

AGENDA
NELSON COUNTY BOARD OF SUPERVISORS
November 20, 2012

**THE REGULAR MEETING CONVENES AT 2:00 P.M. IN THE BOARD OF
SUPERVISORS ROOM AT THE COURTHOUSE IN LOVINGSTON**

I. Call to Order

- A. Moment of Silence
- B. Pledge of Allegiance

II. Consent Agenda

- A. Resolution – **R2012-77** Comprehensive Plan Amendments
- B. Resolution – **R2012-81** Minutes for Approval
- C. Resolution – **R2012-82** COR Refunds
- D. Resolution – **R2012-83** FY13 Budget Amendment
- E. Resolution – **R2012-84** VACoRP Line of Duty Act Trust Agreement
- F. Resolution – **R2012-85** Wintergreen Rescue Squad Interest Free Loan
- G. Resolution – **R2012-86** Amendment of EMS Interest Free Loan Program
- H. Resolution – **R2012-87** Acceptance of Conveyance – Massies Mill Recreation Center

III. Public Comments and Presentations

- A. Public Comments
- B. Presentation – TJPDC 2013 Legislative Program (D. Blount)(**R2012-88**)
- C. Presentation – State of the Seniors Report (F. Mitchell-JABA)
- D. VDOT Report

IV. Old/New Business

- A. Registrar's Office Relocation
- B. TJPDC Boundary Line Review

V. Reports, Appointments, Directives, and Correspondence

- A. Reports
 - 1. County Administrator's Report
 - 2. Board Reports
- B. Appointments
- C. Correspondence
- D. Directives

VI. Other Business (As May Be Presented)

VII. Adjournment – The Evening Session Has Been Cancelled

RESOLUTION R2012-77
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF AMENDMENTS TO THE COMPREHENSIVE PLAN
TRANSPORTATION CHAPTER AND RELATED ADMINISTRATIVE AMENDMENTS

WHEREAS, pursuant to Sections 15.2-2223 and 15.2-2225 of the Code of Virginia 1950 as Amended, the Nelson County Planning Commission held a public hearing on August 22, 2012 and recommended the approval of the proposed amendments of the Comprehensive Plan; and

WHEREAS, pursuant to Sections 15.2-2204 of the Code of Virginia 1950 as Amended, the Nelson County Board of Supervisors has considered the proposed amendments, provided the required public notice, and conducted a public hearing on the proposed amendments on October 25, 2012;

NOW THEREFORE BE IT RESOLVED, pursuant to 15.2-2226 and 15.2-2229 of the Code of Virginia 1950 as Amended, the Nelson County Board of Supervisors does hereby amend, approve, and adopt the Nelson County Comprehensive Plan as recommended by the Nelson County Planning Commission and hereby allows for the continuation of said amended plan for the next five years.

Adopted: November 20, 2012

Attest: _____, Clerk
Nelson County Board of Supervisors



MEMO

To: Nelson County Board of Supervisors
From: Will Cockrell, Principal Planner
Date: October 15th, 2012

Re: Nelson County Transportation Chapter

Purpose: Attached are the draft changes to Nelson County's Comprehensive Plan, which are associated with the addition of a transportation chapter. The Nelson County Board of Supervisors will hold a public hearing on this item on October 25th.

Background: At the end of calendar year 2010, the TJPDC started work on drafting a Transportation Chapter for Nelson County's Comprehensive Plan. This update will ensure that Nelson County is compliant with state requirements and will provide a useful resource to the County on transportation related topics. The TJPDC has worked closely with County staff and the Nelson County Planning Commission to fine-tune the proposed transportation chapter. Staff also coordinated these efforts with VDOT, to ensure that the plan meets all requirements. At their regular August meeting, the Nelson County Planning Commission forwarded a recommendation of approval for the proposed amendments. The motion passed unanimously. The Board of Supervisors heard a presentation on these changes at the September 11th meeting, where there were no recorded comments.

Issues: The Transportation Chapter is the main focus of staff's efforts to revise the Comprehensive Plan. The goal was to bring Nelson County into compliance with the State Code, in regards to transportation. There are additional amendments to the Comprehensive Plan that are associated with this new chapter. The Board packet contains all of the proposed amendments, which include the following:

- Amending the Table of Contents to reflect these changes
- Amending the Executive Summary, where it describes Chapter 5
- Removing the Transportation Element from Chapter 4: Land Use Plan, relocating content to Chapter 5
- Replacing *Chapter 5: The Bicycle and Pedestrian Plan* with *Chapter 5: Transportation*
- Adding to the Appendix:
 - o State Code Requirements
 - o The Bicycle and Pedestrian Plan (relocated from Chapter 5)
 - o A new glossary

Action Items: Please review the attached document. If you have any feedback, questions or concerns you may contact me at 434-979-7310 x 440 or by email at wcockrell@tjpd.org.

RESOLUTION-R2012-81
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF MEETING MINUTES
(October 9, 2012 and October 25, 2012)

RESOLVED, by the Nelson County Board of Supervisors that the minutes of said Board's meetings conducted on **October 9, 2012 and October 25, 2012** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

Approved: November 20, 2012

Attest: _____, Clerk
Nelson County Board of Supervisors

October 9, 2012

Virginia:

AT A REGULAR SCHEDULED MEETING of the Nelson County Board of Supervisors at 2:00 p.m. in the Board of Supervisors Room located on the second floor of the Nelson County Courthouse.

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

Absent: Constance Brennan, Central District Supervisor

I. Call to Order

Mr. Harvey called the meeting to order at 2:02 pm, with four (4) Supervisors present to establish a quorum and Ms. Brennan being absent.

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

Mr. Bruguire then asked those in attendance to remember the late Buddy Moore who had served as County Administrator twice and had recently passed away. Mr. Harvey commented that he would like for a plaque to be done to be presented to Mrs. Moore at the Board's next meeting.

II. New Employee Introductions

Ms. Jaime Miller introduced new Dispatchers, Kenneth Biby and Lisa Savoy. She noted that they were both county residents and were veterans of the Marine Corps and the Air Force. She added that they were both progressing well with their training and that Ken was on the midnight shift and Lisa was working the 3-11 pm shift.

Ms. Debbie McCann introduced Ron Markin, the new Animal Control Supervisor and noted that he had been in the Army for twenty years, was in the Military Police and managed a K9 facility while serving. She added that the county had a real asset in him and that staff was looking forward to working with him.

Mr. Harvey and members welcomed all of the new employees and noted that they were pleased to have hired veterans and that the county was fortunate to have hired them.

III. Consent Agenda

Mr. Hale moved to approve the consent agenda and Mr. Saunders seconded the motion. There being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion and the following resolutions were adopted:

- A. Resolution – **R2012-72a** Minutes for Approval

RESOLUTION-R2012-72a
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF MEETING MINUTES
(September 11, 2012 and September 27, 2012)

RESOLVED, by the Nelson County Board of Supervisors that the minutes of said Board's meetings conducted on **September 11, 2012 and September 27, 2012** be and

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

B. Resolution – **R2012-73** COR Refunds

**RESOLUTION-R2012-73
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>
\$ 60.00	2011 Vehicle License Fees	Damien David Farmer 117 Rockfish Crossing Schuyler, VA 22969
\$141.16	2012 Business Personal Property	BB&T Equipment Finance Corp. Attn: Property Tax Compliance P.O. Box 167 Winston-Salem, NC 27102-0167
\$112.41	2011 and 2012 Personal Property Tax And Vehicle License Fees	Montie Nelson Frazier 1079 Tanbark Drive Afton, VA 22920
\$1,188.96	2012 Personal Property Tax And Vehicle License Fees	CAB East LLC Ford Credit Personal Property Tax P.O. Box 6700, Dept. 231601 Detroit, MI 48276-2316

C. Resolution – **R2012-74** FY13 Budget Amendment

**RESOLUTION R2012-74
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF FISCAL YEAR 2011-2012 BUDGET
NELSON COUNTY, VA
October 9, 2012**

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

I. Appropriation of Funds (General Fund)

<u>Amount</u>	<u>Revenue Account</u>	<u>Expenditure Account</u>
\$ 4,000.00	3-100-002306-0001	4-100-013010-5413
\$ 968.00	3-100-003303-0025	4-100-031020-7041
\$ 552.00	3-100-003303-0100	4-100-031020-7037
<u>\$ 5,520.00</u>		

II. Transfer of Funds (General Fund)

<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
\$ 10,210.00	4-100-999000-9905	4-100-013010-5413
\$ 14,022.00	4-100-999000-9901	4-100-051010-5601
\$ 6,415.00	4-100-999000-9901	4-100-081020-3012

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\$ 10,000.00	4-100-999000-9905	4-100-091030-5680
\$ 21,500.00	4-100-999000-9905	4-100-091050-7026
\$ 2,500.00	4-100-999000-9905	4-100-091050-7130
<u>\$ 64,647.00</u>		

III. Appropriation of Funds (School Fund)

<u>Amount</u>	<u>Revenue Account</u>	<u>Expenditure Account</u>
\$ 64,466.00	3-205-001803-0003	4-205-068000-9306

D. Resolution – **R2012-75** October As Domestic Violence Awareness Month

**RESOLUTION R2012-75
NELSON COUNTY BOARD OF SUPERVISORS
OCTOBER, 2012 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 33rd 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.

IV. Public Comments and Presentations

A. Public Comments

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

1. Glenda Cahoon, Tye River Road and Virginia Taxpayers Association Representative

Ms. Cahoon distributed and read aloud a prepared statement by VTA President Kenneth White that demanded that the Board withdraw the decision to place a walk through metal detector at the courthouse entrance and provide that these only be used at the courtroom entrances when the courts were in session.

B. Presentation – 2014 Reassessment Status Report (G. Eanes)

Mr. Carter introduced Mr. Gary Eanes of Wampler Eanes Appraisal Group to address the Board.

Mr. Eanes noted that their staff was working on the sales study and that Ms. Amanda Graham was the Office Manager and data entry person. He noted that they were beginning in the field in Stoney Creek looking at sales and would watch these for the next year and half until the notices went out.

Mr. Hale asked Mr. Eanes for his sense of the current real estate market and he noted that they were looking at the current 2008 assessments and what properties have sold for and so far they were showing that properties should be decreasing from the 2008 values.

Mr. Bruguire noted that he wanted to ensure that they would work well with the Commissioner of Revenue and that the computer systems matched up. Mr. Eanes noted that they were working together well and that they have split the data files so that if transfers were made in one file by the Commissioner's Office, they would pick it up. He added that the Commissioner's Office was on top of records and were up to date with transfers as they come through.

Ms. Payne, Commissioner of Revenue, in attendance confirmed that Wampler Eanes was working well with her office and doing a good job so far.

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

Mr. Carter introduced Ms. Donna Shaunesey of JAUNT to make her presentation.

Ms. Shaunesey noted that they were happy to have two board members from Nelson County now and they were both doing a fantastic job. She added that Mercedes Sotura was in attendance and Ms. Janice Jackson was out of the Country and could not attend the meeting.

Ms. Shaunesey then noted that JAUNT ridership was increasing with Nelson having a steady increase over the years and a 9% increase over the past year. She added that these rates only included those paying a fare.

She reported that users must make reservations through their call center or make a daily reservation through their Dispatch center; both of which were open seven days a week. She noted that their Reservations Staff handled over 70,000 calls and their Dispatch Center handled over 147,000 calls in the past year.

Ms. Shaunesey then outlined their funding sources as follows: 40% Local, 28% Federal, 14% State, 9% Agency, and 9% Fares for a total of \$5.5 Million. She then noted that the local share was broken down as follows: 45% Albemarle, 37% Charlottesville, 9% Louisa, 4% Fluvanna, 3% Nelson, 1% Wintergreen, and 1% Buckingham.

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Ms. Shaunesey then discussed the Commuter Routes in the County and noted that there were two that went to Charlottesville daily, one that went to Wintergreen, and then one going from Wintergreen to Charlottesville. She added that the Midday Route started at 7:30 am and that they no longer had the grant funded extra midday route. She did note that the ride time was shrinking and at most it was two hours. She noted that the ridership on the Commuter Route to Charlottesville had increased since the start of the year and had increased 11% from the past year. She noted that the bus stop had been moved from the IGA and Food Lion and would likely be at the Nelson Center in Lovingson now.

Ms. Shaunesey then noted that the Wintergreen Routes were very successful and that the funding for these came from Wintergreen to the County and then were passed through to JAUNT.

Ms. Shaunesey then discussed the intracounty service and noted that the trips to the Senior Centers were counted here. She noted that ridership for the Rockfish Valley Senior Center had tripled whereas it had declined at the Nelson Center due to a few individuals' physical conditions.

She then noted some highlights as follows: a Senior Shopping Grant from the State and JABA provided over 250 field trips for seniors and the monthly service to the Food Pantry provided 276 trips. She noted that grant funding from NCCDF had funded the trips to the Food Pantry and that this service had ended last month. She added that they were working out an alternative with volunteers through NCCDF and were also applying for a grant to reinstate this service. Additionally, Ms. Shaunesey reported that six Nelson drivers won safe driving awards this year, which was tough to do as it required no moving violations, that JAUNT began transporting Arc clients, and that Kayla Giles, daughter of Nelson Driver Wallace Giles, received a college scholarship through JAUNT's state transit association.

Ms. Shaunesey then reviewed the results of a ridership survey that said: 98% received prompt and courteous service, 2% didn't know, and that prior to the rate increase, 93% thought the service was reasonably priced and 7% thought it was not. She noted that 100% said that the drivers drove safely.

She then noted that in FY13, in order to balance the budget, they increased all fares by \$1.00 and started charging the seniors 50¢ to go to the Nelson and Rockfish Centers. She added that the seniors were not balking at the fare and that ridership on commuter routes was going up; however she would keep an eye on the impacts of this.

In conclusion, Ms. Shaunesey noted that they kicked off the Jeans for JAUNT Friends program to celebrate the 5th anniversary of JAUNT Friends. She noted that Jeans for JAUNT Friends was designed to raise awareness of this important nonprofit and to raise money too. She added that the funds went to support ticket scholarships and to support JAUNT staff and services. She added that they had given out 112 books of tickets in FY12 and that in FY12; they had received a donation specifically for scholarships for Nelson residents.

Following the presentation, Mr. Bruguere asked that they email him a breakdown of their administrative costs and Ms. Shaunesey said she would but that he should be aware that they included some things in administration that should be in operations and that these accounts were determined by the state.

In response to questions, Ms. Shaunesey noted that their drivers did have radio contact with their dispatch center; however radio communications were sketchy in some areas of the county. She noted that they were testing cell phones now also. She also noted that their fleet was uniform in size with most vehicles being 14-18 passenger; however they did have one 22 passenger vehicle and may get another. When asked if they looked at utilizing smaller vehicles on less utilized routes, she noted that there were federal rules on having a fleet size larger than what was needed and that 80% of the cost was not related to the vehicle but was attributable to the drive, dispatch etc.

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Ms. Shaunesey then related the current fares as follows: \$3 per trip for Commuter routes to Charlottesville, Nelson/Amherst to Wintergreen fare - \$4, Wintergreen to Charlottesville - \$4, Midday to Charlottesville - \$3.25 each trip and \$2.25 for those with disabilities or over 60 years old, and Intracounty -\$2.75 each way and \$1.75 for those with a disability or over 60 years old.

Ms. Shaunesey then noted that Amherst County was contributing to the services to Wintergreen and that she appreciated the Board's continued support.

D. Presentation - Local Department of Social Services (M. Kohl)

Mr. Carter introduced Mr. Michael Kohl, the Director of Social Services to present to the Board.

Mr. Kohl then addressed the Board and noted he had been in his position for three (3) years this month. He then noted that things were going forward well and he had no real issues to report. He added that he had a great staff providing services to the community and that they have had an increase in services and service quality. He then noted that he had made an effort to work with the agency's community partners and to foster those relationships. He noted an example was that the office participated in the Jeans for JAUNT initiative as they have a lot of clients who could not afford to pay the fares and it was a good way to be a part of the community.

Mr. Kohl then noted some upcoming things affecting his agency. He first noted that the new healthcare laws were coming and that even though they were not sure what these would look like, they were slowly preparing. He noted that DSS would be doing all of the screening and paperwork related to this and the State was saying now that they should be looking at a 40% increase in cases at the local level in each locality. He added that they were preparing for a 40% increase in Medicaid case loads; which could mean another 400-500 cases. He noted this to be significant but that the impact was still uncertain.

He then noted that the State was preparing to modernize their computer systems to better handle these cases through the roll out of the CommonHelp program - where clients could apply online for services and benefits. He added that the State was trying to get DSS into the 21st century. He noted that they have not gotten a lot of applications through this here but that it was also not working all that well right now. He added that they would be making this change by next month and that the State was issuing a computer to be located in the waiting room for clients to use to apply for services. Mr. Kohl then explained that the way it currently worked, noting that a fourteen (14) page application was handed out and then the client would see a staff member. He noted that he thought that with the new system, they would direct applicants to the computer and then if the client was eligible, they would then see a staff member. He reiterated that this was being driven by the new healthcare laws.

He then noted that they were very cognizant that the elderly were not typically computer savvy and that they would give clients support in using the system. He added that they could still do paper but that they were moving to a computerized system.

In conclusion, Mr. Kohl thanked the Board for their budgetary support for DSS and CSA and offered to answer the Board's questions.

Mr. Hale inquired as to whether or not they would need more staff if the 40% increase in cases came to pass and Mr. Kohl noted that he thought they would need at least another staff member but he was not sure until they say how it went. He added that it may be that they could handle a 20% increase in cases without increasing staff. He noted that they would take a wait and see approach and that one (1) staff member typically carried 200-300 cases. He then noted that they were getting conflicting information from the State as to whether they would be getting more State funds.

Mr. Bruguere supposed that with the new computerized system, they shouldn't need more staff since they could weed out folks before the case levels jump up 40%. He then noted that he was in favor of making house calls on all applicants in order to verify

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everything that they put onto applications. He added that they were not seeing a large increase in unemployment and questioned where the 40% increase would come from.

Mr. Kohl explained that there would be more people eligible because the eligibility thresholds would be raised. He added that it was Federal Programs mandating this and that DSS did have a lobbying group that worked on certain things. In relation to the house visits, Mr. Kohl advised that they were only able to administer the policies given and that he did not want eligibility staff going out to do house visits etc. as they could get sued because they would be working outside of the regulations of the program areas. He noted that they have cross-over clients using other services, in which case those workers were out in homes and they now had processes in place where information gathered from the field was passed on to the benefit workers; which could cut down on fraud. Mr. Kohl noted that they did have a fraud program and did not let people get away with defrauding the government and the county.

E. VDOT Report

Mr. Don Austin noted that he would give his usual report and that Jerry Harter a traffic engineer was present to do a presentation on VDOT's general philosophies on engineering decisions.

Mr. Austin then reported that the speed limit study on Route 56 east from the Fire Dept. to Wingina was pending.

He noted that at the intersection of Rt. 56 west and Rt. 29 in Colleen, they were planning on increasing the stop sign size and lengthening the stop bars. He added that the traffic there did not warrant a speed limit change and they could trim down the median to improve sight distance.

Mr. Austin then reported that on the matter of installing a protected green arrow turn at the Food Lion stoplight in Lovingson, they were planning on changing it to a flashing yellow arrow and not starting with the full protected turn there. He added that speed limit study did not indicate the need to reduce speed there.

Mr. Saunders inquired as to the completion date of the bridge just past the High School going south and Mr. Austin advised that they were almost ready to switch sides and likely would not finish before winter. He added that he would find out the projected completion date and report back.

Mr. Harvey then suggested that the Board hear Mr. Harter's presentation which may answer some of the questions they had and then go back to Mr. Austin.

Mr. Harter introduced himself and noted that his presentation was meant to explain general philosophies used in VDOT's decision making.

Mr. Harter first discussed the use of TCDs - Traffic Control Devices. He noted that these devices must: fulfill a need, command attention (entails lifelong maintenance), have a clear and simple meaning, and command respect.

He then noted the following Signal/Stop Sign warrants: traffic volumes, crash history or pattern, delay, school crossing/pedestrian volumes, and engineering judgment. He noted that a capacity analysis was done to see if things were operating better once these were in place.

Mr. Harter then introduced the Flashing Yellow Arrow (FYA) which had been proven to improve safety and operating conditions at other locations. He reiterated that at the Food Lion intersection, there was not the capacity or volume to warrant a protected green arrow there. He added that they did not want to create a traffic pattern that would create bad behavior and they had decided that a FYA would be better. He noted that this would be the first one in the region and that it has been shown that the FYA is clearly conveying the message of slowing down. He added that research has shown that crashes have been reduced where it has been used.

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Mr. Harter then showed a video depicting how the FYA worked at another location.

Mr. Bruguere noted that he saw a problem in the video of people proceeding to the middle of the intersection on the flashing yellow arrow.

Mr. Harter noted that at the Food Lion intersection, the current configuration created a yellow trap and that with this signal, when it went to yellow it meant the other group would stay green. He added that it would improve safety because the light would tell you when to be out of the intersection.

Mr. Harvey then questioned why a green arrow was needed at all and Mr. Harter confirmed that the light would provide for one. Mr. Harvey noted that he thought that this would be a tremendous improvement.

Mr. Harter then noted that the new light would be installed in the next thirty (30) days. He added that there was a small sight distance problem but that they were hoping this FYA would provide for enough caution to mitigate it. He noted that it was hard to tell if false starts or sight distance was causing the crash problems at the light. He added it would be a four section light and that they would put up signs etc.

Members and Mr. Harter briefly discussed the use of a flashing yellow and not a flashing red and it was noted that the yellow is associated with proceeding with caution and red with stopping. Mr. Hale noted that he still favored the use of a protected green arrow, but was interested to see how the FYA worked.

Mr. Harter then continued his presentation and discussed Specialty Signs. He noted that for Watch for Children signs the locality can make an agreement with VDOT and take over administering these. The locality would have to get a permit from VDOT for these. He added that specialty signs also included: No littering, Equestrian, Farm Vehicles etc.

Mr. Harter then explained that they consider the following factors when evaluating speed limits: they are based upon the 85th percentile speed counted in the field, intersections along corridor/land use density, crash history, the geometry of the road – horizontal & vertical alignment, width, shoulders etc., and special generators (schools, large industrial uses etc.). He added that typically speed limits were set at + or - 5mph of the 85th percentile.

Mr. Harter noted that typically VDOT would not redo speed studies unless one or more of these characteristics has changed with the roadway. He added that if it was a Low Volume Road (less than 400 vehicles per day), it was typically not reviewed for speed limit changes but it would be reviewed for crash history, curve data and other characteristics.

Mr. Harter then noted that on Route 29, they looked at the 85th percentile and speed was in the 60's. He added that they were recommending some signage at the middle intersection in Lovington and would put up pedestrian signs. He noted that there were no other indications of trouble out there and he had spoken to the Rescue Squad there and they noted that it was not a big deal to pull out onto Route 29.

Mr. Harter then noted that they would replace the stop sign at 1001, would install the FYA at the Food Lion intersection, and were not going to change the speed limit there.

Mr. Harter noted that he had not planned to discuss through truck restrictions since it was not much of an issue for the County.

Mr. Harvey inquired as to whether or not they looked at the crossover at the Rescue Squad as he did not think they needed this. Mr. Harter noted that they did look at that and it appeared it was being used. He added that they could look at closing the other one that was not being used.

Mr. Saunders expressed his surprise that the speed limit could not be lowered on Rt. 29. Mr. Hale stated that the problem was that the highway was built in the 1930s and there

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was no sight distance and no shoulder in spots whereas the newer section did have this and the whole thing was all the same speed. He added that he thought they needed to work on fixing the road.

Mr. Hale then related that on Route 639 the road he lived on, there was an eight (8) mile stretch that had highly reflective signs there that were not requested. He added that it seemed ironic to him that they cannot do anything where it mattered and that there were signs in places where there was not a problem.

Mr. Bruguere also expressed that he still thought that a protected green would be best at the Food Lion light, but that he would wait to see. He noted that VDOT should review its functioning within 6 months to a year.

It was then noted that the Lane Ford Bridge intersection area has had a lot of near misses mostly due to truck traffic going way to fast. It was suggested that VDOT extend the lowered speed limit past the bridge and that the months of September and October were the heaviest travel times in that area. This area was further described as the intersections of Rt. 56 west at Crabtree Falls Highway and then Rt. 151 and Rt. 655 (Roseland Rd.) on either side of Lane Ford Bridge near Mac's Market.

Mr. Harter noted that they were looking at Rt. 151 now for potential turn lanes. Mr. Harvey noted that he agreed in concept with the 85th percentile standard, however they have proven on Rt. 151 that accidents have been reduced since the speed limit was reduced to 45mph. He added that the turn lane at Ashley's was a great addition. He noted that he still felt strongly that sight distances at intersections were bad along Rt. 151 so if they could extend the lowered speed limit, it would mitigate this. He gave an example of the intersection with Spruce Creek Lane. He then added that the Rhodes Farm intersection was another example of this working.

Mr. Harter acknowledged the sight distance challenges in the County and attributed those to the county's topography. He noted that they had to prioritize these things and it came back to the extremely egregious issues and crash patterns.

Mr. Harvey noted that at the North end of Rt. 151 there was a business impact there and they had been lucky there with so many turning vehicles. He added that the intersection with Rt. 250 is often backed up a half mile there on a Friday afternoon. Mr. Harter noted that this was the second highest crash location in the County.

The discussion then moved back to the speed issues in Lovington and Mr. Hale acknowledged that coming down off of the gap towards Lovington it felt like a high speed road, especially because of the two end entrances to Lovington making it like a bypass. Mr. Harvey then suggested closing the middle intersection to cars and people would still be able to walk across there. Mr. Harter noted that there had been six (6) crashes there in three (3) years. Members then discussed that the Fire Department was a designated park and ride area etc. and no action was recommended on that intersection.

Mr. Bruguere then suggested that something be written regarding the stop light change at the Food Lion intersection and published in the NC Times ahead of the actual change in order to inform the public. Mr. Harter indicated that their public information division was in the process of drafting something up along these lines. Staff noted that this could also be placed on the County's website.

Members then thanked Mr. Harter for his presentation noting it was very informative.

Mr. Austin then heard maintenance issues from the Board as follows:

Mr. Saunders described four 90 degree turns coming into Arrington, that were 35mph and then there is a straight stretch where it was 25 mph. He noted that a citizen there has had three (3) cars end up in their yard in the last three (3) months. He noted there were speed limit signs and asked if they could look at reducing this. Mr. Austin replied that they would take a look at this.

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Mr. Saunders then noted that the Williamstown Rd. intersection with Route 755, needed to be looked at. He added that it had gotten built up there along Williamstown Road and Mr. Austin noted he would refer this to the traffic division to look at.

Mr. Harvey then asked for clarification of speed limits on un-posted roads and Mr. Harter noted that if un-posted, the speed limit was 55 mph for cars and 45 mph for trucks. It was then noted that un-posted gravel roads in the County were 35 mph as provided for in recent General Assembly legislation.

Mr. Harvey then noted that the guardrail at Sunrise Drive still needed to be looked at and Mr. Austin confirmed that they had not gotten to it yet.

Mr. Bruguire then related a call he had made to the VDOT 800 number to request that mowing be done on Dickie Road and grading be done on Jack's Hill Road. When the grading was only done on one side, he noted that he then called the Bryant Supervisor who was irate that he had called about it. He noted that they had mowed on Brent's Mountain and then had moved elsewhere and he thought that they should do the mowing in their area first.

Mr. Bruguire then noted to Mr. Austin that they needed some reflective signs there at Jack's Hill Rd. where a car went around the curve and into the creek. Additionally, he requested that ditching be done on Embly's Gap road.

Mr. Hale did not have any VDOT maintenance issues to report.

Mr. Randy Hamilton then addressed the Board regarding the letter the County had received mentioning the upcoming fall multimodal transportation meetings. He added that there was a meeting on November 8th in Lynchburg to look at the plan from 2014-2019 and that this was a starting point with this being looked at again in spring.

Mr. Hamilton then noted that he wanted to meet with the Board on an alternative to the Route 639 road project and he has asked Mr. Harter to look at other locations where this funding could be used. He noted that they could use the PDC listing of projects also that would be updated in a month or so and would be forwarded to the County.

Mr. Hale noted that he was not sure that the Route 639 project was completely done for and noted that there was supposed to be a meeting with property owners there on the Right of Ways. Mr. Hale noted that he had agreed to go to meetings with Ms. Rosotto and Mr. Hamilton noted he would follow up with her on that.

V. New Business/ Unfinished Business

B. Jefferson Madison Regional Library Agreement (R2012-76)

Mr. Carter noted that work on the updated Library agreement has been ongoing since 2011. He reported that the Albemarle Board of Supervisors had a study done and they have been the instigators of the changes. He added that most of it was budget driven and had more to do with the relationship between Charlottesville and Albemarle.

Mr. Carter then noted that there were no substantive changes; however an out of area fee of \$30 per person had been proposed to go into effect January 1, 2013. He noted that for Nelson County, this was projected to result in a savings of \$13,100. Mr. Carter then related that the concern from the Library Board was that people that did not live within the region would not continue to use the library or there would be reciprocation from surrounding libraries. He then noted that despite these concerns, each locality voted to include this in the new agreement.

Mr. Carter then reported that Albemarle's Board had approved the agreement and that Charlottesville was considering it the following week; with each party being asked to adopt this by the end of November.

It was noted that Nelson citizens could use other libraries and they may be subject to a fee as would non-Nelson citizens if the agreement was approved as written.

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Mr. Hale then did the math and noted that 437 out of region users in Nelson County seemed remarkable to him.

Mr. Bruguere then reported that he had heard that the Scottsville branch may pull out of the Regional Library and there was talk of shutting that location down; which no one else could confirm or not.

Mr. Carter reiterated that there had been much more interaction on this between Albemarle and Charlottesville and that there were no substantial changes for the rest of the members.

Mr. Harvey supposed that this would have a large effect on the north end of the County citizens that used Augusta County libraries and Mr. Carter noted that until they imposed a fee, it would not be an issue. Mr. Hale noted that as a percentage of their total, Nelson would be small.

Mr. Carter then recommended approval and Mr. Harvey noted that the County would probably never see the savings and they would have to review carry over amounts yearly.

Ms. Mary Coy, Trustee to Library Board in attendance was then invited to address the Board on the subject.

Ms. Coy then reported that the Library Board had voted unanimously to send a letter out that the out of area fee was a bad idea as it discouraged library use and burdened staff. She added that it penalized people who already had to drive to the library and were using it because it was close to work etc.

Ms. Coy then noted that Nelson had 344 people using the local library from out of area. She then reported that Amherst County did charge a fee in response to others such as Lynchburg and Campbell County charging a fee. She added that she thought there were 250 users from Nelson going to other libraries in Augusta etc.

It was also noted that Nelson's fees would be going down whereas Albemarle's would be going up as a result of revamping the agreement if it were not for the out of area fees.

Ms. Coy then related that she had spoken to her friend who was on the Augusta County Library Board and she had said that they would wait to institute an out of area fee. She then supposed that more Afton folks may use the Crozet branch once it was built rather than going to Augusta County.

Members then agreed by consensus to defer this matter until the next meeting in order to give Ms. Brennan a chance to consider it and no action was taken by the Board.

VI. Reports, Appointments, Directives, and Correspondence

A. Reports

1. County Administrator's Report

Mr. Carter presented the following report:

A. Courthouse/Government Center Project: Blair Construction has been provided with the inspection reports (concrete and retaining wall installations) completed by the County and, County staff have requested that WileyWilson and Blair establish a schedule (for review/approval by the County) for completion of the project, including in process and final verifications by the County (and WileyWilson) to insure the acceptability of all punch list items as they are completed by Blair.

Mr. Carter reported on the meeting held that morning with Blair Construction and Randy Vaughn. He noted that they went over the punch list and inspection reports on the retaining walls and concrete and agreed that Wiley Wilson would be the final decider of what needed to be replaced, repaired or accepted for the curb and guttering. He added that they were to meet again that Thursday morning to verify acceptance or not of the

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punch list and go from there. He noted that the retainage came up and the County was noncommittal. He noted that Blair wanted concurrence that once 20% of the Punch List achieved acceptance that the same percentage of retainage would be released. Mr. Carter reiterated that the County did not commit to anything regarding the release of the retainage. He added that Blair wanted to get this done quickly as did the County.

Mr. Saunders then noted that a major issue that the County would have later was with the HVAC system and humidity noting that next summer, they would have the same issue in the Clerk's Office and Judge's Chamber. Mr. Carter reported that Blair and Moore's Electric continued to say it was a control issue and not an installation issue but the County just wanted it fixed. Members and staff briefly discussed the warranty start period and that Wiley Wilson had offered solutions but they would have to test these.

Mr. Saunders noted that the Clerk's area may be more readily fixable but that the Court area may be different, since it was based on a fully loaded courtroom; which it never was. He noted that they would look at this again and it may be programmable. He noted that it went back and forth between Wiley Wilson's design and the installation and that they could not start the warranty if it was not working.

Mr. Saunders noted that they had also pressed the point that the concrete needed to be taken up and replaced and that they did not want patched pavement in the process.

Mr. Carter noted that the importance of the quality of the sub-contractors was noted and they assured them that they would fix the problems.

B. Courthouse Display: In process. A meeting is being scheduled for review of Thayer Design, Inc.'s project design.

Mr. Carter noted that he did inquire about the 4x4 soapstone plaque commissioned by the Judges and noted that they would have to figure out where to put it. He added that this had been commissioned unbeknownst to the County.

C. Courthouse Signage: In process with Acorn Sign Graphics. An approximate ten week completion schedule is projected.

Mr. Carter noted that Acorn would come back with recommendations and costs etc. and then the County would enter into a contract with them.

D. Courthouse Retaining Wall (Law Office): In process. Due to weather and VDOT permitting, the project schedule will likely slip from completion by 10-15 the end of October (to be confirmed with Owen Building & Remodeling, Inc.)

E. Treasurer's Office Remodeling: Complete with the exception of glass installation, which is in process.

F. Jefferson Building: The status of renovation/restoration of the building is in review.

Mr. Carter reported that Price Masonry submitted a proposal to complete the renovation and it would cost \$400,000 plus. He noted that he had discussed an alternative path with Wiley Wilson that would revert back to a modified plan that had been developed. He described this as they would complete the external repairs, dry the building out and leave enough space to circulate the air between the walls and insulation and finish it without full restoration. Mr. Carter noted that Mr. Saunders sat in for Ms. Brennan and Mr. Hale who could not make it to the meeting. He noted that the cost to proceed on the alternative course was around \$185,000. He then requested direction from the Board.

Mr. Saunders noted that he thought the Price Masonry cost was way out of line, as it was just an office space and not open to the public. He added that just the exterior restoration would cost \$96,000 whereas it should cost about \$10,000 to paint it. He noted that the interior would cost \$130,000 and that Wiley Wilson estimates were \$37,000. He reiterated that it would be twice the cost to go with Price Masonry's plans and that they could still restore it down the road. Additionally, he noted that the moisture being

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retained could be mitigated with commercial humidifiers or turning the heat on. He further recommended that they not insulate the walls and allow the air to circulate and stated that he did not think they needed to go to such extent to preserve the building.

Mr. Hale noted that he agreed because of the cost but that he would like to find a painting process that would not peel off right away.

Mr. Saunders noted that they discussed the wooden steps being removed and replacing the door with a window and Mr. Carter noted that they also discussed restoring a window that had been bricked in towards the front.

Mr. Carter advised that he would send the full report out to the full Board and confirmed that he had the Board's consensus to not go with Price Masonry's plan. He noted that they would have to decide if it would be broken down into components or all bid together and Members and Staff discussed separating the exterior work from the interior work. Mr. Saunders noted that they could do that but that on the interior it would probably work best to have a General Contractor to manage things and that they could push to use local companies.

Mr. Carter advised that if the cost of the work was over \$100,000, the County would require bid bonds and performance bonds etc.

Members and Staff noted that they were looking at January to get started and could get the interior done in the winter and the exterior done in the spring.

Mr. Carter noted that it would be easier to have a General Contractor for the County and the project would require a Class A Contractor.

The Board then reached consensus to get the inside done first and hire a General Contractor for the whole interior project including removing the door and replacing the window.

It was then noted that Wiley Wilson had sketches that could be used for the interior and that the work would be done in conjunction with the Commonwealth Attorney.

G. Magistrate's Building: The brick restoration of the building is to be completed by 11-30-12. Replacement of the roof and interior rework will also be required for project completion.

H. Broadband Project: Construction of the fiber backbone network is 95%+/- complete. Installation of network electronics (Calix) is in process (Phase I – complete by mid-October; Phase II by late November) with turn up of the network and anchor institutions by end of November. Martins Store and RVFD tower projects are in process with completion in November 2012. Massies Mill tower site pending (negotiations with property owner in process). Network Operator contract is in process as are final co-location and service provider agreements with Lumos and Mid-Atlantic Broadband (co-location only with this connectivity providing access to MBC ISP and WISP providers). All other facets of the project, including close out requirements with NTIA (the project must be completed by March 2013) are in process.

Mr. Carter then reported on the conference call had that morning on the resolution with Lumos on how the County would connect with them. He reported that the understanding was that the County would be on their core network for redundancy. He then noted that NTIA may come in and do an audit of the project up to this point but that staff was not concerned about this.

I. 2012 Radio Project (Narrow banding): The project's final equipment order is being completed (Motorola, Clear Communications, RCC and County staffs). FCC waiver request has been drafted and is being readied for submittal (to authorize project beyond 1-13 regulatory date). Project completion is scheduled for 9-2013 (although County staff are working towards an earlier completion date than that projected by Motorola)

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J. High Top Tower (Lease): Lease negotiations successfully completed on 10-4. Final lease document(s) to BOS by second October or first November 2012 meeting.

Mr. Carter reported that the Outdoors Foundation was the hold up on finalizing the lease document and they conceded that they only needed to be referenced as the holder of the conservation easement.

J. Lovington Health Care Center: In process.

K. Massies Mill Recreation Center: Letter sent to MMRCI on 10-2 requesting concurrence on property conveyance to Nelson County and disbursement of balance of funds to Millennium Group/Nelson Heritage Center. The request for a full accounting of all County funds also reiterated.

Mr. Carter noted that he was not sure how these funds would be disbursed and Mr. Saunders inquired as to what the County would do with the land there. Mr. Carter noted that would be up to the Board and Mr. Bruguere suggested that they demolish the building and sell the property. Mr. Carter noted that the first challenge was to get them to give the building back. Mr. Bruguere reiterated that he was not in favor of holding onto it if it was for no specific purpose.

L. Norwood Historic District Project: IN process. Completion date is by 6-30-2013.

M. 2014 General Reassessment: Wampler-Eanes (Gary Eanes) to report to BOS on 10-9.

N. Stormwater Program (Local): Grant application submitted to VA-DCR in partnership with TJSWCD, Nelson and Louisa counties. Award notice pending (likely end of 2012 to early 2013). Grant project for development of local storm water program will be utilized to implement the program by the state mandated deadline of 6-30-14.

O. Blue Ridge Medical Center: A final lease agreement is expected to be completed in October to enable the local Health Department to relocate to BRMC by 11-1 or in early November.

Mr. Carter reported that VDH has given the County notification of lease termination for it lease in the Health Department building effective 12/1/12.

Mr. Carter then noted that the County still had on hand \$117,000 in escrow from the state and that the VDH wanted to use it to buy furniture. He noted that the County would first recover its costs for AE services etc. of about \$30,000 from these funds.

Mr. Hale noted that he thought that they should bear the cost for the design work done for the old Health Department building.

In response to questions, Mr. Carter noted that BRMC was recovering the VDH renovation costs over time through the lease agreement. He noted that they had to pay off the related debt and had to charge a lease for them to be there.

Mr. Bruguere noted that since they have already used taxpayer money to build it, they shouldn't have to pay rent.

P. Trail Project (BRRT and BRT): Contract signed for AE design services for the BRRT. A Transit in Parks Program (grant) application (\$2.0 million) submitted on 9-28 to the federal Department of Transportation.

Q. BOS Retreat: Submitted for Board consideration.

R. BOS Follow Up Items (from 9-11 Meeting): All items have been addressed with exception of use of NCHS horticultural program for Courthouse planting, which is in process.

Mr. Carter reported that Mr. Truslow would use these plants at the collection sites rather than storing them and then once the Jefferson building was finished, the County would buy plants locally and place them in the planned locations. He added that he had been concerned about over-wintering the plants.

S. Other: Other subjects (inquiries from BOS).

2. Board Reports

Mr. Bruguere reported that Curtis Sheets had discussed the living quarters at Station 2 and that they had a couple of rooms that would work for them. Mr. Carter added that staff had met with Russell Otis and Curtis Sheets and they had related that they would get back to the County with layouts that they wanted. Mr. Harvey related that Nelson Rescue wanted Coleman Adams to do the work and Mr. Carter noted that they would not be able to hire them directly if the County was doing it. Members and Staff briefly discussed it not being that big of a project. Mr. Harvey noted that they should be good until springtime and Mr. Bruguere commented that the County should work towards getting the paid people under the County.

Mr. Hale reported that he attended a PDC meeting in Stanardsville that mostly dealt with the healthcare benefits for employees. He noted one thing of interest was that the Greene County Board of Supervisors built a building for the library and the second floor on it was used for a PVCC satellite facility and they have started courses there. He noted that this was very impressive and saved citizens a drive into Charlottesville.

Mr. Harvey noted that the Service Authority work at the Heritage Center was almost complete and the County should be ready to go to next steps. Mr. Hale noted that he would check and then Mr. Payne could get to work on the conveyance documents.

Mr. Harvey then noted that the Service Authority and WPI deal was almost completed for the water tank project. He added that Crome Company was doing the job and Mr. Saunders noted that he had done pipe work for them on several projects. Mr. Harvey reported that the tank was open on top; which was how they saved \$1 million.

Mr. Saunders had no report.

B. Appointments

Mr. Harvey noted that there were no appointments to be made at this meeting.

C. Correspondence

There was no correspondence presented for consideration.

D. Directives

Mr. Harvey directed that staff go back and check the dates for when Buddy Moore came in as County Administrator the first and second times for use on a plaque for Mrs. Moore. He added to do this as a resolution also for the Board's approval.

Mr. Bruguere requested that the draft Minutes from the last Broadband Authority meeting be put up on the County's website and to also do this for the Board's meeting minutes. Members agreed by consensus to have staff post the draft meeting minutes on the website going forward.

Mr. Hale asked for clarification of the Animal Control Department staffing and it was noted that Ron Markin was the new ACO Supervisor and there was one part time Shelter Attendant and two part time ACO positions. Mr. Carter reported that the County was currently recruiting for the second part time ACO position. He then noted that the ACOs may be answering some calls that were unnecessary and that there was some sorting going on. He added that they were reporting getting 30-50 calls per day for service. Mr. Hale suggested that the animal control problems would be solved if there were strict

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enforcement of the dog licensing laws. Mr. Carter noted that he had discussed this with Mr. Markin and that they would make sure there was coordination with the local Veterinarian and the Treasurer's Office on getting dog tags. Mr. Carter then noted that they were two weeks into the new Supervision and were pleased.

Mr. Saunders had no directives.

VII. Other Business (As May Be Presented)

There was no other business considered by the Board.

VIII. Recess and Reconvene for Evening Session

At 5:25 pm, Mr. Saunders moved to recess and reconvene for the evening session and Mr. Bruguere seconded the motion. There being no further discussion, Supervisors voted unanimously by voice vote to approve the motion.

EVENING SESSION

7:00 P.M. – NELSON COUNTY COURTHOUSE

I. Call to Order

Mr. Harvey called the meeting to order at 7:00 pm, with four (4) Supervisors present to establish a quorum and Ms. Brennan being absent.

II. Public Comments

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

1. Reverend William Foster, Shipman

Mr. Foster noted that he was concerned about needing a stop light put up at Colleen especially with the Blue Ridge Medical Center building completion. He added that the Board should be concerned about people's lives and should get a grant to put up a stop light, considering how dangerous it was in Colleen.

Mr. Harvey noted that the Board could make a request to VDOT and then it was out of their hands. He added that VDOT has looked at that site and it did not meet the criteria. He then explained that the Food Lion stop light would be changed to include a blinking yellow arrow, which would be the first in the District and had been successful elsewhere. He added that once VDOT does a study somewhere, unless something changes, they would not revisit it again for five years.

Mr. Hale noted that they would continue to push VDOT on safety issues and Mr. Harvey then supposed that a stop light at the Dairy Isle would not help up at BRMC even if traffic was slowed there at the light. He added that this could cause there to be more rear end collisions.

Mr. Saunders then assured Mr. Foster that the Board would continue to look at it.

III. Public Hearings

A. Special Use Permit, # 2012-002, Rockfish Wildlife Sanctuary Tax Map parcel #46-2-2B

Mr. Boger presented the application and noted that the Applicant was seeking to relocate their existing wildlife rehabilitation operation from the Schuyler area to a new facility. He noted that the new facility was to be constructed in the Shipman area at 5458 Wheelers Cove Road, which was a 19.47-acre property, currently zoned Agricultural (A1) and located 5.4 miles north of Route 641 (Dutch Creek Lane).

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Mr. Boger reported that the Site Plan committee reviewed the plan and had minor concerns. He then described the site and building which would have a caretaker's apartment above it. He noted that they would rehabilitate wild animals and then release them.

Mr. Boger then noted that the site review problem was now resolved and that VDOT would require road grading for a low volume commercial entrance and that the applicant would have to get Mr. Mooney to sign the permit also.

Mr. Boger then reported that the Planning Commission held a meeting on September 26, 2012 on the application and recommended approval of the Special Use Permit (SUP). He added that the final Site Plan approval was contingent upon the SUP approval.

Mr. Jim Taggart, the Engineer on the project, addressed the Board and noted that he had prepared the site plan and wanted to stress it was a tentative agreement on the site easement. He noted that it would entail a vegetative cutback on Mr. Mooney's property to install a twenty ft radius back to the south. He noted that the applicant and Mr. Mooney had a good working relationship. Mr. Taggart added that they were designing to a 35 mph speed limit and site distance, and was afraid that the unintended consequence of doing this was increased speeds going forward. He noted that it was a standard site and that they had met all of the requirements, noting that it was similar to that of a single family dwelling and they were designing and building it as a three bedroom house. Mr. Taggart reported that the well had been drilled and they had plenty of water. In conclusion he noted that it was a good and low impact use of the land.

Ms. Butler, the applicant and Treasurer of the Rockfish Wildlife Sanctuary addressed the Board and noted that their work started at the founder's house in 2004. She noted that injured animals were brought to them for rehabilitation until they could be released back into their natural habitat. She noted that 450 animals had been taken care of in the last year or two and in their largest year, they had taken care of 650 animals.

Ms. Butler then noted that they would have a full time caretaker onsite who would be there and then during the daytime, wildlife rehabbers and volunteers would also be there. She added that they also wanted to provide educational programs offsite.

Mr. Carter then asked if the Animal Control officers made referrals to them and Ms. Butler noted that they did.

There being no further questions for the applicant, Mr. Harvey opened the public hearing. There being no persons wishing to be recognized, the public hearing was closed.

Mr. Hale then noted that he had looked at a number of these sites on a voluntary basis for them and then moved to approve Special Use Permit #2012-002 for the Rockfish Wildlife Sanctuary Tax Map parcel #46-2-2B and Mr. Bruguire seconded the motion. There being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion and the Special Use Permit.

IV. Other Business (As May Be Presented)

There was no other business considered by the Board.

V. Adjournment

At 7:25 pm, Mr. Hale moved to adjourn the meeting and Mr. Bruguire 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 SCHEDULED MEETING of the Nelson County Board of Supervisors at 7:00 p.m. in the Board of Supervisors Room located on the second floor of the Nelson County Courthouse.

Present: Constance Brennan, Central District Supervisor
Larry D. Saunders, South District Supervisor
Allen M. Hale, East District Supervisor
Thomas D. Harvey, North District Supervisor – Chair
Stephen A. Carter, County Administrator
Candice W. McGarry, Administrative Assistant/Deputy Clerk
Fred Boger, Planning and Zoning Director
Tim Padalino, Planner

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

I. Call to Order

Mr. Harvey called the meeting to order at 7:00 pm, with four (4) Supervisors present to establish a quorum and Mr. Bruguere being absent.

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

II. Public Comments

There were no persons wishing to be recognized for public comments.

III. Public Hearings

- A. Comprehensive Plan Amendments – Transportation Chapter and Related Administrative Changes **(R2012-77)**

Mr. Tim Padalino addressed the Board and noted that the proposed amendments were needed in order to have the transportation elements in its own chapter per the State Code and in order to be in compliance with VDOT. He then briefly noted how the chapters had been reorganized and reiterated the other associated changes. He then explained that the content mainly focused on a summary of transportation infrastructure, plans, and studies. He noted that there was new information included on scenic byways and a new map inclusive of a map of long range projects. Mr. Padalino then noted a minor issue was that the bicycle plan was moved to the appendix and this was not noted in the information previously provided to the Board. He clarified that the actual bicycle plan was in the appendix and the relocation of the plan was just not listed as a change.

Mr. Padalino then noted that Mr. Will Cockrell of the TJPDC was present for any questions on the content and Mr. Cockrell noted that he did not have anything further to add to Mr. Padalino's summary.

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

Mr. Harvey then suggested, and Members agreed, that this be put on the November meeting agenda for consideration when all members were scheduled to be present and no action was taken.

IV. New/Unfinished Business

- A. Jefferson Madison Regional Library Agreement **(R2012-76)**

Mr. Carter noted that the agreement had been presented at the October 9, 2012 meeting and its consideration was deferred until Ms. Brennan could be present. He noted that to

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date Albemarle, Louisa, and Charlottesville had approved the agreement and Greene would be considering it at their first November meeting.

Mr. Carter then reiterated that the agreement revisions were driven by an Albemarle County study done two years ago. He noted that they wanted another Board member given their size and monetary contribution, to change the budgetary process to add more definition to it adding that funding was subject to annual appropriation.

Members discussed the budgetary process briefly with Mr. Carter noting that it would be done as it has been and Mr. Harvey noted that they have always funded the regional costs first and then the local. Mr. Carter confirmed that it would still work that way.

Mr. Carter then noted that the most considerable change was the institution of an out of region user fee of \$30 for those using the libraries who were not members of the JMRL region. He added that this would result in savings for Nelson of approximately \$13,100 based on projections done by the library. He noted that this was also driven by Albemarle because of their high out of region usage.

Mr. Harvey noted that this may be a future problem for north end county citizens if Augusta were to make these changes also; however he noted that they had not done so yet.

Mr. Carter noted that he agreed with the fee as did the other member localities and he reiterated that this was the major consideration and the rest was incidental. He added that there was also clarification on the share of costs for Albemarle and Charlottesville.

Ms. Brennan noted that she was unsure as to how the out of region fee would save the County any money and Mr. Harvey noted that southern end of the county, Amherst library users were already affected as they had already instituted an out of region fee.

In response to questions, Mr. Carter noted that both Albemarle and Charlottesville would now have six (6) members and the rest would have one (1) each.

Mr. Hale then moved to approve resolution **R2012-76** Authorization to Execute Jefferson Madison Regional Library Agreement Dated 8-31-2012. Mr. Saunders seconded the motion and there being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion and the following resolution was adopted:

RESOLUTION-R2012-76
NELSON COUNTY BOARD OF SUPERVISORS
AUTHORIZATION TO EXECUTE JEFFERSON MADISON REGIONAL
LIBRARY AGREEMENT DATED 8-31-2012

RESOLVED, by the Nelson County Board of Supervisors that the County Administrator is hereby authorized to execute the Jefferson Madison Regional Library Agreement Dated 8-31-2012, a copy of which is hereby attached.

B. November Regular Meeting Change (R2012-78)

Following brief discussion on the new meeting date, Ms. Brennan moved to approve resolution **R2012-78** changing the November meeting date to November 20, 2012 at the same time. Mr. Hale seconded the motion and members confirmed that there were no second meetings in November and December.

There being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion and the following resolution was adopted:

RESOLUTION R2012-78
NELSON COUNTY BOARD OF SUPERVISORS
CHANGE IN NOVEMBER 2012 REGULAR MEETING DATE

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BE IT RESOLVED, that the Nelson County Board of Supervisors does hereby change its regularly scheduled meeting date in November from Tuesday, November 13, 2012 to November 20, 2012 so as to avoid conflicting with Board Members' attendance of the Virginia Associations of Counties (VACO) annual conference.

C. Gladstone Volunteer Fire And Rescue Service Interest Free Loan Application

Mr. Carter noted that the Treasurer was advised by him to proceed with issuing the loan per the Board's consensus. He noted that Gladstone Fire and Rescue Service was concerned that they would lose the equipment that they wanted to purchase if it were delayed until the meeting and that he had made the decision to go ahead even if it was not quite done per the policy.

He noted that they borrowed \$65,000 from the no interest loan fund to buy the equipment and that substantial information was provided to the EMS Council on their request.

Mr. Carter then reported that he thought that the remaining fund balance was several hundred thousand and it was noted that another request may be forthcoming from Wintergreen.

Mr. Saunders then moved that the Board accept and approve the application from Gladstone Fire and Rescue Service for an interest free loan to purchase equipment and Mr. Hale seconded the motion. There being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion.

D. Nelson County Broadband Project

1. Approval of Federal Interest – NTIA Filing (R2012-80)

Mr. Carter noted that Phil Payne had explained during the Broadband Authority meeting this and the next consideration for the Board's approval. He added that it was a Board obligation for the NTIA grant to record security instruments to protect the Federal interest so that in the case of default, they would have first recourse. He noted that secondly, the County was the recipient and owned the assets but could not operate the network and therefore the Nelson County Broadband Authority (NCBA) was created. He added that in light of that another document for the Board's approval provided for the County to lease the network to the NCBA.

Mr. Carter then noted that he thought that it was nine (9) years that the County would have the obligation to maintain network ownership. He added that staff was still working on a listing of property etc. and once this was compiled, another detailed document would be brought forward.

Ms. Brennan then moved to approve resolution **R2012-80**, Approval of Federal Interest Filings with the NTIA, US Department of Commerce Broadband Infrastructure Grant Award #NT10BIX5570049. Mr. Saunders seconded the motion and there being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion and the following resolution was adopted:

**RESOLUTION-R2012-80
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF FEDERAL INTEREST FILINGS WITH THE
NATIONAL TELECOMMUNICATIONS AND INFORMATION
ADMINISTRATION (NTIA), U.S. DEPARTMENT OF COMMERCE
BROADBAND INFRASTRUCTURE GRANT AWARD #NT10BIX5570049**

BE IT HEREBY RESOLVED, by the Nelson County Board of Supervisors that in compliance with Federal grant closeout procedures related to the County's Broadband Infrastructure Grant Award, National Telecommunications and Information Administration (NTIA), U.S. Department of Commerce, Broadband Technology

October 25, 2012

Opportunities Program (BTOP) Award #NT10BIX5570049, said Board hereby approves the following attached Federal Interest Filing documents:

1. Covenant of Purpose, Use and Ownership
2. Security Agreement

BE IT FURTHER RESOLVED, the County Administrator, Stephen A. Carter, or the County Attorney, Phillip D. Payne, IV is hereby authorized to execute and file the aforementioned documents as appropriate on behalf of the County.

2. Lease of Broadband Network to Nelson County Broadband Authority (R2012-79)

Mr. Hale moved to approve **R2012-79** Authorization to Execute Lease Agreement with Nelson County Broadband Authority, Broadband Network. Ms. Brennan seconded the motion and there being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion and the following resolution was adopted:

**RESOLUTION-R2012-79
NELSON COUNTY BOARD OF SUPERVISORS
AUTHORIZATION TO EXECUTE LEASE AGREEMENT
WITH NELSON COUNTY BROADBAND AUTHORITY
BROADBAND NETWORK**

WHEREAS, pursuant to the Virginia Wireless Services Authority Act, Chapter 54.1 of the Code of Virginia, the Nelson County Board of Supervisors established the Nelson County Broadband Authority to provide managerial and operational oversight of the Nelson County Broadband Network; and

WHEREAS, the proposed lease agreement provides the legal vehicle by which the Authority can perform its intended functions,

BE IT HEREBY RESOLVED, by the Nelson County Board of Supervisors that the Chairman, Thomas D. Harvey, is hereby authorized to execute the proposed lease agreement on behalf of the Board of Supervisors, thereby providing for its lease of the Nelson County Broadband Network to the Nelson County Broadband Authority.

E. Thomas Jefferson EMS Council Board of Directors Appointment

Mr. Carter noted that a vacancy on the Thomas Jefferson EMS Council Board of Directors had occurred in the transition with the EMS Coordinator position and recommended that the Board appoint Ms. Jaime Miller, the current EMS Coordinator to this Board. He added that he had spoken with her about this appointment.

Ms. Brennan then moved to appoint Jaime Miller to be the County's representative on the TJEMS Board of Directors and Mr. Hale seconded the motion. There being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion

V. Other Business (As May Be Presented)

Introduced: Personnel Matter

Mr. Carter noted that a personnel matter presented to him had been addressed that day.

Introduced: Agenda Packets and Broadband Authority Meetings

Ms. Brennan asked that the Board packet and the Broadband Authority packet be created as separate electronic files going forward.

October 25, 2012

Members also requested that staff remind them regarding upcoming NCBA meetings a week prior to the meeting date.

Introduced: Community Criminal Justice Board (CCJB) Appointment

Ms. Brennan noted that she had received a letter that her term on the CCJB has expired and she noted that she would like to be reappointed. Staff noted that this was usually an annual appointment done in January but that Staff would check on this.

Introduced: Appalachian Trail Community™ Proclamation

Mr. Hale noted his attendance of the Appalachian Trail Community™ designation event designating Nelson County as an Appalachian Trail Community™. He noted that they had presented him with a Proclamation to this effect that he would like entered into the Board's official minutes. He then thanked Nelson County Times reporter, Katrina Koerting for doing a nice article on the event.

Mr. Hale then moved that the proclamation designating Nelson County as an Appalachian Trail Community™ be placed into the official meeting record. Ms. Brennan seconded the motion and there being no further discussion, Supervisors voted unanimously (4-0) to approve the motion and the following Proclamation was made an official part of the meeting record:

**Proclamation
Nelson County, Virginia**

WHEREAS, Appalachian Trail (AT.) founder Benton MacKaye's vision of the A.T. included opportunities for recreation, recuperation, and employment through • ... a series of recreational communities throughout the Appalachian chain ... to be connected by a walking trail"; and

WHEREAS, communities along the AT are important partners for the sustainability of the Trail and its greenway for an estimated four million plus visitors to the Trail every year (with potential for many more); and

WHEREAS, Appalachian Trail Communities™ are characterized by an abundance of natural, historical and cultural features-many of which are protected and best viewed and appreciated via the AT; and

WHEREAS, Appalachian National Scenic Trail walking, adventures, overlooks, and primitive areas present opportunities to attract visitors to Appalachian Trail Communities™ from around the world; and

WHEREAS, this designation will act as a catalyst for enhancing economic development, engaging Nelson County citizens as AT visitors and stewards, and helping community members see the AT. as a resource and asset; and

WHEREAS, Nelson County is recognized and is taking steps to ensure the ongoing protection of its natural and recreational resources while investing in its future as a memorable destination along the AT.; and

WHEREAS, Nelson County's sense of place and the protection of the cultural, historical and natural assets in the Appalachian Mountain Region can benefit through the use of resources and new partnerships; and

WHEREAS, Nelson County is now recognized and designated as an Appalachian Trail Community™, an official designation conferred by the Appalachian Trail Conservancy, and desires to continue its efforts to support the AT. and its community effort for at least 5 years.

October 25, 2012

NOW, THEREFORE, I, Allen Hale, do hereby proclaim that Nelson County accepts the designation as an Appalachian Trail Community™ and urges its citizens to support the AT. through appropriate programs, activities, and ceremonies.

Introduced: Potential Registrar Location

Mr. Carter noted that the Board had directed him to find an alternate location for the Registrar out of the Health Department building. He noted that they have looked at a couple of locations and reported that the bank location where Montague Miller is located was too small and the former Farm Bureau office on Tanbark Lane was owned by the Assistant Commonwealth Attorney and there was some concern that his leasing it to the County would be a conflict of interest.

Mr. Carter then noted that the Registrar had recently looked at the Rutherford Law Office building and thought that would work subject to negotiations. He noted that he had gotten a summary proposal late in the day for leasing the space and thought he would introduce it to the Board.

Mr. Saunders added that the Electoral Board has also looked at the space, that he had looked at it with Ms. Britt, and they felt that the security there would be okay. He noted that the parking would be improved to create parking where the old bank was and they would also have some on Front Street. He added that accessibility would be addressed and would have to be done regardless of who went in there.

Mr. Saunders then described how a five (5) foot wide concrete walk would come out to the parking lot and would be a kind of ramp; however it would be fairly flat out to the parking area. He noted that a concern was the electrical cost and that Rutherford was asking the County to pay half of the electric bill and then all of the phone and custodial costs. He added that they would furnish water and sewer, yard maintenance, and Internet if they were to use it and not a private connection. Mr. Saunders also noted that Ms. Britt wanted to add a small window in the reception area and an open counter with glass on it between two of the rooms. He added that the proposal stated that there would be no added cost for this if it were done within the next thirty days and that there would be a shared bathroom that would be handicap accessible. In conclusion, Mr. Saunders noted that the proposal was for 1500 square feet to be leased including the loft area.

It was then noted that Mr. Rutherford had included electric bills for the last 2 years which averaged \$122 per month and that the rates provided were based on a one year lease. He had also indicated that a longer lease could be worked out and 3.7% would be the escalator after one year. Mr. Saunders noted that Mr. Rutherford's office was located there and he would be working on the basement etc. to create more space.

Mr. Harvey inquired as to where they would be storing the voting machines, and it was noted that there was one room that could work and that there was a large enough space to bring them out and program them during elections. Mr. Harvey noted that the stands being stored at the RVFD were not that big and Mr. Carter noted that they would also have the 24 poll books to contend with.

It was then clarified that if a decision were made to proceed in the next 30 days, there would be no cost to make the changes that Ms. Britt asked for since the carpenter would still be on site.

The alternate locations were briefly discussed and it was reiterated that the basement of the former Farm Bureau building was still somewhat damaged and has problems. It was discussed that Ms. Britt liked the location of the Rutherford building because of its proximity to the Post Office and Courthouse etc.

Members then discussed the parking area as potentially being owned by the bank and Mr. Hale noted that he wanted to look at this and was not ready to decide on it that day.

October 25, 2012

Mr. Carter noted for reference that the County was paying around \$14,000 per year for leasing of the McGinnis building for approximately 2,400-2,800 square feet. He added that typically the County used a certain CPI for rural areas in its agreements.

Members then agreed by consensus to let Mr. Carter work out the details and come back to the Board with a recommendation. Mr. Carter noted that for any move, the Registrar would have to give the Department of Justice notice of the move and get their approval which could take 60-90 days. He added that the Health Department has given notice to the County of their vacating the premises as of December 1, 2012.

Introduced: Wiley Wilson Proposal for Jefferson Building AE Services

Mr. Saunders referred to Wiley Wilson's proposal sent out that day for turnkey AE services to assist with bidding, inspection services and design work of the Jefferson Building renovations. Mr. Carter noted that Randy Vaughan of Wiley Wilson explained that they think the work to be done is more extensive than originally anticipated and that this would require retooling of the building - which was why the proposal was \$30,000.

Mr. Saunders and Mr. Hale agreed that this needed to be looked at and that they were not comfortable with it. Mr. Carter inquired as to how the Board wanted to proceed and Members discussed having the committee look at it and return with a recommendation. It was then decided that Mr. Saunders and Mr. Hale would discuss the proposal and then confer with Mr. Carter early next week.

Introduced: Staff Appreciation

Mr. Harvey and members thanked staff for their work done to help Shipman residents who lost their home to a fire the previous week. He added how much the Board appreciated their service to the public and noted that this was what the County was supposed to do in order to be helpful to its citizens.

VI. Adjournment

At 7:55 pm, Ms. Brennan moved to adjourn the meeting until November 20th at 2pm in the Board Room 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.

RESOLUTION-R2012-82
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>
\$ 185.37	2009-2011 PP Taxes & Vehicle License Fees	James W. Durette P.O. Box 109 Afton, VA 22920
\$127.20	Real Estate Taxes – Land Use Error	Sandra Fulcher 2149 Riversedge LN St. George, UT 84770
\$141.29	2012 PP Taxes & Vehicle License Fees	John E. Critz 189 Buchanan Drive Broadway, VA 22815
\$208.80	Meals Taxes Paid in Error	Blue Mountain Barrel House 9585 Critzers Shop Rd. Afton, VA 22920
\$196.81	2012 PP Taxes & Vehicle License Fee	Mark Allen McCurdy, II 26 May Apple Lane Nellysford, VA 22958

Approved: November 20, 2012

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 11, 2012

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

Re: Durette, James Wilson
P O Box 109 Afton, VA 22920

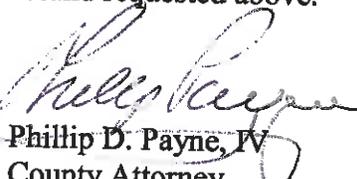
This letter shall serve as written request that a refund of \$185.37 be issued to the above referenced taxpayer. 2009, 2010 and 2011 personal property taxes and vehicle license fees were paid on a 2001 ford Taurus #6894 garaged and also paid in Albemarle County.

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
LOVINGSTON, VA 22949**

**Telephone 434-263-7070
Fax 434-263-7074**

OCTOBER 24 2012

*Thomas D. Harvey, Chairman
Board of Supervisors
County of Nelson
Lovingston, Va 22949*

Dear Mr. Harvey,

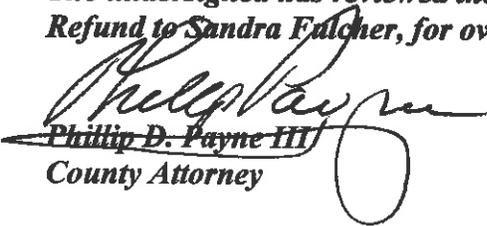
This is to request a refund in the amount of \$127.20 to Mrs. Sandra Fulcher, at 2149 Riversedge Lane, St. George, UT 84770. This refund is due to overpayment on Real Estate Taxes due to error in Land Use.

Sincerely,



*Jean W. Payne
Commissioner of Revenue*

The undersigned has reviewed the request of the Commissioner and consents to the Refund to Sandra Fulcher, for overpayment on Real Estate Taxes.



*Phillip D. Payne III
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 29, 2012

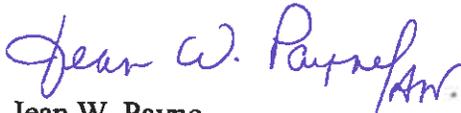
Mr. Thomas D. Harvey, Chairman
Nelson County Board of Supervisors
P. O. Box 336
Lovington, VA 22949

Re: Critz, John Edwin
189 Buchanan Drive Broadway, VA 22815
1995 Subaru #3549, 2002 Volvo #2091 –moved to Rockingham 2011

This letter shall serve as written request that a refund of \$141.29 be issued to the above referenced taxpayer. First half 2012 taxes and vehicle license fees were paid on the above referenced vehicles

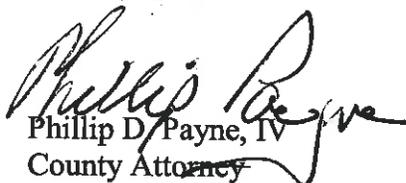
Supporting data is available in this office for you review.

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
Lovingston, VA 22949

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

October 31, 2012

Mr. Thomas D. Harvey, Chairman
Nelson County Board of Supervisors
P O Box 336
Lovingston, Va. 22949

Dear Tommy,

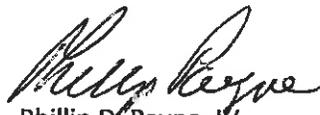
This letter shall serve as a written request that a refund of \$208.80 be issued to Blue Mountain Barrel House, 9585 Critzers Shop, Afton, Va. 22920. They have paid Meals Tax for 3 months and our code states that they must be serving food to collect the tax, and they are not serving food at that location.

Sincerely,



Jean W. Payne
Commissioner of the 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 6, 2012

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

Re: McCurdy II, Mark Allen
26 May Apple Lane Nellysford, VA 22958
2006 Toyota Camry Solora #2460

This letter shall serve as written request that a refund of **\$196.81** be issued to the above referenced taxpayer. 2012 personal property tax and vehicle license fee were paid on the above referenced vehicle that was garaged in the City of Harrisonburg. Tax and fee were also billed and paid in Harrisonburg.

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

**RESOLUTION R2012-83
 NELSON COUNTY BOARD OF SUPERVISORS
 AMENDMENT OF FISCAL YEAR 2011-2012 BUDGET
 NELSON COUNTY, VA
 November 20, 2012**

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

I. Appropriation of Funds (General Fund)

<u>Amount</u>	<u>Revenue Account</u>	<u>Expenditure Account</u>
\$ 2,332.00	3-100-002404-0007	4-100-082050-6008

II. Transfer of Funds (General Fund)

<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
\$ 3,006.00	4-100-999000-9901	4-100-031020-5240
\$ 4,900.00	4-100-999000-9905	4-100-031020-7001
\$ 941.00	4-100-999000-9905	4-100-031020-5409
<u>\$ 1,750.00</u>	4-100-999000-9901	4-100-031020-7050
\$ 10,597.00		

Adopted: November 20, 2012

Attest: _____
 Clerk, Nelson County Board of Supervisors

EXPLANATION OF BUDGET AMENDMENT

- I. The **General Fund Appropriation** includes a request for an additional appropriation of **\$2,332** for more than anticipated Litter Prevention Grant Funds from the state.

- II. The **Transfer of Funds** reflects a **\$3,006** transfer from the General Fund Contingency to the Sheriff's Department budget. This request represents five months of expense for mobile data service for patrol car laptop computers. Deputies in the field utilize this service to access the Law Enforcement Information and Exchange System (LINX). The on-going cost of this service as well as the purchase cost of the computers was paid from Homeland Security grant funding. The department has been unable to secure additional grant funding to pay these costs. The Sheriff's Department has also requested a transfer from contingency of **\$4,900** for purchase of a new livescan fingerprint system. The current equipment will no longer be supported/maintained after December 2014. If a new machine is purchased by December, the vendor is offering a \$1,000 trade-in for the old machine. Additionally, the school division has agreed to pay \$2,000 towards the full cost of \$6,900. The Sheriff's Department has also requested **\$941** to meet new mandatory requirements relative to connectivity from the county's NCIC/VCIN to the Virginia State Police Virtual Private Network . A transfer is also requested for **\$1,750** for the county's cost of participation in the Crisis Intervention Team's Custody Exchange Program. This request for funding was approved previously by the Board on 9/27/12. The remaining balance of General Fund Contingency after the requested transfers would be \$1,344,052.



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

November 5, 2012

To: Board of Supervisors
Nelson County, Virginia 22949

Re: Request for funding

The Nelson County Sheriff's Office received a grant from the Federal Government to purchase 16 Mobile Data Terminals to be placed in the patrol cars and also funding to purchase air time through Verizon to operate this system. The following year, we were also granted funding for the air time, but now that funding has run out. We request that the Sheriff's office be funded in the amount of \$3,006.00 for the continuing operation of the Mobile Date terminals through June 2012.

The MDT'S operate a LINX system (Law Enforcement Information and Exchange System) which is owned by the Naval Criminal Investigative Service, developed after 911. This system has over 766 agencies to include the FBI, US Marshall Service, Dept of Defense. All agencies provide information to this system which is also shared by all users. This system allows our deputies to research suspects, pawn shop users, and anyone coming in contact with the law enforcement system. One good example. One law enforcement had a fatal shooting, when the law enforcement officer showed up and started talking with witness, he soon got a partial description of a suspect and his street name. Officer ran this suspects name through the linx system and came up with a photo of the suspect which witness picked out as the shooter. All this took place from his patrol and while on the scene. In less than 15 minutes suspect was ID'd and warrants were issued for his arrest.

We have 16 MDT's which cost \$37.58 per unit to operate with a total cost of \$601.28 per month. We request funding which will pay for this cost until June 2012.

Thank you for your continual support of this office.


Ronald W. (Ron) Robertson
Captain, Chief Deputy
Nelson County Sheriff's Office

31020.5240



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 22, 2012

To: Board of Supervisors
94 Courthouse Square
Lovington, VA 22949

Re: Request for Budget Amendment

I received an end of life notification from ID Networks, the maker of our livescan (LS1/LiteXe Tenprint scanner). This device is used to take fingerprints from individuals going through the court system along with individuals wishing to work for the school board.

ID Networks has sent this department a sales quotation for the upgrade of this system. This quote is for \$6, 900.00, six thousand and nine hundred dollars, if we take action on or before December 31, 2012. ID Networks will give us one thousand dollars for our existing Lite Xe scanner. After this date the cost will extend to \$7, 900.00.

When the scanner was first purchased, the Nelson County School Board budgeted half the cost for purchase. Speaking with Dr. Roger Collins, they will be glad to do the same with the upgrade cost. However, the funding for this project will have to come out of next year budget. In order to save tax payer money, I am requesting that the Board of Supervisors, if desired, pick up the cost of this upgrade in the amount of Six Thousand and Nine Hundred dollars, and retrieve half cost from the school board at the beginning of the next physical year

Attached our quotes received from the manufacture of this device and with recommendations of three types for consideration. This department has chosen to go with the least expensive device. If I can be of any further assistance, please contact me on the numbers listed above.

Ronald W. Robertson
Captain
Nelson County Sheriff's Office.

31020.7001

6900.00
(2000.00) Schools
\$ 4900.00



Nelson County Sheriff's Office

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

W. David Brooks
Sheriff

November 5, 2012

To: Board of Supervisors
Nelson County, Virginia 22949

Re: Request for funding

The Nelson County Sheriff's Office is faced with a mandatory requirement from the Virginia State Police to provide our NCIC/VCIN service system with a Juniper Device. This device terminates the encrypted connection to the VSP, which this system is in the process of being upgraded. This office request funding in the amount of \$941.00 in order to meet this requirement. This office does not have the funds to meet such requirement. This funding will pay installation fees, and the one time service establishment fee.

Thank you for your support in this matter.

A handwritten signature in black ink, appearing to read "Ronald W. Robertson".

Ronald W. (Ron) Robertson
Captain, Chief Deputy
Nelson County Sheriff's Office

31020, 5409

WARNING: This document is FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE.
This information shall not be distributed beyond the original addressees without prior authorization of the originator.

Mandatory Requirements

An agency must contract for the following items to convert to the Virginia State Police Virtual Private Network (VPN) Connectivity:

- **Internet circuit** (Fractional T-1, T-1, T-3, OC-x, DSL). Any public safety agency may NOT use DSL or Cable Internet service for the VPN connection to Virginia State Police (VSP). If no qualifying Internet connection is available at a **public safety** agency, VSP will provide a circuit (56k). For public safety agencies, the circuit requires a 4 hour service level agreement (SLA). There will be no exceptions.
- **Juniper Device.** Terminates the encrypted connection to VSP. The type of device ordered will depend on whether you have a dedicated Covanet T1, your own Internet (ISP) or a Covanet 56kb. You must contact VSP to get an NG network engineer assigned to consult with your engineer about the type of connectivity you will use, and they will provide you the information needed to order your Juniper device through Virginia Information Technology Agency (VITA).
- **Installation costs and managed services purchased through VITA** (see *Costs* chart on page 3). If VSP provides the agency Internet circuit, the agency is responsible for paying for the managed service. If the agency can provide a qualified Internet service, VSP will pay for the managed service for the public safety agency. Non-public safety agencies must pay for the managed service and the Internet circuit. Circuits, installation and managed service are handled through VITA Telecommunications Service Requests (TSR) submitted by either VSP or the agency, depending on who will be responsible for the fees.
- **It is mandatory for your agency to supply an Uninterrupted Power Supply (UPS) to protect the Juniper VPN device.**
- **The Juniper device must be installed in a clean, secure area that is environmentally safe and must be connected to an UPS.**
- **The device shall not be installed under a desk or on the floor.** If the agency desires to rack mount the hardware a separate Rack Mount Kit is available from Juniper using Juniper Part # SRX210-RMK.

September 19, 2012 – Revision_5



Virginia State Police

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Costs

Juniper VPN Pricing July 1, 2012

Service Description	5 days/9 hours coverage	7 days/24 hours coverage	One-time Installation Fee	One-Time Service Establishment Fee	Total One-Time Fee
Both ON-NET & OFF-NET at COV Network Site	NBD Service Monthly Cost	4 Hr Service Monthly Cost	Per Device	Per Device	Per Device
JUNIPER SRX210H W/T-1	\$31.00	\$53.00	\$570.00	571.00	\$1,141.00
JUNIPER SRX210-H W/56K ADTRAN DSU	\$31.00	\$53.00	\$570.00	\$785.00	\$1,355.00
JUNIPER SRX210H ETHERNET	\$31.00	\$53.00	\$570.00	\$371.00	\$941.00

NOTE: Verizon does not provide a rack mount kit for the Juniper SRX. If your Agency desires to rack mount the Juniper VPN Device, your Agency will need to procure Juniper Part # SRX210-RMK from an alternate source.

Note: Federal sites pay all internet and managed service fees. With one noted exception FBI offices do not pay the managed service fee.



RESOLUTION R2012-84
NELSON COUNTY BOARD OF SUPERVISORS
ADOPTION OF THE VIRGINIA ASSOCIATION OF COUNTIES (VACoRP)
LINE OF DUTY ACT (LODA) TRUST AGREEMENT

WHEREAS, As part of the 2012 Appropriations Act, the Virginia General Assembly adopted budget language authorizing the creation of trust funds to finance the cost of Line of Duty Act (LODA) claims; and

WHEREAS, the Supervisory Board has taken action to create the VACORP LODA Trust.; and

WHEREAS, LODA covers volunteer and paid hazardous duty personnel and their survivors including continued health insurance for disabled uniformed officers and their families, as well as death benefits and continued health insurance for families of officers killed in the line of duty; and

WHEREAS, The VACORP LODA Trust was created to address the following issues related to funding of these claims:

1. Record the liabilities for known, pre-existing LODA claims that occurred prior to July 1, 2011; and
2. Record the liabilities for unknown, pre-existing LODA claims that occurred but were not reported prior to July 1, 2011; and

WHEREAS, the establishment of the VACORP LODA Trust allows the Pool to direct annual contributions for the above-described claims to the LODA Trust which enables the Trust to book the liabilities associated with these claims and thereby diminish the financial liability exposure for its members at no membership cost; and

WHEREAS, absent Trust membership, the liability for these claims must be carried on the public entity's financial statements,

NOW THEREFORE BE IT RESOLVED, the Nelson County Board of Supervisors does hereby adopt the Line of Duty Act Trust Membership Agreement and authorizes the County Administrator to execute said document on behalf of the County.

Adopted: October 25, 2012

Attest: _____, Clerk
Nelson County Board of Supervisors

VACORP LODA TRUST

The undersigned Counties, Cities, Towns, and Regional Jails of the Commonwealth of Virginia (“Grantors”) being authorized and directed to so, do make this trust agreement dated June 29, 2012 with VACORP, a local government risk sharing pool, which is an instrument of the government of the Commonwealth of Virginia, as Trustee (“the Trustee”). The Trustee and any successor Trustees are all referred to herein as “the Trustee.”

The name of this trust agreement is the “VACORP LODA TRUST dated June 29, 2012” (“Trust”) and is effective July 1, 2012.

ARTICLE 1

TRUST PROVISIONS

- A. Transfer of Assets and Liabilities. Contemporaneously with the execution of this trust, Grantors (hereinafter “Members”) do transfer to the Trustee of the Trust all liabilities appertaining to any claim which they may have prior to June 30, 2012 under the Line of Duty Act pursuant to §9.1-400 et seq. of the 1950 Code of Virginia, as amended (“Act”) and do promise to timely pay for said liabilities.
- B. Line of Duty Act Trust Fund. By entering into this Trust, each Member Acknowledges that they have opted out of the Commonwealth of Virginia Line of Duty Act Trust Fund.
- C. Eligibility of Members. Each member shall purchase liability insurance from Trustee covering claims under the Act. Likewise each member shall timely pay to

the Trustee all premiums for said insurance and monies for claims prior to June 30, 2012. In the event a Member purchases insurance from other than the Trustee, the Trustee and this Trust shall have no liability or obligation to such Member.

D. Administration of Claims. During the existence of this Trust, the Trustee shall administer all pre-June 30, 2012 claims of its members under this Trust, shall provide the administration of all claims and shall provide insurance to insure against claims under the Act to all Members after July 1, 2012.

E. Insurance & Payments by Members. Each Member is obligated to purchase liability insurance for claims under the Act from the Trustee and pay the Trustee those payments for insurance and claims as provided for under the Act, which payments must be timely made. If a payment is overdue by thirty (30) days, or if an insurance premium payment is not made within thirty (30) days of the invoice date, then the Trustee shall not provide claims administration, insurance or payment to claimants, until payments are brought current and all insurance coverage is purchased from the Trustee.

ARTICLE II

TRUSTEE PROVISIONS

A. Trustee's Management Powers. The Trustee shall have the powers granted by law and the powers in Sections 64.1-57, 55-548.15 and 55-548.16 of the 1950

Code of Virginia, as amended, as in effect on the date of this agreement. These sections are incorporated in this agreement by this reference.

- B. Trustee's Compensation. The Trustee, or any successor Trustee, shall receive compensation for services rendered. The corporate Trustee, or any successor corporate Trustee, shall receive compensation for services rendered according to their list of fees published from time to time.
- C. Resignation of Trustee. The Trustee may resign as Trustee by notice to the Members. The resignation shall take effect upon the effective appointment of a successor Trustee.
- D. Successor Trustee. The Trustee shall have the right to designate a successor Trustee who shall be any natural person or corporation having trust powers, which shall be effective upon the resignation or termination of corporate existence of the Trustee. Such designation shall be made while such Trustee is serving as Trustee by an instrument executed by the Trustee during and by the successor Trustee. In the event that the Trustee does not appoint a successor Trustee or a successor Trustee does not appoint its successor Trustee, which it shall have the privilege to do hereunder, the Members shall have the right to appoint a Trustee.
- E. Actions of Prior Trustee. No Trustee serving under this agreement shall be responsible for or required to inquire into any acts or omissions of a prior Trustee.

ARTICLE III

RIGHTS RESERVED BY MEMBERS

- A. Revocation and Amendment. Members reserve the right to opt out of this Trust by a writing signed by the Member and delivered to the Trustee. All obligations of Member to the Trust shall be paid by Member prior to opting out. Any amendment that changes the duties or compensation of the Trustee shall require the consent of the Trustee.
- B. New Members. Members agree that new members as defined by the Act may become Members if the Trustee accepts them.

ARTICLE IV

MISCELLANEOUS PROVISIONS

- A. Protection from Claims. To the extent permitted by law, the principal and income of any trust shall not be liable for the debts of any beneficiary or subject to alienation or anticipation by a beneficiary, except as otherwise provided.
- B. Governing Law. This agreement shall be governed by the laws of Virginia.
- C. Signatures. This trust may be executed in counterparts and electronically.

WITNESS the following signatures and seals:

The Trustee accepts the terms of the VACORP LODA TRUST dated June 29, 2012.

VACORP

By: _____
Administrator, Officer

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF _____, To-wit:

The foregoing instrument was acknowledged before me this ___ day of _____, 2012, by _____, Trustee, _____ of VACORP, on behalf of VACORP, who is identified and known to me.

Notary Public

Name of County/Jail/City/Town

By: _____
Authorized Person

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF _____, To-wit:

The foregoing instrument was acknowledged before me this ___ day of _____, 2012 by _____, on behalf of _____, Grantor, who is identified and known to me.

Notary Public

From: [Stephanie Heintzleman](#)
To: [Linda Staton](#)
Cc: [Steve Carter](#); [Debbie McCann](#); [Candy McGarry](#); [Nancy Helm](#)
Subject: RE: VACORP Line of Duty Trust Membership-Nelson County
Date: Monday, October 15, 2012 10:34:00 AM

Linda,

Thank you for your inquiry. You are correct; the LODA Trust is for booking the liability of claims that occurred before July 1, 2011. For any claim that occurred after that date, Nelson County would have no liability, as the county has purchased coverage from VACORP for those claims. The county only pays the annual cost for LODA coverage. There is no additional cost to join the LODA Trust.

Since the county currently does not have a claim from that time, the county may do one of three things:

1. Wait and see if a claim that occurred prior to July 1, 2011 is approved by DOA and join the LODA Trust at that time.
2. Join the Trust now.
3. Do nothing but if a claim from that time were approved, the county would have to join in order to have the Trust book the associated liability.

Please let me know if additional information would be helpful.

Hope you have a great day!

[Stephanie O. Heintzleman](#)

VACORP

308 Market St, SE, Su 1, Roanoke, VA 24011

888-822-6772 x106

From: Linda Staton [mailto:lstaton@nelsoncounty.org]
Sent: Monday, October 15, 2012 9:18 AM
To: Stephanie Heintzleman
Cc: Steve Carter; Debbie McCann; Candy McGarry
Subject: RE: VACORP Line of Duty Trust Membership

Stephanie,

Since the VACORP LODA Trust was created to address claims prior to July 1, 2011, are only claims for incidents prior to that date covered by the Trust? Will future claims be booked to the Trust for entities that adopt the membership document as well?

Linda K. Staton

From: Steve Carter
Sent: Wednesday, October 10, 2012 1:04 PM
To: Debbie McCann; Candy McGarry; Linda Staton
Subject: FW: VACORP Line of Duty Trust Membership

FYI.

SAC

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: Stephanie Heintzleman [<mailto:stephanie@vacoins.org>]
Sent: Thursday, October 04, 2012 5:18 PM
Cc: Chris Carey; Nancy Helm
Subject: VACORP Line of Duty Trust Membership

As part of the 2012 Appropriations Act, the Virginia General Assembly adopted budget language authorizing the creation of trust funds to finance the cost of Line of Duty Act (LODA) claims. In light of this, the Supervisory Board has taken action to create the VACORP LODA Trust.

LODA covers volunteer and paid hazardous duty personnel and their survivors. This includes continued health insurance for disabled uniformed officers and their families, as well as death benefits and continued health insurance for families of officers killed in the line of duty.

The VACORP LODA Trust was created to address the following issues related to funding of these claims:

1. Record the liabilities for known, pre-existing LODA claims that occurred prior to July 1, 2011; and
2. Record the liabilities for unknown, pre-existing LODA claims that occurred but were not reported prior to July 1, 2011.

Members pay the annual cost of these existing claims. The establishment of the VACORP LODA Trust allows the Pool to direct annual contributions for the above-described claims to the LODA Trust. This enables the Trust to book the liabilities associated with these claims. Absent Trust membership, the liability for these claims must be carried on the public entity's financial statements. With the LODA Trust, the financial liability exposure for the Pool and its members is diminished.

Members with existing LODA claims must join the VACORP LODA Trust, although the Supervisory Board encourages all Members to join. To participate in the LODA Trust, your governing body must adopt the LODA Trust membership document, which is attached for your review and consideration. There is no membership cost.

For additional information, please contact Nancy Helm, Chris Carey or me at 888-822-6772.

Stephanie O. Heintzleman
Member Services Director
VACORP
308 Market Street SE, Suite 1

Roanoke, VA 24011
888-822-6772 x106
stephanie@vacoins.org

This email, including any attachment, is intended only for the individual to whom it is addressed and may contain information that is privileged and confidential.

RESOLUTION R2012-85
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF INTEREST FREE LOAN – WINTERGREEN RESCUE SQUAD

NOW THEREFORE BE IT RESOLVED, the Nelson County Board of Supervisors hereby approves the interest free loan request of \$70,000 made by Wintergreen Rescue Squad and approved by the Nelson County Emergency Services Council on October 16, 2012.

BE IT FURTHER RESOLVED, that said loan will be repaid at zero interest with a total of fourteen (14) \$5,000 payments due every six (6) months beginning in April 2013.

Adopted: November 20, 2012

Attest: _____, Clerk
Nelson County Board of Supervisors

BOARD OF
SUPERVISORS

THOMAS D. HARVEY
North District

LARRY D. SAUNDERS
South District

ALLEN M. HALE
East District

THOMAS H. BRUGUIERE, JR.
West District

CONSTANCE BRENNAN
Central District



STEPHEN A. CARTER
Administrator

CANDICE W. McGARRY
Administrative Assistant/
Deputy Clerk

DEBRA K. McCANN
Director of Finance and
Human Resources

2 November, 2012

To: Hon. Angela Johnson, Treasurer
From: S. Carter, County Administrator *SAE*
Re: Nelson County Emergency Services Loan Fund

Submitted herewith is the loan application of Wintergreen Rescue Squad in the amount of \$70,000, which was approved on October 16, 2012 by the Nelson County Emergency Services Council.

The application will be submitted to the Board of Supervisors on November 20, 2012 for final approval in accordance with the loan fund's formal approval procedure (policy). However, Mr. Curtis Sheets, representing Wintergreen Rescue Squad, has contacted my office to request disbursement of the loan funds to WRS prior to the Board's meeting on 11-20. It is understood that the work WRS has commissioned (see the attached application documentation) has been completed and WRS is taking delivery of the equipment on 11-5, therefore, the agency's request for funding prior to the Board meeting.

I have polled the members of the Board of Supervisors and four of the five (with one member being unavailable) have indicated that the funding can be disbursed ahead of the Board's approval consideration, which each responding Board member indicated would be granted.

Given the approval of the Council and the input received from the members of the Board, your office is requested to process the loan immediately to enable WRS to have the funding necessary to meet the obligation it has incurred. My understanding is the funding is needed on November 2nd and not later than November 5th. If your office is able to process disbursement of the loan funds by 11-2 (today) this would be very helpful and much appreciated (inclusive of the associated loan documentation).

Please advise should you require additional information pertinent to the subject of this communication. I am available at your convenience to insure this subject moves forward expeditiously.

Thank you for your assistance and cooperation.

Cc: Board of Supervisors
Mr. Eddie Embrey, President, Nelson County Emergency Services Council
Mr. Curtis Sheets, Wintergreen Rescue Squad
Ms. Debbie McCann, Director, Finance and Human Resources
Ms. Candy McGarry, Deputy Clerk

NELSON COUNTY EMERGENCY SERVICES COUNCIL

P.O. Box 336
Lovington, Va. 22949

10/22/2012

County of Nelson
Steve Carter, Administrator
P.O. Box 336
Lovington, Va. 22949

Dear Mr. Carter,

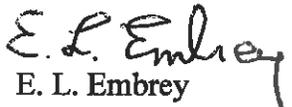
At the October 16th Emergency Services meeting, Wintergreen Rescue Squad filed an application to borrow \$70,000.00 from the interest free loan fund. The council approved this request.

Attached is the loan application and the request for Wintergreen Rescue Squad.

We now move to have this approved by the Board of Supervisors at their next available meeting.

Thank you for your, and the Board of Supervisors quick response in this matter. If you should have any questions, please contact me.

Sincerely,


E. L. Embrey
President, NCESC

CC:
Nelson County Board of Supervisors
Curtis Sheets

Wintergreen Rescue Squad

P.O. Box 711 Wintergreen VA 22958 P-434.325.8536 F-434.325.2079

www.wtgfireresq.org

June 19, 2012

To: NCESC Members
From: Curtis Sheets, Chief
Re: Loan Request

Council Members,

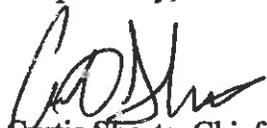
The Wintergreen Rescue Squad respectfully requests a loan in the amount of \$70,000 from the NCESC loan fund. If approved the loan will be repaid at zero interest with a total of 14 \$5,000 payments due every six months beginning in April of 2013.

This loan will be used to refurbish an ambulance body which will be placed on a new chassis. This unit will be a 4-wheel drive unit which will be included in the shared equipment pool for use on a county-wide basis.

Wintergreen Rescue currently does not have an open note with Nelson County. Our last loan was satisfied in full seven years ago.

Thank you for your consideration.

Respectfully,



Curtis Sheets, Chief

The Wintergreen Property Owners Volunteer Rescue Squad is a registered 501c3 non-profit organization committed to providing the best possible pre-hospital care to the citizens of Wintergreen and its neighbors in Nelson and Augusta Counties.



NELSON COUNTY EMERGENCY SERVICES COUNCIL

**P. O. BOX 336
LOVINGSTON, VA 22949
(804) 263-4873
FAX (804) 263-4135**



**Loan
Application**

PART I (to be completed by requesting agency)

AGENCY NAME			
AGENCY NUMBER		AGENCY CERTIFICATION (CIRCLE)	BLS <input type="checkbox"/> ALS <input checked="" type="checkbox"/>
ADDRESS	CITY	Nelson Va 22958	
P.O. Box 711	COUNTY	Nelson	
	ZIP CODE	22958	
FEDERAL TAX IDENTIFICATION NUMBER		541795547	
<p>CERTIFICATION: The undersigned agrees to comply with the Rules and Regulations Governing Financial Assistance for Emergency Services, and has made the preceding statement of the agency's financial condition; and to the best of his/her knowledge certifies to the Nelson County Emergency Services Council that the information in this application is true, accurate, and correctly reflects the financial condition of the undersigned organization.</p>			
AUTHORIZED AGENT	Curbs Sheets	TELEPHONE (Daytime)	540-480-3184
TITLE	Chief		
SIGNATURE	<i>Curbs Sheets</i>	DATE	10-16-12

II. OPERATIONAL ACTIVITY			
Population of service area		Square Miles of service area	400+
Total Fire calls January 1 - December 31, 12		Total EMS Calls January 1 - December 31, 12	
Structure fires	N/A	BLS	≈ 1200
Brush fires	N/A	ALS	≈ 600
Accidents		Other	
		Standby	
Total number of Fire calls	N/A	Total number of EMS calls	≈ 1800
Number of calls your agency was dispatched to responding January 1 - December 31, 12	≈ 50	Number of calls your agency responded to OUTSIDE of your service area January 1 - December 31, 12	≈ 500
Average call time:			
Average Round Trip Mileage per call:			
Average Mileage to Nearest Hospital:			

AGENCY VEHICLE DATA SHEET - REQUIRED FOR ALL REQUESTS

All 4 boxes have been re-marked.
 Ages range from 18-01

Class/Box Yr. (Example 1994/1989)	Mileage	Make/Model (Ex: Ford/B-350)	Type see below	Class Perm. (A, B, B/C, C)	Unit #
2012	< 5000	Susp Choke	4	ALS Response	173
2002	> 90,000	Traildazer	4	" "	174
2005	780,000	Chev. 3500	1	ALS Ambulance	175
2012	< 5000	MB Sprinter	2	"	176
2006	770,000	Chev 3500	1	"	177
20012	N/A	" "	1	"	178
2007	760,000	" "	1	"	179
2010	710,000	Mack	7		Squad 1
2007	7100,000	Chev Tahoe	10	N/A	Car 3

VEHICLE TYPE - use appropriate "NUMBER" ABOVE

- 1 - Type I Ambulance
- 2 - Type II Ambulance
- 3 - Type III Ambulance
- 4 - Any Vehicle Used For First Response - Licensed As Class "A": (Chase, Rapid, First Response, or Zone Car)
- 5 - Light Duty Rescue
- 6 - Medium Duty Rescue
- 7 - Heavy Duty Rescue
- 8 - Pumper
- 9 - Ladder Truck
- 10 - Utilities (Chief's Car, Vans, Sedans, Brush Trucks, etc.)
- 11 - Boats

(ADDITIONAL UNITS SHOULD BE INCLUDED ON A SEPARATE SHEET)

RESERVED SECTION
* Chief-1 vehicle owned by FD.

TECHNICAL INFORMATION for the PURCHASE of EMERGENCY RESPONSE VEHICLES

IMPORTANT: Must be completed for any Vehicle or Rechassis Grant

I. Requested Vehicle(s) is/are: (Check ONE of the following)

<input checked="" type="checkbox"/>	Permanent replacement for unit # <u>178</u>
<input type="checkbox"/>	Additional vehicle
<input type="checkbox"/>	Other

THE FOLLOWING FOUR INQUIRIES MUST BE ANSWERED IF REQUESTING A REPLACEMENT VEHICLE OR EQUIPMENT

1) Describe the current condition of the vehicle/equipment to be replaced.
2001 Chevy Ambulance removed from service due to Age, miles, & failed transmission

2) Indicate what will be done with the unit/equipment that is replaced.
Will be placed in the pool with others

3) Explain why a rechassis should not be considered.
We did rechassis.

4) Number of calls your agency was UNABLE to respond to due to the MECHANICAL UNAVAILABILITY OF THE EMERGENCY VEHICLE TO BE REPLACED.
0 No Responses. Has been some delayed responses.

II. VEHICLE LOCATION

Identify where the requested vehicle will be housed and intended for use. Primarily Wintergreen 2

III. VEHICLE MAINTENANCE

Describe the maintenance program used to maintain your agency vehicle fleet.
Dealer while under warranty then Stoney Creek Auto

What is the average length of service in miles and/or years of vehicles operated by your agency?	<u>10</u>	Years
	<u>100,000</u>	Miles

AGENCY DATA SHEET

1. Land / Buildings

- Acres of land owned by agency
- Type of building construction
- Total size of building in square feet
- Number of bays
- Size of meeting room(s) in square feet

0

↓

↓

↓

↓

Neither Rescue Squad nor Fire Department
Own any real estate.

We don't have a reserve fund.

We have no long term investments.

We have 63,000 AS of 10/16 in operating
account.

Remount of 2001 McCoy Miller box
on a 2012 Chevy 4x4 Silverado

Vendor = Northwestern Emergency Vehicles

NELSON COUNTY EMERGENCY SERVICES COUNCIL

P.O. Box 336
Lovington, Va. 22949

10/25/2012

County of Nelson
Steve Carter, Administrator
P.O. Box 336
Lovington, Va. 22949

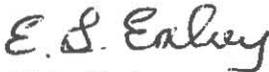
Dear Mr. Carter,

In the past, the fire and rescue interest free loan money has only been available for the purchase of vehicles and buildings. At the meeting on October 16, 2012, the Emergency Services Council voted on and approved that the funds could be requested for smaller purchases. This would allow fire and rescue agencies to replace needed equipment. The Council also established the payment schedules for such loans and they are as follows:

\$25000 - \$60000 Loan 4 Year Payment Plan
\$60000 - \$100000 Loan 6 Year Payment Plan
**Payments due on a twice per year schedule as current system.

Please present this new loan agreement to the Board of Supervisors, and thank you for your continued support.

Sincerely,



E. L. Embrey
President, NCECSC

CC:

Nelson County Board of Supervisors
Angela F. Johnson, Treasurer

RESOLUTION R2012-86
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF AMENDMENT TO THE EMERGENCY SERVICES
INTEREST FREE LOAN PROGRAM POLICY–SMALL PURCHASES

WHEREAS, on October 16, 2012, the Emergency Services Council approved the following small purchase guidelines for the Emergency Services Interest Free Loan Program thereby allowing Fire and Rescue Agencies the ability to replace needed equipment:

\$25,000 - \$60,000 Loan	4 Year Payment Plan
\$60,000 - \$100,000 Loan	6 Year Payment Plan

**Payments due on a twice per year schedule as current system.

NOW THEREFORE BE IT RESOLVED, the Nelson County Board of Supervisors hereby approves the above small purchase guidelines as presented and approved by the Nelson County Emergency Services Council on October 16, 2012 and hereby directs the County Administrator to incorporate these provisions into the current Emergency Services Interest Free Loan Program Policy.

Adopted: November 20, 2012

Attest: _____, Clerk
Nelson County Board of Supervisors

**NELSON COUNTY
EMERGENCY SERVICES LOAN FUND**

AS
APPROVED BY
THE
EMERGENCY SERVICES COUNCIL
OF
NELSON COUNTY

MAY 1994

APPROVED BY BOARD OF SUPERVISORS _____

DATE

1. **Loan Funds**

- a. Maximum per loan - \$200,000
- b. Minimum per loan - \$35,000
(with special consideration for hardship cases)
- c. Each agency is eligible for no more than one loan per year
- d. In the future, requests for apparatus and buildings/land will be considered separately

For the first five years or until adequate funds are available, they will be considered together

- e. Funds will be available on 1 November after approval
- f. The total or cumulative amount that an agency may borrow from the fund shall not exceed $A \times B$ where:
 - A = the loan period (see below)
 - B = the agency's operating expenses annually reimbursed by the county at the time of the loan
- g. The period of each loan shall be:
 - Apparatus - 8 years
 - Buildings/Land - 15 years

2. **Payments**

- a. **Payments shall be deducted from the county's reimbursement to each agency for their annual operating expenses**
- b. **The first deduction will be made one full year following commencement of the loan**
- c. **Agencies may pre-pay or accelerate payments**
- d. **Note shall be non-interest bearing**

3. Application / Eligibility

- a. There will be one loan cycle per year
- b. Applications shall be made in writing to the Chairman of the Financial Review Committee of the Nelson County Emergency Services Council (NCESC)
- c. Loan requests must be postmarked or hand delivered no later than 1 September
- d. Application shall contain the following:
 - Project description
 - Justification
 - Financial statement
 - Amount of funding requested
 - Vendor/contractor (if known)
- e. No agency shall be eligible for a subsequent loan until all other agencies have had funds made available to them
- f. If only partial support for a given project is available during a given year, an agency's application remains active and may be reconsidered in future years

4. Financial Review Committee / Review Procedures

- a. The committee shall be comprised of one representative from each emergency services agency in the county to be designated by each agency in writing to the NCESC president not later than 1 July of each year

Committee members may or may not be agency representatives to the NCESC

- b. The chairman shall be elected by vote of the committee at its July meeting
- c. Committee members shall abstain from voting on requests from their respective agencies
- d. The committee shall review loan requests and make its recommendations to the NCESC

- On the second Tuesday of September, each loan application shall be verbally presented to the committee by an agency representative; applications will be subsequently reviewed and rated by the committee

- Based on available resources, the committee shall recommend funding to the NCESC on the third Tuesday of September

- The NCESC shall forward its recommendation to the county administrator by 1 October for subsequent approval by the Board of Supervisors

- e. The committee shall draft application forms and review procedures for approval by NCESC

5. **Insurance**

- a. Approved projects shall be insured for replacement value for duration of loan
- b. Insurance proceeds for loss shall be used to replace same or pay off loan

6. **Note Agreement**

- a. Note shall be designed by the County Attorney and shall be signed by authorized representatives of the agency
- b. Nelson County shall have first lien on said apparatus, building or land unless the manufacturer or bank holds the first lien

7. Modification of proposed Emergency Services Loan Fund procedures was made at the May meeting of the Emergency Services Council as follows...
..... that the approved Emergency Services Loan Fund procedures may be altered in the future, if situations warrant changes, and by majority vote of the Nelson County Emergency Services Council.

February 12, 2002

The Board of Supervisors passed the following resolution approving the request:

Re: Approval of New Guidelines for Interest-Free Loans

On a motion by Mr. Wood, seconded by Ms. Brennan, with Mr. Wood voting yes, Ms. Brennan voting yes, Mr. Harris voting yes, Mr. Bruguiera absent, and Mr. Harvey voting yes, the following resolution was adopted:

BE IT RESOLVED, That the Nelson County Board of Supervisors does hereby approve new guidelines for Interest Free Loans by raising the maximum loan amount from \$200,000 to \$250,000.

B. JAUNT: Carry Over Funding Request

Mr. Carter reported that JAUNT is requesting the County to approve \$18,989 from Fiscal Year 01 funding for a transportation improvement project. Mr. Carter stated that he is not opposed to the work JAUNT is doing, but he does not support the request. Mr. Carter stated that he would like to see the \$18,989 be used for the County's IT Project.

The Board of Supervisors discussed the request and ultimately passed a resolution approving JAUNT to retain \$10,000 of the \$18,989 as follows:

Re: Approval for JAUNT to Retain the \$10,000 of \$18,989 from Fiscal Year 01 Funding

On a motion by Mr. Wood, seconded by Mr. Harris, with Mr. Wood voting yes, Mr. Harris voting yes, Ms. Brennan voting yes, Mr. Bruguiera absent, and Mr. Harvey voting no, the following resolution was adopted:

BE IT RESOLVED, That the Nelson County Board of Supervisors does hereby approve JAUNT to retain \$10,000 of the \$18,989 from Fiscal Year 01 funding.

C. Resolution: E-911 Grant Program

Mr. Carter provided a request from Fluvanna County requesting localities to support a

July 12, 1994

BE IT RESOLVED, That the Nelson County Board of Supervisors does hereby accept the Policy to Establish a Revolving Loan Fund for Fire Departments and Rescue Squads as adopted by the Emergency Services Council; and

BE IT FURTHER RESOLVED, That the County will provide funding when funds are available; and

BE IT FINALLY RESOLVED, That the Board of Supervisors request the Emergency Services Council to establish the Financial Review Committee to administer the loan program when funds are available.

(2) Discussion of Advertising Campaign

Chairman Ponton stated that an Article regarding Nelson County may be published in "The Remenise" Magazine.

Agenda Item Number 19. Executive Session to Discuss Potential Acquisition of Property Pursuant to Section 2-1.344, Subsection 3, and Personnel Matters Pursuant to Section 2.1-344, Subsection 1 of the State Code of Virginia.

Re: Executive Session to Discuss Potential Acquisition of Property Pursuant to Section 2.1-344, Subsection 3, and Personnel Matters Pursuant to Section 2.1-344, Subsection 1 of the State Code of Virginia

On a motion duly made Mr. Dunn and seconded by Mr. Harvey with Mr. Clark voting yes and Mr. Ponton voting yes, the following was adopted:

BE T RESOLVED, That the Nelson County B d of Supervisors does hereby go into Executive Session to discuss Potential

RESOLUTION-R2012-87
NELSON COUNTY BOARD OF SUPERVISORS
AUTHORIZATION FOR ACCEPTANCE OF CONVEYANCE
MASSIES MILL RECREATION CENTER

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 Massies Mill Recreation Center, Inc., via Deed of Gift dated November 15, 2012 on behalf of the Nelson County Board of Supervisors; the conveyed property being approximately 6.250 acres in the Massies Mill Magisterial District together with all buildings and improvements thereon.

Approved: November 20, 2012

Attest: _____, Clerk
Nelson County Board of Supervisors



*Thomas
Jefferson*

Planning District Commission

November 15, 2012

TO: Members, Nelson County Board of Supervisors

FROM: David C. Blount, Legislative Liaison

RE: 2013 TJPDC Legislative Program

Attached is the draft 2013 TJPDC Legislative Program. As I discussed when I met with you in September, I will be presenting the program and seeking your approval of it at your November 20th 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. I would like to draw your particular attention to a renewed focus on mandates and cost shifting as part of the first priority, and in the second priority, a combining of the transportation funding and devolution positions that were contained in last year's program.

- 1) State Mandates and Funding Obligations
- 2) Transportation Funding and Devolution
- 3) Public Education Funding
- 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 20. Thank you.

Recommended Action: Approve the draft TJPDC legislative program.



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

401 East Water Street • Post Office Box 1505 • Charlottesville, Virginia 22902-1505
Telephone (434) 979-7310 • Fax (434) 979 1597 • Virginia Relay Users: 711 (TDD) • email: info@tjpd.org • web: www.tjpd.org

RESOLUTION-R2012-88
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF 2013 THOMAS JEFFERSON PLANNING DISTRICT
LEGISLATIVE PROGRAM

RESOLVED, by the Nelson County Board of Supervisors that the 2013 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 2013 Session of the Virginia General Assembly, with amendments presented by Mr. Blount on November 20, 2012 as well as incorporation of the recommendations put forth by the Board as applicable.

Adopted: November 20, 2012

Attest: _____ Clerk,
Nelson County Board of Supervisors

2013

**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 2012

**Joe Chesser, Chairman
Steve Williams, Executive Director
David Blount, Legislative Liaison**

PRIORITY ITEMS

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: Sluggish local revenue, continued state funding reductions and additional requirements will continue to challenge locality budgets this year. State assistance to localities has declined from pre-recession levels, dropping by seven points as a percentage of the general fund budget since 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. While there was some recognition from the 2012 General Assembly that localities cannot bear mandated expenses alone, other enacted policies have long term consequences. The governor and state officials have boasted of state budget “surpluses” the past three years, yet continue to approve unfunded and underfunded state requirements and shift costs to localities, straining local ability to craft effective and efficient budgets that meet services that are 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.

Having realized three consecutive years of a state budget “surplus.” the state should restore across-the-board reductions in aid-to-localities, budgeted to be \$95 million in FY13/FY14. These funds provide financial assistance for local implementation of required or high-priority state programs. If the state cannot meet this commitment, then program criteria and requirements should be adjusted to reflect the decrease in state resources.

Changes to Virginia’s tax code or in state policy should not reduce local government revenue sources or restrict local taxing authority. 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 it did this past year 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. The state 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 to establish separate, dedicated and permanent state revenues to expand and maintain our transportation infrastructure. We urge restoration of 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: The need for the state to fund a declining transportation infrastructure is dire and state dollars remain inadequate. The *VTrans 2035 Report* notes that “the General Assembly must substantially raise investment in transportation to keep Virginia moving.” Absent such an investment, Virginia faces a congestion and mobility crisis that could stifle economic growth and negatively affect the quality of life of our residents. Maintenance of existing roads continues to siphon hundreds of millions of dollars from the construction budget and formula distributions for construction have been eliminated. It is estimated that under current conditions, there will be little, if any, money left in the construction fund by 2017.

Position Statements:

We urge the state to fund transportation needs with stable and recurring revenues that are separate from the general fund and that are sufficient to meet Virginia’s well-documented highway, transit and other needs. 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 has taken 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) We oppose recommendations that would reallocate much of existing state transit assistance through a less efficient and less predictable one-size-fits-all formula.
- 3) 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.

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 legislature to fully fund the state share of the realistic costs of the Standards of Quality without making allocation formula and policy changes that reduce state funding or shift funding responsibility to localities.

Rationale: The state will spend about \$5.3 billion on public education per year in FY13 and FY14, about 30% of its general fund budget. This level of funding remains below the FY09 amount by about \$600 million over the biennium, with state per pupil expenditures standing at \$450 less per pupil than in FY09. Meanwhile, local governments boost education funding by spending over \$3.3 billion more per year than required by the state.

While the 2012 General Assembly did restore some of K-12 reductions that were proposed in the introduced budget, reductions in state public education funding the last few years have been accomplished in large part through a number policy changes that are decreasing the state's funding obligations moving forward. For example, the state "saved" millions of dollars by shifting costs to localities through making some spending ineligible for state reimbursement or lowering the amount of the payback. Three years ago, it imposed a cap on state funding for education support personnel. It has reduced funding for other support costs and supplanted general fund dollars with lottery funds to produce other savings. Policy changes to the Virginia Retirement System this past year (mandatory teacher 5% for 5%) will cost localities money and do nothing to reduce unfunded teacher pension liability. Changes to the Standards of Accreditation and Standards of Learning, such as higher standards in math and science, also drive increased expenditures.

Position Statements:

We urge the state to resist further policy changes that require localities to fund a greater share of costs. State funding should be realistic and recognize actual educational needs, practices and costs; otherwise, more of the education 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 occur.

We also take the following positions:

- 1) The state should not eliminate or decrease its 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 its seizing of dollars from the Literary Fund to pay state costs for teacher retirement.

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. We believe fairness across sectors will require appropriate regulatory mechanisms at both the state and local government levels. 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 proposed 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, including those associated with revised stormwater management regulations and any new requirement for locally-implemented stormwater management programs. The state should consider using state budget surplus dollars to fund such measures.
- 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 and direction a) to the Cooperative Extension Service and Soil and Water Conservation Districts to aid farmers with best management practices (BMP) in their operations, and b) to the Soil and Water Conservation Board for monitoring resource management plan compliance.
- 4) We believe that any expansion of the Nutrient Exchange Program to allow trading and offsets of nutrients among stormwater, onsite septic, wastewater, agriculture and forestry should be contained within and be relevant to 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 the 2007 road impact fee authority being revised to include additional localities and to 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) 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).
- 2) We support optional cluster development as a land use tool for local governments.
- 3) 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 four 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 the last several years. 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/compilation 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.
- 3) 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.
- 4) The categories of populations mandated for services should not be expanded unless the state pays all the costs.
- 5) The state should be proactive in making residential facilities and service providers available, especially in rural areas.
- 6) 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, to improve vendor accountability and to control costs.

We encourage the state to consider penalties for individuals who have had children removed from their care due to abuse or neglect. We also support local and regional efforts to address areas of cost sharing among localities by procuring services through group negotiation.

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 also urge re-enactment of a memorandum of understanding that outlines the expected cooperation by state level agencies in effectively partnering with local Workforce Investment Boards and other entities in the operation of One-Stop delivery systems.~~
- We support enhanced funding for the Regional Competitiveness Act 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, incentivize and 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 state funding for VCES.
- We appreciate and 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 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 area covered by the Chesapeake Bay Preservation Act. 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 (AOSS) 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 (BURAC).

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 are 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 maintain a formula-driven allocation process for VJCCCA funding.
- 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 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) the award of 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.

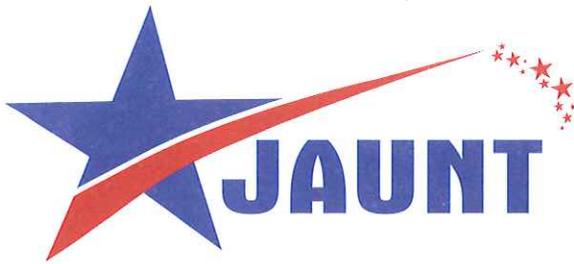
- We urge the state to make Compensation Board funding a top priority, fully funding local positions that fall under its purview. It should not increase the local share of funding constitutional offices or divert funding away from local offices, but increase money needed for their operation. Local governments 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 legislation 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.
- 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.
- The state should ensure that local connectivity and compatibility are considered in any centralizing of state computer functions.
- 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.



JAUNT, Inc.

104 Keystone Place

Charlottesville, VA 22902-6200

To: The Chairman and Members of the Board of Supervisors

From: Donna Shaunesey, Executive Director 

Date: November 8, 2012

I am writing to alert you to proposed state legislation that will negatively impact County citizens and the transit riders that JAUNT serves.

In 2011, the General Assembly directed the Virginia Department of Rail and Public Transportation (DRPT) to assess the adequacy of the existing state transit assistance program and to develop recommendations for the General Assembly's consideration. SJR297 was passed to address the shortage of state funding in light of the growth in public transit service being provided across the state, services that are essential to Virginia's economy and future. The importance of these new services is reflected in the fact that state-wide transit ridership has climbed 31% over the last decade while travel by car (VMT) only grew 10%.

Instead of a proposal that fosters continued transit expansion, DRPT's recommendations focus principally on the reallocation of existing state resources, resources universally recognized to be inadequate. Presented as necessary to improve efficiency without any compelling evidence that the current allocation formula is defective, the proposal pits state transit operators against each other to compete for state funds. As DRPT has structured the new process, JAUNT's state funding would be cut by 11% and to maintain our current level of service, those funds would have to be replaced by our local governments.

DRPT's "one-size-fits-all" model assigns JAUNT to a peer group of agencies with similarly sized vehicle fleets including fixed route bus systems in Fredericksburg, Danville and Farmville but glosses over the significant differences between these systems. The demand-response service JAUNT operates to serve our paratransit and rural service riders, would be forced to compete for state funding with systems that operate fixed route bus service which is inherently more productive.

Along with transit systems across the state, JAUNT is actively working to oppose the as-yet-unseen bill to be presented to the General Assembly for the upcoming session. We are opposing the DRPT proposal because the state's public transit

systems are highly motivated to be accountable and to provide the service that meets the needs of our riders AND the performance objectives that our local governments, who provide the majority of our funding, establish for us.

We would appreciate your support to reject the DRPT recommendation and to advance a proposal that helps to provide adequate funding for public transportation in the state. I would welcome the opportunity to discuss this issue with you in person, or provide you with additional information.

From: [David Blount](#)
To: [Steve Carter](#); [Donna Shaunesey @ JAUNT](#)
Cc: [Candy McGarry](#); [Debbie McCann](#)
Subject: RE: Legislative Issue
Date: Thursday, November 08, 2012 10:05:02 AM
Attachments: [image002.png](#)

Yes, the draft program that is being considered by the local governing bodies in the region this month contains the position statement below. I have been highlighting this specific statement in my presentation to the local boards as well:

We oppose recommendations that would reallocate much of existing state transit assistance through a less efficient and less predictable one-size-fits-all formula.

From: Steve Carter [mailto:SCarter@nelsoncounty.org]
Sent: Thursday, November 08, 2012 10:01 AM
To: David Blount; Donna Shaunesey @ JAUNT
Cc: Candy McGarry; Debbie McCann
Subject: FW: Legislative Issue

David,

Is the JAUNT matter a subject within the regional legislative program (or going to be included therein)?

(Donna – in response to your message, my suggestion is sending one letter to the Chairman and Board of Supervisors mailed to my attention and we'll include it on the Board's 11-20 agenda. In the past few years, the County has utilized the TJPDC Legislative Program in lieu of developing a local program. The Board can support this through David's work during the session and through communications to Del. Bell, Del. Faris and Sen. Deeds and continue to monitor this subject during the 2013 Session. A question, however, what do you mean by the following: The demand-response service JAUNT operates to serve our paratransit and rural service riders, would be forced to compete for state funding with systems that operate fixed route bus service which is inherently more productive.)

We can confer further on this but for now please send a letter re: this subject as I've noted above.

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: Donna Shaunesey @ JAUNT [<mailto:Donnas@ridejaunt.org>]

Sent: Thursday, November 08, 2012 9:39 AM

To: Steve Carter

Subject: Legislative Issue

Hi Steve – hope you’re having a peaceful autumn!

Just need your advice on an issue we’re dealing with. A new bill is going to be introduced in the General Assembly this session that will have a negative impact on JAUNT and many of the small rural transit systems. The JAUNT Board has charged me with educating our local elected officials as well as our state legislators to enlist their help in opposing this new legislation.

I’ve attached copies of the letters we’ve written to Senator Deeds and Delegates Fariss and Bell just to give you a heads up. I can do a similar letter to each of the Supervisors, or just send one letter to them all, or come to a Supervisors’ meeting to let them know about this. Charlottesville and Albemarle and our local planning district have already included opposition in their legislative packages.

What would be most helpful, do you think? Thanks for your help,

Donna



Donna Shaunesey

Executive Director

104 Keystone Place

Charlottesville, VA 22902

(434) 296-3184 ext 101

Like us on [Facebook!](#)



From: [David Blount](#)
To: [Steve Carter](#); [Donna Shaunesey @ JAUNT](#)
Cc: [Candy McGarry](#); [Debbie McCann](#)
Subject: RE: Legislative Issue
Date: Thursday, November 08, 2012 10:05:02 AM
Attachments: [image002.png](#)

Yes, the draft program that is being considered by the local governing bodies in the region this month contains the position statement below. I have been highlighting this specific statement in my presentation to the local boards as well:

We oppose recommendations that would reallocate much of existing state transit assistance through a less efficient and less predictable one-size-fits-all formula.

From: Steve Carter [mailto:SCarter@nelsoncounty.org]
Sent: Thursday, November 08, 2012 10:01 AM
To: David Blount; Donna Shaunesey @ JAUNT
Cc: Candy McGarry; Debbie McCann
Subject: FW: Legislative Issue

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STATE OF THE SENIORS FY2011

The Third Annual Report to the Nelson County Board of Supervisors From the Senior Advisory Committee December 30, 2011

Senior Advisory Committee Mission Statement: to promote the well-being of Nelson County's seniors and those who care for them by identifying needs and issues as well as resources and solutions.

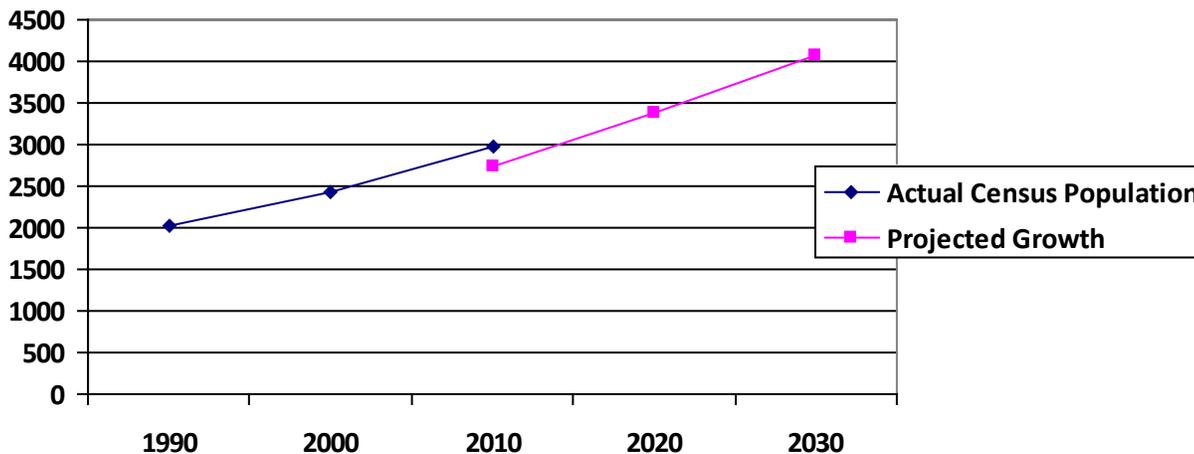
The purpose of this report is to draw attention to the status of seniors in the County and to familiarize the Nelson County Board of Supervisors with the issues facing seniors today and in the future.

Where We Are Now:

Statistics from 2011 U.S. Census Quick Facts

- According to this data the total population in Nelson was 15,097
- 3095 of the total population were seniors (65 and over)
- In 2011 seniors comprised 20.5% of the total population in Nelson

Nelson 65+ Actual and Projected Population Growth State Projections from Virginia Employment Commission



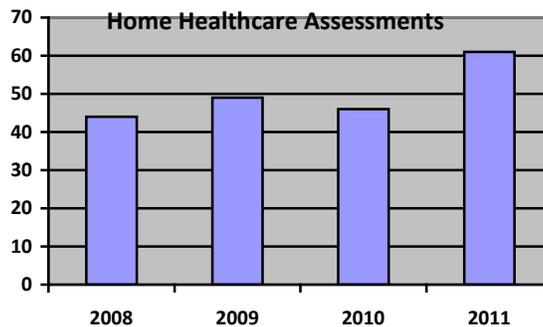


Dental

- BRMC’s Rural Health Outreach Program provided affordable dental care to approximately 32 seniors in 2011 through a voucher program

Health Care

- Nelson County has three primary care sites, all of which offer a sliding fee scale; the County is listed as an official “medically underserved area” primarily because of the distances residents must travel to get to specialty care and or hospital based care
- In 2011 BRMC served 1638 seniors, comprising 21.6% of their patient population
- According to the Nelson Volunteer Coalition approximately 325 trips were made to health care facilities which were not in Nelson
- The Nelson Senior Center provided 178 health promotion activities which include assessments, screenings, 36 health education, 34 physical activity and 83 therapeutic social recreational activities, a 16% increase over FY2010
- The Medication Assistance Program at BRMC has served 128 seniors in 2011, this represents a 22% increase over FY2010
- The Nelson County Health and Social Services departments provided 60 home healthcare assessments or screenings to seniors to evaluate their need for nursing home care and in home companion services (assisting with house-cleaning, grocery shopping etc.)



Meals

In FY11: 9824 meals were served to Nelson seniors: 50 Nelson County residents received 2,150 meals served at the Nelson Center, 915 at the Gladstone Center (including 50 meals delivered to shut in seniors), 807 at the Schuyler Center (which includes 279 meals delivered to shut in seniors), 1,225 at the Rockfish Center (including 22 meals delivered to shut in seniors) and 65 Nelson County residents received 7674 Home Delivered Meals in their homes

- JABA is required to meet the Virginia Department of Aging nutrition requirements for meals served at the Nelson Center as well as the JABA Home-Delivered Meals program

Housing

- Ryan School Apartments currently has seniors in 21 of its 32 affordable units. Seniors 60 and over compose 66% of the residency
- Lovington Ridge Apartments currently has seniors in 18 of its 64 affordable units. Seniors 60 and over compose 32% of the residency
- Rosewood Village at Wintergreen is a 55 and older community; of the 24 units available 14 are occupied

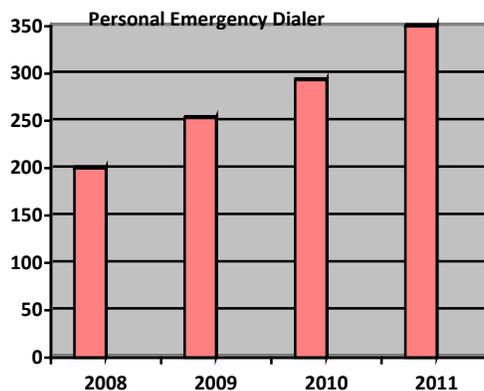
Home Care

- In FY11: JABA provided approximately 125 field visits to seniors to help ensure they had access to programs and services which assist them with home safety, nutrition, caregiver support, medication, dental and eye care, transportation, housing and other important initiatives which put senior concerns first and allows them to stay in their homes longer

Safety & Security

Personnel Emergency Dialers (PED) are a Nelson - TRIAD project
The recipient's cost is a one time fee of \$60.00

- Over 350 PED's have been installed by the Nelson County Sheriff's office in FY11; an increase of 19.45% over FY10



Transportation

- In FY11: JAUNT provided 5,269 trips to seniors
- Jaunt began providing additional routes to the senior centers in FY10 with the aid of a state grant and matching funds from JABA
- JAUNT services include three commuter routes (two to Charlottesville one weekdays and one to Wintergreen seven days/week), Monday-Wednesday-Friday service to Charlottesville, Monday-Tuesday-Thursday intra-county service, primarily to the senior centers. New in FY10 – a route connecting Charlottesville and Wintergreen that can provide service in the Rockfish Valley.
- The Nelson Volunteer Coalition helped approximately 271 clients in FY11; seniors composed 90% or 244 of the total clients helped in the county by the coalition



What's Needed This Year:

Health Care

- Affordable dental care that is integrated with primary care; there are many more seniors who are suffering from serious oral health problems
- BRMC has a goal of adding a six-operator facility on site by August 2012
- Improved and more affordable home-based services so that low-income seniors can “age in place” by remaining in their own residences longer
- Mental health services that cater to seniors
- Funding to sustain the Mobile Dental trailer program in Rockfish Valley

Meals

- Expanded meals programs at Nelson, Rockfish, Gladstone and Schuyler centers to allow more seniors to participate as well as attend more often
- JABA notes that seniors are now getting meals five days a week but need the full seven days. 2,563 additional home-delivered meals are needed as well as help with funding to meet meal cost increases

Housing

- An assisted living facility in Nelson
- Additional units of affordable housing are needed for seniors

Transportation

- More flexible services to reduce long waiting times after doctor visits, as well as to reduce long ride times
- Five day/week service to doctor appointments, etc. in Charlottesville
- Five day/week service to destinations within the County

Home Care

- At-risk seniors need monthly visits to help with bill-paying
- According to the Nelson County Department of Social Services, currently there are 16 seniors on the waiting list for companion services, a 128.57% increase over FY10



How Do We Get There?

We need to engage the entire community to work toward solutions for the growing population of seniors

Additional funding from the County can draw down more federal and state dollars to improve the lives of senior citizens



TRAFFIC ENGINEERING WORK ORDER

Southwestern Region

TO: Gerry L. Harter, P.E., PTOE
 DISTRICT: Lynchburg
 e-mail to Marie.Gibson@VDOT.Virginia.gov

FR: Don Austin
 DISTRICT: Lynchburg

Received By: (Name)	Don Austin	Location:	
Received From: (Name)	Nelson Co. BOS	Address:	
Phone #:		City, State, Zip:	

County:	Nelson	Subdivision:	N/A
Route:	56 & 29 South Intersection	Specific Location:	Route 56/29 South intersection SBL
Area:			
District:	Lynchburg		

Description of Request

Date: 05/11/12

Request intersection reviewed for safety: Ms. Glenda Cahoon is concerned with the sight distance at this intersection. She stated that the hill north of the intersection restricts sight distance. Board of Supervisors also asked about the possibility of No Double Stacking Signs in the crossover. (See Letter attached.)

Traffic Engineering Recommendation

Date: 09/14/12

Work Scope: A Traffic Engineering (TE) Review has been conducted in Nelson County at the intersection of Route 29 (Thomas Nelson Highway) and Route 56 (Tye Brook Highway), just north of the community of Colleen, to determine if any safety improvements are warranted. The citizen's concern is that the sight distance for southbound traffic on Route 29 to the intersection with Route 56 is inadequate due to the combination of vertical and horizontal curves.

Existing Conditions and Crash Data: Route 29, a Rural Principle Arterial road, is a four-lane divided highway, running in a north-south direction. At the intersection under study, Route 29 is equipped with left turn lanes for both approaches and a right turn lane for the southbound approach only. Route 56, a Rural Major Collector road, approaches Route 29 from the west, forming a T-intersection. Route 56 widens at the intersection, allowing for independent right and through movements, both of which are STOP controlled. There is a median crossover at the intersection, and a private road accessing a church, directly in line with the intersection, approaching from the east. Horizontal and vertical alignments are good on Route 29 approaching from the south, and fair approaching from the north.

The year 2010 Annual Average Daily Traffic (AADT) publication shows a volume of 16,000 vehicles per day (vpd) for Route 29, north of the intersection, and 14,000 vpd south of the intersection, while Route 56 shows 1,200 vpd. Route 29 has a posted 60 MPH Speed Limit, established by Commissioners Resolution, dated July 5, 2005, and Route 56 has a posted Statutory 55 MPH Speed Limit. Route 29 is equipped with Advance and Confirmatory Route Markers for Route 56. Route 56 is equipped with a Combination Curve/T-Intersection Warning Sign, STOP AHEAD and STOP Signs, as well as Stop Bars at the intersection.

The most recent three years of crash data available in VDOT's Roadway Network System (RNS) database, from January 1, 2008 to December 31, 2010, reveals that there have been seven reported crashes, resulting in seven injuries and \$41,300 in property damage at this intersection. Of these crashes, three were Angle

County:	Nelson	Subdivision:	N/A
Route:	56 & 29 South Intersection	Specific Location:	Route 56/29 South intersection SBL
Area:			
District:	Lynchburg		

Page 2

crashes involving a vehicle on Route 56 that failed to yield right of way to a vehicle on Route 29 southbound, and four were Roadway Departure crashes. Three of the four Roadway Departure crashes occurred under wet roadway conditions.

Analysis: In the area under review, the median width is approximately 50 feet and the crossover opening is 60 feet wide. The wide median allows for a two stage left turn for vehicles coming from Route 56, or from the left turn lane on Route 29 North. Measured sight distance to the intersection for Route 29 southbound traffic is approximately 690 feet to Route 56 and 605 feet to the crossover. The restricted sight distance is due to both horizontal and vertical curves. Sight distance for northbound traffic is approximately 1,945 feet to both Route 56 and the crossover.

Referencing the current version of the VDOT Road Design Manual, Stopping Sight Distance (SSD) at the posted 60 MPH Speed Limit is 570 feet, while Intersection Sight Distance (ISD) for vehicles crossing from Route 56 to the median, and vice versa, is 710 feet. Comparing these values to the field measured sight distances for the Route 29 southbound approach shows that there is adequate SSD, but inadequate ISD. Though the SSD is met and the crash data does not indicate that vehicles crossing Route 29 southbound from the crossover are having an issue, there is a possibility that additional sight distance could be gained for southbound traffic on Route 29 to the crossover if the berm in the median were lowered.

There was a recent fatal angle crash, occurring on April 2, 2012, whose crash information was outside of the available database discussed above. However, a review of this recent angle crash and the three abovementioned angle crashes, show that three of the four involved elderly individuals, including two octogenarians (drivers 80 to 90 years of age). Given the less than ideal sight distances along Route 29 southbound and the potentially reduced reaction time of elderly drivers, it would be beneficial to warn motorists of the approaching intersection along with an advisory safe speed.

Given the crossover width of 60 feet, it is possible for vehicles to double stack in this area, as suggested in the Description of Request portion of this Work Order. However this activity was not observed during any of the several field visits performed by the reviewer. It was noted that there are pavement markings dividing the crossover and limiting the lane width available to crossing vehicles, but these markings are partially obscured and faded.

The previously mentioned STOP Signs on Route 56 are 30" in size, and should be upgraded to 36" STOP Signs to conform to the latest version of the Manual on Uniform Traffic Control Devices (MUTCD), requiring 36" STOP Signs for side roads intersecting a multi-lane highway having a speed limit of 45 MPH or higher. Also the Stop Bars on this approach were faded and should be refreshed.

Recommendations: Based upon the above analysis, to improve safety at the intersection of Route 29 and Route 56 (Tye Brook Road), Traffic Engineering makes the following recommendations:

- Install 48" INTERSECTION SIDE ROAD Warning (W2-2R) Signs with 45 MPH Advisory Speed (W13-1P) Plates, on the right and left sides of Route 29 southbound, approximately 900 feet in advance of Route 56. This location was chosen to remain clear of existing signage along Route 29. No signs are needed for the northbound approach.
- Refresh the median-striped Pavement Markings in the crossover since they are partially covered and faded, to better highlight the center of the crossover and to deter any double stacking that may be occurring.

- Continued -



Southwestern Region

TRAFFIC ENGINEERING WORK ORDER

TO: Gerry L. Harter, P.E., PTOE
DISTRICT: Lynchburg
e-mail to Marie.Gibson@VDOT.Virginia.gov

FR: Don Austin
DISTRICT: Lynchburg

Table with 4 columns: Received By (Name), Don Austin, Location, Received From (Name), Nelson Co. BOS, Address, Phone #, City, State, Zip.

Table with 4 columns: County: Nelson, Subdivision: N/A, Route: 29 NBL and SBL, Specific Location: Route 29 from Oakridge Estates to Saunders Const. Co., Area, District: Lynchburg.

Description of Request

Ms. Cahoon requests that the speed limit be reduced to 45 MPH from Oakridge Estates to Saunders Construction Co. on Route 29 NBL and SBL. (See letter.)

Traffic Engineering Recommendation

Date: 09/21/12

Work Scope: A Traffic Engineering (TE) Review has been conducted in the vicinity of the Colleen community in Nelson County to determine if a speed limit reduction, or any other safety measure, is warranted on Route 29 (Thomas Nelson Highway). The limits of this study are from Route 669 (Bowling Drive), near Saunders Construction Co., to Route 653 (Oak Ridge Road), a distance of 2.55 miles.

Existing Conditions and Crash Data: In the study section, Route 29 is a four-lane divided highway that is classified as a Rural Principle Arterial road, running in a north-south direction. The horizontal and vertical alignments are fair to good. The pavement width is roughly 28 feet for each direction of traffic, and there are variable 2- to 8-foot grass/gravel shoulders. The median is approximately 58 feet in width. There are 8 intersections with state-maintained roads and a total of 10 crossovers along the 2.55-mile long studied segment.

Roadside development consists of 16 residences, 13 commercial buildings, 2 churches and 1 school. The commercial development is concentrated around the intersection of Route 29 and Route 655 (Arrington Road/Colleen Road), and there is construction underway to expand one of the commercial buildings in this area, namely the Blue Ridge Medical Center. The year 2011 Annual Average Daily Traffic (AADT) publication shows a volume of 16,000 vehicles per day (vpd) for Route 29 in the study section. Route 29 has a posted 60 MPH Speed Limit, established by Commissioners Resolution, dated 07/05/05.

The most recent three years of available crash data, from January 1, 2008 to December 31, 2010, reveals that there have been a total of 34 reported crashes in the study area, resulting in 12 injuries, and \$282,900.00 in property damage. The crashes are categorized as follows: 15-Angle, 10-Road Departure, 4-Rear End, 4-Deer Related, and 1-Sideswipe.

County:	Nelson	Subdivision:	N/A
Route:	29 NBL and SBL	Specific Location:	Route 29 from Oakridge Estates to
Area:			Saunders Const. Co.
District:	Lynchburg		

Page 2

Analysis: In accordance with Traffic Engineering (TE) Memorandum 365.0 - *Speed Limit Change Process*, for roads which have a posted speed limit established through a speed limit study, if there has been no significant change in crash history, traffic volume, roadside development, or road conditions since the previous study was performed, a full study does not need to be conducted and the posted speed may remain. The previous study performed in 2005, which established the 60 MPH Speed Limit, encompassed the entire length of Route 29 in Nelson County, a distance of 21.46 miles, which included the entire 2.55-mile segment of the current review. Given the longer road segment evaluated in the earlier study, variations along the road would tend to be tempered, or averaged out, more readily than in the shorter road segment under current review. This tendency was taken into account in the below analysis.

Based upon a review of current traffic volumes, roadside development, and road conditions, there has not been a significant change to any of these factors since the previous speed study. There was a significant increase in crashes, from a rate of **69** crashes per hundred million vehicle miles travelled, to a rate of **87**. While this value is still below the statewide average of **91**, and while it is likely that the higher rate is due to the shorter segment of road being evaluated in this review versus the earlier study (as discussed above), an analysis of the latest crash history was performed in an attempt to identify and address specific safety concerns along this road segment.

Of the 34 total crashes reported in the database, the 4 deer related crashes were extracted, leaving 30 crashes available for analysis. A crash location diagram of these 30 crashes (*see attached Crash Diagram*) reveals that there are two point locations which account for 18 of these crashes. The point location where the highest number of crashes occurred was at the intersection of Route 29 and Route 655 (Arrington Road/Colleen Road), with all of the 12 crashes at this location identified as angle crashes. The other point location having a high number of crashes was at the intersection of Route 29 and Route 56 (Tye Brook Road), where 6 crashes occurred; 4 were road departure crashes and 2 were angle crashes.

The Route 29/Route 655 Intersection was the subject of a recent safety review, completed in July 2011, which resulted in the installation of Stop Bars on the minor street approaches, Yield Signs and Yield Lines in the crossover, as well as installation and/or refreshing of directional arrow pavement markings and yellow centerlines in the crossover. Since this work was completed in 2011, and the latest available crash database does not yet include 2011 or 2012 crash information, the effectiveness of the above safety improvements cannot be measured at this time.

In addition to these improvements, there are dual-indicated WATCH FOR VEHICLES ENTERING Signs equipped with flashers, and 45 MPH Advisory Speed Plaques, approximately 1000 feet to the south of the above intersection for Route 29 northbound vehicles, and 1000 feet north of this intersection for southbound vehicles. Most of the commercial development along the studied area of Route 29 is included in this 2000-foot stretch of road.

The Route 29/Route 56 intersection has also been the subject of a recent safety review, completed in August 2012, which recommends several safety improvements, including the addition of Advance Intersection Warning Signs with 45 MPH Advisory Speed Plaques for Route 29 southbound approaching the intersection, the replacement of 30" STOP Signs with 36" STOP Signs, and the refreshing of Stop Bars at the intersection and centerline markings in the crossover.

-Continued-

County:	Nelson	Subdivision:	N/A
Route:	29 NBL and SBL	Specific Location:	Route 29 from Oakridge Estates to
Area:			Saunders Const. Co.
District:	Lynchburg		

Page 3

The remaining 12 crashes (30 total crashes minus the 18 crashes occurring at the above two intersections) are categorized as follows: 1-Angle, 6-Road Departures, 4-Rear End, and 1-Sideswipe. These 12 crashes were scattered along Route 29, with no perceivable crash pattern. Based upon this analysis, areas of crash concern have been adequately addressed.

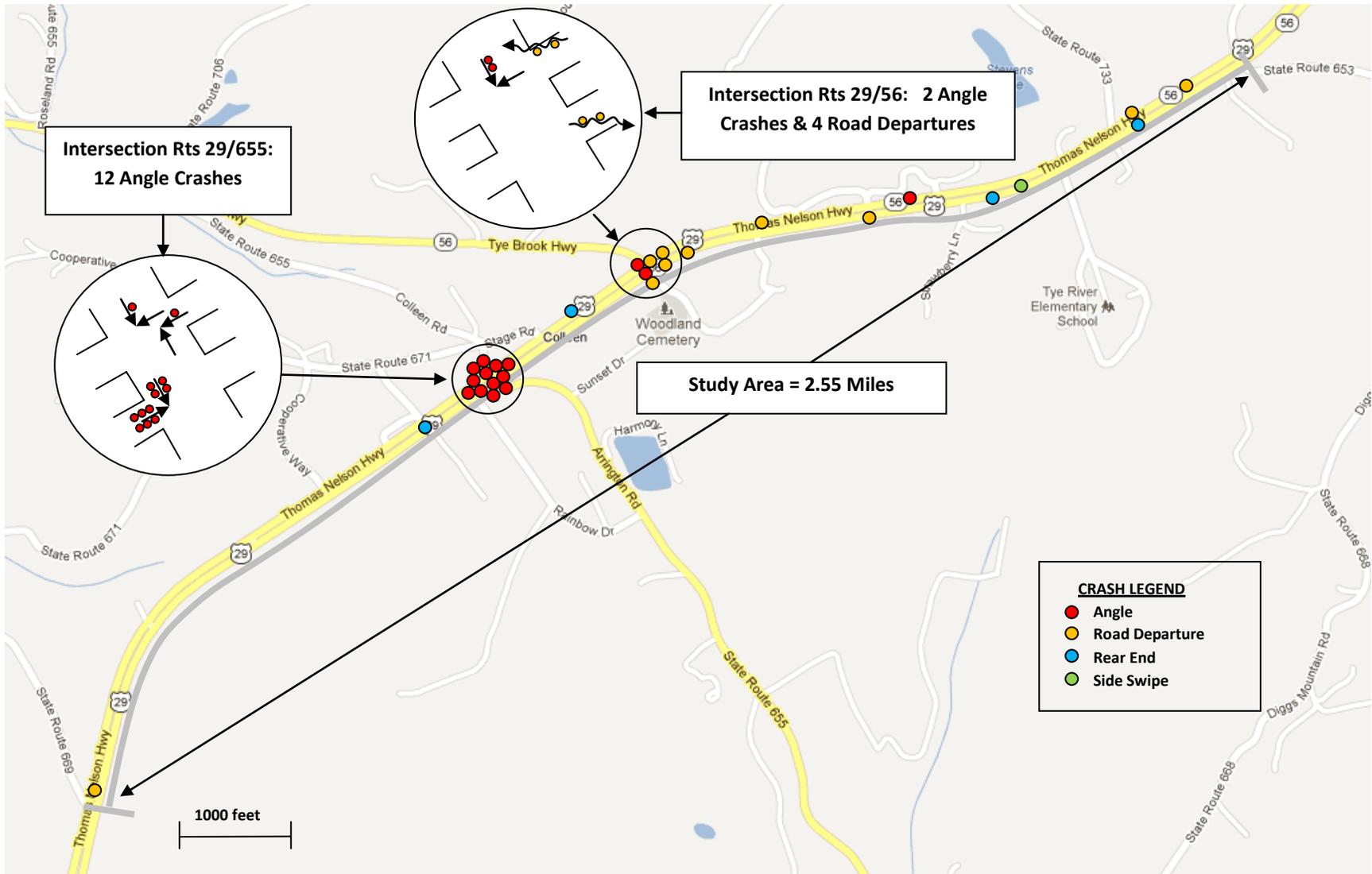
Recommendations: Based upon the above analysis and referencing TE Memorandum 365.0, a full study does not need to be conducted and the posted 60 MPH Speed Limit may remain, given that there have been no significant changes in traffic volume, roadside development, or road conditions since the previous study was performed, and crash concerns have been previously addressed.

RECOMMENDATION BY: Anthony D. Rago - Traffic Engineer – SWRO Lynchburg
 COMPLETED BY: William C. Field – Engineering Technician III

DATE RECOMMENDED WORK COMPLETED: Traffic Engineering Review Complete

Nelson- Route 29 from Route 669 to Route 653

Crash Locations



Document Number	Jurisdiction	Route Number	Crash Date	Crash Time	Day Of Week
80605053	Nelson County	29	1/17/2008	8:50	Thu
80505105	Nelson County	29	2/2/2008	13:10	Sat
80915442	Nelson County	29	2/8/2008	15:00	Fri
90355076	Nelson County	29	6/9/2008	13:27	Mon
91065085	Nelson County	29	8/31/2008	0:05	Sun
91075420	Nelson County	29	9/2/2008	5:08	Tue
91400034	Nelson County	29	10/22/2008	17:40	Wed
91470701	Nelson County	29	11/8/2008	18:20	Sat
91670866	Nelson County	29	12/14/2008	15:01	Sun
91940550	Nelson County	29	1/22/2009	17:14	Thu
92470152	Nelson County	29	4/17/2009	17:28	Fri
92541123	Nelson County	29	5/1/2009	15:55	Fri
92590929	Nelson County	29	5/6/2009	15:40	Wed
92690352	Nelson County	29	5/27/2009	9:05	Wed
92890047	Nelson County	29	6/6/2009	15:20	Sat
92940242	Nelson County	29	6/30/2009	14:00	Tue
93010400	Nelson County	29	7/10/2009	11:15	Fri
93040024	Nelson County	29	7/17/2009	12:57	Fri
93511087	Nelson County	29	10/24/2009	1:55	Sat
93510715	Nelson County	29	10/27/2009	15:32	Tue
100070627	Nelson County	29	11/5/2009	9:30	Thu
100980329	Nelson County	29	1/20/2010	8:00	Wed
101520009	Nelson County	29	4/4/2010	13:11	Sun
101470845	Nelson County	29	4/18/2010	11:50	Sun
101550152	Nelson County	29	5/5/2010	13:10	Wed
101880433	Nelson County	29	5/20/2010	10:50	Thu
101950278	Nelson County	29	5/29/2010	17:05	Sat
101820362	Nelson County	29	6/16/2010	13:46	Wed
102150047	Nelson County	29	7/2/2010	15:36	Fri
102180138	Nelson County	29	7/17/2010	13:30	Sat
103360098	Nelson County	29	10/10/2010	17:05	Sun
110110275	Nelson County	29	11/10/2010	13:15	Wed
110470557	Nelson County	29	12/16/2010	17:25	Thu
110470963	Nelson County	29	12/24/2010	20:00	Fri

Collision Type	Crash Severity	Roadway Alignment Type
4. Sideswipe - Same Direction	property damage crash	4. Grade - Curve
8. Non-Collision	injury crash	1. Straight - Level
2. Angle	property damage crash	1. Straight - Level
2. Angle	injury crash	1. Straight - Level
9. Fixed Object - Off Road	injury crash	2. Curve - Level
10. Deer	property damage crash	1. Straight - Level
1. Rear End	property damage crash	3. Grade - Straight
10. Deer	property damage crash	1. Straight - Level
9. Fixed Object - Off Road	property damage crash	2. Curve - Level
10. Deer	property damage crash	3. Grade - Straight
1. Rear End	injury crash	1. Straight - Level
9. Fixed Object - Off Road	property damage crash	1. Straight - Level
6. Fixed Object in Road	injury crash	3. Grade - Straight
9. Fixed Object - Off Road	property damage crash	1. Straight - Level
2. Angle	injury crash	1. Straight - Level
2. Angle	injury crash	1. Straight - Level
2. Angle	injury crash	1. Straight - Level
9. Fixed Object - Off Road	injury crash	3. Grade - Straight
10. Deer	property damage crash	3. Grade - Straight
9. Fixed Object - Off Road	property damage crash	4. Grade - Curve
8. Non-Collision	injury crash	4. Grade - Curve
1. Rear End	property damage crash	1. Straight - Level
2. Angle	property damage crash	1. Straight - Level
2. Angle	injury crash	3. Grade - Straight
2. Angle	injury crash	1. Straight - Level
2. Angle	injury crash	3. Grade - Straight
2. Angle	injury crash	1. Straight - Level
2. Angle	property damage crash	3. Grade - Straight
2. Angle	injury crash	1. Straight - Level
2. Angle	injury crash	3. Grade - Straight
2. Angle	injury crash	1. Straight - Level
1. Rear End	property damage crash	3. Grade - Straight
2. Angle	injury crash	4. Grade - Curve
9. Fixed Object - Off Road	injury crash	3. Grade - Straight

Light Condition	Roadway Surface Cond Type
2. Daylight	3. Snowy
2. Daylight	1. Dry
2. Daylight	1. Dry
2. Daylight	1. Dry
5. Darkness - Road Not Lighted	1. Dry
5. Darkness - Road Not Lighted	1. Dry
2. Daylight	1. Dry
5. Darkness - Road Not Lighted	1. Dry
2. Daylight	2. Wet
2. Daylight	2. Wet
2. Daylight	1. Dry
5. Darkness - Road Not Lighted	2. Wet
2. Daylight	2. Wet
2. Daylight	1. Dry
5. Darkness - Road Not Lighted	3. Snowy
5. Darkness - Road Not Lighted	1. Dry

STATEMENT BY GLENDA CAHOON MAY 8, 2012
TO NELSON COUNTY BOARD OF SUPERVISORS

Mr. Chairman and members of the Board, my name is Glenda Cahoon of Tye River. I would like to speak to you today about a serious matter concerning traffic accidents in our county and try to reach a solution to help protect our communities.

My friends daughter was leaving the Colleen area on her way home to Lake Nelson. She did not see a car approaching and pulled out into oncoming traffic which caused a very serious accident. The occupants of the other car had to be removed by the jaws of life and luckily all 3 people escaped serious injury. However, 10 days prior to that an elderly lady and her husband were struck by an oncoming vehicle in the same manner and in that case the accident was fatal. Another recent fatal accident occurred at the Food Lion intersection just the other day because the lady thought she had enough time to make the turn and a tractor trailer hit her.

These accidents are only a fraction of the number of accidents on our local roads. I propose the Board consult with VDOT and Va. State Police to prepare an accident study of the Colleen area from the SPSA Thrift Store all the way through to Saunders Construction in the past 2 years. If the speed limit is dropped from 60 mph down to 45 mph it would decrease the number of accidents in the area tremendously.

Tourist season is coming up and our local communities offer festivals around the county for locals to attend. Route 29 is very busy with commuters that do not slow down and are often speeding even in the Lovingston 45 mph zone. The suggested 45 mph speed limit sign in Colleen is ignored by 95% of traffic passing through that area. The locals are the ones that observe the speed limit because it is our friends and families being seriously injured in these accidents. Locals are in and out of all businesses in the Colleen area all day supporting Oak Ridge Estate, SPSA Thrift Store, Ronnie's Hair Design, Colleen Drive-In, Feed and Seed, Exxon, Hair dresser, Mays Tire, Cooperative Way, Saunders Construction and BRMC. Not to mention the turn to go onto Rt. 56 to Piney River. It is very hard to get into or out of these businesses that are VITAL to the southern end of our county and the residents of Shipman, Arrington and Tye River.

Traveling Rt. 29N to turn onto Rt. 56 it is impossible to get a clear view of oncoming traffic because of the hill blocking your view and it is what I call a “poke - n - hope” situation. You have to poke your nose out and hope any oncoming vehicles won’t hit you! This is the only southern entrance to Piney River or Roseland and residents of these communities need to feel safe doing normal business. A possible change there is as simple as sending equipment out and take down the small hill to increase vision tremendously.

I understand these measures are difficult to implement and a study needs to be started immediately to better understand exactly how many accidents and fatality statistics there really are in the Colleen area and what we can do to change the situation to protect our residents.

Enforcement of speed limits is also crucial to residents safety. Budget cuts have kept enforcement measures under funded for some time now. Traffic enforcement needs to be added to our county budget and income from issuing speeding tickets could help offset any additional cost. Only strong enforcement will make commuters and truckers slow down and obey our traffic laws.

Another idea that could be implemented is to use a few large vinyl signs to place in different areas to promote traffic safety to our local residents. I have had many people just pull right out in front of me no matter what speed I was traveling. An ad campaign could help with these folks. Simply state: “LOOK TWICE & SAVE A LIFE!” or “YOUR LIFE MATTERS, LOOK TWICE” or “SLOW DOWN AND ENJOY THE VIEW”. There are many simple phrases that could be used to implement an inexpensive and effective ad campaign that could result in a great reduction in accidents.

I leave this matter in the capable hands of your Board to discuss with VDOT and Va. State Police and our local Officers to find a solution to this situation AND reduce the speed limit to 45 mph from Oak Ridge Estate to Saunders Construction on both sides of Rt. 29 to protect our residents. Thank you for your time and this concludes my statement.

Google

START
45MPH

To see all the details that are visible on the screen, use the "Print" link next to the map.



End
45MPH

**835 Carter Hill Road
Roseland, Virginia 22967**

November 2, 2012

**Nelson County Board of Supervisors
P.O. Box 336
Lovingsston, Virginia 22949**

Re: Public Access Road – Carter Hill Road

Dear Sirs/Madam:

This letter is being sent to request that a posted speed limit or a “slow sign” be implemented regarding the Carter Hill Road due to the excessive speed by drivers on this strip of road. There are numerous children that play on this road and elderly drivers who are in fear of being run over.

If you have further questions regarding this matter, I can be reached by calling (434) 277-8733 or through correspondence at the above listed address.

Thank you for your consideration in this matter.

Sincerely,

Linda C. Meade

/dst

Registrar

Present Location: Basement of the Health Department

Proposed Location: TBD

Existing Area Occupied: 510 square feet Office Space, 128 square feet Voting Machine Storage, and 100 square feet for Preparation Storage (Total – 738 square feet)

Total Area Needed Today: 738 square feet

Growth Expectations and Total Area Needed by the Year 2015: 780 square feet Office Space, 160 square feet Voting Machine Storage, and 150 square feet for Preparation Storage, (Total – 1,090 square feet)

The existing Nelson County Registrar's Office is 510 square feet and contains a small public queuing area, the transaction counter, two workstations, a payment alcove, a small meeting room for the Electoral Board, and a toilet. The voting machine storage room is across the hall and is not included in the 510 square feet mentioned above.



By the year 2015 it is anticipated that the Registrar will need space for an additional person whether that person is part-time or full-time. There will also be a need for a fireproof ballot storage area, additional public queuing space, an access control counter with secure transaction window, and a door with access control features such as a remotely controlled electronic strike. There will also be a need for a small room where confidential discussions can take place, a slight enlargement of the Registrar's work area for improved internal circulation, a small files room or alcove, and a continuance of the Electoral Board's Meeting Room. The area increase associated with these new functions and improvements is approximately 270 additional square feet for a total Registrar's area of 780 square feet. This number excludes the voting machine storage room, which is also too small.

The Voting Machine Storage Room is currently 128 square feet and the Storage Room is currently 100 square feet. It is recommended that Storage space be increased to 150 square feet and the Voting Machine Storage Space be increased to 160 square feet. This will allow shelving storage on opposite walls with a clear and unobstructed width between shelves

Current Conditions

The Registrar's Office is located in the basement of the Health Department. Its current location is not an inviting one for the public and the disabled must enter at the opposite end of the building and maneuver through the basement to the Registrar's Office.

The queuing area at the public counter is too small and lacks any possibility of confidentiality. There is also a lack of security with ballots being in non-secure cabinets and the work area is small and cramped with files and boxes. The space would be more efficient if a files or storage room existed. The counter is not secure and the Registrar must allow the public to enter into the Registrar's space to view various maps. Due to a lack of space, the Electoral Board's Meeting Room must also serve as a lunchroom and storage room. The voting machine storage room leaks and is also too small to accommodate the future growth of the County.





4. Types of people who visit this department (e.g. customers, clients, trainees, vendors, etc) - frequency and number:

VOTERS, (TO REGISTER, OR VOTE ABSENTEE) PUBLIC FOR INFORMATION, VENDORS OR SALES PEOPLE, ELECTED OFFICIALS,

5. Adjacency requirements (which departments or positions need to be adjacent to this department and why?)

WOULD PREFER TO BE A DEPARTMENT THAT HAS THE DMN CONNECTION, I.E. TREASURER, COMMISSIONER OF REVENUE!

6. Spaces that can be shared with other departments (functional similarities)

~~None~~ - ELECTORAL BOARD

7. Required support areas (e.g. conference rooms, training rooms, library, parking spaces, etc) - approx. required size and special needs:

TRAINING RM FOR TRAINING OFFICERS OF ELECTION APPROXIMATELY TWICE YRLY. ROUGHLY 40-60 PERSONS.

8. Specific conference or training room requirements (e.g. furniture, # of people, television centering, audio visual, cabinets, etc)

VIDEO EQUIPMENT WOULD BE VERY HELPFUL, POWER POINT PRESENTATIONS,



9. Active storage requirements – active files only (e.g. cabinet type, space, combination, quantity, cabinet type(s))

FIRE PROOF STORAGE OF UN-VOTED + VOTED BALLOTS
AS WELL AS OTHER ELECTION RELATED MATERIALS.

10. Long term storage requirements – archive files only (e.g. secure, cabinet type, space with dividers, quantity, cabinet type(s))

SPECIAL STORAGE AREA FOR VOTING EQUIPMENT – CONTROLLED
CLIMATE

11. Special furniture and/or equipment requirements (purpose, description, size, weight)

12. Special security requirements (e.g. personnel access, records storage, monitoring, alarms, CCTV)

WOULD LIKE TO SEE COUNTY INITIATE A SECURITY SYSTEM W/
JD BADGES TO BE SCANNED, ETC.

13. Additional comments

DESIGN CALCULATIONS

ABSENCE VOTING - NO SPACE OR CONFIDENTIALITY @ Center
Lack of QUEING @ Center

Ballots in OFFICES - NEED MORE Security

ADD Security window - electronic lock

Too Cramped too Crowded

Back Room Electrical PANEL NEEDS
Also used to count Ballots

NEED Voting Machines MORE SECURE THEY ARE NOW
ACROSS Hall

H/C HAS TO COME TO BACK ROOM

Water leaks in Storage

DESIGN CALCULATIONS

REGISTRATION	EXIST	510	
PART TIME PERSON	60	60	
FIRE FIGHTER SCOR	20	20	
MORE QUANT @ CENTER		30	
Small Qty for Safely	80/multi	80	510
Elec BUDGET / BUDGET		1 incl	<u>240</u>
Work Room		50	750
Voting Machine Star Adj.			
COIC			
			Inches

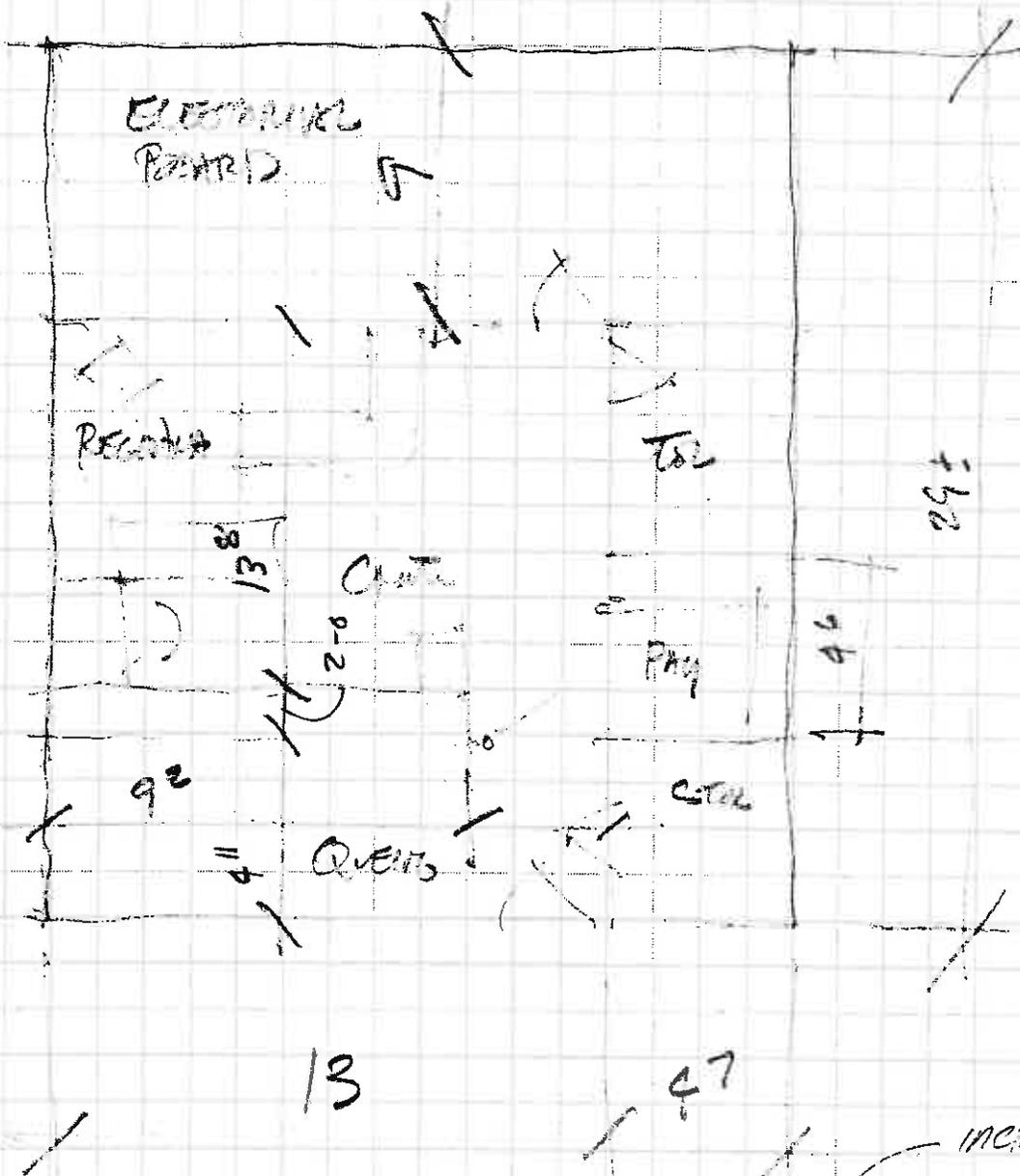
Registration 750 w/o VOTING MACHINE SCOR.

SAY 780 FOR INT CURC
 510

 270

DESIGN CALCULATIONS

138
 152



STORAGE ACCESS WAY - PREP FOR VOTING = $10' \times 9'3" = \pm 1000 SF$
 VOTING MACHINES = $8 \times 162 = \pm 1296 SF$
 (ADD shelves BT SIDES LL ACCESSIBLE $2 \times 16 \pm 32 SF$)

RUTHERFORD ENTERPRISES, LLC

571 Front Street
Lovington, VA 22949

Telephone (434) 263-8009
Fax (800) 947-0389

October 25, 2012

Re: Available Office Space for Lease

To Whom It Concerns:

Enclosed, please find the proposal for the newly renovated space. The areas to be leased are the four rooms as shown in the attached diagram, the loft above the rooms, the foyer, as well as access to a handicap accessible bathroom. The total square footage to be leased is approximately 1,550 square feet.

The total monthly amount for a one year lease would be **\$1215.00**. Included with this lease would be water/sewer and internet, unless the Nelson County Voter Registrar requires a separate internet service for security purposes. The only maintenance required of the county would be to clean the leased premises and repair any damage to walls or carpet that occurs while the County is leasing the premises. All outside yard maintenance shall be included.

The electricity bill shall be divided equally between the Rutherford Law Group, P.C. and the County. It will be the responsibility of the County to pay for its own telephone service. I am attaching for the County's review the previous year and a half of the monthly electricity usage for the building as a whole, this included heating and cooling the proposed leased premises prior to the current renovations.

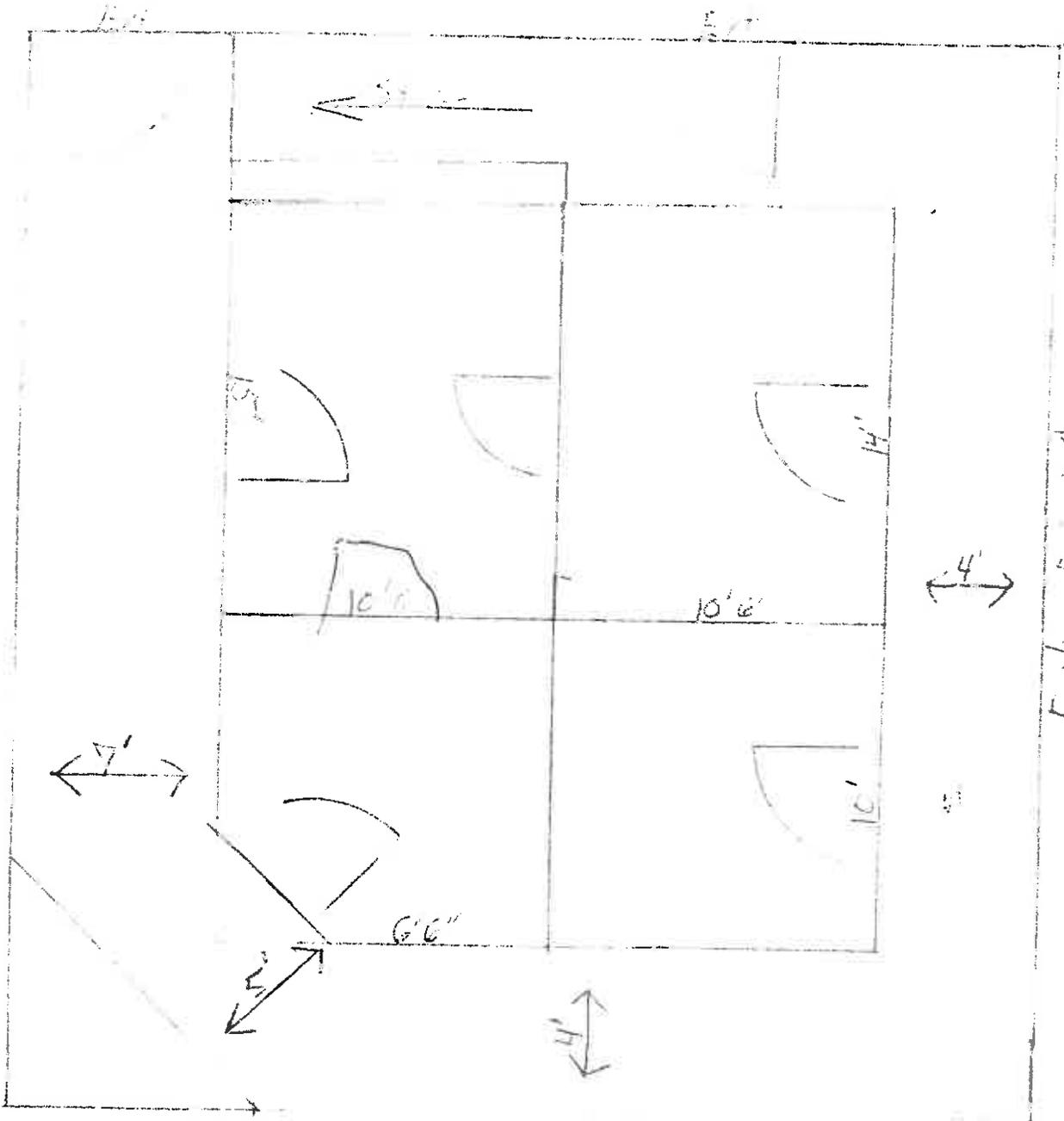
To ensure handicap accessibility to the leased premises, an appropriate ramp shall be installed to the main foyer leading to the leased premises, as well as to each room and bathroom. A handicap parking space shall also be designated, but if the County requires a paved surface for the space, such shall be the responsibility of the County.

As an incentive, if within the next thirty (30) days the County executes a lease, Rutherford Enterprises, LLC will make the minor renovations to the rooms as requested by the Voter Registrar, which would include installing a small window the entrance room, creating an opening, with a writing bar, so a sliding window can be installed, as well as installing a sink and vanity in the rear corner on the wall next to the bathroom.

Rutherford Law Group, PC
All Transactions for Appalachian Power
January through December 2012

Type	Num	Date	Account	Amount
Jan - Dec 12				
Check	1793	10/2/2012	10900 · Rutherford ...	-176.91
Check	1745	8/23/2012	10900 · Rutherford ...	-159.71
Check	1714	7/25/2012	10900 · Rutherford ...	-289.52
Bill Pmt -Check	1658	6/4/2012	10900 · Rutherford ...	-76.76
Bill		5/16/2012	20000 · Accounts P ...	-76.76
Check	1615	4/27/2012	10900 · Rutherford ...	-62.66
Check	1601	4/10/2012	10900 · Rutherford ...	-91.30
Check	1564	3/7/2012	10900 · Rutherford ...	-110.42
Check	1546	2/10/2012	10900 · Rutherford ...	-134.98
Check	1522	1/10/2012	10900 · Rutherford ...	-104.87
Jan - Dec 12				

Cub Creek Construction Inc.
56 Miles Lane
Faber VA 22938



Not to Scale

RUTHERFORD LAW GROUP
DANIEL L. RUTHERFORD
ATTORNEY AT LAW

571 Front Street • P.O. Box 5 • Lovingson, VA 22949
434.263.8009

dan@dlrutherfordlaw.com
www.DLRutherfordLaw.com

REQUEST FOR PUBLIC COMMENT

The Regional Cooperation Act, passed by the General Assembly in 1995, places great emphasis on the planning district commissions serving as a forum for discussion of regional issues and identification of ways to promote regional cooperation. The Code of Virginia, Section 36-139.7, requires that the Virginia Department of Housing and Community Development (DHCD) conduct a periodic review of the boundaries of planning districts. It requires that DHCD consider, at a minimum, the following criteria:

- recognition of communities of interest among the governmental subdivisions;
- recognition of common economic and market interests;
- ease of communications and commissioner travel time;
- federal metropolitan statistical area boundaries;
- a population base adequate to ensure financial viability;
- geographic factors and natural boundaries; and
- the wishes of the governmental subdivisions within or surrounding the planning district, as expressed by resolution of the governing body.

DHCD will conduct its review in two phases: a period of written public comment and, if warranted, public hearings.

WRITTEN PUBLIC COMMENT: This notice begins the period for written public comment. Letters should concisely address the need for retaining or modifying the current boundaries of a given planning district using the criteria outlined above or other factors that affect the viability or effectiveness of the planning district commission in carrying out its duties. The deadline for written public comment is **December 19, 2012**. Comments should either be emailed to susan.williams@dhcd.virginia.gov or addressed to:

Susan B. Williams
Local Government Policy Manager
Department of Housing and Community Development
Main Street Centre
600 East Main Street, Suite 300
Richmond, Virginia 23219

In the event that there are sufficient and compelling requests for boundary adjustments, DHCD will conduct public hearings within the affected planning districts. DHCD staff will consider all comments received through written responses and public hearings and, subject to the provisions of the Administrative Process Act, make adjustments to the boundaries of planning districts as it deems advisable.

Any such hearings will be advertised in local newspapers and notices will be sent to local government and planning district offices. The purpose of such hearings will be to gather information from local officials, organizations and residents as to why a boundary adjustment is warranted and the advantages such an adjustment would provide to each affected planning district in order to ensure that all affected parties have had adequate opportunity to share their views and perspectives on any proposed adjustment.

For additional information, please contact Susan Williams by regular mail at the address provided above; by email at susan.williams@dhcd.virginia.gov; or by telephone at (804) 786-6508.

Virginia's Planning District Commissions and Their Member Local Governments

Planning District 1 -LENOWISCO Planning District Commission

The counties of Lee, Scott and Wise; the city of Norton; the towns of Appalachia, Big Stone Gap, Clinchport, Coeburn, Duffield, Dunganon, Gate City, Jonesville, Nickelsville, Pennington Gap, Pound, St. Charles, St. Paul, Weber City and Wise.

Planning District 2 -Cumberland Plateau Planning District Commission

The counties of Buchanan, Dickenson, Russell and Tazewell; the towns of Bluefield, Cedar Bluff, Cleveland, Clinchco, Clintwood, Grundy, Haysi, Honaker, Lebanon, Pocahontas, Richlands and Tazewell.

Planning District 3 -Mount Rogers Planning District Commission The counties of Bland, Carroll, Grayson, Smyth, Washington and Wythe; the cities of Bristol and Galax; the towns of Abingdon, Chilhowie, Damascus, Fries, Glade Spring, Hillsville, Independence, Marion, Rural Retreat, Saltville, Troutdale and Wytheville.

Planning District 4 -New River Valley Planning District Commission The counties of Floyd, Giles, Montgomery and Pulaski; the city of Radford; Radford University and Virginia Tech; the towns of Blacksburg, Christiansburg, Dublin, Floyd, Glen Lyn, Narrows, Pearisburg, Pembroke, Pulaski and Rich Creek.

Planning District 5 -Roanoke Valley-Alleghany Regional Commission The counties of Alleghany, Botetourt, Craig, *Franklin and Roanoke; the cities of Covington, Roanoke and Salem; the towns of Clifton Forge, Buchanan, Fincastle, Iron Gate, New Castle, Troutville and Vinton.

Planning District 6 -Central Shenandoah Planning District Commission The counties of Augusta, Bath, Rockbridge, Rockingham and Highland; the cities of Buena Vista, Harrisonburg, Lexington, Staunton and Waynesboro; the towns of Bridgewater, Broadway, Craigsville, Dayton, Elkton, Glasgow, Goshen, Grottoes, Monterey, Mount Crawford and Timberville.

Planning District 7 -Northern Shenandoah Valley Regional Commission The counties of Clarke, Frederick, Page, Shenandoah and Warren; the city of Winchester; the towns of Berryville, Boyce, Edinburg, Front Royal, Luray, Middletown, Mount Jackson, New Market, Shenandoah, Stanley, Stephens City, Strasburg, Toms Brook and Woodstock.

Planning District 8 -Northern Virginia Regional Commission The counties of Arlington, Fairfax, Loudoun and Prince William; the cities of Alexandria, Fairfax, Falls Church, Manassas and Manassas Park; the towns of Dumfries, Herndon, Leesburg, Purcellville and Vienna.

Planning District 9 -Rappahannock-Rapidan Regional Commission The counties of Culpeper, Fauquier, Madison, Orange and Rappahannock; the towns of Culpeper, Gordonsville, Madison, Orange, Remington, Warrenton and Washington.

Planning District 10 -Thomas Jefferson Planning District Commission The counties of Albemarle, Fluvanna, Greene, Louisa and Nelson; the city of Charlottesville.

Planning District 11 -Virginia's Region 2000 Local Government Council The counties of Amherst, Appomattox, Bedford and Campbell; the cities of Bedford and Lynchburg; the towns of Altavista, Amherst, Appomattox and Brookneal.

Planning District 12 -West Piedmont Planning District Commission The counties of *Franklin, Henry, Patrick and Pittsylvania; the cities of Danville and Martinsville; the town of Rocky Mount.

Planning District 13 -Southside Planning District Commission The counties of Brunswick, Halifax and Mecklenburg; the towns of South Hill and South Boston.

Planning District 14 -Commonwealth Regional Council The counties of Amelia, Buckingham, Charlotte, Cumberland, Lunenburg and Prince Edward; the town of Farmville; Longwood University and Hampden-Sydney College.

Planning District 15 -Richmond Regional Planning District Commission The counties of *Charles City, *Chesterfield, Goochland, Hanover, Henrico, New Kent and Powhatan; the city of Richmond; the town of Ashland.

Planning District 16 -George Washington Regional Commission The counties of Caroline, King George, Spotsylvania and Stafford; the city of Fredericksburg; the towns of Bowling Green and Port Royal.

Planning District 17 -Northern Neck Planning District Commission The counties of Lancaster, Northumberland, Richmond and Westmoreland.

Planning District 18 -Middle Peninsula Planning District Commission The counties of Essex, *Gloucester, King and Queen, King William, Mathews and Middlesex; the towns of Tappahannock, Urbanna and West Point.

Planning District 19 -Crater Planning District Commission The counties of *Charles City, *Chesterfield, Dinwiddie, Greensville, Prince George, *Surry and Sussex; the cities of Colonial Heights, Emporia, Hopewell and Petersburg; the towns of Claremont, Dendron, Jarratt, McKenney, Stony Creek, Surry, Wakefield and Waverly.

Planning District 22 -Accomack-Northampton Planning District Commission The counties of Accomack and Northampton; the towns of Accomac, Belle Haven, Bloxom, Cape Charles, Cheriton, Chincoteague, Eastville, Exmore, Hallwood, Keller, Melfa, Nassawadox, Onancock, Onley, Painter, Parksley, Saxis, Tangier and Wachapreague.

Planning District 23 -Hampton Roads Planning District Commission The counties of *Gloucester, Isle of Wight, James City, Southampton, *Surry and York; the cities of Chesapeake, Franklin, Hampton, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, Virginia Beach and Williamsburg.

*The following jurisdictions belong to more than one PDC as indicated:

Chesterfield County - Richmond Regional PDC and Crater PDC

Charles City County - Richmond Regional PDC and Crater PDC

Franklin County - Roanoke Valley-Alleghany Regional Commission and West Piedmont PDC

Gloucester County - Middle Peninsula PDC and Hampton Roads PDC

Surry County – Crater PDC and Hampton Roads PDC

16 November, 2012

To: Board of Supervisors
From: S. Carter
Re: Registrar's Office (Relocation)

Staff has evaluated three potential locations for consideration of relocating the local Registrar's Office to enable the Board of Supervisors to then determine what will be done with the existing Health Department Building (i.e. renovation or demolition), as with the relocation of the Registrar out of the HD Building and notice (60 days) to the existing private dental practice the building will then be vacant.

Included herewith are the following:

1. Comparative table of three properties that are potential locations for the Registrar's Office
2. Report from Space Needs Assessment (Registrar's Office) from Space Needs Assessment Commissioned by Nelson County during development of the Courthouse Project
3. Letter from Mr. Daniel Rutherford, Esq. regarding "Available Office Space for Lease at 571 Front Street
4. Preliminary Floor Plan at 3rd Floor of Region Ten CSB Building on Tanbark Drive

Additional Comment(s):

1. Lease Amount – a) Rutherford Bldg. = \$1,215 per month (\$14,580 per year)
b) Gress Bldg. = \$1,400 per month (\$16,800 per year) Approx.
c) Region Ten = TBD based on build out and lease term

2. Building Official Comment(s);

a) Rutherford Bldg. – Determine inclusion of handicap parking space within rental agreement, as ownership of the proposed parking area is in full or part by others (the neighboring bank operation).

b) Gress Bldg: -Doors over stairway to basement; DWV drainage piping in garage does not have proper slope; No handicap restroom; single unisex restroom limits occupancy to 15 persons; No handicap access to all building functions (first floor or basement); No insulation in heated basement space; Residential HVAC system required opening windows for makeup air for occupants.

3. Staff Comment/Recommendation(s): Lease the Rutherford Building only if the Registrar concurs with a single 550 square foot (approximate) office space only, the parking and HVAC concerns are addressed and the lease term is one year with annual renewals (storage and meeting requirements would have to be met within the Courthouse facility). Alternatively, negotiate with Region 10 for build out of the third floor of the agency's Lovingson facility for use by the Registrar and, possibly, other County staff. A five year lease agreement would be required with the monthly/annual lease payment to be negotiated.

Either consideration would be conducive to a decision to renovate the Lovingson Health Care Center to a County office facility should the consultant's report on the feasibility of renovation the facility for use as an assisted living facility be determined to be not feasible.

COMPARISON OF VARIOUS OFFICES FOR REGISTRAR'S OFFICE							
					Gress	Region	Rutherford
					Building	Ten	Building
					86 Tan Bark Drive	71 Tan Bark Plaza	571 Front St.
Square Footage (actual enclosed office space)				975 per level	2, 400 (30 x 80)	550 (22 x 25)	
Square Footage Needed				1,237	1,237	1,237	
Are Training Space Requirements Available				NO	YES	NO	
Is Heat Available				YES	YES	Only Central	
Is Heat Zone Controlled				YES	YES	NO	
Is AC Available				YES	YES	Only Central	
Is AC Zone Controlled				YES	YES	NO	
Unisex Bathroom				NO	YES	YES	
Building Functions ADA				NO	YES	NO	
Water Fountain				NO	NO	NO	
Janitor's Sink				NO	YES	NO	
Private Parking Spaces				YES	Limited	NO	
Van Accessible Parking Space				NO	YES	NO	
Rental Unit Security (Limited/Secure after Hours)				NO	YES	YES	
Flood Plain				YES	NO	NO	
Moisture Control				YES	YES	YES	
Lighting				YES	YES	YES	
Natural Ventilation				YES	YES	YES	
Insulation				??	YES	YES	
COMMENTS: Gress Building- Only 11level is secure for operations,Bathroom have to be totally redone							
Region Ten - Building meets all requirements but does need to be built out to tenant specs.							
Rutherford - Top Floor Non Usable Space,No air conditioning directly to each office and							
parking constraints possible from bank.							

Registrar

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RUTHERFORD ENTERPRISES, LLC

571 Front Street
Lovington, VA 22949

Telephone (434) 263-8009
Fax (800) 947-0389

October 25, 2012

Re: Available Office Space for Lease

To Whom It Concerns:

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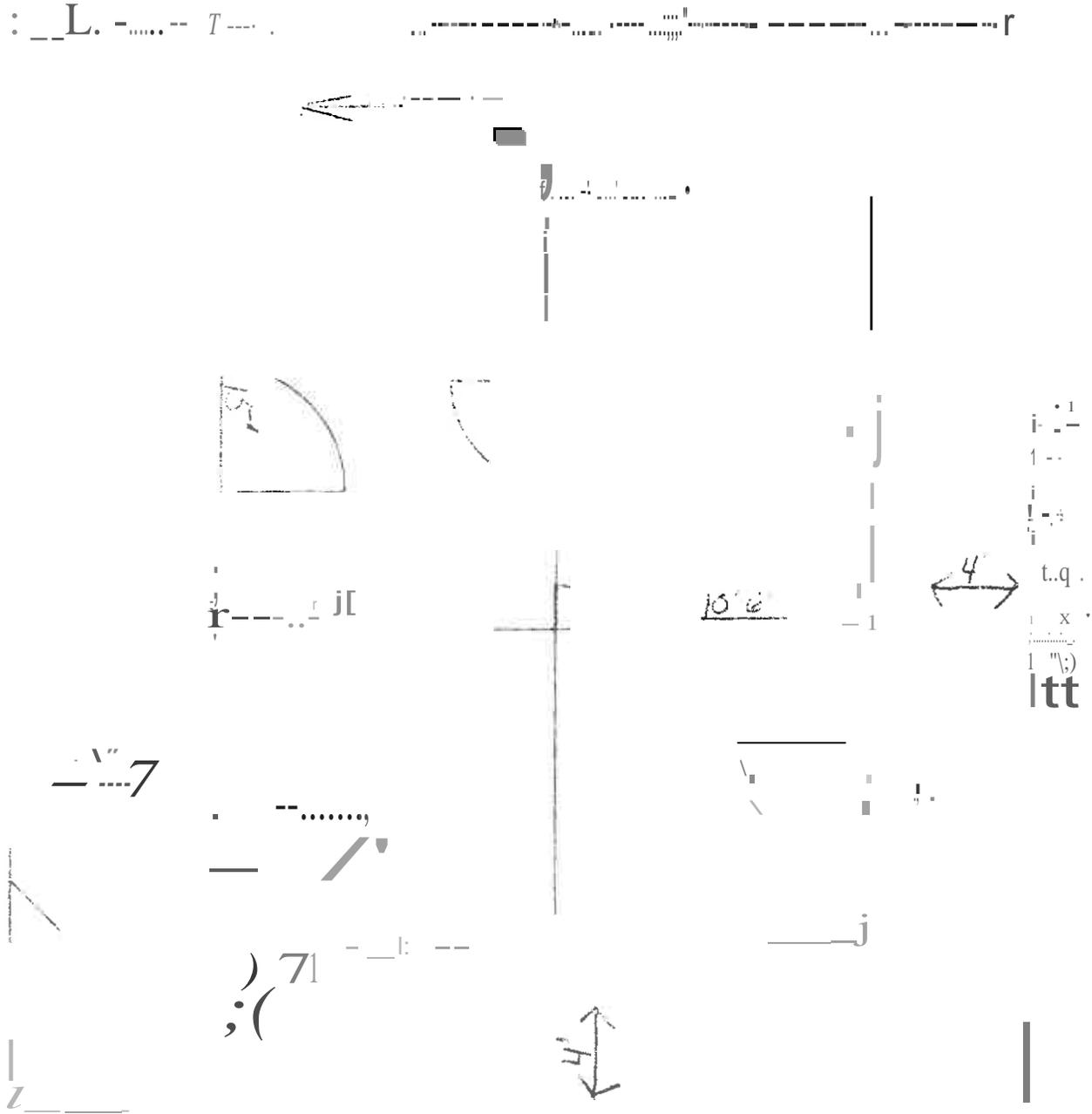
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Cub Creek Construction Inc.
76 Miles Lane
Br VA 22938



Not to scale

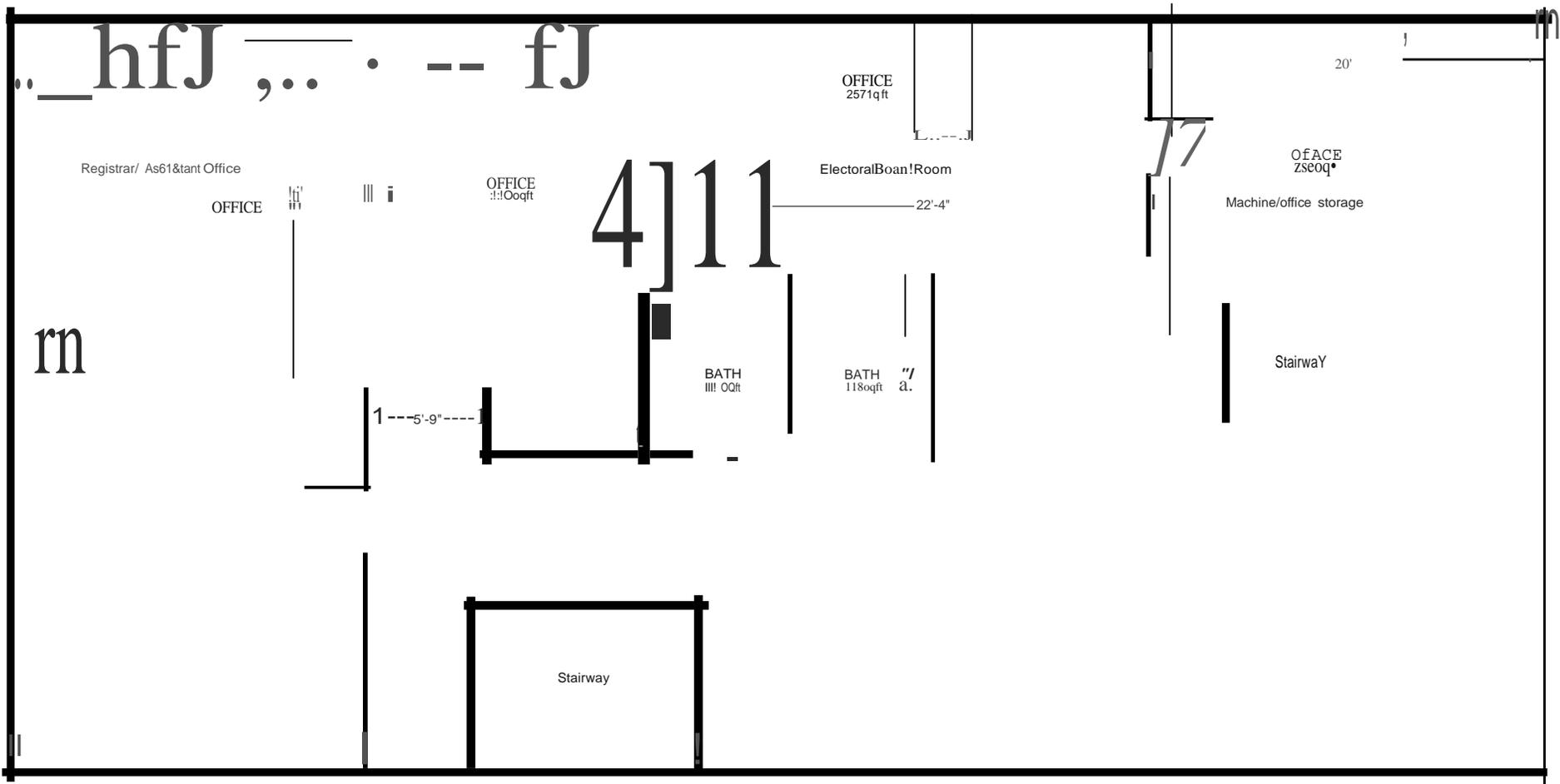
RUTHERFORD LAW GROUP
DANIEL E. RUTHERFORD
ATTORNEY AT LAW

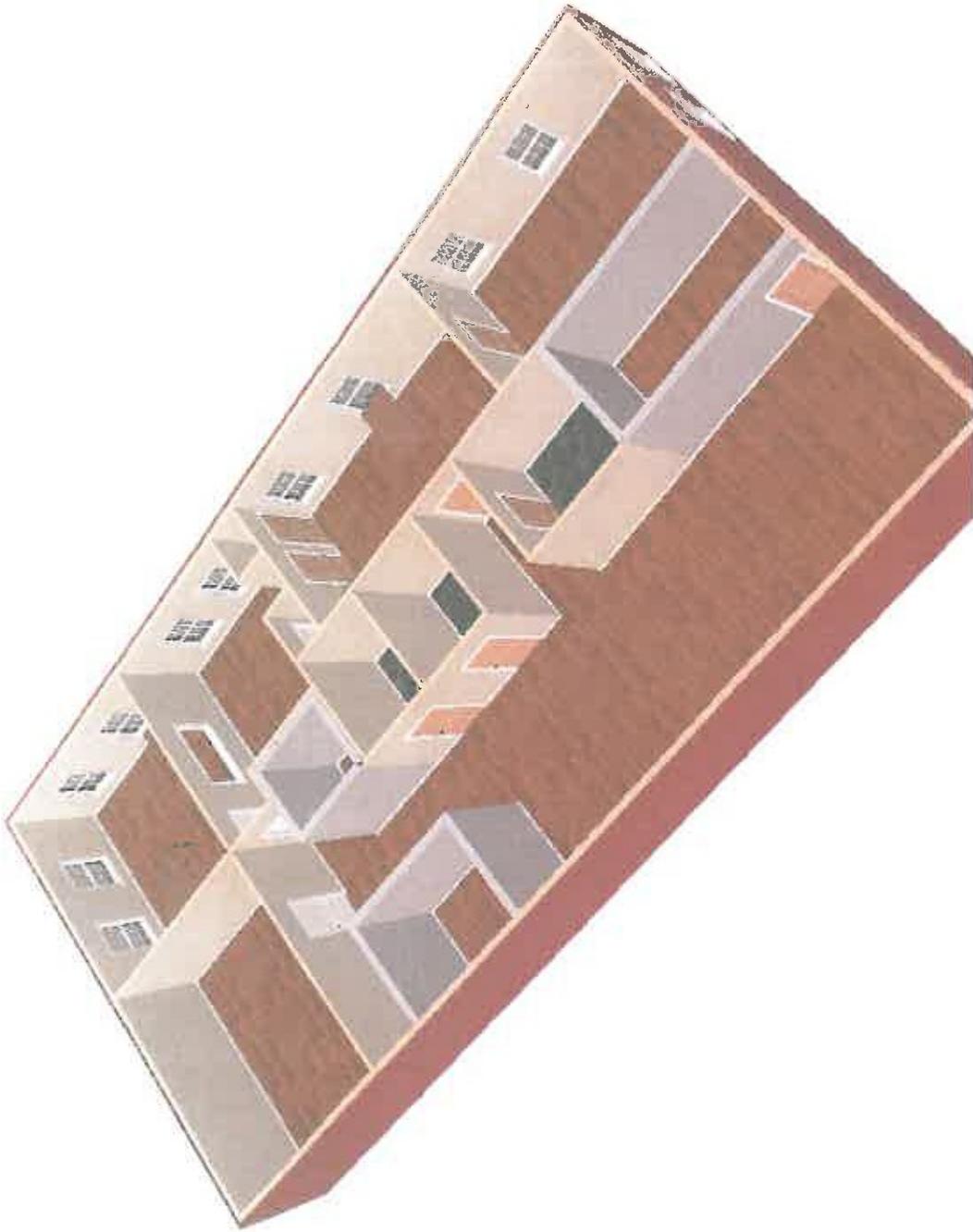


571 Fr-one Street • P.O.Box S • Lo,lag•toa, VA12,4!!
434.263.8009

dar.:qdlrutherfordlaw.com
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November 20, 2012

(1) New Vacancies/Expiring Seats & New Applicants :					
Board/Commission	Term Expiring	Term & Limit Y/N	Incumbent	Re-appointment	Applicant (Order of Pref.)
Board of Zoning Appeals	11/11/2012	5 Years/ No Ilmit	Gifford Childs	Y	No Applications Received
(2) Existing Vacancies:					
Board/Commission	Terms Expired	Term & Limit Y/N	Number of Vacancies		
Ag Forestal District Advisory Committee	5/13/2011	4 Years /3 Terms	1 Vacancy - Other Land Owner	N/A	No Applications Received
Economic Development Authority	6/30/2016	4 Years/ No Ilmit	1 Vacancy		No Applications Received
Keep Nelson Beautiful Council	12/31/2011	2 Years/No Limit	4 Vacancies	N/A	Elwood Waterfield
			Gail Roussos	TBD	
			Roger Nelson	TBD	
			Anne Colgate	TBD	
JABA Board of Directors	7/15/2012	2 Years / No Limit	Dr. Benjamin Brown	N	No Applications Received
N.C. Library Advisory Committee - West District	6/30/2012	4 Years / No Limit	Janet Ngai - West	N	No Applications Received



Nelson County Board of Zoning Appeals

Please return form to: County Administrator's Office
Attn: Candy McGarry - Appointments
P.O. Box 336
Lovingsston, VA 22949
Fax: 434-263-7004

Your reply may be sent by email to: cmcgarry@nelsoncounty.org

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

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

Printed Name: Gifford Childs

Signed Name: Verbal Confirmation Date: 11/5/12

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, 2012
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.



Nelson County Electoral Board

PO Box 292, Lovingston, Virginia 22949 434-263-4068
David McBee, Chair; Don Bailey, Vice-Chair; Lynne S. Simpson, Secretary

November 16, 2012

Nelson County Board of Supervisors
PO Box 336
Lovingston, VA 22949

Re: Shipman Precinct polling location

Dear Honorable Members:

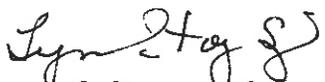
One of the duties of the Nelson County Electoral Board is to ensure the adequacy of county polling places to service the needs of both primary and general elections.

As the Board of Supervisors is aware, we have concerns about the ingress and egress to the Shipman polling location, as well as parking, and traffic safety around the building. The size of the building is less than adequate considering the number of voters utilizing the location, and the bathrooms are not Handicap accessible.

We have been offered the use of the Carriage House at Oakridge and the stipulations in the attached letter from Heather H. Goodwin are suitable to the NCEB. Therefore we are seeking approval from the Board of Supervisors to proceed with this move.

Thank you very much for consideration of this matter.

Respectfully,


Lynne S. Simpson, Secretary
Nelson County Electoral Board

Subj: **Election Location**
Date: 9/27/2012 8:57:41 AM Eastern Daylight Time
From: oakridge302@aol.com
To: larrya5819@aol.com
Good Morning!

I have finally received confirmation on the use of the Carriage House for the election in 2013. (Assuming that the requirements were the same as in my last discussion with the electoral board.) We can provide the need access a few days prior to for setup, storage for certain election materials for that location year round (in an area that is not climate controlled), the use of the parking lot and restrooms, use of one half of the ballroom area for polling. We would require that the electoral board provide floor covering in the area to protect the carpet (possibly a plastic sheeting) and insurance coverage protecting the owners. As stated last time this discussion was held, we would also limit the placement of any signs on the premises until the Monday prior to the election with all signs removed by that following Wednesday evening. The various parties/candidates would have space in the parking lot area for setup with no installation of stakes or any in ground supports for tents. Additionally we would be unable to provide electrical access to those setups.

I hope this provides adequate information to more forward with discussions with the electoral board and the BOS. We would suggest a meeting with the electoral board to review this proposal in advance of any BOS consideration to ensure that all parties are understanding the permit uses and restrictions related to using the facility.

Thank you for your continued service to our district of Nelson County!

Very truly yours,

Heather Goodwin
Oak Ridge Estate
2300 Oak Ridge Road
Arrington, VA 22922
(434) 263-8676
f-(434) 263-4168
info@oakridgeestate.com