

November 20, 2012

Virginia:

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

Present: Constance Brennan, Central District Supervisor
Thomas H. Bruguiera, 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
Tim Padalino, Planner
Paul Truslow, Maintenance Supervisor
Jacqueline Britt, Registrar
Carter Smith, Former Electoral Board Member

Absent: None

I. Call to Order

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

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

II. Consent Agenda

Mr. Hale noted that he had questions regarding items A and H of the Consent Agenda and the Board had the following discussion.

- A. Resolution – **R2012-77** Comprehensive Plan Amendments

Mr. Hale inquired about the funding used to pay TJPDC for their work on the plan and Mr. Carter noted that the Planning District had done the plan using rural transportation funding.

Mr. Hale then noted that the plan contained a lot of language about Route 29 dealing with bicycle travel and he thought that this did not reflect the County's priorities and both Route 29 and Route 151 had the greatest traffic. He added that the Facts section said that Route 29 had good sight distances both horizontally and vertically and he noted that this was not an accurate statement for certain highway sections in the county. He noted that specifically, from Muddy Creek to Lovingston going southbound there was a number of places where there was inadequate vertical alignment and the plan ought to be changed to reflect this. Members discussed this briefly and Mr. Hale concluded by noting he would like to see greater emphasis on removing the hazardous conditions on Route 29 in this discussion.

Mr. Harvey inquired of Mr. Boger as to whether or not there was a timeframe to approve the plan and Mr. Boger advised that there was not really and that staff wanted it to be right. It was noted that even though this was just a plan, the consensus was that it should more accurately reflect the transportation conditions in the county.

Members then briefly discussed that bicyclists take their lives into own their hands when traveling on Route 151 and Route 29. The Board's consensus was to work on it and Mr. Boger noted that he thought the Board could make changes without it going back to the Planning Commission but that he thought there was a ninety (90) day timeframe.

November 20, 2012

The Board then took no action and consideration of Resolution **R2012-77** was deferred.

H. Resolution – **R2012-86** Amendment of EMS Interest Free Loan Program

Mr. Hale noted that the current policy document had a series of things in it that were not currently in practice i.e.: payments. He suggested that if funds were available for needed equipment not apparatus or vehicles, that the single line be put in the policy for the lower range. He added that if the request was for over the \$60,000 range, it would likely be in the already established apparatus range.

Mr. Bruguiere explained that what was being presented was what the EMS Council voted on. Members briefly discussed the various loan thresholds and agreed by consensus that the EMS Council should review the current policy and bring back a revised document for the Board's consideration. Mr. Hale added that the thought that small loans should be exempt from the one (1) loan per year requirement and Mr. Harvey noted that it was intended that agencies not have two (2) of the same types of loans outstanding at the same time.

Mr. Harvey and Mr. Bruguiere advised that this would be discussed at the next EMS Council meeting.

The Board then took no action and consideration of Resolution **R2012-86** was deferred.

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

B. Resolution – **R2012-81** Minutes for Approval

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.

C. Resolution – **R2012-82** COR Refunds

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

November 20, 2012

\$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

D. Resolution – **R2012-83** FY13 Budget Amendment

**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
\$ 1,750.00	4-100-999000-9901	4-100-031020-7050
<u>\$ 10,597.00</u>		

E. Resolution – **R2012-84** VACoRP Line of Duty Act Trust Agreement

**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

November 20, 2012

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.

F. Resolution – **R2012-85** Wintergreen Rescue Squad Interest Free Loan

**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.

H. Resolution – **R2012-87** Acceptance of Conveyance – Massies Mill Recreation Center

**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.

III. Public Comments and Presentations

A. Public Comments

1. Glenda Cahoon, VTA Representative

Ms. Cahoon distributed and read aloud a prepared statement from Kenneth White, VTA President 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.

2. Clay Stewart, SCS

Mr. Stewart noted he was making a public statement on the Broadband Project in the County. He noted that he knew that supporting the project would reduce his client base but he did so based on the presumption that the County would be bringing in low cost fiber. He added that the project has run long and where it was today had him concerned as he thought the County has gone into the wireless and fiber business. Mr. Stewart then discussed the reallocation of USF funds from phone deployment to Broadband deployment and the thought this put the Broadband project at risk. He added he thought it also put the local companies at risk since one had to be a phone company to get these funds. He added that the Wireless Internet Service Providers (WISPs) were still fighting

this because Century Link had filed a petition to go after these funds in order to go and build DSL services. Mr. Stewart noted that he was facing healthy competition now and now has changed his mind regarding the Broadband project. Mr. Stewart advised that last mile government projects were failing and he did not think the County needed to be in the business of providing last mile services; however he previously supported the middle mile project.

Mr. Stewart also noted that he thought that the Verizon towers were going to affect the broadband leasing of towers and he felt that the Board did not fully understand what is available out in the county already through his company. He added that he had decreased his backhaul costs, was with LUMOS now and could get \$25 per MB in parts of the county and he was looking at expanding into Lynchburg. He noted how fast the wireless industry was changing and that with new technologies they will be more competitive with fiber and could handle larger business accounts. Additionally Mr. Stewart stated that the pricing for towers and fiber needed to be reviewed in order to support the local companies. He noted that he gives free internet to community centers, churches, and fire departments. He referred to the letters included in the County's grant application from former Congressman Perriello stating that there would be open access and he did not think it was open access if some companies could afford the rates and some could not.

3. Tony Mustain, Nelson Cable

Mr. Mustain noted he was speaking on behalf of Nelson Cable and that they were concerned about the rates for using the Broadband fiber. He noted that they had done a feasibility study to expand their cable TV system assuming they would be able to utilize the fiber to do so and now could not with the current pricing in place. Mr. Mustain then noted that Mr. McClellan was still interested in an opportunity to swap fibers with the County at Wintergreen and was hoping that the possibility still existed.

Mr. Harvey advised that while the Board of Supervisors was the Broadband Authority Board, he thought it would be more appropriate to discuss these issues with the Authority Board.

Mr. Carter added that the project was not overdue as its scheduled completion date was the end of February 2013 and the goal was to complete it on time. Mr. Carter then noted that Staff and the project consultants met with both parties, SCS and Nelson Cable ninety (90) days ago and they had noted at that time that they had no interest in working with the County. Mr. Carter reported that the towers were being completed and were available. He added that the Broadband rates were reviewed by many when they were proposed and they were set based on the premise that they were to sustain the network financially. He added that staff was aware that the rates may need to be adjusted but not yet and that the County had a company who would be providing services. Mr. Carter then noted that the concerns seem to be about competition and he reiterated that the County cannot dictate what companies charge end users for using their services on the network.

Mr. Harvey noted that the concern was to set up at a rate so it was affordable to the end user and Mr. Carter agreed that was ideal. He then noted that Nelson Cable has not been able to work with the County because they wanted to use fiber along the route to serve homes individually, which would consume all of the fiber. He suggested that the County get the network up and running, see who comes on board first and then re-evaluate. Mr. Carter then acknowledged that what Mr. Stewart said about USF funding was discussed at a conference in Fredericksburg and that he was right that Century Link was taking advantage of it. He then noted that the County could not do anything about whether or not they were able to come into the marketplace.

Mr. Stewart then reiterated that he did not agree that USF funding to Century Link would be good for the County and that if they came into Afton, it would kill the broadband towers there and they would cherry pick the best customers.

November 20, 2012

Mr. David Blount noted that the 2013 legislative program contained two (2) sections and six (6) priority items which were as follows:

- 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

He noted that some of these have been in place for a number of years now.

Mr. Blount then reported that the second section had ongoing policy conditions, contained requests for specific statements from localities, and were those that were not included in the priority highlights.

Mr. Blount then noted the First Priority focused on cost shifting and asked for the elimination of reductions in State Aid to Localities. He noted that the second priority focused on dedicated revenues for Transportation and opposed devolution. He added that there was a new statement opposing the reallocation of the new transit allocation formula and that Jaunt was concerned about this.

Mr. Blount then noted that the plan referenced alternate sewage system failures and this was included in the environmental quality section.

He then reported that the Legislative Forum would be held a week from Thursday and that there would be a VML Presentation that would drill down deeper into specific issues.

In conclusion, Mr. Blount noted that he would take questions and then he would seek the Board's approval of the program.

Ms. Brennan noted that under the Health and Human Services section, there was a statement relating to title IVE Foster Care that she had asked the Department of Social Services Commissioner about supporting and he had said he could not. Mr. Blount commented that some of these would be a battle.

There being no other questions or comments from the Board, Mr. Carter noted that Mr. Blount had done an outstanding job, the program was comprehensive, and he recommended the Board's endorsement.

Mr. Hale then moved to approve resolution **R2012-88** Approval of 2013 Thomas Jefferson Planning District Legislative Program and Ms. Brennan seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following resolution was adopted:

**RESOLUTION-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.

C. Presentation – State of the Seniors Report (F. Mitchell-JABA)

Ms. Mitchell provided the following report to the Board:

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

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

Ms. Mitchell noted that Radio Shack no longer had these in stock and due to this cost, there would be a wait list.

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-operatory 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

November 20, 2012

- 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

Ms. Mitchell noted this and that Ryan School Apartments was an independent living facility and that the County has had an increase in those needing companion services or 24 hour care.

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.

Following Ms. Mitchell's remarks, Mr. Bruguere asked if the group thought there was a need for an assisted living facility versus a nursing home in the County and Ms. Mitchell replied both were needed however there was currently no assisted living facility in the County.

Members briefly discussed the fact that Nelson would likely not get another nursing home because the beds were being moved to Charlottesville and they would have to get a Certificate of Public Need for this; which was unlikely. It was noted that these beds would have to be private pay and not Medicaid.

D. VDOT Report

There was no VDOT representative present to report; however the following issues were discussed:

In response to questions, Mr. Carter noted that the issues had been resolved with VDOT on the law office retaining wall.

Mr. Saunders reported that VDOT had repaired the sink hole on Arrington Road and they had done a good job.

Ms. Brennan inquired about the request to lower the speed limit between the stop light going south to the rescue squad building and members noted that this was discussed at the previous meeting, for which she was absent, and that VDOT had said that it could not be changed. It was noted that they recommended that the rescue vehicles go down and turn around.

Mr. Bruguere reported that he had several requests regarding widening the road on Tanyard Road next to the convenience center in Massies Mill. He noted that they could do some trench widening that would add several feet to the road. He added that he did not think that the bridge in his area needed to be replaced to the extent it was being done.

November 20, 2012

Mr. Harvey reported that he was working on opening up the overlook at Route 250 on Afton Mountain. He added that the property owner, Mr. Bud Carter was amenable to letting someone come in and cut the trees. He noted that there was a power-line in the way but that this could be worked around and he had someone who would maintain it going forward. Mr. Carter noted that he had requested this with the Lynchburg District office and Mr. Hale added that he thought that VDOT should take some stock in this including fixing the wall alongside it etc.

Mr. Carter noted that VDOT had submitted two reports concerning requests made from Ms. Glenda Cahoon and that for the first item; VDOT wanted the Board to endorse their recommendations.

Mr. Hale then noted VDOT's recommendations as follows and he stated that he would support these things:

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.
- Refresh the Stop Bars on Route 56, at the intersection.
- Replace the existing 30" STOP Signs with 36" STOP Signs on Route 56, at the intersection.

Mr. Carter noted that the second report submitted looked at a speed reduction from Oak Ridge Road to Saunders Construction and the recommendation was that nothing needed to be done there. Mr. Hale added that they had said that they had studied it once and nothing had changed since then.

Mr. Hale then moved to support the VDOT recommendations made for the Route 29 and Route 56W intersection and Mr. Saunders seconded the motion.

Ms. Brennan noted that she thought it was interesting that VDOT admitted that the sight distance coming south was not what it should be. Mr. Hale noted that they also said that if they got the funds, they would knock down the berm in the median. Mr. Bruguieri suggested that an acceleration lane going south would help and Mr. Harvey added that first an increase in the deceleration lane was needed going into the turn at Route 56 W.

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

Mr. Carter noted that there was also a letter from Linda Meade regarding posting a slow sign on Carter Hill Road. No action was taken by the Board.

IV. Old/New Business

A. Registrar's Office Relocation

Mr. Carter reported that Paul Truslow, David Thompson and Ms. Britt have been looking at three (3) potential Registrar's office locations: the Rutherford Building, the former Farm Bureau Office, and the third floor of the Region Ten office.

Mr. Carter then noted that he put together a one page comparative report that showed what was available at each location. He noted that in the Rutherford building, they could

November 20, 2012

not use the mezzanine level for an office; which reduced the usable square footage to 550 sq ft. He then noted that the old Farm Bureau building would require extensive rework and the Region Ten facility person had indicated they were willing to consider the build out of the third floor; however they would need a minimum of a five (5) year lease agreement. He added that a potential floor plan had been developed.

Mr. Carter then noted that he was not pitching any of the three options; but rather was providing information and he needed direction from the Board on how to proceed. He added that the Health Department would be moving out to Blue Ridge Medical Center in early December and that Dr. Criswell would vacate the premises with sixty (60) days notice.

Mr. Harvey inquired about the availability of the building across from the McGinnis Building and Mr. Carter noted that he thought it had been rented. Mr. Harvey added that it had the best access and parking out of all of the options.

Mr. Hale suggested that a lot depended upon whether this would be a temporary or permanent location and would affect the decision. He suggested that the current building would be vacated, the County had a proposal to renovate it, and it was his feeling that the potential was there to use that building at the lowest cost to the County. He added that the Registrar's office could return to it once it was renovated.

Mr. Saunders noted that Ms. Britt's office needed somewhere to go now regardless of it being temporary or not.

Mr. Hale expressed concern regarding the Region Ten building option of having to commit to a five (5) year lease and pay for renovations and Mr. Harvey noted that being on the third floor would be a deterrent to the handicapped and the parking was awful.

Ms. Brennan noted there was a lot to consider and that renovations of the current building could be a long time coming and she did not think a five (5) year lease was a concern; however she did not want to give them less space than they had now. She then questioned who would pay for fixing up the old Farm Bureau building.

Mr. Truslow in attendance was asked why they would not be able to use the mezzanine level at the Rutherford office and he noted that it was because it was not handicapped accessible and that this was required of all office space per the Uniform Building Code.

Mr. Carter Smith in attendance with Ms. Britt noted that while he was no longer on the Electoral Board, he still handled the voting machines and had worked with Ms. Britt on their space needs. He added that he had looked at all three of the options and that they could make any one of them work; however the question was how long they would be there. He noted that the Rutherford Office was too small; however could work temporarily if something permanent was coming down the pike. He added that he thought this was the County's opportunity to do it once and do it right. He then noted that there was enough space in the old Farm Bureau building, however it was close to what they had now and it would be tight. He then stated that he thought the Region Ten space could work better; however the two issues there would be how long they would be there and the cost.

Ms. Britt then offered that if they were going to be somewhere for four to five years, then the Rutherford office location was preferred. Mr. Truslow reiterated that the mezzanine level could only be used for storage. She then noted that the old Farm Bureau building was a better second option as the bottom floor had moisture issues and mold was present there. It was noted that the bathroom and entrance would have to be redone to be made ADA compliant. Ms. Britt then noted that if they were going somewhere for five or more years then their preference would be the Region Ten building.

Mr. Saunders advised that the old Farm Bureau building basement was not ADA compliant and it was in a floodplain; which would prohibit them from having offices on the lower level. Ms. Britt then acknowledged that they could use only the top floor.

November 20, 2012

Members and Ms. Britt then briefly discussed the Region Ten building space and Ms. Britt noted that she did not think that them being there would be a deterrent to its use. Mr. Saunders added that the costs to remodel the space were uncertain and Ms. Brennan agreed that they would like to get an idea of these costs.

Ms. Britt reiterated that she thought the decision hinged upon whether or not it was a long term or short term solution. Mr. Hale noted that he thought a principle consideration was that the office should be easily accessible and preferably in a publicly owned building.

In terms of location, Ms. Britt noted that during elections, they go to the Post Office several times a day and that parking was intensely used during these times; otherwise not so much.

Ms. Britt then advised that once a decision was made, her office would have to have Department of Justice approval of the move.

Members then discussed the use of the Rutherford building if the upper level were ADA compliant. Mr. Carter pointed out that the report noted that the parking there would have to be addressed due to the parking lot being owned by the bank. He added that there was one space for handicap parking that would be owned by Rutherford and the rest was owned by the bank. He then noted that in terms of the current building, the roof was still leaking despite the County's efforts to prolong its life.

Mr. Hale then inquired about the Registrar's storage requirements and whether or not the voting machines must be co-located with the office. Mr. Carter noted that there was County owned storage space below the Clerk's office where the equipment could be securely stored. Ms. Britt added that the storage space would need to be convenient but not necessarily in the same space as the office.

Mr. Hale noted that the Region Ten plan allowed for all of their needs and that if this option was pursued, there would have to be a lease from them. He questioned who would do the renovations and added he would be amenable to a full build out if they wanted to put anyone else over there.

Following this discussion the Board came to the consensus that they needed to get Region Ten cost information. Mr. Saunders supposed that 1,200 square feet would be used and the build-out would be expensive.

Mr. Carter suggested that the old court areas could be used; however it would be a long way for a person to come to get to the office.

The Board then asked Mr. Daniel Rutherford in attendance for his thoughts and he related the following. He noted that his building had a basement and that once he had a tenant, he would renovate the basement and it would have some conference areas. He noted it was handicapped accessible and he would put in rooms right off of the entryway. He suggested that then the Registrar's Office could trade leasing the mezzanine level for leasing space in the basement. He added that the handicap ramp was in and his office would be ready to be occupied.

In response to questions, Mr. Rutherford advised that the basement would begin drying in by January and then they would be studding it. He noted that the electricity was already in and the Registrar's electronics would be secure and dry there.

Ms. Britt noted that they would have to have separate secured storage and there were separate rooms available in the basement. She added that this space could work if they could have the additional space in the basement.

Members then revisited following up with Region Ten with Mr. Harvey noting he was not in favor of following up with them if it would cost anything. Mr. Saunders agreed and indicated that he did not think that space was ideal. Mr. Hale, Ms. Brennan, and Mr. Bruguere reiterated that they would like to see the information, which should not cost anything to get and they could have it at the next meeting.

November 20, 2012

Ms. Britt then reminded the Board that there would be a June primary and her office would be a polling place in April.

Shipman Polling Place Relocation:

Mr. Carter then noted the letter from the Electoral Board on relocating the Shipman polling place that could be discussed while Ms. Britt was present.

Mr. Saunders explained that this suggestion had come about from complaints about the current location. He added that The Carriage House was previously offered as an alternative before and was not accepted. Ms. Britt added that it would be a wonderful polling place and that safety was a concern at the Shipman Civic Center (American Legion Post) polling place.

Mr. Carter advised that every election, County staff has to go over and make improvements. He added that sometime around 2004, the County spent about \$10,000 at one time to improve it.

Mr. Bruguere noted that before the request to move was a political issue and that the Carriage House was more accessible to everyone. Ms. Brennan noted that her concern was that people be informed that the polling place has moved. Staff and Ms. Britt advised that if this happened, all of the voters in that precinct would receive new voter cards with the new polling place shown and it was suggested that a public hearing may need to be held. Ms. Britt noted that she brought a list of things that would have to be done if it were moved. Mr. Smith added that the suggested location was on the edge of the voting precinct and it was noted that polling places could not be combined due to uniformity regulations.

Mr. David Blount, TJPDC Legislative Liaison noted that there was enabling legislation in the legislative plan to allow precinct consolidation into voting centers. He added that any changes would have to go through Department Of Justice clearances and that they were asking for a pilot program that would be for just primaries. Ms. Britt added that some areas were not happy about the possibility of consolidation such as Montebello and Roseland.

It was then noted that staff would need to check to see if a public hearing on moving the polling place was required and it was reiterated that there was sixty (60) days minimum for Department Of Justice consideration. Members briefly discussed possibly holding a public hearing even if one was not required and they agreed to carry this forward to the December agenda. Ms. Britt confirmed that even if a decision were not made until January, there was still adequate time for this to be effective for the June primary.

B. TJPDC Boundary Line Review

Mr. Carter noted that after every census period, the Department of Housing and Community Development (DHCD) is required to send notice to governing bodies to see if they have any comments that could lead to a public hearing on boundary lines of the established Planning Districts. He added that the County had the option to seek membership in other PDCs but has always been aligned with TJPDC and the State criteria on population matches, and the County is in the same MSA as Planning District ten etc. He noted that the question was whether the Board wanted to comment on staying in or moving somewhere else.

Members briefly discussed commonalities between the County and Region 2000 PDC to the south and with the current PDC -TJPDC to the north. Mr. Carter suggested that the Board could revisit having a dual membership in both PDCs; however this could involve maintaining two membership fees. He added that the County had a good relationship with Region 2000 and they already kept the County in the loop.

Mr. Carter advised that the County would have to give comment immediately to DHCD by December 19, 2012 and they would then decide if a public hearing was necessary.

November 20, 2012

Members noted that they would lose the excellent services of TJPDC Legislative Liaison in David Blount if the County switched.

Mr. Padalino noted that the recognition of the commonalities in tourism and marketing areas was an important consideration as was the fact that daily commuter numbers were larger going towards Charlottesville than to the south. Members also acknowledged there were more students from the County going to PVCC in Charlottesville versus CVCC in Lynchburg and that the schools dual enrollment program was through PVCC.

Following discussion, the consensus seemed to be to not make any changes or comments and no action was taken by the Board.

V. Reports, Appointments, Directives, and Correspondence

A. Reports

1. County Administrator's Report

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

1) Courthouse Addition – Blair Construction has advised that it has retained A.L. Hudson Construction to complete the concrete repairs identified through the project punch list and confirmed by F&R. A meeting with Blair is pending but the punch list work is anticipated to be started by 11-26 with all corrective items complete by 12-31 (or sooner).

Mr. Carter noted that the entryway lights are on a sensor and have been an ongoing issue that is being addressed by Blair.

2) Courthouse Display: In process. A project meeting was held with Thayer Design on 11-16.

3) Courthouse Signage: In process. Acorn Sign Graphics has submitted its project cost estimate, \$29,218.25, inclusive of total signs, 251 (internal and external). Ensuing steps are County's acceptance and 4-6 weeks for delivery and installation.

Mr. Carter noted this estimate was within the budget of \$30,000 and unless the Board objected, staff was ready to go forward. There were no objections from the Board and Ms. Brennan confirmed that the sign design was great. Staff noted that they had provided a sample; however it had been loaned to Thayer Design to coordinate with their exhibit design.

4) Courthouse Retaining Wall (Law Office): In process. The major wall section has been completed including stamping and concrete coloring. Pending are a wing wall on the east side of the primary wall, curbing and installation of a new storm water drop inlet.

Mr. Carter noted this should be completed by December 12, 2012.

5) Treasurer's Office Remodeling: Complete.

6) Jefferson Building: A final renovation plan is pending Committee review.

7) Magistrate's Building: Completion of the exterior renovation and interior plastering by Price Masonry Contractors is projected within 2-3 weeks approximate. Staff plans to re-paint the existing metal roof, install new door, flooring, electrical, windows and HVAC (no completion date for this work is presently established but it will be as expeditious as possible).

Ms. Brennan noted that she would like to be involved in the flooring decision and Mr. Hale suggested installing guttering as well. It was agreed that the HVAC work would be put on hold and the Board would be included on these decisions.

November 20, 2012

B. Broadband Project: 1) Project Summary - Construction of the fiber network is approximately 100% complete; pending is fiber splicing to CAIs and the tower locations (this work is scheduled for the week of 12-10). Completion of the network's electronics by Calix is scheduled, tentatively, for the week of 12-17 (5 days if necessary) with complete network testing thereafter. The towers at RVFD and Martins Store are installed. The tower for Massies Mill is sited and in process (i.e. environmental review, soil testing, RFP issues on 11-21, local approval in process; 12-19 by Planning Commission and 12-20 by Board of Supervisors requiring a continued meeting from 12-11). Contracts for Network Operation, Co-Location and Service Provision are pending with two companies (only one of which would provide services; the other has a network of providers). Lumos has advised County staff that it will not be a services provider although this decision is being reviewed. Two additional companies have contracted County staff regarding tower use (Rockfish) and the fiber network (a meeting with the later to be conducted the week of 12-26). Staff will meet or conference (call) with USDA-RD/RUS's broadband staff the week of 12-26 to discuss possible funding opportunities for network expansion.

Mr. Carter noted that staff needed the Board to continue the December meeting until December 20, 2012 for a public hearing on the Massies Mill tower. He added that Calix would be coming back to install equipment on the north end and that he thought that the drops to the CAIs were in; however the ONTs at these locations may need to be installed.

Members indicated that they would like to be sure that the beneficiaries of the project were the end users.

Mr. Carter then noted that LUMOS management had changed and they had indicated that their business plan had changed and they were now not going to enter new markets. He noted that this was the reason they were now not going to be a service provider on the network. He added that Lumos was providing phone and internet services to the County; which would provide better service than using T1s. He noted that the County would have an IRU agreement and an amendment to the collocation agreement putting the County network on LUMOS's core network; providing redundancy.

In response to questions, Mr. Carter noted that CAIs were not obligated to hook onto the network; however they had indicated that once their present services expired, they would contract with a network service provider. He noted that they were not obligated to do so but this was part of the strategy in getting the grant. He added that the County was the primary anchor institution as was the schools and that the expectation was that the schools would be on the network once their long term contract expired. Mr. Carter then noted that the Library, BRMC, and RVFD have all indicated they would connect and they will have more bandwidth and reliability than at present.

Mr. Carter then reported that Blue Ridge Internetworks has purchased a circuit and they were negotiating a service provider agreement to become a service provider. He noted that he was also contacted by Shentel and would meet with them next week on becoming a service provider. He added that the expectation was that MBC would collocate in the hut and once this was done, their members would have access to provide services on the county's network. Mr. Carter explained that there was a standard service provider contract and the network was open access for all to provide services.

Mr. Hale noted his concern that local service providers would benefit from the project; however they did not want to pay the costs and the larger companies did not seem to want to do it.

Mr. Harvey referred to the VACO session on Broadband and that Franklin County had been the case study discussed. He noted that they had done a wireless only deployment and did not have any fiber in it. He added that he thought that the County had the best of both worlds in having both fiber and towers for wireless deployment; however he thought that there was a need to get out to the borders of the county.

November 20, 2012

Mr. Carter noted his agreement with Mr. Stewart in that the technology is constantly evolving and Mr. Harvey noted that he did not think there would be a point where fiber would not be needed as Mr. Stewart had suggested.

Mr. Carter then noted that the County was on the cusp of finishing construction and getting the network operational. He noted that at least one company would be on board to be a service provider and that the rates would be gauged and if they were not doing what the Board wanted, then they could be brought back for adjustment. Ms. McCann then added that the County had a Federal Grant responsibility whereas the established rates had to be market rates and they could not undercut the market.

Mr. Harvey suggested having a work session with all of the players. Mr. Carter noted that with Nelson Cable, there was less than a mile gap between the Martin's Store tower and their head-end and they wanted to connect that. He then related that his understanding was that Lumos was not a provider for them anymore there. He added that they wanted to secure all of the County's fiber and not pay for its use. Ms. McGarry noted that another reason that Nelson Cable did not want to use the network was that their current cable network in Lovingson was antiquated such that it could not be utilized with the County's fiber network and they were unwilling to make the capital investment to upgrade their infrastructure in order to be able to use it.

Mr. Harvey then remarked that anytime trenches were being dug, one should look at installing conduit and or fiber. Mr. Carter noted that it would be good for them to look at what might be the next expansion of the network as well.

2) Massies Mill Recreation Center: MMRCI has executed and returned the deed conveying the former school property (back) to Nelson County. Formal approval of the deed by the Board is included within the 11-20 meeting agenda. MMRCI also submitted a financial summary, which will be provided to the Board. And, MMRCI acknowledged that the balance of funding held on account by the organization will be transferred to the Millennium Group upon MMRCI's formal dissolution.

C. 2012 Radio Project (Narrow banding): The project's Contract Design Review (CDR) remains in process. This encompasses final equipment to be purchased, final design and overall installation (testing and startup). Completion of the CDR phase is ASAP. Overall project completion is projected to be August-September 2013. A letter has also been submitted to the FCC requesting a time extension for compliance with the 1-13 narrow banding mandate and is expected to be granted or, alternatively, the FCC may decide to establish a nationwide extension.

Mr. Carter advised the Board that the project was within budget at this point.

D. High Top Tower (Lease): Execution of lease agreements by the Nature Conservancy, VA Outdoors Foundation and WCVE is in process (agreement provided to all parties). The County and WCVE will then execute a lease agreement providing for the County's use of the tower.

E. Lovingson Health Care Center: In process. Howard & Assoc.'s preliminary report submitted to JABA and County staff (and by staff to the BOS). The final report is pending receipt and review.

Mr. Bruguiere suggested that staff find out from the consultant if there could be a regular nursing home here, meaning run by a private group and not Medicaid beds. He added that he thought assisted living would be more expensive.

F. Norwood Historic District Project: In process. Public informational session conducted on 11-15 (St. James Baptist Church). Completion date is by 6-30-2013.

G. 2014 General Reassessment: In process.

H. Stormwater Program (Local): Nelson, Louisa counties and TJSWCD awarded \$50,000 grant by DCR for local program development. Respective staffs met the week of

November 20, 2012

11-12 to finalize grant project scope. An RFP was then issued by TJSWCD for consultant service. Upon consultant selection the local project team will work to establish a local, possibly regional storm water program, inclusive of local government and VA-DCR approvals. Program approval is required by 6-30-14 for commencement on 7-1-14.

Mr. Harvey noted that he attended a session on this at the VACO conference and he related that this was going to be a nightmare and would be very prohibitive to development due to there being a lot of bonding involved and eternal maintenance of practices.

I. Blue Ridge Medical Center: Local VDH unit's relocation to BRMC will be delayed for several days in early December but is expected to be completed in early December 2012.

J. Trail Projects: 1) **BRRT** – Craddock=Cunningham retained to provide AE services for the project. The project is in process. 2) **BRT** – The US Dept. of the Interior has awarded Nelson County a National Park Services Rivers, Trails and Conservation Assistance Program, which entails technical planning assistance to the County by the NPS for the Tunnel Project (see attached). A final decision on the County's application for \$2.0 million (approximate) in funding from the federal Dept. of Transportation's Federal Transit Assistance Division (Paul S. Sarbanes Transit in the Parks) is pending with a decision anticipated after the first of 2013.

K. Emergency Services: Staff is working with Nelson Rescue and Wintergreen EMS towards the installation of bedrooms for 24x7 operations at Nelson's Station 2 facility. Input from the Building Official on this initiative has been submitted to WG EMS with a request that it facilitate a revised construction drawing for the project (WG utilized a local AE to develop an initial drawing). If this is not workable then County staff will immediately undertake this work.

L. Future Meetings: 1) **TJPDC Legislative Meeting** – November 29, 6 – 8 p.m. at TJPDC in Charlottesville (BOS input on attendance requested). 2) **Town Hall Meeting** – Central and North District Supervisors at RVCC on 12-5 at 7 p.m.

M. Financial (RVCC): The community center received roof damage in 2007 (shingle loss) which was repaired by volunteers. The County filed an insurance claim with VACORP and received \$8,513.12 for the damage, which RVCC requested "be held for work to be done in the future (see attached)". RVCC has recently made inquiry about the funding noting that it plans to replace the shingle work. The consideration is approval by the Board of the disbursement of the insurance proceeds to RVCC.

Mr. Bruguere moved to approve \$8,513.12 in insurance money received for roof damage in 2007 to go to RVCC. Mr. Hale seconded the motion and there being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

N. Personnel: 1) **Animal Control** – Mr. Ron Markin decided to leave employment with the County after a short tenure (six weeks.). Mr. Markin's exit interview was very positive with regard to his employment with the County and it is understood that he is relocating out of the Central VA area. Concurrent with Ron's decision, County staff Ms. Theresa Brooks, a Corporal in the Sheriff's Department was interviewed (Theresa was an initial applicant for the position) and accepted the position, beginning her duties on 11-1. 2) **Recycling Coordinator** – Mr. Patrick Parrish has been temporarily filling this position. Input from the Board is requested on staff proceeding with filling this vacancy (it is a part-time position) or other direction the Board may have on the position.

Mr. Harvey suggested moving forward with filling the position and said it would be hard to recruit a part time person. Mr. Carter noted he was not sure there was enough work for a full time position and Mr. Harvey and Mr. Hale disagreed.

Mr. Hale noted that this department had the largest number of employees in it and was a lot to deal with in addition to the greater opportunities to be explored with recycling.

November 20, 2012

Mr. Carter noted that the County was paying a little over \$13 per hour for this position and Ms. McCann advised that staff had a job description that could be used. Mr. Harvey then suggested bringing on someone part time and then discussing making it full time during the budget sessions.

Mr. Carter noted that Mr. Parrish was still doing the scheduling as of now and that the attendants were currently being paid around \$9 per hour.

Mr. Hale inquired as to whether or not the County was required to advertise to fill its positions and Mr. Carter indicated it was. He then added that the EMS Coordinator position was filled by promotion from within; which was done by the policy that allowed for advertising internally and promoting from within. He then noted that if there was no one with the required qualifications internally, then the positions were advertised publicly.

Mr. Hale noted that he thought the position ought to be publicly advertised as a part time position; keeping it in mind to go full time at some point.

Mr. Bruguere added that most of the analytical work and getting the system set up was done when Susan McSwain was here. Ms. Brennan noted that she wanted to see the same reports that Susan McSwain would have been doing since she left that were in the job description. Mr. Carter noted that these could be resumed and was one reason why the current person was transitioning back into the field.

2. Board Reports

Mr. Bruguere reported that he attended three sessions at the VACO conference:

1. Agri-tourism – Discussed that seven counties were applying for grant money to promote public access to farms.
2. Finance – State Budget Director gave some budget numbers and noted that Virginia could lose 250,000 jobs and was the number one state for military spending.
3. Mandates – The Governor got rid of thirty (30) state mandates; however the General Assembly put sixty (60) back in.

Mr. Hale reported that he attended a session on tax reform at VACO where Senator Emmitt Hanger talked about the need for reform in Virginia. He added that the Governor had indicated the need to index the gasoline tax and a series of excellent ideas were discussed such as collecting internet sales tax.

Mr. Hale reported attending the TJPDC meeting where there was trouble with the HUD grant that was discussed.

Mr. Hale reported that as far as the NCSA, he had spoken to George Miller prior to the meeting and he had noted that the pumping station at Wintergreen and the water tank were near completion. He added that one of five pumps had been installed and that he thought they would start making snow the first week in December with the tank available on the 12th.

Mr. Hale reported that a Crozet Blue Ridge Tunnel Foundation meeting was held and a Supervisor from Augusta County attended and was enthusiastic. He noted that there were attending Supervisors from Albemarle, Nelson, and Augusta Counties.

Ms. Brennan reported on her attendance of the VACO conference:

Ms. Brennan attended the Department of Social Services issues sessions and noted the complications with the Comprehensive Services Act (CSA) and Title IV E. She noted that Commissioner Brown attended and related a whole new feeling that state departments wanted to work closely with local DSS offices. She noted that for example,

November 20, 2012

the Regional Director would come and train the local DSS Board members. She added that there were new computer programs being implemented to help with Medicaid applications and new computer eligibility programs to determine client eligibility. She then noted that CSA was complicated and she would put together a report on the specifics; however they could look forward to a better program. She added there was not a lot of accountability up to now.

Ms. Brennan then reported her attendance of the VACO Board meeting where they looked at the legislative program that VACO was putting forward. She added that Senator John Watkins had put together a transportation program proposing a gas tax on wholesale gas prices that would result in a .14 increase and then to counteract this, they would reduce income taxes; which was well received by VACO.

Ms. Brennan then noted that her term on the VACO Board was over and that no one wanted to be the representative on the Board so she may be reappointed.

She then reported on the local DSS Board meeting that day noting there was nothing new there except they would be hiring to fill a position that someone was leaving. Ms. Brennan then inquired as to advertising these positions on the County's website and noted that they could provide contact information to be posted.

Mr. Saunders reported also attending the VACO Stormwater Management session; which he noted was scary and he thought was over regulation. He then reported that he attended a "How to Hire Personnel" session by mistake and then the closing session.

Mr. Harvey reported attendance of some VACO sessions including the one on Stormwater Management. He agreed with Mr. Saunders that it was scary and implementation and ongoing maintenance would be expensive. He added that there would not be a retrofit requirement and there would still be problems.

Mr. Harvey then reported on the Broadband Session attended and noted that there would be a lot of help out there for the County and staff would be able to get help.

Mr. Harvey then noted that overall he was disappointed in the conference and next year would like to see the programs offered prior to signing up. He added that there was no EMS session or GIS session and attendees could only go to a maximum of three (3) sessions whereas they could go to six (6) in the past. He noted that there was no one in the opening sessions and he felt bad for the speakers. In conclusion he noted that the NACO speaker was excellent.

B. Appointments

Ms. McGarry noted that the only appointment for consideration was the expiring seat on the Board of Zoning Appeals held by Gifford Childs. She added that Mr. Childs had indicated he wished to be reappointed and that no other applications had been received. She then noted that this would be a recommendation by the Board to the Circuit Court.

Mr. Bruguere then moved to recommend to the Circuit Court that Gifford Childs be reappointed to the Board of Zoning Appeals and Ms. Brennan seconded the motion.

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

Mr. Saunders then noted that while these were not done by district, the South District was not represented on the BZA.

C. Correspondence

There was no correspondence considered by the Board.

D. Directives

Ms. Brennan directed staff to resume the 2x2 meetings with both the School Board and Wintergreen. Mr. Saunders, Mr. Bruguere, Mr. Hale, and Mr. Harvey had no directives.

VI. Other Business (As May Be Presented)

Introduced: Closed Session

Mr. Harvey indicated the need for closed session to discuss a personnel matter.

Mr. Hale then moved that the Nelson County Board of Supervisors convene in closed session to discuss the following as permitted by Virginia Code § 2.2-3711(A) (1): discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body.

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

The Closed Session was held and upon its conclusion, Mr. Saunders moved to come out of closed session and Ms. Brennan seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

Upon entering public session Mr. Saunders moved that the Nelson County Board of Supervisors certify that, in the closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed under the provisions of the Virginia Freedom of Information act cited in that motion.”

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

Introduced: Employee Bonuses

Ms. Brennan moved to provide Full- Time County employees with a \$500 bonus, Part-Time County employees working over 20 hours with a \$300 bonus, and Part-Time County employees who work less than 20 hours per week with a \$150 bonus.

Mr. Hale seconded the motion and the Board had the following discussion.

Mr. Bruguere noted that the Board was waiting on a request from the School Board before considering this for them.

Mr. Hale noted that the Board had indicated a preference to have uniformity and there was a level understanding of this; however this Board could not dictate this even if it was preferable that separate things were not going on. He noted that the Service Authority Board had authorized a bonus for employees and the Board now had a motion to do so for County employees. He added that they recognized there were hard times for many citizens and businesses; however County employees have had many tasks this year connected with Broadband and the new Courthouse and he thought it was appropriate.

Mr. Bruguere then clarified that the Department of Social Services employees were not being lumped in with County employees and Ms. Brennan noted that their Board had voted earlier that day to do whatever the County did.

Ms. McCann then asked whether or not this bonus would be done the same as the last one and Mr. Harvey noted that it would not and that the bonus amount proposed was gross before taxes.

Mr. Saunders then noted that he thought that the bonus was deserved; however with the economic situation nationwide and with the state and county unemployment, he thought it reflected poorly on the Board to raise taxes and then give out bonuses and he could not support it.

November 20, 2012

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

VII. Adjournment – The Evening Session Has Been Cancelled

Mr. Harvey reiterated that there would not be an evening session and Mr. Saunders moved to adjourn. Ms. Brennan seconded the motion and there being no further discussion, Supervisors voted unanimously by voice vote to approve the motion and the meeting adjourned.