

December 10, 2019

Virginia:

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

Present: Jesse N. Rutherford, East District Supervisor
Thomas D. Harvey, North District Supervisor – Vice Chair
Ernie Q. Reed, Central District Supervisor
Thomas H. Bruguere, Jr. West District Supervisor
Larry D. Saunders, South District Supervisor – Chair
Stephen A. Carter, County Administrator
Grace Mawyer, Administrative Assistant/Deputy Clerk
Candice W. McGarry, Director of Finance and Human Resources
Robert Barton – South District Supervisor Elect
David Parr – West District Supervisor Elect

Absent: None

I. CALL TO ORDER

Mr. Saunders called the meeting to order at 2:03 pm, with all Supervisors present to establish a quorum.

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

II. CONSENT AGENDA

Mr. Harvey moved to approve the Consent Agenda and Mr. Rutherford 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:

- A. Resolution – **R2019-48** – FY19-20 Budget Amendment

**RESOLUTION R2019-48
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF FISCAL YEAR 2019-2020 BUDGET
NELSON COUNTY, VA
December 10, 2019**

BE IT RESOLVED by the Board of Supervisors of Nelson County that the Fiscal Year 2019-2020 Budget be hereby amended as follows:

A. Appropriation of Funds (General Fund)

| <u>Amount</u> | <u>Revenue Account</u> | <u>Expenditure Account</u> |
|---------------------|------------------------|----------------------------|
| \$2,703.96 | 3-100-001899-0005 | 4-100-91030-5621 |
| <u>\$500,000.00</u> | 3-100-002404-0040 | 4-100-91030-5665 |
| \$502,703.96 | | |

B. Transfer of Funds (General Fund Contingency)

| <u>Amount</u> | <u>Credit Account (-)</u> | <u>Debit Account (+)</u> |
|--------------------|---------------------------|--------------------------|
| \$15,000.00 | 4-100-999000-9901 | 4-100-91030-5642 |
| \$300.00 | 4-100-999000-9901 | 4-100-13010-3007 |
| \$7,000.00 | 4-100-999000-9901 | 4-100-13010-1010 |
| \$500.00 | 4-100-999000-9901 | 4-100-13010-5201 |
| \$3,500.00 | 4-100-999000-9901 | 4-100-13010-5401 |
| \$5,300.00 | 4-100-999000-9901 | 4-100-13010-5413 |
| \$1,300.00 | 4-100-999000-9901 | 4-100-13010-5501 |
| \$500.00 | 4-100-999000-9901 | 4-100-13020-1003 |
| <u>\$1,958.00</u> | 4-100-999000-9901 | 4-100-13020-5203 |
| \$35,358.00 | | |

III. PUBLIC COMMENTS AND PRESENTATIONS

A. Public Comments

1. Angie Branham, Gladstone VA

Ms. Branham spoke in support of making the county a second amendment sanctuary county. She stated her grandfather, father, and others would be rolling in their graves if they knew our current governor was trying to take our guns. She added if guns are taken away from law abiding citizens, the criminals will not give up theirs.

2. Ernest Pannell, Faber VA

Mr. Pannell spoke in support of making the county a second amendment sanctuary county. He stated there is solidarity in this room and noted that the Constitution was written for a reason hundreds of years ago. He noted that constituents are asking the Board to do what is in support of what the people are asking.

3. George Nicklas, Afton VA

Mr. Nicklas spoke in support of making the county a second amendment sanctuary county. He stated that by voting in favor of the resolution, this county will become a second amendment sanctuary county along with over 50 other counties, and 19 are deciding this today. He noted this will send a strong message to our representatives in Richmond that we will not stand by idly as they proceed to take away our Constitutional rights. He stated he has read Senate bill 16, which was pre-filed on November 18th, and will come before the General Assembly on January 8th. He recommended everybody read and understand this Senate bill.

4. Franklin Harvey, Lovingston VA

Mr. Harvey spoke in support of making the county a second amendment sanctuary county. He stated he believes it is wrong to be told by Richmond that we can't have a gun and asked what would happen if someone were to break into our homes.

5. Don Heres, Schuyler VA

Mr. Heres stated he is representing the Facebook group he created 3 weeks ago concerning this subject. With what is happening in Richmond, he noted he decided to take a stand at least publicly through social media, and as of this morning, the group has over 700 members who have joined and voiced support for making the county a second amendment sanctuary. He spoke of the peaceful rally held outside the Courthouse last night, whereas over 200 people attended. Mr. Heres stated that we are under attack from within and need to take a stand, and people in this room are showing that they are going to stand forth and fight what's going on in Richmond. He asked the Board to consider this subject very seriously.

6. Don Truslow, Afton VA

Mr. Truslow spoke in support of making the county a second amendment sanctuary county. He noted there is usually only one person on duty in the Sheriff's Office during the midnight shift. He stated this is a big county, and for somebody to not have some type of weapon to protect themselves, the deputy on duty cannot always respond to a residence quickly.

7. Charles Brown, Shipman VA

Mr. Brown spoke in support of making the county a second amendment sanctuary county. He stated he is a staunch believer of the Constitution of the United States of America and our rights as free citizens of this great nation. He urged the Board to stand firm in the belief of what freedom and democracy means. He noted the proposed bill of 2020 is a direct attack to our second amendment rights and also noted his disappointment in Mr. Reed's comments in the Nelson County Times on December 5th.

8. Bill Plyler, Afton VA

Mr. Plyler noted he has been a gun owner for more than 60 years and also has had a concealed carry permit since 2007. He asked the Board to not take any action on this resolution and noted the text of the initial proposed resolution failed to disclose all the court cases that it cited, and it also cited the right of the country and the state to propose reasonable regulations. He stated reasonable regulations are needed, and nobody is going to take anybody's guns away. He then noted this resolution has been changed 3-4 times today, and it is not something the Board needs to act on today. Mr. Plyler stated the right of the people to own and bear arms is adequately protected by the second amendment. He again asked the Board to table this action until such time as the governor and legislators have the opportunity to act.

9. Al Weed, Lovingson VA did not come forward to speak.

10. Thomas Nelson, Jr., Roseland VA

Mr. Nelson spoke in support of making the county a second amendment sanctuary county. He noted as of today, there are 24 Senate bills related to weapons, and 18 of them are considered to be taking away gun rights.

11. Jonathan Silverman, Lovingson VA

Mr. Silverman spoke in support of making the county a second amendment sanctuary county.

12. Hanri Kaya, Afton VA

Ms. Kaya spoke in support of making the county a second amendment sanctuary county. She noted that she and her husband own Zenith Quest in Afton, which is a firearms company. She stated that she moved to the U.S. from South Africa 20 years ago and learned to shoot when she was 6. She grew up in a very tumultuous time in her country whereas people lived behind 6-foot walls with burglar bars on every window and door. She stated it is even worse today, and everyone was and is touched by violence, especially that of kidnapping, rape, and murder. Ms. Kaya noted that the rest of the world envies the U.S. Constitution. When her government in 2000 enacted new gun control laws, it made 400,000 firearms illegal and destroyed by the police. Today, her people are vulnerable and defenseless. She added this is why the most important label she carries is that of a U.S. citizen and the responsibility that comes with it. She stated the problem is not guns but rather hearts, homes, and schools without God, and if we do not uphold the second amendment, the first amendment will fall thereafter.

13. Larry Stopper, Afton VA

Mr. Stopper thanked Mr. Saunders and Mr. Bruguire for their years of service on the Board of Supervisors. He then noted that the premise that those who oppose this resolution are in the minority in Nelson County is false. He added that while the Board members as public officials have every right to protest the passage of unconstitutional laws, it's the courts and judges who decide what is constitutional.

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Mr. Stopper stated that the only person in this room who has influence in these areas is Sheriff David Hill, who he trusts will follow his oath and enforce the laws of Virginia. He urged the Board to reject the resolution and go back to the business for which they were elected.

14. Dan Magan, Lovingston VA

Mr. Magan spoke in support of making the county a second amendment sanctuary county. He noted he is aware that this is a ceremonial act, and ultimately, it does not mean that if laws are passed in Richmond, they won't be enforced. He stated this is not about hunting or wildlife preservation; it is about tyranny and the preservation of a republic. He added that first, statues needed to go because they were deemed offensive, and now, it's guns because they intimidate. He warned that the church is next.

15. Chris Barksdale, Nellysford VA did not come forward to speak.

16. Darrell Lang, Shipman VA

Mr. Lang stated the law that protects us the most is the first amendment clause 5, which says that no state will make laws contra to the Constitution. He questioned the use of the word "sanctuary" and stated the real threat is Mark Herring, the attorney general of Virginia, rather than the change in the General Assembly.

17. Elwood Waterfield, Arrington VA

Mr. Waterfield stated the Board, Sheriff, and Commonwealth Attorney are all corrupt.

18. Eleanor Amidon, Afton VA

Ms. Amidon asked the Board to table the resolution. She stated she has nothing against people who have guns and she believes in the Constitution. She noted that right now, there is no law that is impinging on anyone's rights, and this resolution is premature. She stated that one thing that could be done now which would make sense would be getting gun safety classes into the high schools; that would make students responsible and respectful of what they have.

19. Mason Pickett, Charlottesville VA

Mr. Pickett spoke in support of making the county a second amendment sanctuary county. He stated that in Charlottesville, the mayor doesn't stand for the Pledge of Allegiance. He noted they know socialism because they know it by a book or professor. Mr. Pickett stated he lived in Cuba for 220 days and knows socialism, adding that these bills are a slippery slope.

20. Joyce Burton, Afton VA

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Ms. Burton stated that the concept of tabling the discussion is a valid one given the fact that there are people lined up outside who cannot get in to the courtroom. She added that this discussion should be happening in a larger forum. She stated that passing a symbolic resolution like this simply inflames passions and further divides the community, and she is opposed to Nelson County joining the second amendment sanctuary movement. She added that she hopes the Board will choose a more moderate path and reject this resolution.

21. Janet Hunter, Schuyler VA

Ms. Hunter asked the Board to not vote on the second amendment resolution at this time. She suggested waiting to see what actually comes before the Legislature and then ask the citizens to contact Senator Deeds and either Mr. Fariss or Mr. Avoli to support or oppose specific legislation as it is officially drafted.

22. Paul Cangialosi, Gladstone VA

Mr. Cangialosi spoke in support of making the county a second amendment sanctuary county. He stated God has given him the responsibility and right to protect his wife and children as he sees fit, and the second amendment is not about hunting, but rather his unalienable rights under God. He then read the mission statement of the Board of Supervisors from the County website and added that he believes the decision to cancel tonight's Board meeting at 7:00 was made unilaterally by one person. He stated if the Chairman of the Board of Supervisors has the ability to decide on the agenda and meeting schedule by himself, there's either a problem in the bylaws or they're not following standard parliamentary procedure. He added that it is unfortunate that Mr. Saunders is going out on this note because there are a lot of frustrated people at this meeting. He then thanked Mr. Saunders and Mr. Bruguiere for their service.

23. Fred Pevey, Nellysford VA

Mr. Pevey spoke in support of making the county a second amendment sanctuary county.

24. Carlton Ballowe, Faber VA

Mr. Ballowe spoke in support of making the county a second amendment sanctuary county. He stated all of this was predictable when democrats took over all 3 branches of the State government, and that gun restrictions would be coming immediately. He pointed out that at least 2 of the speakers who spoke in favor of tabling this resolution are both a past and present chair of the democratic party in Nelson County. He added if people want their gun rights protected, they need to quit voting for democrats.

25. Jimmy Mehring, Faber VA

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Mr. Mehring stated that by voting to become a sanctuary county, the County will be joining a coalition of people who are like-minded and who support the second amendment and also send a clear message that the legislation before us regarding the second amendment needs to be recalled immediately.

26. Adam Kimelman, Representative of Congressman Riggleman and Fairfax VA resident

Mr. Kimelman stated he is a representative from Congressman Denver Riggleman's campaign. He noted that the congressman is currently in Washington, D.C. in session but wants everyone to know that he stands with his fellow residents of Nelson County in supporting this second amendment sanctuary resolution.

27. Jim White, Nellysford VA

Mr. White spoke in support of making the county a second amendment sanctuary county. He stated that he has read 8 of the bills pre-filed by the legislature that concern firearms. He is a policy adviser to our newly elected delegate John Avoli. He noted he will be with Mr. Avoli all day tomorrow, and his advice to him is to vote against these bills. He stated the whole issue is not about assault weapons or making the schools safer or any of that, rather it's a slippery slope to gun confiscation.

28. John Goska, Amherst VA

Mr. Goska noted that he lives in Nelson County but just has an Amherst address. He spoke in support of making the county a second amendment sanctuary county. He stated that the proposed bills will not affect criminals because criminals don't obey laws. The bills will only affect law-abiding gun owners.

29. Steven Key, Afton VA

Mr. Key spoke in support of making the county a second amendment sanctuary county. He stated that the problem is with the decay of our society, our lack of education, and our lack of creating good citizens.

30. Robert Martino, Nellysford VA

Mr. Martino spoke in support of making the county a second amendment sanctuary county. He stated if we do not take a stand against what we perceive to be a violation of our rights, our future rights are in jeopardy.

31. Linda Hughes, Roseland VA

Ms. Hughes stated that this proposed resolution with the 2 alternative paragraphs from Mr. Rutherford is not just a symbolic gesture and is a directive to law enforcement to cherry pick which laws the Board of Supervisors wants them to enforce. She added only the courts determine what is constitutional. She urged the Board to vote against this resolution.

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Following public comments, Mr. Rutherford read his proposed additional paragraph to the resolution:

***WHEREAS**, the Nelson Board of Supervisors wishes to express its intent to stand as a Sanctuary County for Second Amendment rights to oppose, within the limits of the Constitution of the United States and the Commonwealth of Virginia, any efforts to unconstitutionally restrict such rights, and to use such legal means at its disposal to protect the rights of the citizens to keep and bear arms, including through legal action, the power appropriation of public funds, and the right to petition for redress of grievances, and the direction to the law enforcement and judiciary of Nelson County to not enforce any unconstitutional law.*

Mr. Harvey noted that this has been a great debate, and there is a lot of common ground that both sides agree on. He stated if we wait and then react, the boat has already left. He noted he has been on both sides and tried to be open minded, however, once the resolution gets worked out, he will be in support. He encouraged people who are against the resolution to work with those who support it and try to make some even ground. He thanked everyone for their comments.

Mr. Reed stated at first, when he heard of the second amendment sanctuary movement, he thought it was just a lot of political propaganda, but now he realizes it is more dangerous than that. He noted fear is a great motivator, and fear is motivating both sides here. He stated he has empathy for everyone who spoke today and is grateful for those who contacted supervisors or friends, expressed themselves, or written a letter to the editor. He believes this proposal is an irresponsible act that creates dissent and divides one person from another, adding he feels this takes power away from the people. He stated this resolution has no legal consequence, and we are not allowed by the State of Virginia to enforce anything in this resolution. He added that we have no power to implement what this resolution infers. Mr. Reed suggested if going forward on this, we should have a process that gets a clear resolution in front of the people, and they have a clear opportunity to respond. He also suggested conferring with the County Attorney regarding abilities of the Board of Supervisors and what the County can do in response to what they do. He noted he has issues with the process and content, and he is not in favor of taking a vote on this resolution.

Mr. Bruguere stated he does plan to support this resolution, and it sends a message to our State officials. He noted there are several bills in the General Assembly and urged everyone to go online and look at Senate bill 16 and read; page 7 is where the main content starts. He urged everyone to read the other bills as well and email, write, and call the patrons of each one of those bills. He thanked everyone for coming to voice their opinions.

Mr. Rutherford also thanked everyone for their communications regarding this topic. He stated going forward, it is important to have open discussions so that we come together as a community. He echoed Mr. Bruguere's comments. He urged everyone to register to vote regardless of what political spectrum they sit on if they want their voice to be heard. He stated Richmond is where we go next.

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Mr. Saunders noted his appreciation for everyone coming out this afternoon. He clarified that there was never a 7:00 evening session planned for December 10th; this was decided long before this particular subject arose. One reason was that at the time, there was nothing to be presented to the Board at 7:00, so there was no need to hold a meeting. Also, there was one Supervisor who had said he possibly could not attend if there was a 7:00 meeting, so not all 5 would have been able to vote. He noted there have been numerous other counties who have held their meetings at 2:00 and voted on the second amendment resolution. He echoed Mr. Bruguire's comment that this resolution is not a law but will send a message to Richmond, joining in with the other counties. He also urged everyone to contact their representatives in Richmond.

Introduced: Recognition of Outgoing Board Members

Mr. Harvey then recognized the outgoing Board members. He noted that Mr. Bruguire started on this Board in 2000 and served until 2019 marking 20 years of service. He spoke of Mr. Bruguire's love for the County and how he was born and raised here. He noted that Mr. Saunders has been on the Board for a short 8 years (2012-2019), adding that it's been a busy and productive 8 years. He spoke of Mr. Saunders' building knowledge and expertise and how that has benefited County projects such as the library addition and Courthouse project.

Mr. Harvey noted he has really enjoyed working with both Board members and then spoke of notable accomplishments during their years of service:

- Construction of 2 elementary schools, new middle school, and renovation of high school
- Piney River Phase 3 Water & Sewer System project
- Tye and Rockfish Scenic River designations
- Tye River Water System project
- Courthouse Projects 1 & 2
- Solid Waste and Recycling project
- Nelson Memorial Library Expansion project
- Nelson County Broadband project
- Establish Nelson County Broadband Authority
- Ryan School Apartments project
- Blue Ridge Medical Center Expansion project
- Radio System project
- Blue Ridge Railway Trail and Blue Ridge Tunnel projects
- Lovingson, Schuyler, Afton/Greenwood, Rockfish Valley, and Norwood/Wingina Historic Districts
- Paid EMS Program
- Sturt Park project
- Fire and EMS vehicle program
- Lovingson Healthcare Center project
- Reverse E-911 project

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- Gladstone Depot project
- Jefferson Building restoration
- New maintenance building project
- Establish Region 2000 Services Authority

Mr. Harvey then presented both Mr. Bruguire and Mr. Saunders with framed prints of the Courthouse that included a brass placard denoting their tenures on the Board. It was noted that the print and framing had been done by local artist, Ms. Pat Saunders.

Mr. Bruguire noted his appreciation for the gesture and noted to Mr. Harvey that they have butted heads a few times but they have always been able to go out to dinner together. He stated that it has been a pleasure to serve the people of Nelson, and after 20 years, he feels it is time to move on. He advised he will still be on the Broadband Authority until his term ends in 2021. Regarding the accomplishments read by Mr. Harvey, Mr. Bruguire noted those are accomplishments this whole Board has done, not just any individual here. He then thanked Mr. Carter, who has assisted the Board through financial decisions with these accomplishments.

Mr. Saunders echoed Mr. Bruguire's comments and noted that the Board and County Staff have been great to work with. He stated he enjoyed working with the Board and also on the projects, noting the Circuit Court, which they managed to bring up to date but also leave historical. He noted he had 8 great years of service to the County and still hopes to be around for a while. He thanked the voters of the South District for allowing him to serve those years and thanked the Board as well.

The Board then returned to consideration of the Resolution in Support of Second Amendment Rights.

Mr. Reed stated that every person here today deserved to have 3 minutes to speak to this issue, and not everyone got to speak. He added that the people of Nelson County deserve to know what the Board of Supervisors are voting on before meeting time. He also noted that the Board and citizens deserve to have a legal opinion from the County Attorney about something as significant and important as what's before us today. He stated that he stands by the decisions that this Board makes, but he cannot stand by one that tramples on the rights of our citizens. Mr. Reed then moved to table a decision on this resolution until we are able to provide a public hearing where everybody can speak to this issue for 3 minutes and where we can hear from our County Attorney about the consequences, ramifications, and importance of this issue to our County. He stated the Board needs to know any liabilities that would be connected.

Mr. Bruguire seconded the motion, and there being no further discussion, Supervisors voted (1-4) to disapprove the motion with Mr. Rutherford, Mr. Harvey, Mr. Bruguire, and Mr. Saunders voting No.

Mr. Bruguire referenced the added paragraph that Mr. Rutherford had presented and suggested stripping the last phrase of the last sentence: "and the direction to the law enforcement and judiciary of Nelson County to not enforce any unconstitutional law." He stated that since Sheriff Hill is a

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Constitutional Officer, the Board can't tell him what to do, and he wouldn't listen anyway. He added that the Board can't tell the judges what to do either.

Mr. Bruguiere read the amended resolution. He then moved to approve Resolution **R2019-49** and Mr. Rutherford seconded the motion. There being no further discussion, Supervisors voted (4-1) by roll call vote to approve the motion with Mr. Reed voting No and the following resolution was adopted:

RESOLUTION R2019-49
NELSON COUNTY BOARD OF SUPERVISORS
RESOLUTION IN SUPPORT OF SECOND AMENDMENT RIGHTS

WHEREAS, the Second Amendment of the United States Constitution reads: "A well regulated Militia, being necessary to the security of a free state, the right of the people to keep and bear Arms, shall not be infringed." and,

WHEREAS, Article 1, Section 13 of the Constitution of Virginia provides "that a well regulated militia, composed of the body of the people, trained to arms, is the proper, natural, and safe defense of a free state, therefore, the right of the people to keep and bear arms shall not be infringed; that standing armies, in time of peace, should be avoided as dangerous to liberty; and that in all cases the military should be under strict subordination to, and governed by, the civil power;" and,

WHEREAS, certain legislation publicly proposed for the 2020 session of the Virginia General Assembly could have the effect of infringing on the rights of law abiding citizens to keep and bear arms, as guaranteed by the Second Amendment of the United States Constitution and Article 1, Section 13 of the Constitution of Virginia; and,

WHEREAS, the Nelson County Board of Supervisors is concerned about the passage of any bill containing language which could be interpreted as infringing on the rights of the citizens of Nelson County to keep and bear arms or could begin a slippery slope of restrictions on the Constitutional rights of the citizens of Nelson County; and,

WHEREAS, the Nelson County Board of Supervisors wishes to express its deep commitment to the rights of all citizens of Nelson County to keep and bear arms; and,

WHEREAS, the Nelson County Board of Supervisors wishes to express opposition to laws which would unconstitutionally restrict the rights of the citizens of Nelson County to keep and bear arms; and,'

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WHEREAS, the Nelson Board of Supervisors wishes to express its intent to stand as a Sanctuary County for Second Amendment rights to oppose, within the limits of the Constitution of the United States and the Commonwealth of Virginia, any efforts to unconstitutionally restrict such rights, and to use such legal means at its disposal to protect the rights of the citizens to keep and bear arms, including through legal action, the power appropriation of public funds, and the right to petition for redress of grievances.

NOW, THEREFORE, BE IT RESOLVED, the members of the Nelson County Board of Supervisors proudly reaffirm their oath of office: To solemnly swear to support the Constitution of the United States and the Constitution of the Commonwealth of Virginia and to faithfully and impartially discharge all the duties incumbent upon us, to the best of our abilities, so help us God.

AND, BE IT FURTHER RESOLVED, that the Clerk is directed to send forthwith an attested copy of this Resolution to State Senator R. Creigh Deeds and Delegates Matt Fariss and John Avoli.

The Board then took a 10-minute recess.

B. VDOT Report

Mr. Carter noted that Mr. Robert Brown of VDOT was unable to attend today's meeting, and Staff can forward any input to him that the Board may have. Mr. Brown had noted to Mr. Carter that he felt they were up to speed on everything the Board had requested from the previous meeting.

Supervisors then discussed the following VDOT issues:

Mr. Saunders:

Mr. Saunders noted that tractor trailers are still parking in the decel lane in Colleen. He asked if "No Parking" signs could be put up there.

Mr. Rutherford:

Mr. Rutherford had no VDOT issues to discuss.

Mr. Reed:

Mr. Reed had no VDOT issues to discuss.

Mr. Harvey:

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Mr. Harvey showed the Board pictures of the progress on the Afton Mountain Overlook. He noted Creation Appreciation is doing the work.

Mr. Bruguere:

Mr. Bruguere had no VDOT issues to discuss.

IV. NEW & UNFINISHED BUSINESS

A. Resolution in Support of Second Amendment Rights (R2019-49)

This subject was covered earlier in the meeting after public comments.

V. REPORTS, APPOINTMENTS, DIRECTIVES AND CORRESPONDENCE

A. Reports

1. County Administrator's Report

A. BR Tunnel Project: Phase 2 Construction is complete with final documentation submittals to VDOT for project closeout in process. Phase 3 is proceeding well with possible completion prior to 6-30-20.

B. Broadband: Completion of the local middle mile network's transfer to CVSI is currently established for January 1, 2020.

C. Library Project: Architectural Partners (J. Vernon) Field Report No. 06 is attached hereto. The project is proceeding per plan and schedule. Substantial completion date is June 15, 2020.

D. Lovingson Revitalization: TJPDC staff submitted a proposal on 11-15-19 to UVA's Urban & Environmental Planning Program for assistance to complete the CDBG planning grant project. A decision on the application is pending.

E. Piney River Water & Sewer System: 1) GAC Project – Two bid proposals were received on 11-22 in the respective amounts of \$199,600 (Waco Inc.) and \$271,000 (Montvale Construction, Inc.). The project engineers, Bowman Consultants has been requested to confer with Waco, Inc. negotiate a lower contract amount, which is in process. Funding for project completion, as previously reported, is cumulatively within the FY29-20 Piney River Water & Sewer System Budget. **2) Transfer of System to NCSA** – no progress has been made on this subject.

F. Tye River Water System: Replacement of the elevated 5,000-gallon water tank is in process. Flow testing was completed the week of 12-2 with positive results. A decision on how best to replace the

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tank, very possibly with a series of inline pressure vessel, is pending. Lynchburg based Falwell, Inc. is working with Bowman Consulting (project engineering consultant) to provide for final project design and permitting by VDH (Lexington). Falwell, Inc. will complete the project once final plans and specifications are completed and VDH permitting obtained.

G. FY18-19 Comprehensive Annual Financial Report (CAFR/Audit): Robinson Farmer Cox staff completed the required submittals to the Auditor of Public Accounts by the 11-30-19 due date. The final audit report is to be submitted to the County in early January 2020.

H. FY19-20 Budget: Work to develop the draft FY19-20 Budget is in process. Ms. McGarry, Director of Finance and HR, has submitted a draft budget schedule to the Board.

Added:

Mr. Carter thanked Mr. Bruguire and Mr. Saunders for their service on behalf of the staff. He noted that he couldn't ask for better people to work with.

Mr. Carter also reported on the water break at Tye River Elementary School on Sunday. Staff helped get the Service Authority over there on Monday to help fix the problem, but they will likely be out of school again tomorrow because they are waiting on test results to come in regarding bacteria. Mr. Bruguire asked what caused the break, and Mr. Carter stated he understands it's a lateral line that went to one of the modular buildings out back.

2. Board Reports

Mr. Rutherford:

Mr. Rutherford noted his appreciation for the outgoing board members and their wisdom and guidance.

Mr. Reed:

Mr. Reed echoed Mr. Rutherford's comments and thanked them for the 2 great years he has worked with them.

Mr. Harvey:

Mr. Harvey had no report.

Mr. Bruguire:

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C. Correspondence

There was no correspondence considered by the Board.

D. Directives

There were no directives.

VI. OTHER BUSINESS (AS PRESENTED)

There was no other business considered by the Board.

VII. ADJOURNMENT (AN EVENING SESSION WILL NOT BE CONDUCTED)

At 4:33 PM, Mr. Saunders moved to adjourn and Mr. Rutherford seconded the motion. There being no further discussion, Supervisors voted unanimously by voice vote to approve the motion and the meeting adjourned.