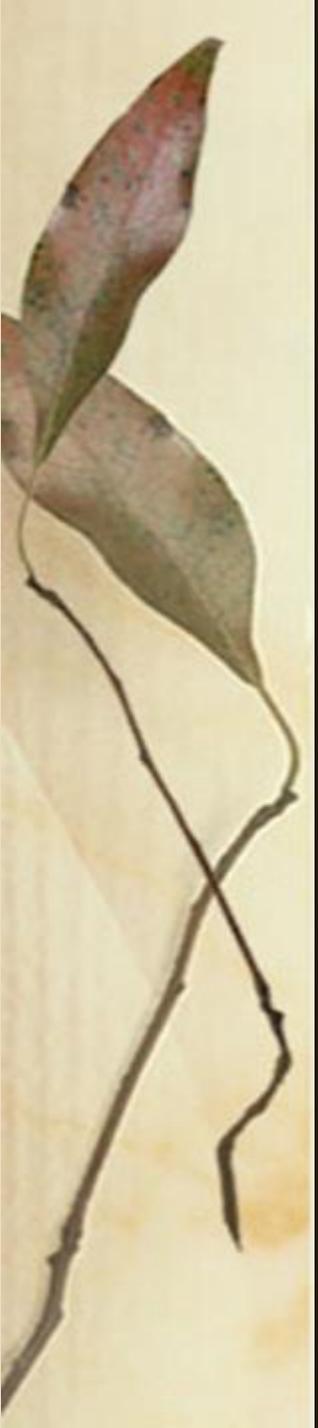
	EROSION & SEDIMENT CONTROL	STORMWATER MANAGEMENT
Land disturbance trigger	<ul style="list-style-type: none">• $\geq 10,000$ sq. ft.	<ul style="list-style-type: none">• ≥ 1 acre
Water issues addressed	<ul style="list-style-type: none">• Addresses water quality during construction (related to soil erosion) & channel adequacy	<ul style="list-style-type: none">• Addresses water quality and quantity after development (related to impervious surfaces)
Local implementation	<ul style="list-style-type: none">• Program Administration, Plan Review, Inspections, Enforcement	<ul style="list-style-type: none">• SAME
Fees	<ul style="list-style-type: none">• Fees to cover program costs at discretion of locality	<ul style="list-style-type: none">• Fees required to cover state & local program costs (see attached schedule, local share can be altered w/SWCB approval)
State permit coverage	<ul style="list-style-type: none">• Not required	<ul style="list-style-type: none">• Required



LOCAL E&SC PROGRAM vs. LOCAL VSMP

	EROSION & SEDIMENT CONTROL	STORMWATER MANAGEMENT
Permanent practices	<ul style="list-style-type: none">• Maintenance plan required (but Nelson County requires recorded maintenance agreement)• No engineering certification for installation	<ul style="list-style-type: none">• Recorded maintenance agreement required• Construction record drawing required (sealed & signed by professional)• Enforcement for long-term maintenance
Agriculture & Forestry	<ul style="list-style-type: none">• Exempt	<ul style="list-style-type: none">• Exempt
Single family homes in “common plan”	<ul style="list-style-type: none">• Handled through Agreement in Lieu of Plan	<ul style="list-style-type: none">• Covered under full “common plan of development” (ultimate build-out)
Single family homes separately built	<ul style="list-style-type: none">• Exempt	<ul style="list-style-type: none">• If greater than 1 acre, plan, permit & fee required.





BACKGROUND & WHERE WE ARE NOW

- January 29, 2005 – DCR/DEQ began statewide coverage of SWM Program
- September 2011 – amended SWM Regulations became effective
- July 1, 2014 – Local VMSP to be established & implanted
- Every 5 years – DEQ re-issued general permit; localities continue to approve “SWM General Permit Coverage”

DEADLINES

- December 15, 2013 – Application to be local “Program Authority” due to DEQ to include final drafts of:
 1. Policies & Procedures
 2. SWM Ordinance (consensus, intent to proceed)
 3. Funding & Staffing Plan
 4. Partnering Agreement (MOU w/TJSWCD)
- April 1, 2013 – Final adopted ordinance & application due to DEQ
- July 1, 2014 – VSMP Authority approved; local implementation begins

TO DO

- November or early December (BOS):
 1. Final staffing plan including draft contracts or MOU's for partnerships
 2. Proposed Fee Schedule
 3. Permission to submit SWM Ordinance as final draft
- December 15, 2013 – Submit application to DEQ
- Early 2014 – Finalize partner contracts/MOUs
- Early 2014 – Public participation for SWM Ordinance
- March 2014 – Final BOS approval of Ordinance
- April 1, 2014 – Submit final application to DEQ
- July 1, 2014 – Local VSMP begins

**AN ORDINANCE TO ADOPT REGULATIONS RELATED TO
STORMWATER MANAGEMENT IN ORDER TO PROTECT WATER QUALITY AND
QUANTITY AND TO COMPLY WITH STATE LAW REQUIREMENTS**

Section 1-1. PURPOSE AND AUTHORITY.

- (a) The purpose of this Ordinance is to ensure the general health, safety, and welfare of the citizens of Nelson County, Virginia and protect the quality and quantity of state waters from the potential harm of unmanaged stormwater, including protection from land disturbing activities causing unreasonable degradation of properties, water quality, stream channels, and other natural resources, and to establish procedures whereby stormwater requirements related to water quality and quantity shall be administered and enforced.
- (b) This Ordinance is adopted pursuant to Article 2.3 (§ 62.1-44.15:24 et seq.) of Chapter 3.1 of Title 62.1 of the Code of Virginia.

Section 1-2. DEFINITIONS.

In addition to the definitions set forth in 9VAC25-870-10 of the Virginia Stormwater Management Regulations, as amended, which are expressly adopted and incorporated herein by reference, the following words and terms used in this Ordinance have the following meanings unless otherwise specified herein. Where definitions differ, those incorporated herein shall have precedence.

"Administrator" means the Building Official for Nelson County who is authorized to delegate duties and responsibilities set forth in this Ordinance to qualified technical personnel, plan examiners, inspectors, and other employees or third-parties.

"Applicant" means any person submitting an application for a permit or requesting issuance of a permit under this Ordinance.

"Best management practice" or *"BMP"* means schedules of activities, prohibitions of practices, including both structural and nonstructural practices, maintenance procedures, and other management practices to prevent or reduce the pollution of surface waters and groundwater systems from the impacts of land-disturbing activities.

"Board" means the Board of Supervisors of Nelson County, Virginia.

"Common plan of development or sale" means a contiguous area where separate and distinct construction activities may be taking place at different times on difference schedules.

"Control measure" means any best management practice or stormwater facility, or other method used to minimize the discharge of pollutants to state waters.

"Clean Water Act" or *"CWA"* means the federal Clean Water Act (33 U.S.C §1251 et seq.), formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution

Control Act Amendments of 1972, Public Law 92-500, as amended by Public Law 95-217, Public Law 95-576, Public Law 96-483, and Public Law 97-117, or any subsequent revisions thereto.

"Department" or *"DEQ"* means the Virginia Department of Environmental Quality.

"Development" means land disturbance and the resulting landform associated with the construction of residential, commercial, industrial, institutional, recreation, transportation or utility facilities or structures or the clearing of land for non-agricultural or non-silvicultural purposes.

"District" means the Thomas Jefferson Soil & Water Conservation District.

"General permit" means the state permit titled GENERAL PERMIT FOR DISCHARGES OF STORMWATER FROM CONSTRUCTION ACTIVITIES found in found in 9VAC25-880-1 et seq. of the Regulations authorizing a category of discharges under the CWA and the Act within a geographical area of the Commonwealth of Virginia.

"Land disturbance" or *"land-disturbing activity"* means a man-made change to the land surface that potentially changes its runoff characteristics including clearing, grading, or excavation except that the term shall not include those exemptions specified in Section 1-3 (c) of this Ordinance.

"Minor modification" means an amendment to an existing permit before its expiration not requiring extensive review and evaluation including, but not limited to, changes in EPA promulgated test protocols, increasing monitoring frequency requirements, changes in sampling locations, and changes to compliance dates within the overall compliance schedules. A minor permit modification or amendment does not substantially alter permit conditions, substantially increase or decrease the amount of surface water impacts, increase the size of the operation, or reduce the capacity of the facility to protect human health or the environment.

"Operator" means the owner or operator of any facility or activity subject to regulation under this Ordinance.

"Permittee" means the person to whom the Stormwater Management Permit is issued.

"Person" means any individual, corporation, partnership, association, state, municipality, commission, or political subdivision of a state, governmental body, including federal, state, or local entity as applicable, any interstate body or any other legal entity.

"Regulations" means the Virginia Stormwater Management Program (VSMP) Permit Regulations, 9VAC25-870-60, as amended .

"Site" means the land or water area where any facility or land-disturbing activity is physically located or conducted, including adjacent land used or preserved in connection with the facility or land-disturbing activity.

"State" means the Commonwealth of Virginia.

"State Board" or *"SWCB"* means the State Water Control Board.

"State Water Control Law" means Chapter 3.1 (§62.1-44.2 et seq.) of Title 62.1 of the Code of Virginia.

"State waters" means all water, on the surface and under the ground, wholly or partially within or bordering the Commonwealth or within its jurisdiction, including wetlands.

"Stormwater" means precipitation that is discharged across the land surface or through conveyances to one or more waterways and that may include stormwater runoff, snow melt runoff, and surface runoff and drainage.

"Stormwater Management Permit" or *"VSMP Authority Permit"* means an approval to conduct a land-disturbing activity issued by the Administrator for the initiation of a land-disturbing activity, in accordance with this Ordinance, and which may only be issued after evidence of General permit coverage has been provided by the Department.

"Stormwater management plan" means a document or compilation of documents containing materials meeting the requirements of Section 1-6 of this Ordinance.

"Stormwater Pollution Prevention Plan" or *"SWPPP"* means a document or compilation of documents meeting the requirements of Section 1-5 of this Ordinance, and which include at minimum, an approved erosion and sediment control plan, an approved stormwater management plan, and a pollution prevention plan.

"Subdivision" means the same as defined in Appendix B, Section 2 of the Nelson County Subdivision Ordinance.

"Total maximum daily load" or *"TMDL"* means the sum of the individual wasteload allocations for point sources, load allocations for nonpoint sources, natural background loading and a margin of safety. TMDLs can be expressed in terms of either mass per time, toxicity, or other appropriate measure. The TMDL process provides for point versus nonpoint source trade-offs.

"Virginia Stormwater Management Act" or *"Act"* means Article 2.3 (§62.1-44.14:24 et seq.) of Chapter 3.1 of Title 62.1 of the Code of Virginia.

"Virginia Stormwater BMP Clearinghouse website" means a website that contains detailed design standards and specifications for control measures that may be used in Virginia to comply with the requirements of the Virginia Stormwater Management Act and associated regulations.

"Virginia Stormwater Management Program," "VSMP," or "Stormwater Management Program" means the program established by the County to manage the quality and quantity of runoff resulting from land-disturbing activities in accordance with state law, and which has been approved by the SWCB.

"Virginia Stormwater Management Program authority" or "VSMP authority" means the County.

Section 1-3. STORMWATER PERMIT REQUIREMENT; EXEMPTIONS.

- (a) Except as provided herein, no person may engage in any land-disturbing activity until a Stormwater Management Permit has been issued by the Administrator in accordance with the provisions of this Ordinance.
- (b) Notwithstanding any other provisions of this Ordinance, the following activities are exempt, unless otherwise required by federal law:
 - (1) Permitted surface or deep mining operations and projects, or oil and gas operations and projects conducted under the provisions of Title 45.1 of the Code of Virginia;
 - (2) Clearing of lands specifically for agricultural purposes and the management, tilling, planting, or harvesting of agricultural, horticultural, or forest crops, livestock feedlot operations, or as additionally set forth by the State Board in regulations, including engineering operations as follows: construction of terraces, terrace outlets, check dams, desilting basins, dikes, ponds, ditches, strip cropping, lister furrowing, contour cultivating, contour furrowing, land drainage, and land irrigation; however, this exception shall not apply to harvesting of forest crops unless the area on which harvesting occurs is reforested artificially or naturally in accordance with the provisions of Chapter 11 (§ 10.1-1100 et seq.) of Title 10.1 of the Code of Virginia or is converted to bona fide agricultural or improved pasture use as described in Subsection B of § 10.1-1163 of Article 9 of Chapter 11 of Title 10.1 of the Code of Virginia;
 - (3) Single-family residences separately built and disturbing less than one acre and not part of a larger common plan of development or sale, including additions or modifications to existing single-family detached residential structures;
 - (4) Land disturbing activities that disturb less than one acre of land area, and which are not part of a larger common plan of development or sale that is one acre or greater of disturbance;
 - (5) Discharges to a sanitary sewer or a combined sewer system;
 - (6) Activities under a State or federal reclamation program to return an abandoned property to an agricultural or open land use;
 - (7) Routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original construction of the project. The paving of an existing road with a compacted or impervious surface and reestablishment of existing associated ditches and shoulders shall be deemed routine maintenance if performed in accordance with this Subsection; and

- (8) Conducting land-disturbing activities in response to a public emergency where the related work requires immediate authorization to avoid imminent endangerment to human health or the environment. In such situations, the Administrator shall be advised of the disturbance within seven days of commencing the land-disturbing activity and compliance with the requirements of Section 1-8 of this Ordinance is required within 30 days of commencing the land-disturbing activity.

**Section 1-4. STORMWATER MANAGEMENT PROGRAM ESTABLISHED;
SUBMISSION AND APPROVAL OF PLANS; PROHIBITIONS.**

- (a) Pursuant to § § 62.1-44.15:27 of the Code of Virginia, the County hereby establishes a Stormwater Management Program for land-disturbing activities and adopts the applicable Regulations that specify standards and specifications for such programs promulgated by the State Board for the purposes set out in Section 1-1 of this Ordinance. The Board hereby designates the Nelson County Building Official as the Administrator of the Stormwater Management Program. The program and regulations provided for in this Ordinance shall be made available for public inspection at the Administrator's office.
- (b) No stormwater management permit shall be issued by the Administrator, until the following items have been submitted to and approved by the Administrator as prescribed herein:
 - (1) A permit application that includes a General permit registration statement which, among other things, certifies that a Stormwater Pollution Prevention Plan (SWPPP) has been prepared in accordance with state law;
 - (2) An erosion and sediment control plan approved in accordance with Chapter 9, Article III of the Nelson County Code, also known as the "Nelson County Erosion & Sediment Ordinance," and:
 - (3) A stormwater management plan that meets the requirements of Section 1-6 of this Ordinance.
- (c) No stormwater management permit shall be issued until evidence of General permit coverage is obtained from DEQ.
- (d) No stormwater management permit shall be issued until the fees required to be paid pursuant to Section 1-15, are received, and a reasonable performance bond required pursuant to Section 1-16 of this Ordinance has been received.
- (e) No stormwater management permit shall be issued unless and until the stormwater management permit application and attendant materials and supporting documentation demonstrate that all land clearing, construction, disturbance, land development and drainage will be done according to the approved stormwater management plan.
- (f) No grading, building or other local permit shall be issued for a property unless a stormwater management permit has been issued by the Administrator, and the Applicant

provides a certification that all land clearing, construction, disturbance, land development and drainage will be done according to the approved permit conditions.

- (g) As a condition of permit approval, a construction record drawing for permanent stormwater management facilities shall be submitted to the Administrator upon completion of construction. The construction record drawing shall be appropriately sealed and signed by a professional registered in the Commonwealth of Virginia, certifying that the stormwater management facilities have been constructed in accordance with the approved plan. Construction record drawings may not be required for stormwater management facilities for which maintenance agreements are not required pursuant to Section 1-10 (b).

Section 1-5. STORMWATER POLLUTION PREVENTION PLAN; CONTENTS OF PLANS.

- (a) The Stormwater Pollution Prevention Plan (SWPPP) that is required to be prepared before a registration statement for General permit coverage may be submitted to DEQ for approval (as referenced in Section 1-4(b)(1)) shall include the content specified by 9VAC25-870-54, 9VAC25-880-70, and any other applicable regulations including, but not limited to i) a stormwater management plan that meets the requirements of this Ordinance, ii) a County-approved Erosion and Sediment Control plan, and 3.) a pollution prevention plan that meets the requirements of 9VAC25-870-56.
- (b) The SWPPP shall be amended by the operator whenever there is a change in design, construction, operation, or maintenance that has a significant effect on the discharge of pollutants to state waters which is not addressed by the existing SWPPP. The SWPPP shall also be amended by the operator, if an inspection reveals that the SWPPP is inadequate to satisfy applicable regulations. All amendments must be approved by the Administrator, as required.
- (c) The SWPPP must be maintained by the operator at a central location onsite. If an onsite location is unavailable, notice of the SWPPP's location must be posted near the main entrance at the construction site.
- (d) Construction activities that are part of a common plan of development and disturb less than one acre may utilize a SWPPP template provided by DEQ and need not provide a separate stormwater management plan if one has been prepared and implemented for the larger development project, to the extent permitted by state law.

Section 1-6. STORMWATER MANAGEMENT PLAN; CONTENTS OF PLAN.

- (a) The Stormwater Management Plan, required in Section 1-4(b)(3) of this Ordinance, must include the following information and must consider all sources of surface and groundwater flows converted to surface runoff:

- (1) Contact information including the name, address, and telephone number of the owner and the tax reference number and parcel number of the property or properties affected;
- (2) Information on the type and location of stormwater discharges; information on the features to which stormwater is being discharged including surface waters or karst features, if present, and the predevelopment and postdevelopment drainage areas;
- (3) A narrative that includes a description of current site conditions and final site conditions;
- (4) A general description of the proposed stormwater management facilities and the mechanism through which the facilities will be operated and maintained after construction is complete;
- (5) Information on the proposed stormwater management facilities, including:
 - (i) The type of facilities;
 - (ii) Location, including geographic coordinates;
 - (iii) Acres treated; and
 - (iv) The surface waters or karst features, if present, into which the facility will discharge.
- (6) Hydrologic and hydraulic computations, including runoff characteristics;
- (7) Documentation and calculations verifying compliance with the water quality and quantity requirements of Section 1-7 of this Ordinance.
- (8) A map or maps of the site that depicts the topography of the site and includes:
 - (i) All contributing drainage areas;
 - (ii) Existing streams, ponds, culverts, ditches, wetlands, other water bodies, and floodplains;
 - (iii) Soil types, geologic formations if karst features are present in the area, forest cover, and other vegetative areas;
 - (iv) Current land use including existing structures, roads, and locations of known utilities and easements;
 - (v) Sufficient information on adjoining parcels to assess the impacts of stormwater from the site on these parcels;
 - (vi) The limits of clearing and grading, and the proposed drainage patterns on the site;
 - (vii) Proposed buildings, roads, parking areas, utilities, and stormwater management facilities; and
 - (viii) Proposed land use with tabulation of the percentage of surface area to be adapted to various uses, including but not limited to planned locations of utilities, roads, and easements.

- (b) If an operator intends to meet the water quality and/or quantity requirements set forth in Section 1-7 of this Ordinance through the use of off-site compliance options, where applicable, then a letter of availability from the off-site provider must be included. Approved off-site options must achieve the necessary nutrient reductions prior to the commencement of the applicant's land-disturbing activity except as otherwise allowed by § 62.1-44.15:35 of the Code of Virginia.
- (c) Elements of a stormwater management plan that include activities regulated under Chapter 4 (§54.1-400 et seq.) of Title 54.1 of the Code of Virginia shall be appropriately sealed and signed by a professional registered in the Commonwealth of Virginia pursuant to Article 1 (§ 54.1-400 et seq.) of Chapter 4 of Title 54.1 of the Code of Virginia.

Section 1-7. REVIEW OF STORMWATER MANAGEMENT PLANS.

- (a) The Administrator shall review stormwater management plans and shall approve or disapprove such plans as follows:
 - (1) The Administrator shall determine the completeness of a plan in accordance with Section 1-6 of this Ordinance, and shall notify the applicant, in writing, of such determination, within 15 calendar days of receipt. If the plan is deemed to be incomplete, the above written notification shall contain the reasons the plan is deemed incomplete.
 - (2) The Administrator shall have an additional 60 calendar days from the date of the communication of completeness to review the plan, except that if a determination of completeness is not made within the time prescribed in subdivision (1), then plan shall be deemed complete and the Administrator shall have 60 calendar days from the date of submission to review the plan.
 - (3) The Administrator shall review any plan that has been previously disapproved, within 45 calendar days of the date of resubmission.
 - (4) During the review period, the plan shall be approved or disapproved and the decision communicated in writing to the person responsible for the land-disturbing activity or his designated agent. If the plan is not approved, the reasons for not approving the plan shall be provided in writing. Approval or denial shall be based on the plan's compliance with the requirements of this Ordinance.
 - (5) If a plan meeting all requirements of this Ordinance is submitted and no action is taken within the time provided above in subdivision (2) for review, the plan shall be deemed approved.
- (b) Approved stormwater management plans may be modified as follows:
 - (1) Modifications to an approved stormwater management plan shall be allowed only after review and written approval by the Administrator. The Administrator shall have 60 calendar days to respond in writing either approving or disapproving such request.

(2) The Administrator may require that an approved stormwater management plan be amended, within a time prescribed by the Administrator, to address any deficiencies noted during inspection.

(c) The Administrator shall require the submission of a construction record drawing for permanent stormwater management facilities once construction is completed. The Administrator may elect not to require construction record drawings for stormwater management facilities for which recorded maintenance agreements are not required pursuant to Section 1-10 (b).

Section 1-8. TECHNICAL CRITERIA FOR REGULATED LAND DISTURBING ACTIVITIES.

(a) To protect the quality and quantity of state water from the potential harm of unmanaged stormwater runoff resulting from land-disturbing activities, the County hereby adopts the technical criteria for regulated land-disturbing activities set forth in Part II B of the Regulations, as amended, which shall apply to all land-disturbing activities regulated pursuant to this Ordinance, except as expressly set forth in Subsection (b) of this Section.

(b) Notwithstanding the foregoing, any land-disturbing activity proposed to occur pursuant to i) a plan of development proffered as part of a condition rezoning and approved by the governing body; ii) any other plan of development or site plan approved by the County, including any plan approved pursuant to a rezoning request, a variance request, or a request for a special use permit; iii) an approved final subdivision plat or iv) an approved preliminary plat where the applicant has diligently pursued final plat approval within a reasonable period of time under the circumstances in accordance with § 15.2-2307 of the *Code of Virginia* was approved by the County prior to July 1, 2012, and for which no coverage under the general permit has been issued prior to July 1, 2014, shall be considered grandfathered and shall not be subject to the technical criteria of Part II B [of the Regulations], but shall be subject to the technical criteria of Part II C [of the Regulations] for those areas that were included in the approval, provided that the Administrator, finds that the following criteria apply:

(1) The plat includes conceptual drawing(s) sufficient to provide for the specified stormwater management facilities required at the time of approval;

(2) The resulting land-disturbing activity will be compliant with the requirements of Part II C [of the Regulations]; and

(3) In the event that the approved plat is subsequently modified or amended in a manner such that there is no increase over the previously approved plat in the amount of phosphorus leaving each point of discharge of the land-disturbing activity through stormwater runoff, and such that there is no increase over the previously approved plat or plan in the volume or rate of runoff, the grandfathering shall continue as before.

(c) For local, state, and federal projects for which there has been an obligation of local, state, or federal funding, in whole or in part, prior to July 1, 2012, or for which the Virginia

Department of Conservation of Recreation has approved a stormwater management plan prior to July 1, 2012, such projects shall be considered grandfathered by the County and shall be subject to the technical requirements of Part II C of the Regulations for those areas that were included in the approval.

- (d) For land-disturbing activities grandfathered Sections (b) or (c) of this Section, construction must be completed by June 30, 2019, or portions of the project not under construction shall become subject to the technical requirements of Subsection (a) above.
- (e) In cases where governmental bonding or public debt financing has been issued for a project prior to July 1, 2012, such project shall be subject to the technical requirements Part IIC of the Regulations, as adopted by the County in Subsection (b) of this Section.

Section 1-9. EXCEPTIONS TO TECHNICAL CRITERIA.

- (a) In approving a Stormwater Management Plan as set forth in Sec. 1-8 of this Ordinance, the Administrator may grant exceptions to the technical requirements of Part II B or Part II C of the Regulations, provided the Administrator finds the following:
 - (1) The exception is the minimum necessary to afford relief;
 - (2) Reasonable and appropriate conditions are imposed so that the intent of the Act, the Regulations, and this Ordinance are preserved;
 - (3) Granting the exception will not confer any special privileges that are denied in other similar circumstances, and;
 - (4) The exception requests is not based upon conditions or circumstances that are self-imposed or self-created. Economic hardship alone is not sufficient reason to grant an exception from the requirements of this Ordinance.
- (b) Exceptions to the requirement that the land-disturbing activity obtain a required stormwater management permit shall not be given by the Administrator, nor shall the Administrator approve the use of a BMP not found on the Virginia Stormwater BMP Clearinghouse Website, or any other control measure duly approved by the Director of DEQ.
- (c) Exceptions to requirements for phosphorus reductions shall not be allowed unless offsite options otherwise permitted pursuant to 9VAC25-870-69 have been considered and found not available.
- (d) Nothing in this Section shall preclude an operator from constructing to a more stringent standard at the operator's discretion.

Section 1-10. LONG-TERM MAINTENANCE OF PERMANENT STORMWATER FACILITIES.

- (a) The Administrator shall require the provision of long-term responsibility for and maintenance of stormwater management facilities and other techniques specified to manage the quality and quantity of runoff. Such requirements shall be set forth in an instrument recorded in the local land records prior to general permit termination or earlier as required by the Administrator and shall at a minimum:
 - (1) Be submitted to the Administrator and the County Attorney for review and approval prior to the approval of the stormwater management plan;
 - (2) Recite that they are intended to "run with the land";
 - (3) Provide for all necessary access to the property for purposes of maintenance and regulatory inspections;
 - (4) Provide for inspections and maintenance and the submission of inspection and maintenance reports to the Administrator; and
 - (5) Be enforceable by all appropriate governmental parties.
- (b) At the discretion of the Administrator, such recorded instruments need not be required for stormwater management facilities designed to treat stormwater runoff primarily from an individual residential lot on which they are located, provided it is demonstrated to the satisfaction of the Administrator that future maintenance of such facilities will be addressed through an enforceable mechanism at the discretion of the Administrator.
- (c) If a recorded instrument is not required pursuant to Subsection 1-10 (b), the Administrator shall develop a strategy for addressing maintenance of stormwater management facilities designed to treat stormwater runoff primarily from an individual residential lot on which they are located. Such a strategy may include periodic inspections, homeowner outreach and education, or other method targeted at promoting the long-term maintenance of such facilities. Such facilities shall not be subject to the requirement for an inspection to be conducted by the Administrator.

Section 1-11. MONITORING AND INSPECTIONS.

- (a) The Administrator, or the District, shall inspect the land-disturbing activity during construction for:
 - (1) Compliance with the approved erosion and sediment control plan;
 - (2) Compliance with the approved stormwater management plan;
 - (3) Development, updating, and implementation of a pollution prevention plan; and
 - (4) Development and implementation of any additional control measures necessary to address any TMDL.

- (b) The Administrator may require monitoring and reports from the permittee to ensure compliance with the Stormwater Management Permit and to determine whether the measures required in the permit provide effective stormwater management.
- (c) The Administrator may, at reasonable times and under reasonable circumstances, enter any building or upon any property, public or private, for the purpose of obtaining information or conducting surveys or investigations necessary in the enforcement of the provisions of this Ordinance.
- (d) In accordance with a performance bond with surety, cash escrow, letter of credit, any combination thereof, or such other legal arrangement or instrument, the Administrator may also enter any building or upon any property, public or private, for the purpose of initiating or maintaining appropriate actions which are required by the permit conditions associated with a land-disturbing activity when a permittee, after proper notice, has failed to take acceptable action within the time specified.
- (e) In accordance with § 62.1-44.15:40 of the Code of Virginia, the Administrator may require every stormwater management permit applicant or permittee, or any such person subject to stormwater management permit requirements under this Ordinance, to furnish when requested such application materials, plans, specifications, and other pertinent information as may be necessary to determine the effect of such person's discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of this Ordinance.
- (f) Post-construction inspections of stormwater management facilities required by the provisions of this Ordinance shall be conducted pursuant to the County's adopted and State Board approved inspection program, and shall occur, at minimum at least once every five years except as may otherwise be provided for in Section 1-10. The County may utilize the inspection reports of the Owner if the inspection is conducted by a person who is licensed as a professional engineer, architect, landscape architect, or land surveyor pursuant to Article 1 (§ 54.1-400 et seq.) of Chapter 4 of Title 54.1; a person who works under the direction and oversight of the licensed professional engineer, architect, landscape architect, or land surveyor; or a person who holds an appropriate certificate of competence from the State Board.
- (g) If the Administrator determines that there is a failure to comply with the conditions of a Stormwater Management Permit, notice shall be served upon the permittee or person responsible for carrying out the permit conditions by registered or certified mail to the address specified in the permit application, or by delivery at the site of the development activities to the agent or employee supervising such activities. The notice shall specify the measures needed to comply with the permit conditions and shall specify the time within which such measures shall be completed. Upon failure to comply within the time specified, a stop work order may be issued in accordance with subsection (b) of this Section by the Administrator, or the permit may be revoked. The Administrator may pursue enforcement in accordance with Section 1-14 of this Ordinance.

- (1) If a permittee fails to comply with a notice issued in accordance with subsection (g) above, within the time specified, the Administrator may issue an order requiring the owner, permittee, person responsible for carrying out an approved plan, or the person conducting the land-disturbing activities without an approved plan or required permit to cease all land-disturbing activities until the violation of the permit has ceased, or an approved plan and required permits are obtained, and specified corrective measures have been completed. Such orders shall be issued in accordance with the County's local enforcement procedures, and shall become effective upon service on the person by certified mail, return receipt requested, sent to his address specified in the land records of the locality, or by personal delivery by an agent of the County.
- (2) If the Administrator determines that any such violation is grossly affecting or presents an imminent and substantial danger of causing harmful erosion of lands or sediment deposition in waters within the watersheds of the Commonwealth or otherwise substantially impacting water quality, it may issue, without advance notice or hearing, an emergency order directing such person to cease immediately all land-disturbing activities on the site and shall provide an opportunity for a hearing, after reasonable notice as to the time and place thereof, to such person, to affirm, modify, amend, or cancel such emergency order.
- (3) If a person who has been issued an order is not complying with the terms thereof, the Administrator may institute an injunctive proceeding in accordance with Section 1-14, in addition to any other administrative and/or judicial proceedings initiated.

Section 1-12. HEARINGS

- (a) Any permit applicant or permittee aggrieved by any action of the County taken without a formal hearing, or by inaction of the County, may demand in writing a formal hearing by the Board, or such other local appeals board or designee as may be established by law, provided a petition requesting such hearing is filed with the Administrator within 30 days after notice of such action is given by the Administrator.
- (b) The hearings held under this Section shall be conducted by the Board at a regular or special meeting of the Board or by at least one member of the Board designated by the Chairman to conduct such hearings on behalf of the Board, or by the local appeals body, or the designee at any other time and place authorized.
- (c) A verbatim record and/or a recording of the proceedings of such hearings shall be taken and filed with the Board or the local appeals body or designee. Depositions may be taken and read as in actions at law.
- (d) The Board or its designated member, or the local appeals body, as the case may be, shall have power to issue subpoenas and subpoenas duces tecum, and at the request of any party shall issue such subpoenas. The failure of a witness without legal excuse to appear or to testify or to produce documents shall be acted upon by the local governing body, or its designated member, whose action may include the procurement of an order of enforcement from the circuit court. Witnesses who are subpoenaed shall receive the same fees and reimbursement for mileage as in civil actions.

Section 1-13. APPEALS.

Any permit applicant or permittee who is aggrieved by a permit or enforcement decision of the County, is entitled to judicial review thereof, provided an appeal is filed within 30 days from the date of the decision being appealed.

Section 1-14. ENFORCEMENT.

- (a) Any person who violates any provision of this Ordinance or who fails, neglects or refuses to comply with any order of the County shall be subject to a civil penalty not to exceed \$32,500 for each violation within the discretion of the court. Each day of violation of each requirement shall constitute a separate offense.
- (b) Violations for which a penalty may be imposed under this subsection shall include but not be limited to the following:
 - (1) Failing to have a general permit registration;
 - (2) Failing to prepare a SWPPP;
 - (3) Having an incomplete SWPPP;
 - (4) Not having a SWPPP available for review as required by law;
 - (5) Failing to have an approved erosion and sediment control plan;
 - (6) Failing to install stormwater BMPs or erosion and sediment controls as required by this Ordinance and/or state law;
 - (7) Having stormwater BMPs or erosion and sediment controls improperly installed or maintained;
 - (8) Operational deficiencies;
 - (9) Failure to conduct required inspections, or having incomplete, improper, or missed inspections.
- (c) The County may issue a summons for collection of the civil penalty and the action may be prosecuted in the appropriate circuit court. In imposing a civil penalty pursuant to this subsection, the court may consider the degree of harm caused by the violation and also the economic benefit to the violator from noncompliance.
 - (1) With the consent of any person who has violated or failed, neglected or refused to obey any provision of this Ordinance, any condition of a permit or state permit, any regulation or order of the County, the County may provide, in an order issued against such person, for the payment of civil charges for violations in specific sums, not to

exceed the limit specified in this section. Such civil charges shall be instead of any appropriate civil penalty that could be imposed under this section.

(2) Any civil charges collected shall be paid to the locality or state treasury pursuant to subsection (d) of this Section.

(d) Any civil penalties assessed by a court as a result of a summons issued by the County shall be paid into the treasury of the County to be used for the purpose of minimizing, preventing, managing, or mitigating pollution of the waters of the locality and abating environmental pollution therein in such manner as the court may, by order, direct.

(e) Notwithstanding any other civil or equitable remedy provided by this section, any person who willfully or negligently violates any provision of this Ordinance, any order of the County, any condition of a permit, or any order of a court shall be guilty of a misdemeanor punishable by confinement in jail for not more than 12 months and a fine of not less than \$2,500 nor more than \$32,500, either or both.

(f) Any person who knowingly violates any provision of this Ordinance, any regulation or order of the VSWCB or the County, any condition of a permit or any order of a court as herein provided, or who knowingly makes any false statement in any form required to be submitted under this chapter or knowingly renders inaccurate any monitoring device or method required to be maintained under this chapter, shall be guilty of a felony punishable by a term of imprisonment of not less than one year nor more than three years, or in the discretion of the jury or the court trying the case without a jury, confinement in jail for not more than 12 months and a fine of not less than \$5,000 nor more than \$50,000 for each violation. Any defendant that is not an individual shall, upon conviction of a violation under this subsection, be sentenced to pay a fine of not less than \$10,000. Each day of violation of each requirement shall constitute a separate offense.

(g) Any person who knowingly violates any provision of this Ordinance, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily harm, shall, upon conviction, be guilty of a felony punishable by a term of imprisonment of not less than two years nor more than 15 years and a fine of not more than \$250,000, either or both. A defendant that is not an individual shall, upon conviction of a violation under this subsection, be sentenced to pay a fine not exceeding the greater of \$1 million or an amount that is three times the economic benefit realized by the defendant as a result of the offense. The maximum penalty shall be doubled with respect to both fine and imprisonment for any subsequent conviction of the same person under this subsection.

(h) Any person violating or failing, neglecting, or refusing to obey any rule, regulation, ordinance, order, or any permit condition issued by the Locality or any provisions of this chapter may be compelled in a proceeding instituted in any appropriate court by the Locality to obey same and to comply therewith by injunction, mandamus or other appropriate remedy. Any person violating or failing, neglecting, or refusing to obey any injunction, mandamus, or other remedy obtained pursuant to this section shall be subject,

in the discretion of the court, to a civil penalty as set forth in subsection (a) of this Section.

- (i) In any action to enjoin a violation or a threatened violation of the provision of this Ordinance, the County may apply to the appropriate court in any jurisdiction wherein the land lies and is not required to show that an adequate remedy at law does not exist.

1-15. FEES

- (a) Fees for coverage under the general Permit shall be imposed by the County in accordance with Table 1 of the County's Stormwater Management Fee Schedule. Sites purchased for development within a previously permitted common plan of development or sale shall be subject to fees in accordance with the disturbed acreage of the site or sites according to Table 1.
- (b) Fees for permit modifications (not including minor modifications) or transfer of registration statements from the general Permit shall be imposed in accordance with Table 2 of the County's Stormwater Management Fee Schedule. The fee assessed shall be based on the total disturbed acreage of the site, in accordance with Table 2.
- (c) Fees for annual permit maintenance shall be imposed in accordance with Table 3 of the County's Stormwater Management Fee Schedule, including fees imposed on expired permits that have been administratively continued. The maintenance fees shall apply until the permit coverage is terminated.
 - a. General permit coverage maintenance fees shall be paid annually to the County by the anniversary date of general permit coverage. No permit will be reissued or automatically continued without payment of the required fee. General permit coverage maintenance fees shall be applied until a Notice of Termination is effective.
- (d) No permit application fees will be assessed to:
 - a. Permittees who request minor modifications to permits, however any such permit modification that results in any change to an approved stormwater management plan that requires additional review by the Administrator shall not be exempt pursuant to this section.
 - b. Permittees whose permits are modified or amended at the request of the Department, excluding errors in the registration statement identified by the Administrator or errors related to the acreage of the site.
- (e) All incomplete payments will be deemed as nonpayments, and the applicant shall be notified of any incomplete payments. Interest may be charged for late payments at the underpayment rate set forth in §58.1-15 of the Code of Virginia and is calculated on a monthly basis at the applicable periodic rate. A 10% late payment fee shall be charged to any delinquent (over 90 days past due) account. The County shall be entitled to all remedies available under the Code of Virginia in collecting any past due amount.

- (f) The Stormwater Management Fee Schedule shall be adopted by the Board by Resolution, and may be amended by the Board, from time to time, in the same manner, provided that the amount of fees charged shall conform to state law requirements.
- (g) The Administrator shall not review any stormwater management plan for coverage or modification until the fees required by this Section are paid as required by the County.

1-16. Performance Bond.

Prior to issuance of any permit, the Applicant shall be required to submit a reasonable performance bond with surety, cash escrow, letter of credit, any combination thereof, or such other legal arrangement acceptable to the County Attorney, to ensure that measures could be taken by Nelson County at the Applicant's expense should he fail, after proper notice, within the time specified to initiate or maintain appropriate actions which may be required of him by the permit conditions as a result of his land disturbing activity. If Nelson County takes such action upon such failure by the Applicant, the County may collect from the Applicant for the difference should the amount of the reasonable cost of such action exceed the amount of the security held, if any. Within 60 days of the completion of the requirements of the permit conditions, such bond, cash escrow, letter of credit or other legal arrangement, or the unexpended or unobligated portion thereof, shall be refunded to the Applicant or terminated.

1-17. Severability.

If any court of competent jurisdiction invalidates any provision of this Ordinance, the remaining provisions shall not be effected and shall continue in full force and effect.

Nelson County

Stormwater Management Program

Policies and Procedures

Nelson County adopted a local stormwater management program to protect the general health, safety, and welfare of the citizens of the County and protect the quality and quantity of state waters from the potential harm of unmanaged stormwater, including protection from a land disturbing activity causing unreasonable degradation of properties, water quality, stream channels, and other natural resources. Therefore, the County adopts the following policies and procedures for the administration and implementation of the County's Stormwater Management (SWM) Program.

Stormwater Management Program - Program Staff

Program Administrator: David Thompson
Nelson County Building Official
P.O. Box 558 (80 Front Street)
Lovingson, VA 22949
Telephone: 434-263-7080 FAX: 434-263-7086

Plan Reviewer: Thomas Jefferson Soil and Water Conservation District
706 Forest Street, Suite G
Charlottesville, VA 22903
Telephone: 434-975-0224 FAX: 434-975-1367

Inspector: Nelson County or Designated Agent

Enforcement: Nelson County Attorney

Stormwater Management (SWM) Program - Program Administration

Stormwater Management Plan Submission

Procedure: The Applicant, or designated agent, shall submit four (4) hard copies and one (1) digital copy, if possible, of the SWM plan to the Program Administrator for review and approval prior to beginning land disturbance on the proposed project site. The Applicant shall submit a completed County's *Application for Stormwater Management Permit Coverage Form* and a completed, signed *Stormwater Management Plan Completeness Review Checklist* with the submission of the SWM plan.

Procedure: The Program Administrator, or designated County staff, shall enter the date the SWM plan is received into the County's records tracking program within seven (7) business days of receiving the plan.

Policy: Upon the submission of the SWM plan, the Applicant, or designated agent, shall pay fifty percent (50%) of the locality portion of the SWM fee, per Table 1 in the County's SWM Permit Fee Schedule, to the County Treasurer. The timeline for SWM plan completeness review does not begin until the fee is paid. The Applicant shall complete and submit the *Stormwater Management Permit Fee Form* with the fee payment and the submission of the SWM plan.

Procedure: The Program Administrator, or designated County staff, shall enter the date the Applicant pays the required 50% of the SWM fee into the County's records tracking program within seven (7) business days of receiving the fee payment.

Policy: The Program Administrator shall deliver the submitted SWM plan to the Plan Reviewer within one (1) business day of receipt of the SWM plan.

Procedure: The Program Administrator, or designated staff, shall enter the date the SWM plan is delivered to the Plan Reviewer into the County's tracking program within seven (7) business days of SWM plan submittal to the Plan Reviewer.

VSMP Registration: E-Permitting

Policy: The Applicant, or designated agent, shall initiate the Commonwealth's E-Permitting process upon the submission of the SWM plan. The timeline for SWM plan completeness review does not begin until the E-Permitting process is initiated.

Procedure: The Program Administrator, or designated County staff, shall enter the date the Applicant initiates the E-Permitting process into the County's records tracking program within seven (7) business days of the Applicant or designated agent submitting the SWM plan.

Procedure: The Applicant, or designated agent, will monitor and complete the steps, as needed, in the E-Permitting system to obtain General Permit Coverage for the proposed project. The required steps include the payment of the Commonwealth's 28% of the applicable fee per Table

1 of the County's SWM Permit Fee Schedule. This payment is made prior to the issuance of permit coverage, but after County approval of the SWM plan.

Policy: The Program Administrator, or designated County staff, will monitor and complete the steps, as needed, in the E-Permitting system to allow the Applicant to obtain General Permit Coverage for the proposed project. The required steps include entering the date of SWM plan approval into E-Permitting system.

Procedure: The Program Administrator, or designated County staff, shall enter the County's required data into the E-Permitting process within five (5) business days of plan approval and other County required actions.

Performance Bonds

Policy: The Applicant, or designated agent, shall submit to the Program Administrator a performance bond, or other acceptable form of surety, sufficient to cover the construction (implementation) costs associated with the approved SWM Best Management Practices (BMPs) for the proposed project. The bond must be paid after SWM plan approval and before the issuance of local permit coverage. The Applicant shall also complete and submit the County's performance guarantee (*Stormwater Management Performance Bond Form, Stormwater Management Cash Escrow Form, Stormwater Management Letter of Credit Form*) with the submission and payment of the performance bond.

Procedure: The Program Administrator, or designated County staff, shall enter the date the performance bond, or other acceptable form of surety, is submitted to the County into the County's records tracking program within seven (7) business days of receiving the performance bond, or other acceptable form of surety.

Procedure: The performance bond, or other acceptable surety, will be returned to the Applicant upon completion of the SWM BMPs, submission of the as-built surveys and drawings for the SWM BMPs, and County approval of permit termination per the timelines established in the County's SWM Ordinance.

Procedure: The Program Administrator, or designated County staff, shall enter the date the performance bond, or other acceptable surety, is returned to the Applicant into the County's records tracking program within seven (7) business days of the performance bond, or other acceptable surety, return to the Applicant.

Procedure: The County will utilize the performance bond, if needed, to address corrective issues with the approved SWM BMPs, if the applicant fails to properly install the approved SWM BMPs. SWM inspections, which identify needed corrective measures to the SWM BMP, will be utilized in the expenditure of the performance bond.

Local Permit Issuance

Policy: The County will issue the local SWM permit once the SWM plan has been approved; the appropriate local and state permitting fees paid; the appropriate performance bond is paid; and the E-Permitting process has been completed.

Procedure: The Program Administrator, or designated County staff, shall enter the date the local SWM permit is issued into the County's records tracking program within seven (7) business days of permit issuance.

Policy: The Applicant shall not begin land disturbance on the proposed project until the County has issued local stormwater management permit coverage.

Stormwater Management (SWM) Program - Plan Review

SWM Plan Completeness Review

Policy: The Plan Reviewer will review the submitted SWM plan for completeness within fifteen (15) calendar days from the date the SWM plan is received by the Program Administrator. The completeness of the plan will be determined in accordance with 4VAC50-60-55.B of the Virginia Stormwater Management Permit Program regulations.

Procedure: The Plan Reviewer will document completeness of the SWM plan or identify missing items that need to be addressed in the SWM plan utilizing the County's *Stormwater Management Plan Completeness Review Checklist*.

Policy: The Plan Reviewer will notify the Applicant, or designated agent, of the decision regarding the completeness of the submitted SWM plan within fifteen (15) calendar days of SWM plan submission.

Policy: If the Plan Reviewer does not review and determine the completeness of the submitted SWM plan within fifteen (15) calendar days of SWM plan submission, the SWM plan will be deemed complete.

Procedure: If the SWM plan is determined to be not complete, the Applicant, or designated agent, will be notified in writing, or through email, the reasons for the SWM plan not being complete.

Procedure: If the SWM plan is determined to be complete, the Applicant, or designated agent, will be notified in writing, or through email, that the SWM plan is complete and the SWM plan will be reviewed.

Procedure: The Plan Reviewer shall enter the date the SWM plan was determined complete or not complete into the County's records tracking program within seven (7) business days of completeness review.

SWM Plan Review

Policy: The Plan Reviewer will review the complete SWM plan within forty-five (45) calendar days from the date the SWM plan was deemed complete. If the Plan Reviewer exceeds the forty-five (45) calendar days for plan review, the plan shall be deemed approved.

Policy: A condition of plan approval is that all stormwater management best management practices, except for those on individual residential lots, are required to have legally enforceable long-term maintenance agreements. The maintenance agreements shall be submitted with the proposed SWM plan for review and approval.

Procedure: The Plan Reviewer will complete the County's *Stormwater Management Plan Review Checklist* to document the deficiencies of the SWM plan and identify additional information needed. If the complete SWM plan cannot be approved, the Applicant, or designated agent, will be notified in writing, or through email, of the reasons that the plan cannot be approved.

Procedure: The Plan Reviewer will complete the County's *Stormwater Management Plan Review Checklist* to document satisfactory conditions of the SWM plan. If the SWM plan can be approved, the Applicant, or designated agent, will be notified in writing, or through email, that the SWM plan is approved.

Procedure: The Plan Reviewer shall enter the date the SWM plan was approved or not approved into the County's records tracking program within seven (7) business days of plan review.

Policy: Upon SWM plan approval, the Applicant will pay the remaining fifty percent (50%) of the locality portion of the SWM fee per Table 1 in the County's SWM Permit Fee Schedule. The Applicant shall complete and submit the *Stormwater Management Permit Fee Form* with the fee payment. The Applicant should complete and submit a copy of the initial fee form, if available, to provide proof of the initial fee payment at plan submission.

Procedure: The Program Administrator, or designated County staff, shall enter the date the Applicant pays the remainder 50% of the locality portion of the SWM fee into the County's records tracking program within seven (7) business days of fee payment.

Stormwater Management (SWM) Program - Inspections

SWM Inspections

Policy: The permitted land disturbing activity will be inspected at least three (3) times during project implementation. The inspections will be as follows: at the beginning of land disturbance; at the initial installation of each approved SWM best management practice; and at project completion.

Policy: The Inspector will provide a written inspection report for each SWM inspection completed. The Inspector will complete the appropriate County inspection form (*Stormwater Management Project SWPPP or Stormwater Management Project Site Inspection Form*) to document site conditions and to provide a written report of site inspection.

Procedure: The inspector should complete the County's *Stormwater Management Project SWPPP Inspection Form* to document the first inspection of the project and the *Stormwater Management Project Site Inspection Form* to document the remaining project inspections. The Inspector may elect to complete both forms during the first inspection.

Procedure: The Inspector shall enter the date of site inspection into the County's records tracking program within seven (7) business days of site inspection.

Policy: The Inspector will provide a signed copy of the *Stormwater Management Project SWPPP Inspection Form* or *Stormwater Management Project Site Inspection Form* to the operator of the permitted land disturbing activity.

Procedure: The County's *Stormwater Management Project SWPPP Inspection Form* or *Stormwater Management Project Site Inspection Form* will be used to identify any deficiencies with approved SWM plan implementation and provide a timeline for the implementation of corrective measures.

SWM Re-inspections

Procedure: If corrective measures are required, the Inspector will re-inspect the land disturbing activity within three (3) business days of the completion deadline for corrective measures.

Procedure: The Inspector shall enter the re-inspection date into the County's records tracking program within seven (7) business days of the re-inspection date.

Policy: The Inspector will provide a written re-inspection report for each SWM re-inspection completed. The Inspector will complete the County's *Stormwater Management Project SWPPP Inspection Form* or *Stormwater Management Project Site Inspection Form*, as applicable, to document site conditions and to provide a written re-inspection report.

Policy: The Inspector will provide a signed copy of the County's *Stormwater Management Project SWPPP Inspection Form* or *Stormwater Management Project Site Inspection Form*, as applicable, to the operator of the permitted land disturbing activity.

Procedure: The re-inspection report will identify any corrective measures that have not been completed and provide a new timeline for the implementation of the corrective measures. Depending on the severity of non-compliance with the corrective action, the inspector may move forward with additional enforcement action.

Stormwater Management (SWM) Program – Enforcement

Policy: For qualifying projects identified not to have SWM permit coverage, the Program Administrator will utilize one of the following: 1.) *Notice of Stormwater Management Permit Requirement Form*, 2.) *Stormwater Management Project Stop Work Order Form*, 3.) *Stormwater Management Project Stop Work Order Form* and initiate enforcement options and will send the completed form to the identified property owner. The Program Administrator shall send the completed form via certified mail to the property owner within three (3) business days of project being identified. The completed form may also be posted on the identified site in addition to or as an alternative to being sent by certified mail.

Procedure: The Inspector shall enter the date the *Notice of Stormwater Management Permit Requirement Form* was sent to the property owner and/or posted on-site into the County's records tracking program within seven (7) business days of sending the notice of permit requirement.

Policy: If the *Notice of Stormwater Management Permit Requirement Form* has been sent to the property owner and/or posted on-site and the property owner has not responded within seven (7) calendar days of receipt by certified mail, the Program Administrator will complete and send, by certified mail, the *Stormwater Management Project Stop Work Order Form* to the property owner. The Program Administrator shall send the *Stormwater Management Project Stop Work Order Form* within one (1) business day of the expiration of the 7 calendar day deadline for property owner response.

Procedure: The Inspector shall enter the date the *Stormwater Management Project Stop Work Order Form* was sent to the property owner and/or posted on-site into the County's records tracking program within seven (7) business days of sending the *Stop Work Order Form*.

Policy: Enforcement action, per the County's SWM Ordinance, will be initiated on a permitted project after a third consecutive re-inspection report requiring repeat corrective measures to bring the permitted project into compliance with the approved stormwater management plan. However, enforcement action may be initiated after the initial site visit if County staff determines that significant environmental impacts are being created by the land disturbing project.

Stormwater Management (SWM) Program - Long-term Inspections and Maintenance for Best Management Practices (BMPS)

Policy: All SWM BMPs, except for SWM BMPs on individual residential lots, are required to have legally enforceable long-term maintenance agreements. The maintenance agreement will be reviewed and approved by the Program Administrator, or designated County staff, during the complete SWM plan review and approval process.

Procedure: The Program Administrator, or designated County staff, shall enter the date the required SWM BMP long-term maintenance agreement was approved into the County's records tracking program within seven (7) business days of the approval date of the long-term maintenance agreement.

Policy: The Applicant will provide as-built drawings, appropriately sealed and signed by a professional registered in the Commonwealth of Virginia pursuant to Article 1 of Chapter 4 of Title 54.1 as required, for all SWM BMPs requiring long-term maintenance agreements prior to local permit and general permit termination. The professional that signs and seals the as-built drawings is certifying that the stormwater management facility has been constructed in accordance with the approved plan.

Policy: The as-built drawings of the SWM BMP will be submitted no later than thirty (30) calendar days from the date of SWM BMP completion.

Procedure: The Program Administrator, or designated County staff, shall enter the date the as-built drawings of the SWM BMP was received into the County's records tracking program within seven (7) business days of receiving the as-built drawings.

Policy: The owner of a SWM BMP which has a long-term maintenance agreement will submit a third party inspection report with-in one (1) year of SWM BMP completion and every five (5) years after the initial inspection report.

Procedure: The Program Administrator, or designated County staff, shall enter the date the third party inspection report was received into the County's records tracking program within seven (7) business days of receiving the third party inspection report.

Policy: The owner of the SWM BMP shall perform all maintenance, if maintenance needs are identified in the inspection report, per the recorded maintenance agreement. The owner will provide a record of the maintenance performed to the County within seven (7) business days of performing the required maintenance.

Policy: If the owner of the SWM BMP does not provide proof of performing the required maintenance, enforcement action per the County's Stormwater Management Ordinance and the BMP long-term maintenance agreement shall be taken by the County.

Procedure: The Program Administrator, or designated County staff, shall enter the date the required SWM BMP maintenance was completed into the County's records tracking program within seven (7) business days from receipt of the report documenting completed maintenance.

Permit Modifications

Procedure: If a permit modification is requested, the Applicant, or designated agent, shall complete and submit a revised copy of the County's *Application for Stormwater Management Permit Coverage Form* to the Program Administrator.

Policy: Upon the submission of the revised *Application for Stormwater Management Permit Coverage Form*, the Applicant, or designated agent, shall pay the permit modification fee, per Table 2 in the County's SWM Permit Fee Structure, and 100% of the permit fee increase (new permit fee minus the original permit fee) if applicable, to the County Treasurer. The timeline for modification approval does not begin until the fee is paid. The Applicant shall complete and submit the *Stormwater Management Permit Fee Form* with the fee payment and the submission of the revised application form.

Procedure: The Program Administrator, or designated County staff, shall enter the date the revised *Application for Stormwater Management Permit Coverage Form* is received into the County's records tracking program within seven (7) business days of receiving the revised application form.

Procedure: The Program Administrator, or designated County staff, shall enter the date the Applicant pays the required modification fee and the applicable increase in permit fee, into the County's records tracking program within seven (7) business days of receiving the fee payment.

Administrative Change to Permit

Procedure: If a permit modification is requested, that has no change to the original amount of land disturbed, the Applicant, or designated agent, shall complete and submit a revised copy of the County's *Application for Stormwater Management Permit Coverage Form* to the Program Administrator.

Policy: The Program Administrator, or designated County staff, shall complete the review of the permit modification request within two (2) business days after the Applicant, or designated agent, has paid the applicable permit modification fee and increase in permit fee, if applicable.

Procedure: If the permit modification request cannot be approved, the Applicant, or designated agent, will be notified in writing, or through email, of the reasons that the modification request cannot be approved. The applicant will be notified within seven (7) business days of the completion of permit modification review.

Procedure: If the permit modification request can be approved, the Applicant, or designated agent, will be notified in writing, or through email, that the permit modification is approved. The applicant will be notified within seven (7) business days of the completion of permit modification review.

Revised SWM Plan Required

Procedure: If a permit modification is requested, that requires a revision to the approved SWM Plan, the Applicant, or designated agent, shall submit four (4) hard copies and one (1) digital copy, if possible, of the revised SWM plan to the Program Administrator for review and approval prior to beginning land disturbance on the modified project site. The Applicant shall submit a completed County's *Application for Stormwater Management Permit Coverage Form* and a completed, signed *Stormwater Management Plan Completeness Review Checklist* with the submission of the revised SWM plan

Procedure: The County's policies and procedures for SWM Plan review and approval will be followed in the review of the revised SWM plan per the requested permit modification.

Permit Maintenance Fees

Policy: The Applicant, or designated agent, shall pay the required permit maintenance fee, per Table 3 in the County's SWM Permit Fee Structure, on the anniversary date of permit coverage each year the project remains active until the project has been terminated. The Applicant shall complete and submit the *Stormwater Management Permit Fee Form* with the maintenance fee payment.

Procedure: The Program Administrator, or designated County staff, shall notify the Applicant, or designated agent, of a permitted project of the requirement to pay the permit maintenance fee on the anniversary date of permit coverage. The notification shall be written and sent to the Applicant, or designated agent, by certified mail thirty (30) business days prior to the anniversary date of permit coverage.

Policy: If the Applicant, or designated agent, does not pay the permit maintenance fee on or by the due date or within seven (7) business days after the due date, the Program Administrator, or designated County staff, shall initiate enforcement action against the operator. The enforcement action may be the issuance of a Stop Work Order or other applicable options provided for in the County's SWM Ordinance.

Procedure: The Program Administrator, or designated County staff, shall enter the date the permit maintenance fee notification was sent by certified mail into the County's records tracking program within seven (7) business day of mailing.

Procedure: The Program Administrator, or designated County staff, shall enter the date the permit maintenance fee notification was received by the Applicant, or designated agent, into the County's records tracking program within seven (7) business day of receipt by certified mail.

Procedure: The Program Administrator, or designated County staff, shall enter the date the permit maintenance fee was paid into the County's records tracking program within seven (7) business day of receiving payment of the permit maintenance fee.

Procedure: The Program Administrator, or designated County staff, shall enter the date that enforcement action was initiated to obtain permit maintenance fee payment into the County's records tracking program within seven (7) business day of initiating enforcement action.

Stormwater Management Permit Termination

Policy: The Operator, or designated agent, shall terminate the project's stormwater management permit coverage at the completion of the project. The County's *Stormwater Management Permit Termination Checklist* shall be completed and submitted to the Program Administrator for review and approval to obtain termination of permit coverage.

Policy: The Program Administrator, or designated County Staff, will review the submitted *Stormwater Management Permit Termination Checklist* and inspect the permitted project within ten (10) business days from the date the form was received to determine if permit coverage should be terminated. The Program Administrator, or designated County staff, will complete the County's section of the submitted *Stormwater Management Permit Termination Checklist* to document satisfactory project completion in accordance with the SWM Plan and requirements of the County's SWM Ordinance.

Procedure: The Program Administrator, or designated County staff, shall enter the date that the *Stormwater Management Permit Termination Checklist* was received into the County's records tracking program within seven (7) business days of form receipt.

Procedure: If the Program Administrator, or designated County staff, determines that permit termination cannot be approved, the Applicant will be notified in writing, or through email, of the reasons that permit coverage cannot be terminated. The Applicant will be notified within seven (7) business days of the completion of permit termination review.

Procedure: If the Program Administrator, or designated County staff, determines that permit termination can be approved, the Applicant will be notified in writing, or through email, that permit coverage for the project has been terminated. The Applicant will be notified within seven (7) business days of the completion of permit termination review.

Procedure: The Program Administrator, or designated County staff, shall enter the date that permit termination was approved or not approved into the County's records tracking program within seven (7) business days of permit termination review.

STORMWATER MANAGEMENT PERMIT FEE SCHEDULE

Table 1: Fees for permit coverage issuance

Fee type	Total fee to be paid by Applicant (includes both VSMP authority and Department portions where applicable)	Locality portion of “total fee to be paid by Applicant” (based on 72% of total fee paid)	Department portion of “total fee to be paid by Applicant” (based on 28% of total fee paid)
General / Stormwater Management - Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land disturbance acreage less than 1 acre.)	\$290	\$209	\$81
General / Stormwater Management - Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 1 acre and less than 5 Acres)	\$2,700	\$1,944	\$756
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 5 acres and less than 10 acres)	\$3,400	\$2,448	\$952
General / Stormwater Management – Large Construction Activity/Land Clearing [Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres]	\$4,500	\$3,240	\$1,260
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	\$6,100	\$4,392	\$1,708
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	\$9,600	\$6,912	\$2,688

Notes to Table 1:

- (a) When a site or sites has been purchased for development within a previously permitted common plan of development or sale, the Applicant shall be subject to fees in accordance

with the disturbed acreage of their site or sites according to Table 1, column 1, "Total fee to be paid by applicant."

Table 2: Fees for the modification or transfer of registration statements for the General Permits

Type of Permit	Fee Amount
General / Stormwater Management – Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land disturbance acreage less than 1 acre)	\$20
General / Stormwater Management – Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 1 and less than 5 acres)	\$200
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 5 acres and less than 10 acres)	\$250
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres)	\$300
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	\$450
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	\$700

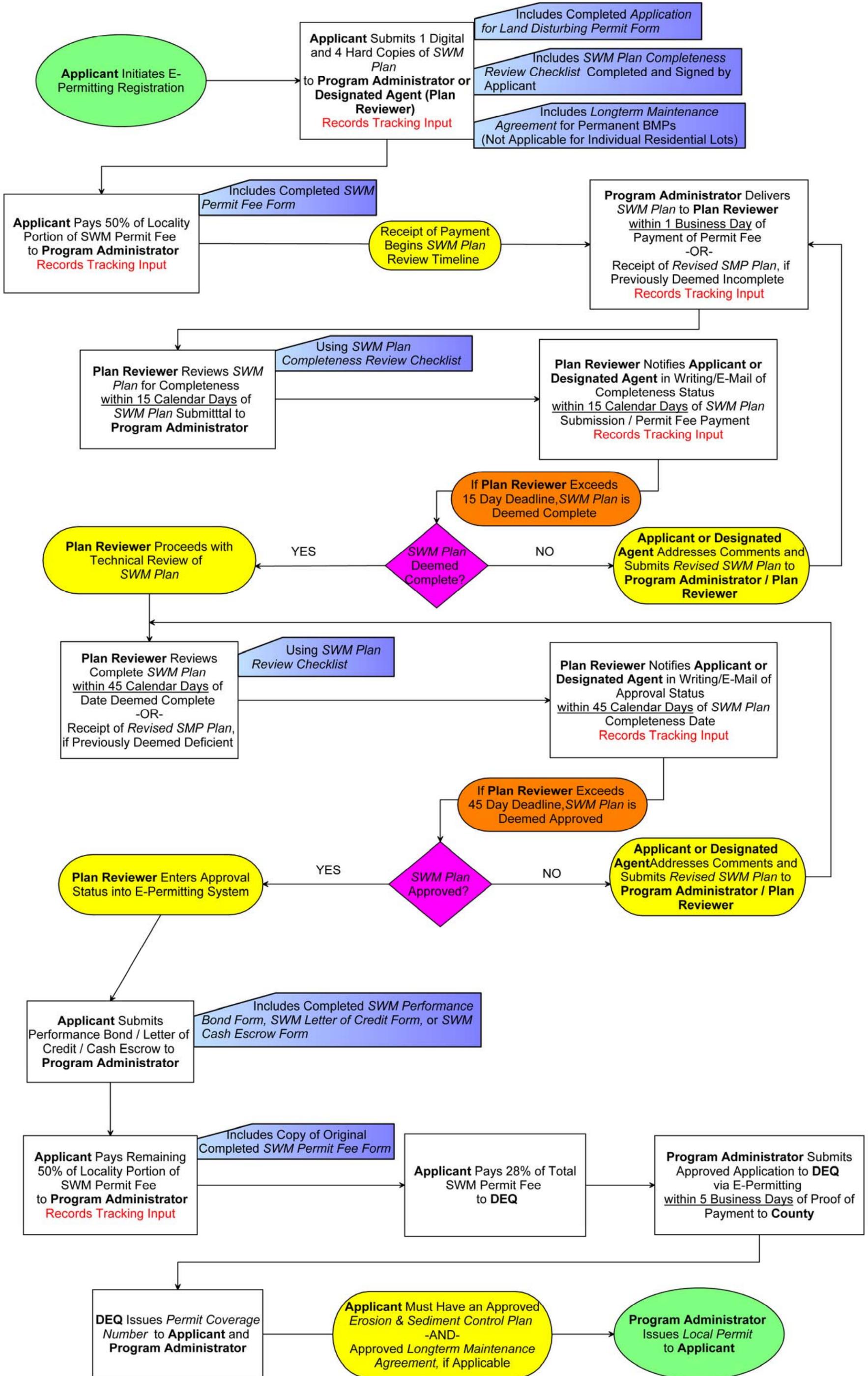
Notes to Table 2:

- (a) Transfers of General Permit registration statements and modifications to stormwater management plans (other than minor modifications) shall be subject to the fees imposed in Table 2. The fee assessed shall be based on the total disturbed acreage of the site. In addition to the modification fee set forth in Table 2, modifications resulting in an increase in total disturbed acreage shall pay the difference in the initial permit fee paid and the permit fee that would have applied for the total disturbed acreage in Table 1. **[NOTE: Fees specified in this Subsection go to the locality.]**

Table 3: Permit Maintenance Fees

Type of Permit	Fee Amount
General / Stormwater Management – Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land disturbance acreage less than 1 acre)	\$50
General / Stormwater Management – Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance equal to or greater than 1 acre and less than 5 acres)	\$400
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 5 acres and less than 10 acres)	\$500
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres)	\$650
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	\$900
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater 100 acres)	\$1,400

Nelson County Local Stormwater Management (SWM) Program Process for Permit Issuance





To: Board of Supervisors

From: Staff

Date: November 6, 2013

Subject: Six-Year Improvement Program (Primary)

Below are the 2011 priorities, with comments included:

1. ~~River Road (Route 6 West) at the intersection with Old Roberts Mountain Road (Route 634)~~ (*addressed through signalization and signs*)
2. ~~Laurel Road (Route 639) at the intersection with Irish Road (Route 6 East)~~ (*removed from consideration and funds transferred to HSIP project*)
3. Richmond Highway (Route 60) at the intersection with Allen's Creek Road (Rt. 622)
4. Spruce Creek Lane (Route 627) at the intersection with Rockfish Valley Highway (Route 151)
5. River Road (Route 6 West) at the intersection with Rockfish Valley Highway (Route 151)
6. ~~Route 56 Extension, Lovington~~ (*does not seem to be a feasible project or a current priority*)
7. Front Street (Business Route 29), Lovington (*needs clarification and/or new project title*)
8. Patrick Henry Highway (Route 151) at the "Y" intersection with Tye Brook Highway (Route 56) (*does not currently seem to be a high priority relative to other projects/needs*)
9. Rockfish Valley Highway (Route 151) at the intersection with Rodes Farm Drive (Route 613) (*was not considered to be a high priority relative to other intersections identified in VDOT's 151 Corridor Study*)
10. James River Road (Route 56E) at intersection with Findlay Mountain Road (Rt.647)

Route 151 Priorities (as identified in VDOT's Route 151 Corridor Study project)*

1. Intersection upgrades for Rockfish Valley Highway (Route 151) at intersection with Afton Mountain Road (Route 6) and Avon Road (Route 638) (*selected for funding through HSIP grant*)
2. Intersection upgrades for Rockfish Valley Highway (Route 151) at intersection with Rockfish School Lane (Route 635) (*selected for funding through HSIP grant*)
- Intersection improvements for the "Martin's Store Substation" location where River Road (Route 6 West) intersects with Rockfish Valley Highway (Route 151)
- Intersection improvements for Rockfish Valley Highway (Route 151) at intersection with Spruce Creek Lane (Route 627) and Glenthorne Loop (Route 627)
- Intersection improvements for Rockfish Valley Highway (Route 151) and Tanbark Drive (Route 849).
- Intersection improvements for Rockfish Valley Highway (Route 151) and Rodes Farm Drive (Route 613)

Previously listed priority projects for consideration

- Front Street (U.S. Route 29 Business) and Main Street (Route 1001) pedestrian and streetscape improvements as identified in Lovington Master Plan and Lovington Safety Study
- Intersection improvements for Richmond Highway (U.S. Route 60) at the intersection with Allen's Creek Road (Route 622)
- James River Road (Route 56) at intersection with Findlay Mountain Road (Route 647)
- Patrick Henry Highway (Route 151) at the "Y" intersection with Tye Brook Highway (Route 56)

New suggestions for consideration (not previously listed and not on Route 151)

- Improvements in the vicinity of the intersection of Thomas Nelson Highway (U.S. Route 29) and Oak Ridge Road (Route 653)
- Route 29 improvements in Lovington to improve the three existing crossover turn lanes and to improve safety for pedestrian crossings at Main Street and Front Street South

() **Please note:** Several other important projects were identified in the Route 151 Corridor Study, but they may not be as high of a priority as other projects in other portions of the County. For example, VDOT provided recommendations for improvements at Creek Road near Ashley's Store; at Beech Grove Road; at Bland Wade Lane; and at Lodebar Estate, among several other intersections. Please reference pages 23-25 of the 151 Corridor Study for a more complete overview.*

The VDOT Route 151 Corridor Study also included recommendations for significant improvements at the major intersection of Route 151 and U.S. Route 250 as one of the highest priorities; but that project is not located in Nelson County (and thus is not reflected here as a County priority).

The Corridor Study also included important long-term projects involving the reconstruction of Route 151 from Adial Road (Route 634) to U.S. Route 250, including paved 6-foot shoulders marked as bicycle lanes.

2.4.2 Site Visit

The next step in the process was to perform a site visit to the study intersections. In preparation for the site visit, intersection crash summary diagrams were prepared, in which all crashes occurring within the intersection influence area (200 feet) were identified by crash type. This allowed for patterns and potential causes to be identified. These diagrams were used by the site visit team, consisting of VDOT, Nelson County and HNTB representatives, to understand what factors should be examined in the field. A Nelson County Sherriff Deputy also participated in the site visit to provide insight on issues along the corridor.

The site visit was conducted on February 21 and 22, 2013 for the 13 study intersections identified at the kick-off meeting. While in the field, a 14th location was visited per request of a County Supervisor, as a fatal crash resulting in two (2) fatalities occurred in 2012. A follow-up meeting after the site visits was held with two (2) County Supervisors to review the findings of the site visit, at which a 15th location, in proximity to another intersection, was identified. This location was examined on February 28, 2013.

The key field observations are presented below. Full details by intersection are presented in **Appendix D**, and include a crash type diagram, crash summary, including time of day, field observations, as well as detailed recommendations as developed in **Chapter 3**. **Appendix E** presents the catalogue of site visit photos.

1. Route 664 (Beech Grove Road / Glenthorne Loop) at Route 151

- Some confusion exists for Route 664 driver in determining whether Route 151 southbound right turning traffic is turning onto Beech Grove Road, or into the "Ski Barn" parking lot located just south of the intersection.
- Some vegetation in the northwest quadrant impedes sight distance for vehicles on the eastbound approach.
- Signage on northbound Route 151 at entrance to Devils Backbone creates driver confusion.

Photo 1: Roadway guide sign at entrance to Devils Backbone creates driver confusion.



2. Route 627 (Spruce Creek Lane and Glenthorne Loop) at Route 151

- Spruce Creek Lane eastbound left turning onto Route 151 northbound has very poor line of sight due to the embankment in the southwest quadrant limits sight distance for vehicles on the eastbound approach. Often left turning traffic will turn and drive in the southbound lane (i.e. wrong way traffic) until they can move over into the northbound lane.

Photo 2: Embankment limits sight distance.



3. Route 634 (Adial Road)/Nellysford area at Route 151

- Lack of stop bar and end-of-road treatment.
- Vegetation along the side of the roadway can block the line of sight for the stop sign.
- Lack of pedestrian facilities.
- Access Management/Poor inter-parcel connectivity.

Photo 3: Crest of Hill at Route 613 limits sight distance of vehicles on Route 151.



4. Route 613 (Rodes Farm Drive and Lodebar Estate) at Route 151

- Crest in hill and embankments between two offset intersections limits sight distance for turning vehicles from minor roadways and driveways.

Photo 4: Left turning vehicles at Route 6 crosses center line.



5. Route 6 (River Road) at Route 151

- Route 151 southbound left turning traffic crosses over double-yellow of both Route 151 and River Road, due to a tight turning radius caused by a narrow receiving area.

6. Route 635 (Rockfish School Lane) at Route 151

- Increased number of crashes in the last two years with an increase of land-use activities.
- Lack of turn lanes.

7. Route 635 (Greenfield Road) at Route 151

- The northbound right turn bay is short.

8. Route 729 (Creek Road) at Route 151

- Line of sight issues for traffic egressing from Creek Road.
- Lack of turn lanes for Route 151 traffic.

9. Route 784 (Bland Wade Lane) at Route 151

- Limited sight distance to the north, less than 200 feet.
- Route 151 dips to the south, limiting sight distance.

10. Route 760 (Sunrise Drive) at Route 151

- Due to the crest of hill to the south, left turning traffic has limited sight distance, specifically of northbound vehicles.

11. Route 609 (Mill Lane) at Route 151

- Poor sight distance due to parapet wall of the Goodwins Creek Bridge and overgrown vegetation.
- Poor access management: driveways of gas station are close to the intersection.

Photo 5: Lack of a left turn lane at Route 729 causes drivers to drive on the shoulder.



Photo 6: Crest of Hill at Route 613 limits sight distance of vehicles on Route 151.



Photo 7: Poor access management as driveways are close to the intersection.



12. Route 638 S (Avon Road) at Route 151

- Overgrown vegetation on the eastside of the roadway can restrict sight distance for Avon Road traffic looking south.
- Stop bar is too far back from roadway.

13. Route 840 (Tanbark Drive) at Route 151

- The eastbound approach (Tanbark Drive) dips as the roadway approaches Route 151, which hides the view of Route 151 until the vehicle reaches the intersection.
- Embankments in southwest and southeast quadrants limit sight distance for traffic on Tanbark Drive.

14. Route 6 (Afton Mountain Road) and Route 638 North (Avon Road) at Route 151

- Route marker sign and vegetation block view of the stop sign on Route 6 eastbound approach.
- Eastbound right turning angle is poor, forcing drivers to really look over their shoulder.
- Limited sight distance exists on minor roadways due to approach to Route 151.

Photo 8: Eastbound approach dips on Route 840 just prior to the intersection with Route 151.



Photo 9: Westbound approach dips on Route 638 North just prior to the intersection with Route 151.



15. U.S. Route 250 (Rockfish Gap Turnpike) at Route 151

- U.S. Route 250 eastbound right turning traffic blocks line of sight of eastbound through traffic for Route 151 turning traffic. The curve on U.S. Route 250 makes it difficult to differentiate eastbound rights from eastbound through movement vehicles.
- The westbound left turn queue often spills into the westbound through lane, as the turn bay's length is insufficient. U.S. Route 250 westbound through traffic drives around the queued vehicles, by driving on the shoulder and grass.



Photo 10: Left turning queue spills back into through lane on U.S. Route 250

General observations for the corridor that were identified during the site visit:

- Route 151 is signed as a bike corridor. However, this corridor is relatively unsafe for bicyclists. There are no on-street bicycle lanes, and most of the corridor does not have paved shoulders. As such, cyclists are forced into the vehicular travel lane; and with no shoulders, cyclists are not able to move to the side to allow sufficient space for vehicles to pass. Thus, vehicles have to pass the cyclists by travelling into the opposing lane.
- While some segments do have shoulders, most of the corridor does not. Lack of shoulders creates safety issues for cyclists as described above, as well as for pedestrians, and can contribute to vehicle crashes.
- Route 151 does not have turn lanes at most of its intersections, even those with larger land-use generators. This requires turning vehicles to slow down or stop in the through lane. These unexpected stops in traffic flows can contribute to rear-end collisions.
- Poor sight distance exists at a number of intersections along the corridor, both on Route 151 and the approaches of the intersecting roadways. This can contribute to crashes when vehicles are turning onto Route 151 from the minor roadways or driveways. Drivers must accelerate aggressively when they turn onto Route 151. Contributors to site distance issues are horizontal and vertical alignment, embankments, and vegetation.

Photo 11: Lack of paved shoulders can contribute to safety issues for cyclists.



3. Future Traffic Conditions

This chapter presents the Future Conditions Assessment for the Route 151 Corridor, including an overview of previous planning studies. Forecasts for study years 2020 and 2040, No-Build and Build Conditions Operational Analysis, and the Safety Analysis are presented in this chapter.

3.1 Previous Planning Studies

This section provides a brief overview of previous planning studies conducted for the corridor.

3.1.1 Route 151 Corridor Study

VDOT completed a study in 2001 of the Route 151 corridor, from Route 664 (Beech Grove Road) to U.S. Route 250 (Rockfish Gap Turnpike), and of Route 6 (River Road) from Route 151 to U.S. Route 29. This study examined the safety and operational issues at eight (8) key intersections. The operational analysis examined existing conditions (1999 data) and future conditions (year 2025) to identify operational deficiencies and develop recommendations for operational improvements. Crash data (period of 1996 to 1998) was examined to identify crash hot spots and to develop recommendations to address safety concerns.

The following are recommendations from the study that address operational, geometric and safety deficiencies:

Short Term:

- At Route 613 (report does not specify whether this is Rodes Farm Drive or Lodebar Estates) – lower grade at the intersection.
- At Route 6 south (River Road) – add a left turn lane on the southbound and westbound approaches.
- At Route 635 south (Rockfish School Lane) – add a left turn lane on the northbound and eastbound approaches.
- At Route 784 (Bland Wade Lane) – reconstruct the roadway to improve horizontal and vertical alignment.
- At Route 849 (Tanbark Drive) – Slope the embankments in the southeast and southwest quadrants to improve sight distance for the northbound approach.
- Improvements were recommended at Route 635 north (Greenfield) and Route 709 (Chapel Hollow Road); **improvements have since been constructed.**

Long Term:

- From Route 634 south (Adial Road) to Route 6 south (River Road) – reconstruct the existing roadway to accommodate two 12-foot travel lanes with paved 6-foot shoulders marked as bike lanes. Right-of-way should be reserved for an ultimate four-lane cross-section when volumes warrant.

- From Route 6 south (River Road) to Route 638 south (Avon Road) – reconstruct the existing roadway to accommodate two 12-foot travel lanes with paved 6-foot shoulders marked as bike lanes. Right-of-way should be reserved for an ultimate four-lane cross-section when volumes warrant.
- From Route 638 south (Avon Road) to U.S. Route 250 (Rockfish Gap Turnpike) – widen the existing roadway to accommodate four 12-foot travel lanes with paved 6-foot shoulders marked as bike lanes.
- At the intersection with Route 6 north – provide left turn lanes on the minor approaches, and signalize the intersection when warranted.
- At the intersection with U.S. Route 250 – add a northbound left turn lane and signalize the intersection when warranted.

3.1.2 Nelson County Comprehensive Plan

Nelson County’s most recent Comprehensive Plan was officially adopted in 2002. Nelson County is currently updating its Comprehensive Plan. This update includes the transportation chapter which addresses roadways, pedestrians and bicyclists, but information is not yet available. The 2002 Plan established the county’s land-use plan and recommendations for bicycle and pedestrian facilities throughout Nelson County. The Comprehensive Plan does not provide specific recommendations for roadway improvements as the Plan indicates that such improvements are the responsibility of the VDOT Lynchburg District. Specific recommendations related to pedestrian and bicyclist traffic for the Route 151 Corridor include the following:

- When roadways are reconstructed, paved shoulders should be provided to accommodate pedestrian and bicyclist traffic. Shoulders should be constructed on Route 151 and Route 6, which are identified as primary bicycle routes in Nelson County.
- Secondary bicycle routes in Nelson County should be treated as transportation corridors and have climbing lanes and pull-out areas. These routes include Route 634, Route 635, Route 638 and Route 664.
- *Share the Road* signs should be installed on Route 151 and Route 6.
- Sidewalks should be constructed along Route 151 in the Nellysford area, and one well-marked crosswalk should be installed.
- Greenway trails should be developed along Route 151, these trails would follow the rivers and streams. The trails would provide opportunities for open-space and stream preservation, and provide connections to communities and community facilities along the corridor.

3.1.3 Jefferson Area Bicycle, Pedestrian, and Greenways Plan

The Jefferson Area Bicycle, Pedestrian and Greenways Plan, developed by the Thomas Jefferson Planning District Commission (TJPDC), was adopted in 2004. The Plan details pedestrian, bike and greenway improvements in the Jefferson Area, which includes the City of Charlottesville and Nelson, Albemarle, Fluvanna, Greene and Louisa Counties. The Plan’s recommendations for the Route 151 area

are identical to the recommendations in the Nelson County Comprehensive, including paved shoulders on Route 151 and U.S. Route 250 to accommodate pedestrian and bicyclist traffic.

3.1.4 2035 Rural Long Range Transportation Plan

In 2010 VDOT completed the Rural Long Range Plan (RLRP) for the TJPDC. This transportation plan identified short, mid and long-term improvements to address operational, geometric and safety challenges in TJPDC, which includes Nelson County. The study team included members of TJPDC as well as Nelson County and Albemarle County planning staff. Recommendations for improvements to the study corridor include the following:

Short-Term:

- At the intersection with Route 635 (Greenfield Road) – perform a study to identify safety improvements; **improvements have since been constructed.**

Mid-Term:

- From Route 613 (Rodes Farm Road) to 0.05 miles north of Route 613 – reconstruct the roadway to address geometric deficiencies, including improvements at the intersection with Route 613 (Rodes Farm Road) to correct sight distance deficiency (note, although not specified, it is assumed that the northern terminus is north of Route 613 – Lodebar Estates).
- At the intersection with U.S. Route 250 – install traffic control improvements, including a signal with a northbound turn lane, or a roundabout.

Long-Term:

- At the Route 151 intersection with Route 627 (Spruce Creek Lane) – reconstruct the intersection to improve horizontal and vertical curves.
- From Route 6 south (River Road) to Route 6 north (Afton Mountain Road) / Route 638 south (Avon Road) – widen the road to increase capacity and address geometric deficiencies, including full-width lanes and shoulders.
- Route 6 north (Afton Mountain Road) / Route 638 south (Avon Road) to the Albemarle County Line – widen road to increase capacity and address geometric deficiencies, including full-width lanes and shoulders.
- From the Nelson County Line to U.S. 250 (Rockfish Gap Turnpike) – long-term spot safety and alignment improvements are needed to address geometric deficiencies and pave the shoulders for bikes.

Continue to monitor for potential improvements:

- At the Route 151 intersection with Route 6 south.
- At the Route 151 intersection with Route 6 north / Route 638 north.

October 3, 2011
Commonwealth Transportation Board
Attn: Mr. Sean T Connaughton, Chairman
Secretary of Transportation
1111 E. Broad St.
Richmond VA 23219

RE: Fiscal Year 2012-2017 Six-Year Improvement Program (SYIP)

Dear Honorable Board Members:

The Nelson County Board of Supervisors would like to thank the Commonwealth Transportation Board for the opportunity to present to you ten (10) priority projects we would like you to consider for inclusion into the State's Six-year Transportation Plan for Primary Roads. The priority projects are as follows:

1. River Road (Route 6 West) at the intersection with Old Roberts Mountain Road (Route 634)
2. Laurel Road (Route 639) at the intersection with Irish Road (Route 6 East)
3. Richmond Highway (Route 60) at the intersection with Allen's Creek Road (Rt. 622)
4. Spruce Creek Lane (Route 627) at the intersection with Rockfish Valley Highway (Route 151)
5. River Road (Route 6 West) at the intersection with Rockfish Valley Highway (Route 151)
6. Route 56 Extension, Lovington
7. Front Street (Business Route 29), Lovington
8. Patrick Henry Highway (Route 151) at the "Y" intersection with Tye Brook Highway (Route 56)
9. Rockfish Valley Highway (Route 151) at the intersection with Rodes Farm Drive (Route 613)
10. James River Road (Rt.56E) at intersection with Findlay Mountain Road (Rt.647)

Each project is identified and briefly explained in the following pages. Also, as part of the Transportation Improvement Program, we request that you give full funding to the Blue Ridge Tunnel Project on Afton Mountain.

In addition to the priorities submitted herein by the Nelson County Board of Supervisors, County Staff requests that the Department of Transportation review the 151 Corridor Study dated December 2001 for the purpose of determining and implementing such improvements that would help to alleviate the increased heavy truck traffic and the substantial increase in the overall volume of traffic utilizing the 151 corridor from Route 250 to Route 664.

County Staff wishes to point out there have been several traffic accidents, including accidents resulting in fatalities, along the 151 Corridor since the 2001 study and wishes to stress the importance of VDOT's evaluation of the 151 Corridor, as requested herein.

If you have any questions regarding any of the projects, please feel free to contact me at (434) 263-7001.

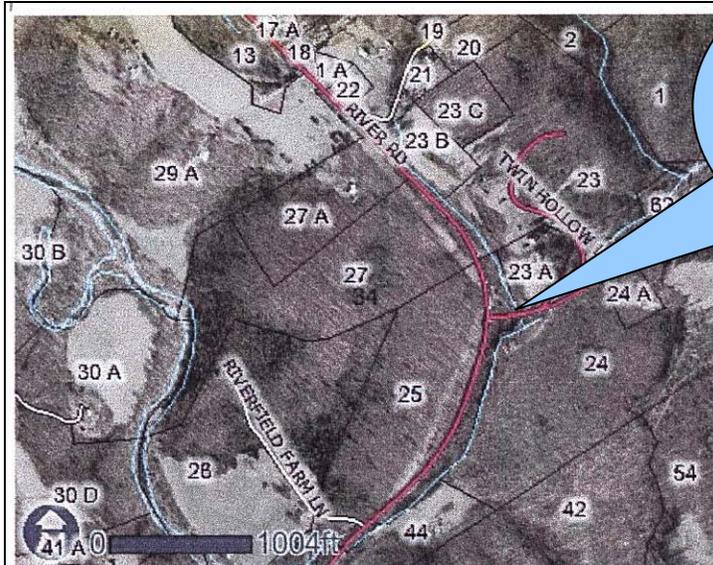
Respectfully yours,

Stephen A. Carter
County Administrator

SAC

Copy to: Mr. Mark J. Peake, CTB, Member
Mr. Rob Cary, PE, Lynchburg District Administrator

1. ROAD IMPROVEMENTS: RIVER ROAD (ROUTE 6 WEST) AT THE INTERSECTION WITH OLD ROBERTS MOUNTAIN ROAD (ROUTE 634)

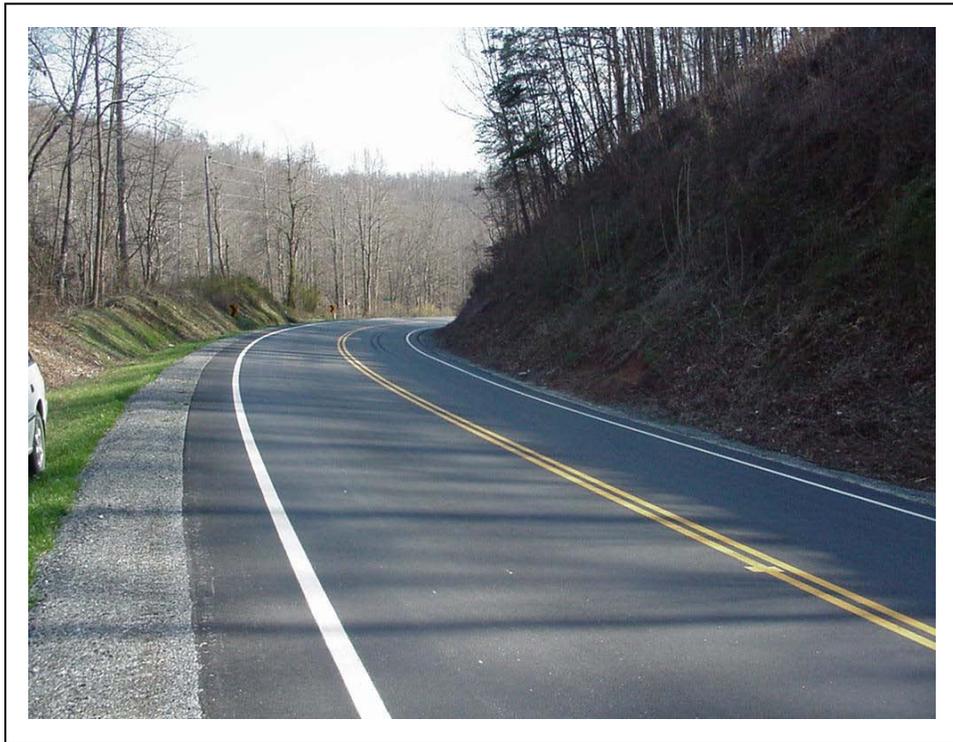


RIVER ROAD (ROUTE 6) AT INTERSECTION WITH OLD ROBERTS MOUNTAIN ROAD (ROUTE 634)

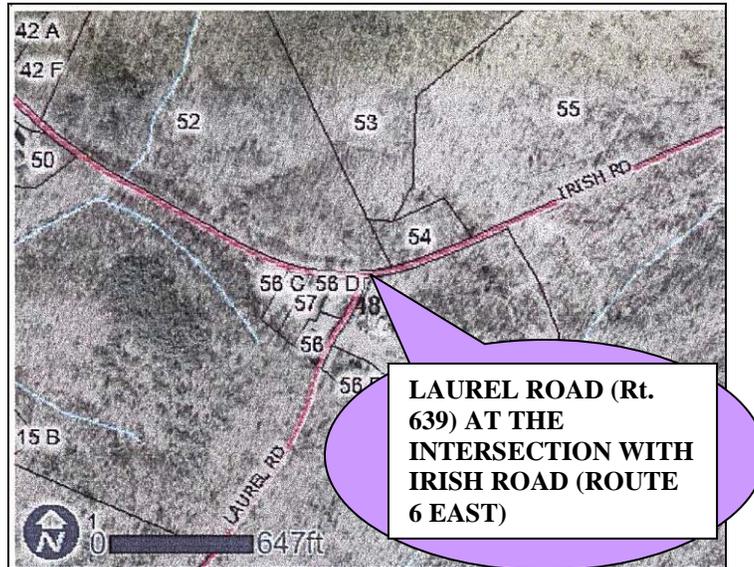
Route 634 connects to Route 6 on the north side of a sweeping curve, creating a major safety problem. The problem is that motorists heading east on Route 6 cannot see stopped vehicles in the road waiting to turn onto Route 634. This is a very dangerous situation because Route 6 is a primary school bus route.

There have been a number of accidents at this intersection and almost daily there are incidents where a motorist barely avoids rear-ending a stopped vehicle. Several months ago a dump truck was stopped on Route 6 waiting to make the turn onto Route 634. A passenger vehicle heading east on this primary road (at the appropriate speed) came upon this large truck and crashed into the rear, killing the driver. There was not enough distance for the driver to stop the vehicle or go around the truck on the inside.

The Nelson County Board of Supervisors requests you to authorize VDOT to make improvements to Route 6 in this area in order to prevent a future accident that may involve one of our school buses carrying children.



2. INTERSECTION IMPROVEMENT: LAUREL ROAD (ROUTE 639) AT THE INTERSECTION WITH IRISH ROAD (ROUTE 6 EAST)



The intersection of Laurel Road (Route 639) and Irish Road (Route 6 East) is a dangerous intersection requiring both immediate and long term improvements. The problems identified are speed on Irish Road, poor sight distance, narrowness of roadway, and road maintenance.

According to a property owner who is a member of the local rescue squad, on the east side of Laurel Road, there have been fifteen to twenty crashes at this intersection which he has “worked.” One of the injured persons later died as a result of the crash. In his opinion, many of the crashes were the result of speed and the narrowness of the road’s shoulder. Many, if not the majority, of the crashes occur heading east on Irish Road. Drivers enter the curve going too fast and slip off the pavement onto the small shoulder. Most vehicle operators are able to correct this problem when it occurs. However, those involved in a crash have either over-corrected and end up crashing into the bank on the other side of the road, or have gone too far on the edge of the narrow shoulder, sliding into the drainage ditch, resulting in a serious crash.



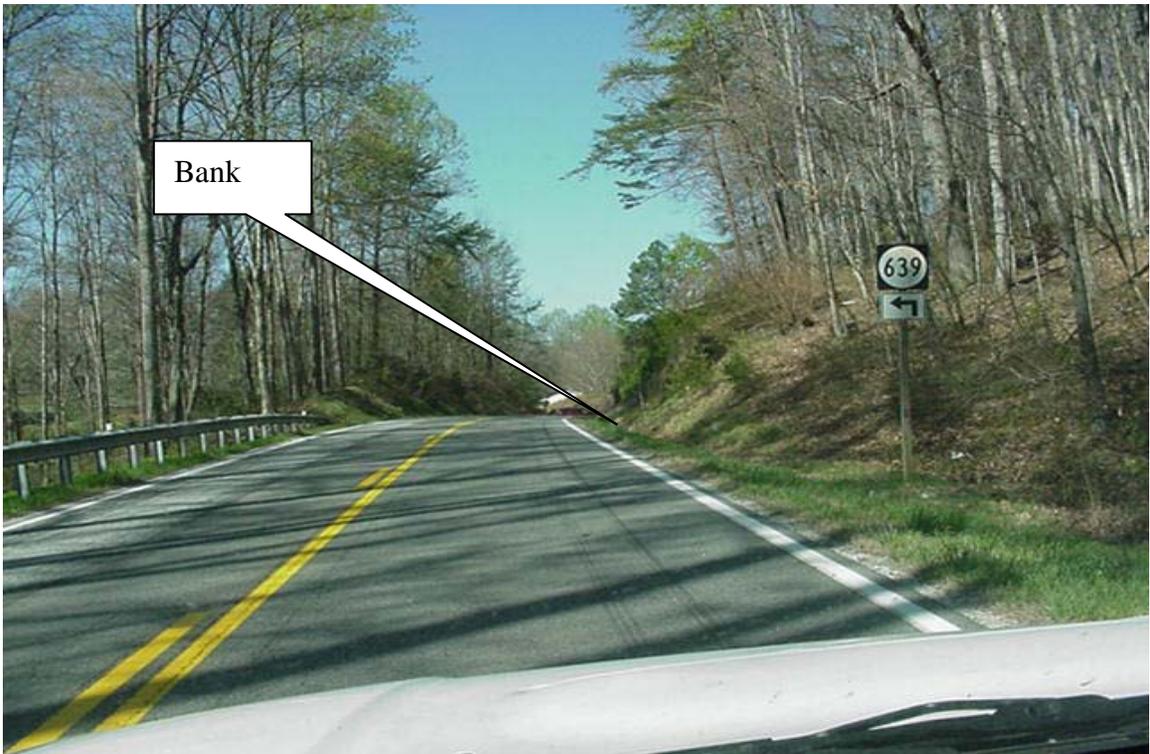
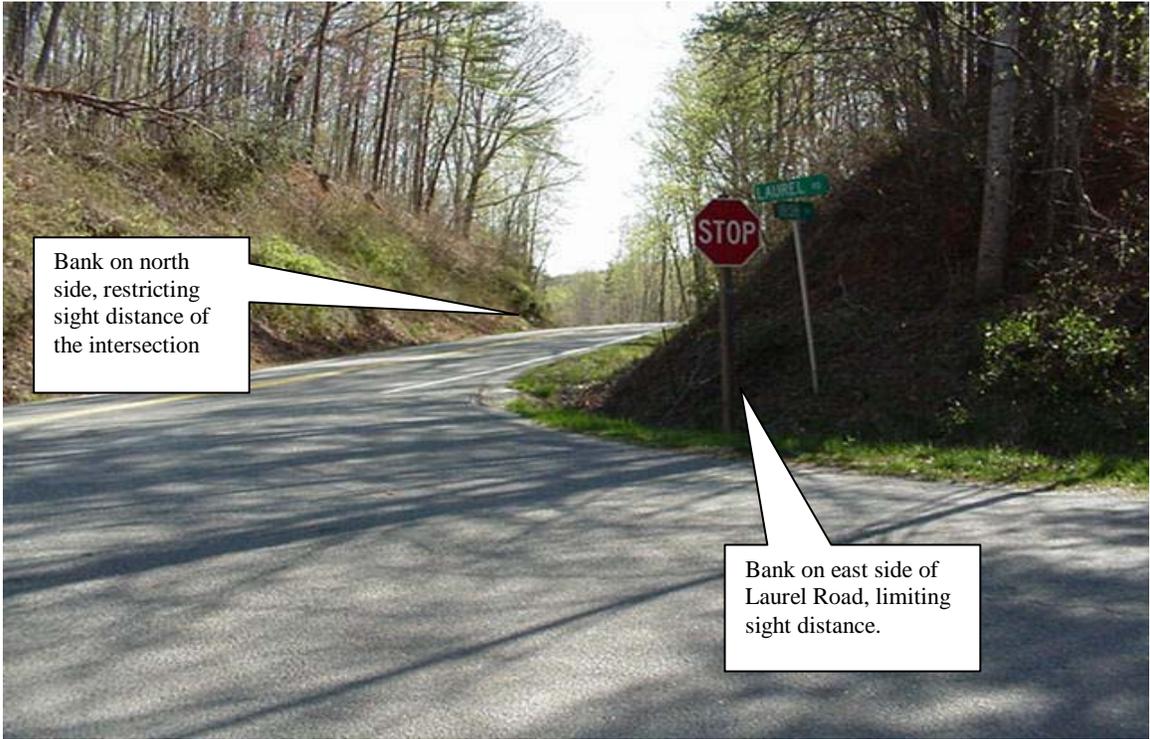


In addition to the above cited problems, there is poor sight distance at this intersection. The problems are high banks on both sides of Laurel Road, restricting sight distance for on-coming vehicles. Also, on the north side of Irish Road (Route 6) there is a bank which prevents the driver of a vehicle from seeing vehicles at the intersection with Laurel Road when heading west on Route 6.

Another problem identified at this intersection concerns the small stone used on road shoulders. This stone is transported into the intersection by either water or vehicles. Vehicle operators using Laurel Road will sometimes slide on the stone when trying to stop and go partially onto Irish Road.

The problems identified at this intersection could be corrected by:

- Lowering the speed limit before entering the curve on Irish Road which could reduce the number of cars slipping off the paved road onto the shoulder.
- Increasing the width of the shoulder on Irish Road to provide more space to use when a vehicle slips off the paved road.
- Cutting back of the banks on both sides of Laurel Road and the one on the curve of Irish Road to increase visibility at this intersection in all directions.
- Improving the drainage ditches along Laurel Road to reduce the amount of small gravel being transported into the intersection.

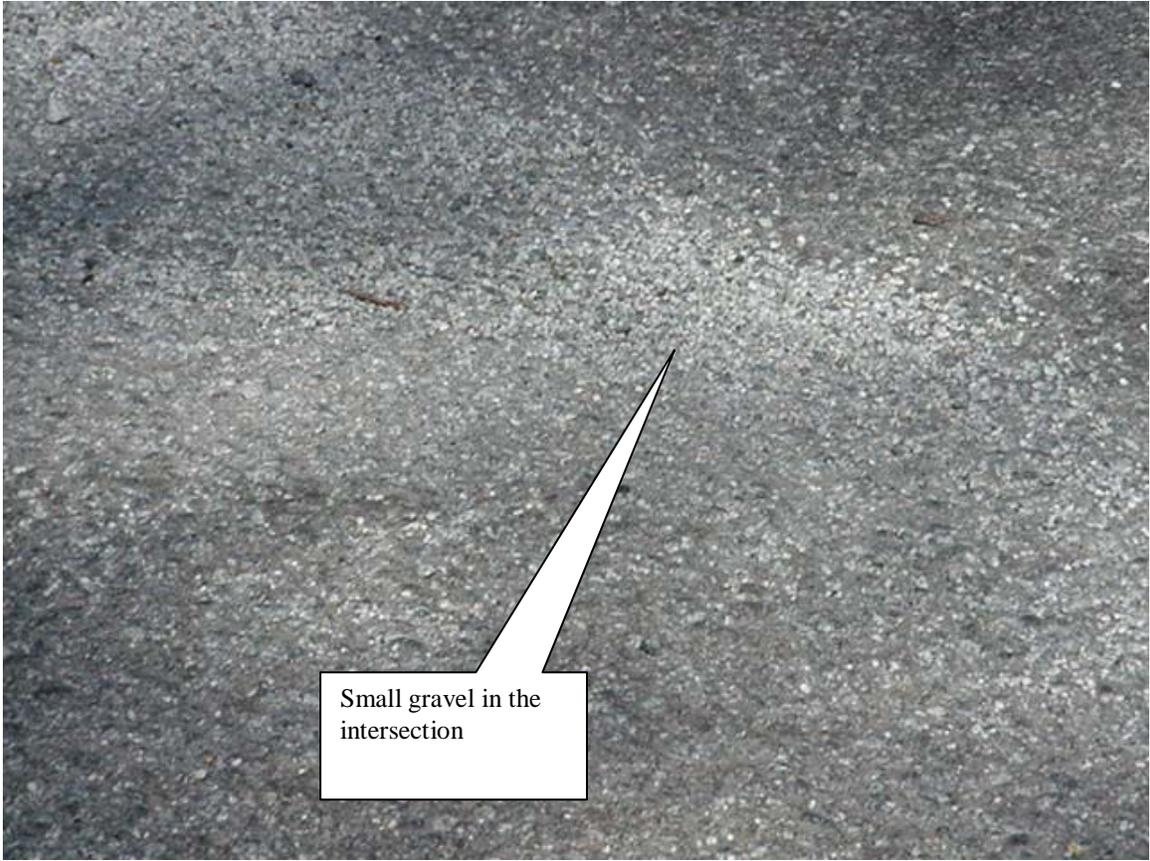




Bank on east side of Laurel Road, restricting sight distance.

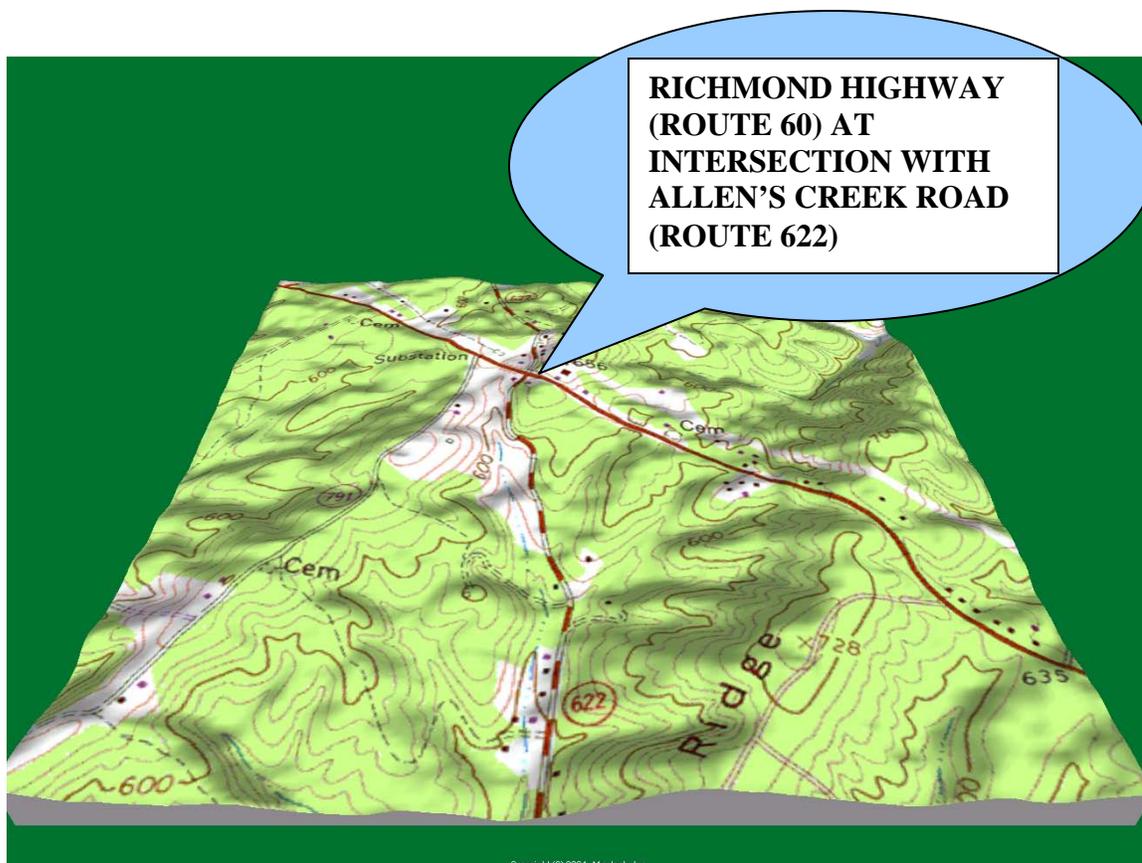


Bank



Small gravel in the intersection

3. INTERSECTION IMPROVEMENTS: RICHMOND HIGHWAY (ROUTE 60) AT THE INTERSECTION WITH ALLEN'S CREEK ROAD (ROUTE 622).



There is poor site distance at this intersection due to the existing grade of Route 60 east of Route 622. Also, turning movements are difficult at this intersection due to this problem.

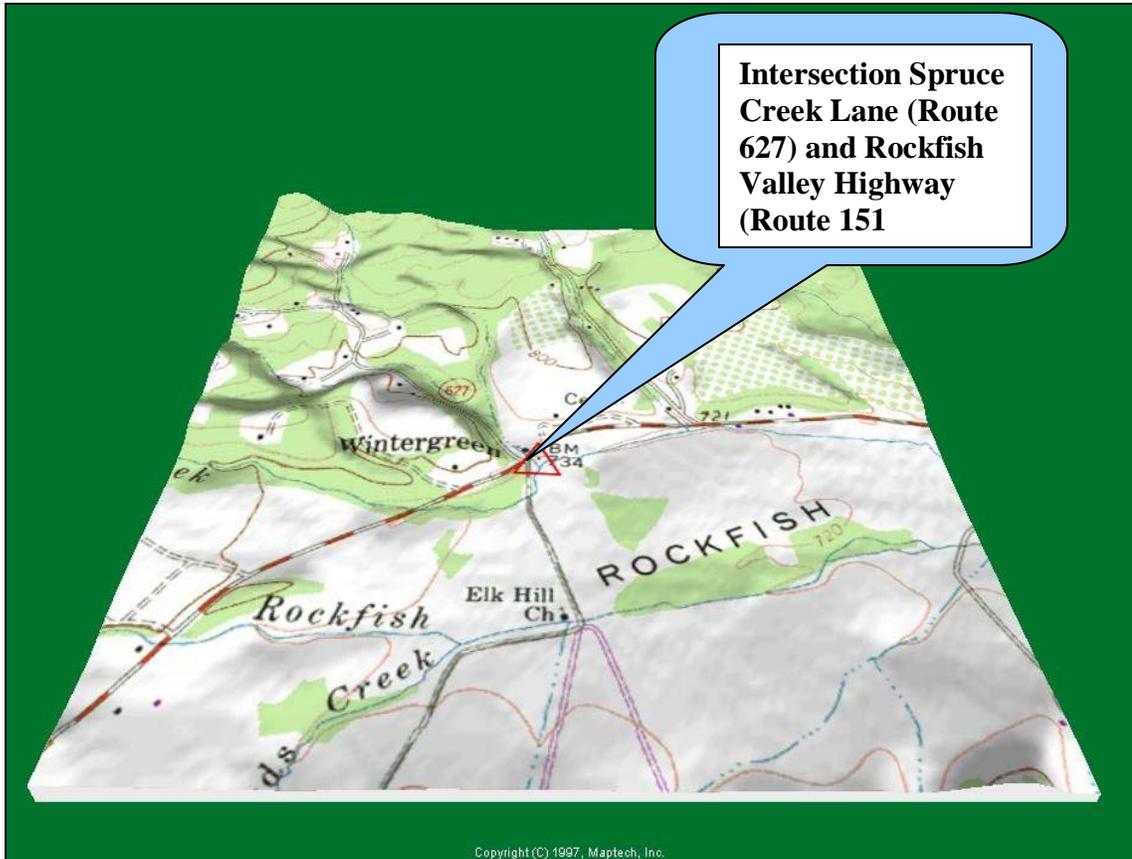
The Annual Average Daily Traffic on Route 60 is 2,000 vehicles. Many of these vehicles are large trucks, especially logging trucks, going to and from wood processing facilities in Nelson County and adjoining counties.

One major concern with this intersection is that school buses must use it. A school bus that must cross or turn west onto Route 60 is in danger of being broadsided by a large speeding truck coming over the crest of the hill east of the intersection because neither the bus driver nor the truck driver can see each other until it almost too late. There have been a number of "close calls" at this location, one of which was a State Trooper.

The grade of Route 60 should be reduced and turning lanes installed to correct this problem. The improvements necessary to correct this problem are identified in VDOT's Route 60 Corridor Study and the Thomas Jefferson Regional Planning District Rural Area Transportation Plan, Year 2015.



4. INTERSECTION IMPROVEMENT: SPRUCE CREEK LANE (ROUTE 627) AT THE INTERSECTION WITH ROCKFISH VALLEY HIGHWAY (ROUTE 151).



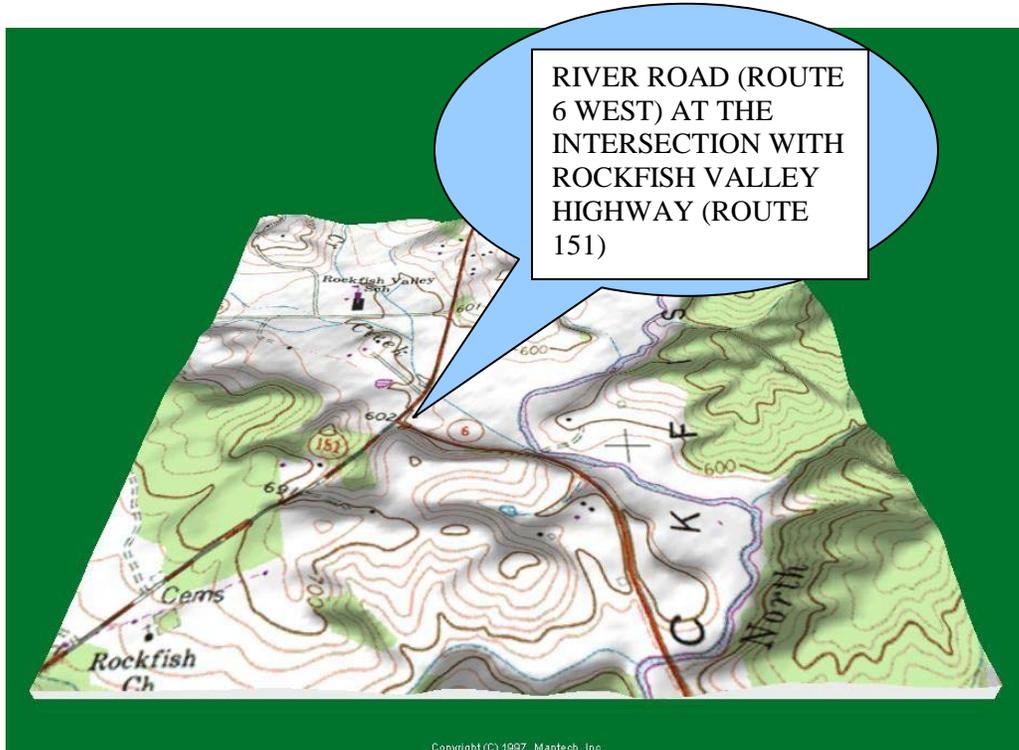
Spruce Creek Lane (Route 627) connects to Rockfish Valley Highway (Route 151) on what is considered by many people to be a blind curve. A driver of a motor vehicle does not have adequate sight distance to see approaching vehicles going north on Rockfish Valley Highway (Route 151) at 55 mph. Vehicles coming around the curve are right on top of a vehicle turning north from Spruce Creek Lane.

There are approximately 200 active building permits on Wintergreen Mountain, and a new twenty-two lot subdivision on Spruce Creek Lane has received final approval and is being developed. The traffic on both roads has increased over the past several years and will continue to increase, creating a serious safety problem at this intersection, especially for school bus drivers who use it. The sight distance at this intersection can be improved by cutting back the bank on the curve.



(Sitting in a vehicle looking south)

5. RIVER ROAD (ROUTE 6 WEST) AT THE INTERSECTION WITH ROCKFISH VALLEY HIGHWAY (ROUTE 151).



The intersection of River Road at Rockfish Valley Highway is a very dangerous intersection. The Route 151 Corridor Study prepared by VDOT noted that there were 149 accidents in the area between Route 6 and Route 635, with 102 injuries.

The 2002 Annual Average Daily Traffic Count in the immediate area of this section along Route 151 is 6,700 to 7,800 vehicles. On Route 6 the AADT was 3,200 vehicles.

Turning at this point is very dangerous because of the narrowness of both roads. Large trucks generally use both lanes of Route 6 to complete a turn from Route 151. Also, people frequently fail to stop at the intersection and go directly across Route 151 onto the property of Central Virginia Electric Cooperative. The 151 Corridor Study gave the “Level of Service” at this intersection a “D” designation which indicated some level of congestion currently in this area. If the intersection is not improved, the “Level of Service” designation will be “E” by 2025.

The Route 151 Corridor Study recommends the following short-range improvements in this area:

- Add a southbound left turn lane on Route 151 and a westbound left turn on Route 6 (estimated cost \$600,000).
- At the intersection of Route 151 and Route 635 S, add a southbound left turn lane on Route 151 and an eastbound turn lane on Route 635 (estimated cost \$600,000).
- At the intersection of Route 151 and Route 635 N, add southbound left turn lane on Route 151 and a westbound turn lane on Route 635 (estimated cost \$600,000).





6. ROUTE 56 EXTENSION, LOVINGSTON

The intersection at Thomas Nelson Highway (Route 29) and Callohill Drive is the worst intersection in the County. With assistance from the Commonwealth Transportation Board and the VDOT'S Amherst Office, a temporary solution has been developed to help reduce the accidents at this location. This temporary solution is a good example of VDOT and the local government working together to solve a serious traffic problem, even if the solution is temporary. The Board of Supervisors would like to thank the Commonwealth Transportation Board and VDOT for their efforts in addressing the problems at this intersection.

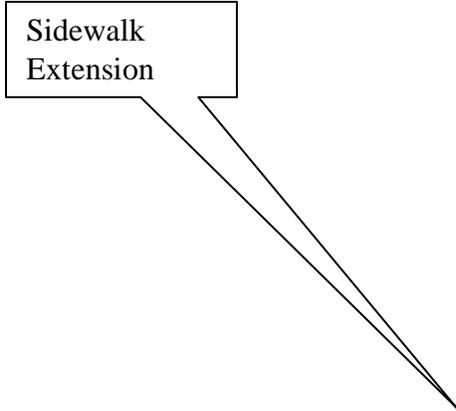
In the *Lovingston Safety Study* the citizens developed a solution that could resolve the traffic problems at Callohill Drive and Route 29 and at the same time reduce truck traffic through the Village and still encourage development of the area west of Route 29. The solution proposed by the citizens and presented in the *Lovingston Safety Study* is to extend Route 56 from its current intersection with Front Street (Route 29 Business) across Route 29 via a bridge, and connect with a new service road, Lovingston Boulevard.

The Board of Supervisors is requesting that this extension be planned as a long-term solution through its inclusion in the Six-Year Improvement Plan. Also, we need to start planning for the future upgrade of Route 29 to a parkway.

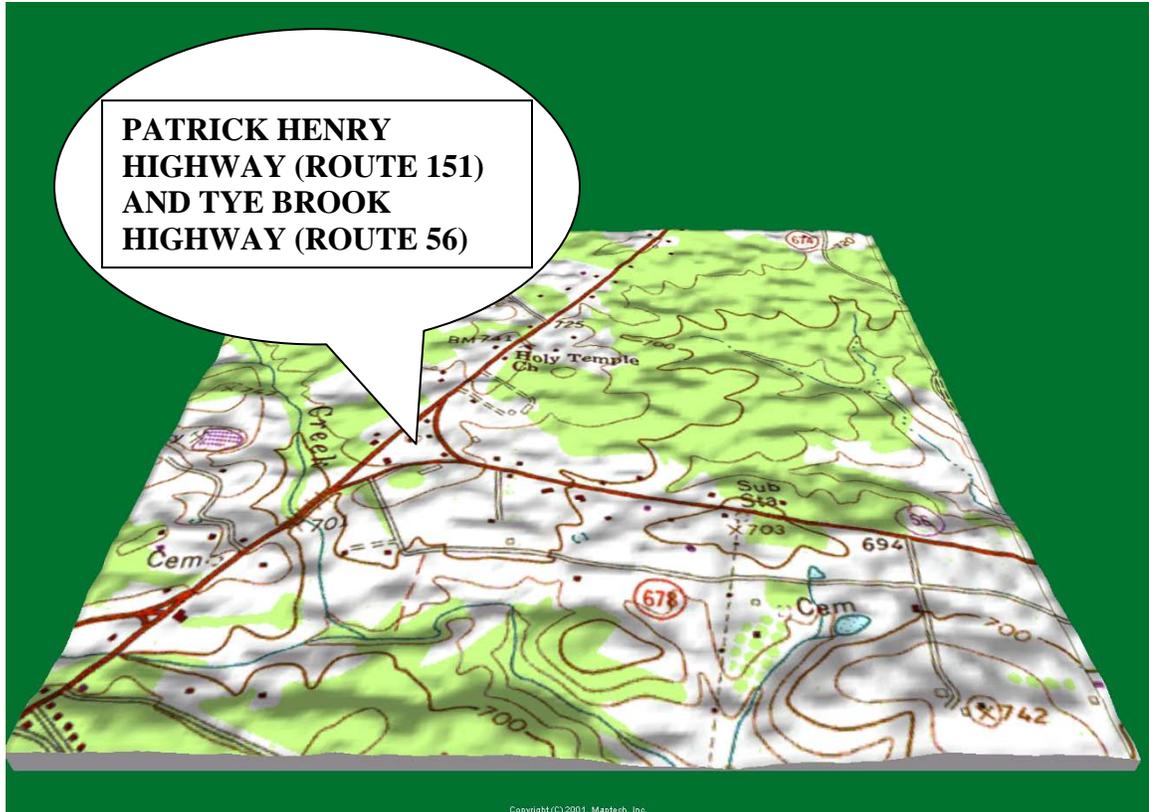
7. FRONT STREET (BUSINESS ROUTE 29), LOVINGSTON

As part of the State's Rural Transportation Program, the Thomas Jefferson Planning District Commission worked with the Amherst Office of VDOT, the County of Nelson, and citizens of Lovingston to conduct a safety study of Lovingston which would be a component of the revitalization plan for the Village. The report, *Lovingston Safety Study*, was completed on June 30, 2005. The transportation improvements presented in this report are those identified by the citizens of Lovingston as necessary to make the Village a walkable community.

In conjunction with the *Lovingston Safety Study*, the County is requesting the installation of curb and sidewalk along the southern portion of Front Street (Route 29 Business). This area of Lovingston has experienced a significant increase in the number of people working there and coming to conduct business. A former ABC store has been converted into a bank, making it the second bank in this area of Front Street. The County has relocated three departments (Building Inspections, Planning and Zoning, and Social Services) to south Front Street and those offices have generated considerable traffic in this area. The separation of pedestrian traffic from vehicular traffic is necessary to accommodate the increase in foot traffic.



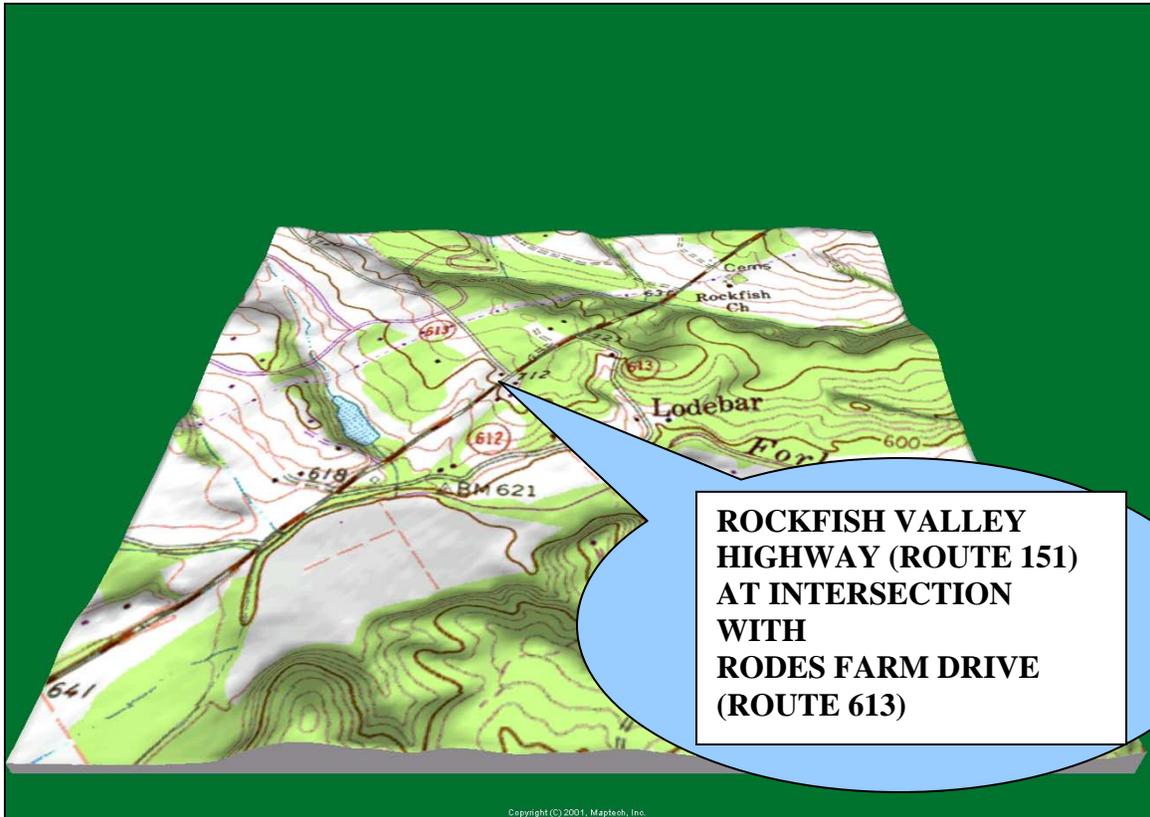
8. INTERSECTION IMPROVEMENT: PATRICK HENRY HIGHWAY (ROUTE 151) AT THE “Y” INTERSECTION WITH TYE BROOK HIGHWAY (ROUTE 56).



There have been a number of accidents at this intersection. The primary reason is that entrances to Route 151 are designed at angles for traffic to merge into the flow of traffic heading in the same direction. The connecting points of these two primary roads need to be reconstructed so that they are at 90 degree angles in order to resolve this problem.



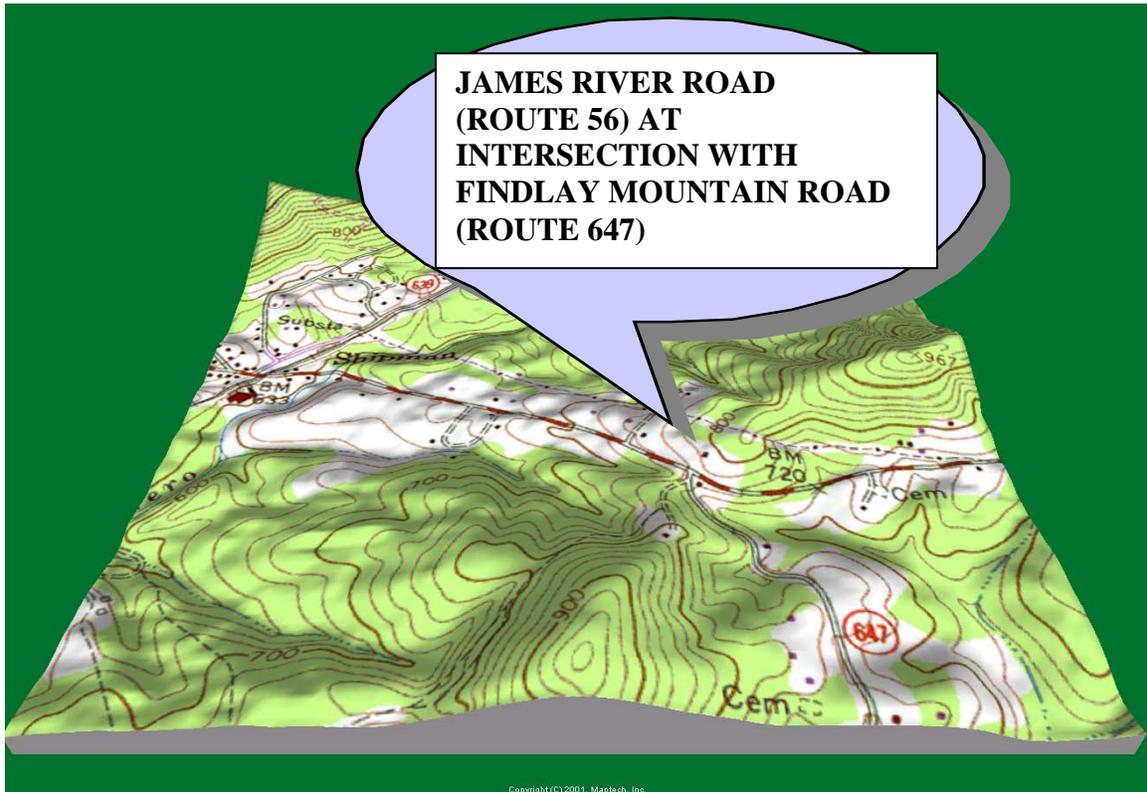
9. INTERSECTION IMPROVEMENT: ROCKFISH VALLEY HIGHWAY (ROUTE 151) AT THE INTERSECTION WITH RODES FARM DRIVE (ROUTE 613).



There is poor site distance on Route 151 at the intersection with Route 613. This problem is created by the existing grade of Route 151 north of the intersection. Turning movements are dangerous in this area and improvements are necessary to correct the problem. Also, it is important to note that this intersection is one of the two access points to Stoney Creek, a major residential area of the County.



10. INTERSECTION IMPROVEMENT AND REMOVING CURVE: JAMES RIVER ROAD (ROUTE 56) AT INTERSECTION WITH FINDLAY MOUNTAIN ROAD (ROUTE 647).



Just east of Route 647 on Route 56 there is significant grade change and a sharp curve. This curve needs to be removed and the grade lowered to improve sight distance at the intersection. When stopped at the intersection, a motorist cannot see approaching vehicles going west on Route 56. Also, when a motorist enters the curve on this primary road he/she has no idea what kind of vehicle will be in the other lane, due to poor sight distance.

Route 56 East is used extensively by logging trucks and it is very difficult for them to remain in the proper lane in this curve. The rear part of the trailer almost always goes into the other lane, creating a major safety problem. An opportunity currently exists to make the necessary improvements to the intersection and curve because an existing house adjacent to the curve has been destroyed by fire, eliminating any impact on an occupied residence. Also, the property owner on the north side of Route 56 has indicated the willingness to give additional right-of-way to improve this curve. However, this property is for sale and if sold, the opportunity to acquire the right-of-way may be lost.



ROUTE 151 CORRIDOR STUDY.

In addition to the priorities above, the Nelson County Board of Supervisors and County Staff request that the Department of Transportation review the 2001 Rt. 151 Corridor Study for the purpose of determining and implementing such improvements that help to alleviate the increase heavy truck traffic and the substantial increase in the overall volume of traffic utilizing the 151 corridor from Route 250 to Route 664.

Afton: Fatal Wreck Tuesday Night : Route 151 @ Tanbark near Afton Service Center

*Updated 8:20 AM EDT 10-3-07
By Tommy Stafford*

Nelson County Life Magazine has confirmed with Virginia State Police this morning that last night's accident in Afton on 151 did involve the death of one of those involved. We do not know the name of the person killed at this point, but VSP did confirm it as another fatality. This makes five traffic deaths on either 151 or 6 in just the past month.

**Photography by Tommy Stafford
NelsonCountyLife.com - Copyright 2007
Serious Accident @ Route 151 near Tanbark
Afton, Virginia**



This is the scene just before 10PM on Route 151 near Tanbark in the vicinity of

Afton Service Center. The entire road is blocked and NCL has learned this is most likely another fatal accident.

Additional photo of the scene as it appeared just before 10PM Tuesday night.



TJPDC Corporation
401 E. Water Street
Charlottesville, Virginia 22902
(434) 979-7310
corporation@tjpd.org

Building Partnerships to Improve our Region

The mission of the TJPDC Corporation is to promote regional cooperation and collaboration among government, the private sector, and community organizations to improve the quality of life for citizens in the planning district ([City of Charlottesville](#) and Counties of [Albemarle](#), [Fluvanna](#), [Greene](#), [Louisa](#) and [Nelson](#) in Central Virginia).

The Corporation assists community efforts in the areas of:

- Housing
- Environment
- Community Development
- Transportation
- Workforce and Economic Development
- The Arts
- Universal Design

History of the TJPDC Corporation

The Thomas Jefferson Planning District Commission ([TJPDC](#)) incorporated the TJPDC Corporation in order to establish it as a 501 (c)(3) non-profit organization. The TJPDC Corporation Board was formed with 11 Board members, six of whom were members of the TJPDC Commission, representing each of the six member localities. The board began meeting regularly in June 2010. TJPDC Corporation submitted Form 1023 to the IRS to apply for non-profit status on May 7, 2011 and received its determination letter from the IRS on January 31, 2012. The TJPDC Corporation is intended to be tied to the mission and activities of the Thomas Jefferson Planning District Commission ([TJPDC](#)).

Board Members

TJPDC Appointees

City of Charlottesville

Ms. Genevieve (Gennie) Keller
Charlottesville Planning Commission
P. O. Box 92
Charlottesville, VA 22902
Mobile: (434) 825-2973

Board-Elected Directors

Pat Groot, Treasurer
Grants Administrator, TJPDC
401 E. Water St.
Charlottesville VA 22902
Work: (434) 979-7310 ext. 102
Fax: (434) 979-1597
E-mail: pgroot@tjpd.org

Email: genevieve.keller@gmail.com

Albemarle County

Ms. Ann H. Mallek, Vice Chair
Board of Supervisors
P O Box 207
Earlsville, VA 22936
Mobile: (434) 996-6159
Home: (434) 978-1150
Email: amallek@albemarle.org

Fluvanna County

Mr. Keith B. Smith
35 Acre Lane
Palmyra VA, 22963
Mobile: (434) 531-0795
Email: keithsmith011163@gmail.com

Greene County

Ms. Andrea Wilkinson
716 Advance Mills Road
Ruckersville, VA 22968
Work: (434) 985-3870
Email: wilkinsonCPA@aol.com

Louisa County

Mr. Tommy Barlow
Board of Supervisors
4089 Cross County Road
Mineral, VA 23117
Home: 804) 556-4656
Work: 804) 556-4666
Email: TBarlow@louisa.org

Nelson County

(vacant)

Carl Schmitt
1307 Parker Mtn. Rd.
Stanardsville, VA 22973
Home: 434-985-9815
chschnitt@firstnetva.com

Sally Thomas
889 Leigh Way
Charlottesville, VA 22901
Home: (434) 295-1819
E-mail: writeinsal@aol.com

Staff

Billie Campbell, ED, Secretary
TJPDC
401 E. Water St/PO Box 1505
Charlottesville, VA 22902-1505
Work: 434-979-7310 ext. 230
Fax: 434-979-1597
E-mail: bcampbell@tjpd.org

Board Composition from Bylaws

- At least seven (7) and no more than thirteen (13)
- Six directors selected from TJPDC Commission to represent each member locality
- Up to seven (7) at-large directors elected by the TJPDC Corporation Board
- Elected at the annual meeting. No limit to the number of one-year terms.

From: [Steve Carter](#)
To: [Candy McGarry](#)
Cc: [David Blount \(DBlount@tjpd.org\)](#); [Tim Padalino](#); [Allen Hale \(super@buteobooks.com\)](#)
Subject: FW: TJPDC Corporation
Date: Thursday, October 24, 2013 9:54:11 AM

Candy,

Please include this subject (appointment – see below) for consideration at the BOS' November meeting. Some background is provided in the messages below but you may want to obtain more information on the TJPDC Corporation from David and also proceed to advertise this vacancy in the NC Times.

Thanks,

Steve

Stephen A. Carter
Nelson County Administrator
P. O. Box 136
84 Courthouse Square
Lovingston, VA 22949
Ph. (434) 263-7001
Fx. (434) 263-7004

From: Tim Padalino
Sent: Thursday, October 24, 2013 9:39 AM
To: Steve Carter; Allen Hale (super@buteobooks.com)
Subject: FW: TJPDC Corporation

Hello Steve and Allen,

I'm writing to see if there's been any recent discussion about the new TJPDC Corporation's representative from Nelson County?

David Blount reach out to me to see if I had any updated info (below); which I do not. And to be frank about it, I hold a very strong preference for the County to be represented by someone other than Allen or myself (as we already serve on the Commission; and as I was just elected as Vice-Chair for the TJPDC Rural Tech, after essentially insisting that I not be elected Chair...)

Any thoughts on this?

Tim Padalino
[434]-263-7090

From: David Blount [<mailto:DBlount@tjpd.org>]
Sent: Wednesday, October 23, 2013 11:01 PM
To: Tim Padalino
Subject: FW: TJPDC Corporation

Hey Tim,

I hope all is well with you. I was wondering if you had heard any discussion re: the highlighted piece below? We have a vacancy in the Nelson County representation on the TJPDC Corporation Board, which is the TJPDC's non-profit arm. We would like to get this filled by the end of calendar year, at the latest. The Board meets five times per year (next meeting is on Monday, then there will be a meeting in December prior to the holidays). The seat can be filled by an elected official, staff or citizen (we have a mix from the other localities now, including several Commissioners that serve). Perhaps now that you are settled in on the Commission, it is a role that you might fill?!?!?!?

I will be out of the office tomorrow, but would appreciate hearing back from you by email. Or, if you would like more information about this, please call Billie Campbell at the office on Thursday and she will be glad to fill you in. Thanks, Tim. Look forward to seeing you soon.
David

From: David Blount
Sent: Friday, October 11, 2013 9:49 AM
To: 'Steve Carter'
Subject: RE: NACo

Thanks, Steve. The reason I was inquiring is that NACo has a new grants clearinghouse that we might be interested in accessing, and would hope to work with you to be able to do so.

By the way, have you all had any more discussion about appointing someone to serve on the TJPDC Corporation Board?

Thanks....hope you have a nice weekend.

David

BOARD OF ZONING APPEALS

Board Appoints & Recommends Certification by the Circuit Court

<u>Name & Address</u>	<u>Term Expiration Date</u>
Goffrey E. Miles 146 Miles Lane Faber, VA 22938 (434) 263-5339	November 11, 2016
John J. Bradshaw 412 Hickory Creek Rd. Walnut Valley Farm Faber, VA 22938 (434) 263-4381	November 9, 2013
Gifford Childs 5596 Taylor Creek Rd. Afton, VA 22920 (434) 361-9147	November 11, 2017
Linda C. Russell 1236 Stoney Creek W. Nellysford, VA 22958 (434)361-2137	November 11, 2014
Kim T. Cash P.O. Box 14 Montebello, VA 24464 (540) 377-6409	November 10, 2015
Ronald L. Moyer (Appointed 4/1/05 Alternate) P.O. Box 94 Shipman, VA 22971 (434) 263-5947 (h) (434) 263-5031 (w)	March 30, 2010

BOARD OF ZONING APPEALS

Board Recommends Appointment to the Circuit Court.

Established: by Article 14 of the Nelson County Code,

Composition: 5 members recommended by the BOS and appointed by the Nelson Circuit Court, 1 of which is an active Planning Commission member.

Term of Office: 5 years; No Term Limits

Summary of Duties:

To hear and decide applications for Special Use Permits where authorized by Ordinance including deciding interpretation of the district map where there is uncertainty as to location or boundary. To authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to public interest.

Meetings:

Meetings are held at the call of the Chairman or at such times as a quorum of the board may determine. Members serve on a volunteer basis without pay other than for travel expenses.

From: [Harvey, Deb](#)
To: [Candy McGarry](#)
Subject: RE: JABA Advisory Council
Date: Sunday, November 03, 2013 5:56:24 PM

Candy,

While I would love to continue serving on the Advisory Council, I've found that their scheduled meeting times more often than not conflict with my work schedule and make it difficult for me to make the meetings. I believe the County would be better served to find someone who can play a more active role in the Council's work. I regret that at this time, I won't be able to continue on the Council.

Respectfully,
Debbie Harvey

From: Candy McGarry [mailto:CMcGarry@nelsoncounty.org]
Sent: Friday, November 01, 2013 2:11 PM
To: Harvey, Deb; Drharvey60@gmail.com
Subject: JABA Advisory Council

Hi Ms. Harvey,

Your JABA Advisory Council term expires at the end of the year and I was just wanting to find out if you would like to be reappointed. Please let me know at your earliest convenience, thank you!

Candy

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

JEFFERSON AREA BOARD FOR AGING COUNCIL ON AGING

2 Members

Term

Ms. Mary Lee Embrey (VACANT)
10874 Rockfish River Rd.
Shipman, VA 22971
(434) 263-5668

January 1, 2010 -December 31, 2012

Ms. Deborah R. Harvey
80 Simpsons LN
Lovingson, VA 22949
(434) 263-5465 (H)
(434) 220-1625

January 1, 2011-December 31, 2013
(Appointed 4/12/11)

Harvey@srcinc.com
Drharvey60@gmail.com

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

Term(s) of Office: 2 years: January 1st to December 31st

Summary of Duties: The Council Member acts with other Advisory Council members to provide input on the development and administration of JABA's Area Plan, participate in public hearings, represent the interests of older persons, and review and comment on all community policies, programs and actions affecting the senior citizen's and elder caregivers of Planning District Ten.

Meetings:

Meets the first Thursday of each month at The Woods Edge in Charlottesville. Members serve on a volunteer basis.



PIEDMONT VIRGINIA COMMUNITY COLLEGE

Office of the President

OFFICE
COUNTY ADMINISTRATOR'S

OCT 28 2013

RECEIVED

October 24, 2013

Stephen A. Carter
Nelson County Administrator
P. O. Box 336
Lovingston, VA 22949

Dear Mr. Carter:

Russell B. Otis has tendered his resignation from the Piedmont Virginia Community College Board, a copy of which is enclosed. Mr. Otis was most recently appointed in 2013 for a four-year term to expire June 30, 2017.

As you know, our College Board provides a vital link between the college and the community. We appreciate your continued assistance in assuring that we always have outstanding individuals on our Board and look forward to receiving the name of a replacement for Mr. Otis as soon as possible.

Enclosed is a College Board profile to assist you in making the appointment. I would welcome the opportunity to discuss the profile with you should you have questions or need additional information.

Sincerely,

A handwritten signature in cursive script that reads "Frank".

Frank Friedman
President

Enclosures

c: Dr. Laila B. Bare (Chair, PVCC Board)
Mr. Thomas H. Bruguire, Jr. (Chair, Board of Supervisors)



88 Wintergreen Drive
Wintergreen Resort, VA
22967-2162
Tel. 434 325 8531
Fax 434 325 1464

Wintergreen Property Owners Association

Russell B. Otis
Executive Director

October 22, 2013

Ms. Laila B. Bare, Chair
Piedmont Virginia Community College Board
Piedmont Virginia Community College
501 College Drive
Charlottesville, VA 22902-7589

Dear Ms. Bare and Dr. Friedman,

A combination of circumstances have conspired to require that I resign from the College Board of Piedmont Virginia Community College, effective immediately.

While during my short term I did not feel I contributed much, I have been proud and honored by my association with the college.

It is clear to me that the administrative functions of the institution are managed in the most professional manner imaginable.

Again I enjoyed the association and wish the best to the board, staff and student body.

Sincerely,

Russell B. Otis

A handwritten signature in black ink, appearing to read "Russell B. Otis".

cc: Connie Brennan
Nelson County Board of Supervisors



PIEDMONT VIRGINIA COMMUNITY COLLEGE (PVCC) BOARD

<u>NAME, ADDRESS & PHONE</u>	<u>TERM: 4 Years, July-June</u>	<u>Terms Served</u>
Russell B. Otis 286 Riverfield Farm Lane Faber, VA 22938 (434) 263-5527 (H) (434)-325-8531 (w) rotiswpoa@cs.com	July 1, 2013 – June 30, 2017	(T1)

Authority: Code of Virginia §23-220

Membership: Members consist of representatives from the local community college participating jurisdictions.

Terms: Four (4) years from July 1 – June 30, **2 Term Limit**

Summary of Duties: To assist in ascertaining educational needs, enlisting community involvement and support, and perform such other duties as may be prescribed by the State Board including: participating in the selection, evaluation, and removal of the college president, review and act upon all new curricular proposals as well as the discontinuation of curricular programs, review and act on the annual local funds budget as prepared by the president, review and act on local regulations on student conduct developed by the president, and review and act on an annual written report on the operations of the college as prepared by the president.

Meetings: Meetings are held five (5) or six (6) times a year generally on the first Wednesday at 4:00 PM for approximately 1 ½ hours at PVCC in September, November, January, March and May. The March meeting rotates its location among the seven (7) participating jurisdictions. Members serve on a voluntary basis.

PIEDMONT VIRGINIA COMMUNITY COLLEGE BOARD

PROFILE

As a part of the twenty-three community college system of the Commonwealth of Virginia, Piedmont Virginia Community College is governed by the State Board for Community Colleges which is appointed by the Governor. The College also has a local advisory board which is appointed by its participating local jurisdictions.

Based on State Board policy, specific duties of the College Board include:

- Participates in the selection, evaluation, and removal of the college president.
- Participates in the development and evaluation of a program of community college education of high quality.
- Is responsible for eliciting community participation in program planning and development, for establishing local citizen advisory committees for specialized programs and curricula, and for approving the appointments of all members of these committees.
- Serves as an advocate to the College for the educational needs of the citizens of his/her jurisdiction.
- Serves as an advocate for the College to the citizens and leaders of his/her jurisdiction.
- Reviews and acts on all new curricular proposals as well as proposals for the discontinuation of curricular programs.
- Oversees the development and evaluation of the community service program for the College, giving the president the authority to grant an "award of completion" to a person successfully completing an approved noncredit program.
- Reviews and acts on the annual local funds budget as prepared by the president.
- Reviews and acts on local regulations on student conduct developed by the president.
- Reviews and acts on an annual written report on the operations of the College as prepared by the president.

The College Board has no authority in the development of the College's annual operating budget nor in the handling of personnel matters. However, it is kept informed of the fiscal status of the College by the president and receives summaries of the College's biennial financial plans and annual spending plans. The Board is also kept informed of personnel matters by the president.

The College Board meets five or six times a year. Generally, meetings are held on the first Wednesday at 4:00 p.m. in the months of September, November, January, March, and May. With the exception of the March meeting, the College Board convenes on campus. In an effort to better serve the College's entire service region, the March meeting rotates among the seven

jurisdictions served by the College. A summer meeting is often scheduled based on the interest of the Board members. College Board meetings usually last one-and-a-half hours. In addition to the regular meetings of the College Board, the Virginia Community College System hosts an annual meeting in November.

From the perspectives of race, gender, and profession, the College Board reflects the diversity of the College's service area. Board members are viewed as the "representative voice" for their jurisdictions and are valued for the unique orientations they bring to the work of the College. Within this context, a working knowledge of the community is essential.

In compliance with State Board policy, members of the College Board are appointed to four-year terms and are eligible for one reappointment. They may also be appointed to fill the unexpired terms of individuals who resign from the board.

There are three standing committees of the College Board—namely, Finance and Building, Curriculum, and Community Relations. Board members are expected to serve on one of the committees.

Below is a list of the current membership of the Piedmont Virginia Community College Board. Included in it is the profession and/or business affiliation of the members.

Albemarle County

Stephen Davis
Consultant

Debbi Goodman
Educational Writer/Speech Pathologist

Sean J. Moynihan
Consultant

Bruce Dotson
UVA Faculty, retired

Buckingham County

Vera Cooke-Merritt
Elementary Public School Teacher

City of Charlottesville

Alvin Edwards
Pastor

Robert Hodous
Attorney

Sean McCord
Information Technology, UVA

Peter T. Kleeman
Transportation/Environmental Consultant

Fluvanna County

Leonard F. Gardner
U.S. Govt. Administrator, retired

Greene County

Laila Bare (Chair)
Educator and Consultant

Louisa County

Ava Pippin
High School Business Teacher, retired

Nelson County

VACANT

PVCCB
R 10/13

From: [Steve Carter](#)
To: [Candy McGarry](#)
Subject: FW: SAVE THE DATE: Annual Legislative Forum
Date: Tuesday, October 08, 2013 11:23:08 AM

Candy,

Please include on the Nov. 13th agenda as a reminder to the BOS.

Steve

Stephen A. Carter
Nelson County Administrator
P. O. Box 136
84 Courthouse Square
Lovingston, VA 22949
Ph. (434) 263-7001
Fx. (434) 263-7004

From: David Blount [mailto:DBlount@tjpd.org]
Sent: Monday, October 07, 2013 2:05 PM
To: Allen Hale; Ann Mallek; Buggs Peyton; Chris Dumler (cdumler@albemarle.org); Connie Brennan; Dave Norris; davislamb@embarqmail.com; dcstanardsville@aol.com; Deirdre "DeDe" Smith (Dede.virginia@gmail.com); Dennis Rooker; Duane Snow; edeane@gcva.us; Fitz Barnes; galvink@comcast.net; Jim Frydl; Joe Chesser (jhchesser@gmail.com); Ken Boyd; Kristin Szakos (k.szakos@embarqmail.com); Larry Saunders; LCBS_CD@louisia.org; LCBS_GSD@louisia.org; LCBS_JD@louisia.org; LCBS_LD@louisia.org; Maurice Jones; Mozelle Booker; Robert "Bob" Ullenbruch (rullenbruch@fluvannacounty.org); Robert Dube; Rodney Thomas (rthomas@albemarle.org); Satyendra Huja; Shaun Kenney; Steve Carter; Steve Nichols; tfoley@albemarle.org; Tom Bruguiere; Tommy Barlow; Willie Harper
Cc: Gretchen Kelleher
Subject: SAVE THE DATE: Annual Legislative Forum

Good afternoon,

I wanted to let you know that the annual TJPDC Legislative Forum is being scheduled for the evening of **Tuesday, December 3**, at the TJPDC's **Water Street Center**. Our timeframe for the evening will be to begin around **6 pm** with a social time, start our program around 6:45 pm or so, and conclude 8:15 to 8:30 pm. In addition to presenting the 2014 Legislative Program, the focus of the evening will be on the Affordable Care Act and implications of it for localities. We have two excellent speakers lined up to share their knowledge and advice on this topic with us.

Please mark your calendars! More details will be forthcoming later in the fall.

David C. Blount
Acting Executive Director/Legislative Liaison
Thomas Jefferson Planning District
401 E. Water St.
Charlottesville, Virginia 22902
434-979-7310 x 350