

March 12, 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 Lovingston Virginia.

Present: Jesse N. Rutherford, East District Supervisor
Thomas D. Harvey, North District Supervisor – Vice Chair
Thomas H. Bruguire, 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

Absent: Ernie Q. Reed, Central District Supervisor

I. Call to Order

Mr. Saunders called the meeting to order at 2:03 pm, with four (4) Supervisors present to establish a quorum and Mr. Reed being absent.

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

II. CONSENT AGENDA

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

- A. Lease Agreement for Use of Nelson Center (**R2019-08**)

**RESOLUTION R2019-08
NELSON COUNTY BOARD OF SUPERVISORS AUTHORIZATION TO RENEW LEASE
AGREEMENT(S)-THE NELSON CENTER**

RESOLVED, by the Nelson County Board of Supervisors that the County Administrator be and hereby is authorized to execute on behalf of said Board the "Annual Lease Agreement(s)" with The Nelson Center LLC to provide for the leasing of space within the Nelson Center, located at 8445 Thomas Nelson Highway, Lovingston, Virginia, for the offices of Nelson County's Department of Parks and Recreation and for the local Cooperative Extension Agency.

The renewal of the lease agreement encompasses the period of July 1, 2019 to June 30, 2020 at an annual total expense of \$60,468.00. Copies of the lease agreements are retained on file in the office of the County Administrator.

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B. Mutual Aid Agreement with Amherst County (**R2019-09**)

RESOLUTION R2019-09
NELSON COUNTY BOARD OF SUPERVISORS
AUTHORIZATION FOR MUTAL AID AGREEMENT WITH AMHERST COUNTY, VIRGINIA

RESOLVED, by the Nelson County Board of Supervisors that the County Administrator be and hereby is authorized to execute on behalf of said Board (the) "Mutual Aid Agreement for Emergency Medical Services" between the County of Nelson, Virginia and the County of Amherst, Virginia.

Said agreement shall be effective as of January 20, 2019 and shall remain in effect until modified by mutual actions of the counties of Amherst and Nelson or revoked by the action of either of the aforementioned local governments. Upon approval a copy of the Mutual Aid Agreement shall be shared with Nelson County's emergency medical services agencies and also retained on file in the office of the County Administrator.

C. Proclamation **P2019-01** – Census Awareness Day

PROCLAMATION P2019-01
NELSON COUNTY BOARD OF SUPERVISORS
CENSUS AWARENESS DAY - APRIL 1, 2019

WHEREAS, every ten years, Article 1, Section 2 of the United States Constitution mandates a count of all the people living in the United States and its territories; and

WHEREAS, the 2020 Census will address every household in the nation with a simple questionnaire with the goal of counting everyone once, only once, and in the right place; and

WHEREAS, data obtained by the survey will be used to help determine how approximately \$675 billion will be distributed from the federal government to state, local, and tribal governments annually; and

WHEREAS, up to \$2,000 of federal funding will be lost for each person not counted; as well as upwards of \$20,000 of federal funding lost every ten years; and

WHEREAS, a complete count requires that we bring together leaders from all communities of the Commonwealth, so that every Virginian regardless of racial, social, or economic background is counted; and

WHEREAS, Governor Ralph S. Northam has established the Virginia Complete Count Commission, which is comprised of 40 members to collaborate with community partners and local Complete Count Committees to ensure an accurate 2020 Census count;

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NOW, THEREFORE, the Nelson County Board of Supervisors hereby proclaims April 1st, 2019, as Census Awareness Day.

III. PUBLIC COMMENTS AND PRESENTATIONS

A. Public Comments

1. Joe Lee McClellan, Lovingston

Mr. McClellan spoke of the road at Tanbark Plaza in Lovingston. He stated there are five property owners along that road, and with help from the Nelson County Chamber of Commerce, they received a bid for about \$33,000 to repair it. He requested the Board to give their consideration to pay for this expenditure because in the past, they have paved other private drives. He noted he has handed the Board documentation showing the taxes generated from the five property owners, adding it's almost \$50,000 generated in one year. He stated he believes it's incumbent upon the Board to improve that property because it's an eyesore as you come into town.

Mr. Rutherford noted he plans to discuss this in his directives at the end of the meeting.

2. Judy Smythers, Lovingston

Ms. Smythers stated that on January 31st, 2019, Nelson County lost one of its finest, Edward L. Embrey, or Eddie as many knew him. She noted Eddie led a selfless life dedicated to helping others, and citizens of Nelson County were the recipients of many of those endeavors. She added Martha Warring, who is the senior area forester for this area, worked closely with Eddie, and is here today to speak more on some things Eddie did that will substantiate the request they make of the Board.

Ms. Warring noted she worked with Eddie from 1995-2007 and doesn't know if she could have worked with a finer man. He fought a fire with his father and brother at age 12, and he assisted with search and rescue during Camille and also ran a dozer to help with cleanup, at around age 17. She reiterated that he started very early in his life trying to help this county. She added that during derailment of the Southern Crescent, he took command of the incident and ran it about as smoothly as anybody could. He started with the Department of Forestry in 1972 and worked there for 37 years. He became the first technician in Nelson County after serving 9 years as a chief forest warden. He was the first recipient of a Forest Warden of the Year presented by the Virginia Wildlife Federation. He was also instrumental in the development and implementation of a fire readiness plan at Wintergreen Resort. He took a task force to Texas in 1996 with 22 firefighters, 8 crawler tractors, and transports, and he then went again in 2000. During the blizzard of 1996, he helped out pushing snow in an open cab dozer. He worked with numerous students in the FFA, who competed in local, state, and national contests. He helped command and fight numerous large fires in the county, including Norwood in 1995, Herds Mountain in 2001, and Afton Mountain in 1998. Ms. Warring noted Eddie was always dependable and never turned down an opportunity to help someone.

Ms. Smythers stated Eddie lived in Nelson County his entire life and had a lifelong passion for working on his family farm, and he was very proud to have that farm qualified as a century family farm and a century

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family forest. He loved his family and was dedicated to them and to Rock Spring Methodist Church. Eddie lost his life after a four year courageous battle with cancer. On February 7th, 2019, Congressman Denver Riggleman delivered a speech in Washington, D.C., on the floor of the House of Representatives, honoring Edward L. Embrey. Ms. Smythers stated their request is that we also honor Mr. Embrey. She noted there is a provision in the Code of Virginia that allows for the dedication of a memorial highway or bridge. The request of such dedication is made to the Commonwealth Transportation Board, by means of the adoption of a resolution by this honorable Board. She stated they are asking the Board to adopt a resolution to dedicate the bridge on 29 North just past Shadys as the Edward L. Embrey Memorial Bridge.

Mr. Saunders stated we will take care of this later on in the meeting.

3. Eleanor Amadon, Afton

Ms. Amadon stated there are a couple of nice rose bushes at the entrance to the Courthouse, and they could really use a pruning. She recommended that we get that done to improve the health of those bushes.

Following Public Comment, Ms. McGarry introduced new employee, Brenda Loving, who has replaced Grace Mawyer in the Finance Department. She noted that Ms. Loving was a Nelson County High School graduate and a resident of Piney River. She has two Associate's degrees from PVCC in Applied Science in Accounting and General Business Management.

Ms. McGarry noted that she will introduce the new Building Inspector, Jeremy Marrs, and two new Animal Control officers next month, as they were unable to make it to the meeting today.

B. Presentation – Vietnam Museum Foundation

Ms. Sue Wood, a Nellysford resident, introduced herself as one of the people involved in trying to bring the Vietnam War Museum to Nelson County, and she stated she is giving an update to the Board on their progress. She then introduced the Board: Tom Oakley-their President, Judy Smythers-their Treasurer, Ed Eely, and Bo Delk, one of their members. She stated they were established as a foundation on December 3rd, 2018 and formed their board and have been growing a membership. Their mission is to move the museum to Nelson County to honor our veterans and educate the public. She noted they are currently in application for their IRS 501(c)(3). She then introduced Dick Thompson, one of their founding members, and turned the podium over to him.

Mr. Thompson spoke of the history of the museum. He noted many schools, veteran groups, and history groups come to the museum. He added they average 2500-3000 visitors per year, and most of those are students from the schools. He stated one of the keys of the museum is that it is hands-on and therefore very interactive, and nothing is roped off. He noted all the artifacts they have on display from Vietnam are real.

Ms. Wood noted a member of their foundation has funded the purchase of the museum assets that were privately owned, and once their 501(c)(3) is established, then the other assets will be transferred to them. She stated they feel like the best place to put this in Nelson County would be along Route 29, and hopefully in Lovingson, so that it can bring more tourism to the area and attract people driving through. She noted the museum that was originally established is well off 29 in a difficult place to find, so they didn't have much walk-in tourism, but rather mostly scheduled visits. They are hoping to make it more public and

increase the use of it for education. She stated the future plans are to expand to honor all veterans from other wars such as the Korean War, Desert Storm, and Operation Enduring Freedom.

Ms. Wood stated moving the museum would involve a major convoy to get it here. She added they are asking for the Board’s support to help keep this history alive. The benefits to the County would be to the schools and also tourism. She noted it provides a diversity of attractions; there’s nothing quite like this in the County at this point. She added they would need 10,000-15,000 square feet. She asked if the Board could keep them in mind for any grants they hear of or any property they think could work for them.

Mr. Harvey noted that he has been there and seen the museum firsthand and added it is a wonderful opportunity for the County.

C. VDOT Report (Discussion of FY2020-FY25 Secondary Six Year Transportation Plan)

Mr. Robert Brown of VDOT noted that Mr. Austin could not attend today’s meeting. Mr. Brown gave the following report:

He noted it was time to update the Secondary Six Year Plan and Rural Rustic Priority List and referred to the copy of last year’s rural rustic priority list that Mr. Austin had previously provided:

**NELSON COUNTY
RURAL RUSTIC PRIORITY LIST- FY18/19 -FY 23/24**

	ROUTE NAME	FROM	TO	LENGTH	TC- VPD	NOTES
1	654 FALLING ROCK DR	1.0 MILE. RTE 657	RTE 661	1.90 Mi.	127 FUNDED	\$380,000
2	814 CAMPBELL'S MT RD	0.99 Mi. N. RTE 56	1.99 Mi. N. RTE 56	1.00 Mi.	109 FUNDED	\$200,000
3	617 BUCK CREEK RD	0.23 Mi. N RTE 29	DEAD END	1.40 Mi.	140 FUNDED FY 18/19	\$280,000
4	625 PERRY LANE	ROUTE 623	DEAD END	2.00 Mi	118 FUNDED FY19	\$400,000
5	645 AERIAL DR	RTE 646 E	RTE 646 W	0.20 Mi.	55 FUNDED FY 19/20	\$40,000
6	721 GREENFIELD DR	RTE 626	0.50 Mi. N RTE 626	0.50 mi.	51 FUNDED FY20	\$100,000
7	666 JACK'S HILL RD	2.57 Mi. W RTE 678	1.82 Mi. W RTE 678	0.75 mi.	50 FUNDED FY20	\$150,000
8	628 RHUE HOLLOW RD	Route 764	DEAD END	0.22 MI.	60 FUNDED FY20	\$44,000
9	794 RHUE HOLLOW LANE	RTE 628	DEAD END	0.20 MI.	60 FUNDED FY20	\$40,000
10	678 EMBLY’S GAP RD	2.06 Mi. N RTE 676	Rte 666	1.64 Mi.	110 FUNDED FY20/21	\$300,000

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11	699	CARTER HILL RD	RTE 807	RTE 680	1.29 Mi.	40	FUNDED FY21	\$250,000
12	612	BOTTOMS LANE	RTE 788	DEAD END	0.95 Mi.	50	FUNDED FY21/22	\$200,000
13	623	SHIELDS GAP RD	RTE 151	DEAD END	0.55 Mi.	60	FUNDED FY22	\$100,000
14	650	HIGH PEAK LANE	0.50 Mi. N. RTE 772 DEAD END		1.10 Mi.	90	FUNDED FY22/23	\$220,000
15	654	CEDAR CREEK RD	2.00 Mi. W. RTE 655 3.00 Mi. W RTE 655		1.00 Mi.	100	FUNDED FY23	\$175,000
16	653	WILSON RD	RTE 655	RTE 710	2.83 Mi.	60	FUNDED FY23/24	\$550,000
17	814	CAMPBELL'S MT RD	1.99 Mi. N RTE56	2.99 Mi. W RTE 56	1.00 Mi.	100	FUNDING FY24	\$200,000
18	687	NORTH FORK RD	RTE 56	1.00 Mi. W RTE 56	1.00 Mi.	100	PARTIAL FUNDING FY24	\$200,000

Estimated cost /mile \$175,000-\$225,000
Six Year Plan Estimated Unpaved Road Allocation

Mr. Brown noted that all the way down to priority 10, from Embly's Gap and up, some of those roads have been constructed. He gave the following updates:

Falling Rock Dr: This is under construction. It is not finished yet, and the pavement was not finished this year.

Campbell's Mt Rd: This is under construction. They've done the drainage work.

Buck Creek Rd: This project has been completed.

Perry Lane: This is under construction.

He noted they are planning on constructing Aerial Dr, Greenfield Dr, Jack's Hill Rd, Rhue Hollow Rd, Rhue Hollow Ln, and Embly's Gap Rd this calendar year. He added that if there is any shift in priority, it would be best to stay below that priority because those roads do have active funding on them to be constructed.

He added he sent a list to Staff of other unpaved roads that the Board could consider to put on the list. He noted that Route 654, Cedar Creek, has been an ongoing endeavor to get paved completely all the way through. He added that Route 814, Campbell's Mountain Rd, is in the same situation. He stated Bald Mountain and Whippoorwill Roads were requests made last year. Also, Route 646, Hunting Lodge Road, would join Aerial Drive once it is hard-surfaced. He stated it would provide a good connectivity to the hard surfacing that they'll be doing on Aerial.

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Mr. Brown stated that everything on last year's list, all the way down to North Fork Road, is programmed into the six-year plan. So they have no additional routes waiting on what will become the unpaved road priority list.

Supervisors then discussed the following VDOT issues:

Mr. Bruguere:

Mr. Bruguere noted he sees that Embly's Gap and Jack's Hill Roads are not slated to be paved the entire distance. He would like to discuss with somebody and ride down both roads. Mr. Brown stated they didn't pave all of Jack's Hill as their intent was to hard-surface the most hilly, curvy part where they encountered most of the problems people were having. He said they could certainly meet and discuss. Mr. Bruguere added he'd like for them to look at Campbell's Mountain Road, too.

Mr. Saunders:

Mr. Saunders noted there are low traffic counts on some of the roads on the list, but he thinks it's fine the way it is.

Mr. Bruguere:

Mr. Bruguere added that concerning Carter Hill Road, he would like a new count done. He stated it was widened and residents were told a few years ago that it was supposed to be paved, and it never was. Mr. Brown stated they had a new count done, and he's pretty sure it was over 50. Mr. Bruguere noted there is also an active church on that road, and the parishioners would like to have it paved.

Mr. Rutherford:

Mr. Rutherford asked out of curiosity how many gravel state maintained roads are left in Nelson. Mr. Brown stated it used to be around 80-85 miles. He added that each year, since this unpaved road money has come back over the last 4 years, they've been trying to get 4-6 miles per year. He stated Nelson fares well on the unpaved road funding, and this year's projected allocation is \$538,000 of designated unpaved road money.

Mr. Rutherford then noted that on Rockfish River Road, some trees could use trimming.

Mr. Bruguere:

Mr. Bruguere noted that on East Branch Loop, as soon as you turn off of 151, the ditch is full of water and with any rain, the water goes across the road. And they put in a culvert close by, but it's not taking any water and water's coming over top of it. It hasn't been repaved, and it's been a constant problem. Also, he stated they could get some trench widening done on St. James Church Road. Mr. Brown said they have looked at that road, and they could go in there and work the edges, but from what he saw, they can't do much widening because of where the ditchlines are, unless they try to move them back. Mr. Bruguere stated if they need to go after some more right-of-way, he'd be willing to help, and he feels the residents would be willing as well.

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Mr. Bruguiera also noted that from 151 in Amherst all the way to 250, all those concrete ditches and culverts need to be cleaned out because of all the leaves, trash, and debris.

Mr. Harvey:

Mr. Harvey stated that on the way to the meeting, he noticed they were fixing Coon Hill/Sunrise Drive on 151 again. It looked like they paved a pretty wide section, and it's where they had a pothole that was about a foot deep. He also noted that just north of Avon Road, there's a tremendous dip. Mr. Brown said that could be a structural pipe failing.

Mr. Saunders:

Mr. Saunders had no VDOT issues to discuss.

IV. NEW & UNFINISHED BUSINESS

A. Consider Relocation of Roseland Polling Place (R2019-07)

Mr. Carter stated that Chuck Miller, the County's Building Official, followed up after last month's board meeting and determined that interior modifications would not be required for accessibility purposes if the Board decides to relocate the Roseland polling place to the Massies Mill Ruritan Club. He reiterated we would not have to provide any expense for interior modifications, but it would be about a \$12,000 expense for parking and related things outside.

Mr. Bruguiera asked if the \$12,000 is for paving for the handicapped access outside, and Mr. Carter confirmed. Mr. Bruguiera stated he believes it's a good thing to move and that it's a safety factor. He added there is not enough room for the people set up campaigning outside, and there would be ample room at Massies Mill Ruritan.

Mr. Carter stated if the Board decides to proceed, we will have to have a public hearing, and a draft ad is included in today's packets.

Mr. Bruguiera then moved for this matter to go to public hearing and Mr. Rutherford seconded the motion. Mr. Harvey asked what the \$12,000 would cover, and Mr. Bruguiera stated it's for the hard-surfaced areas for handicapped accessibility. Mr. Carter noted that is an estimate and will be refined moving forward. Mr. Bruguiera stated we could probably do better than that. Mr. Rutherford asked how many square feet are needed for a concrete pad. Mr. Carter stated he is not sure, but Mr. Miller may know. There being no further discussion, Supervisors voted (4-0) by roll call vote to approve the motion.

Mr. Carter stated this will go to public hearing hopefully in April.

B. Correspondence

1. Nelson County Public Schools (Funding Request)

Mr. Carter stated that Dr. Eagle and Ms. Irvin have noted that the tennis courts at the high school/middle school campus are not suitable for play this year, so they have sent a request to the Board. The consideration for the Board is a request for just under \$200,000 in funding to refurbish the 4 courts just

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below the high school parking lot. He noted the courts could be done in the next few weeks in time for this year's tennis team to utilize them, if the Board agrees to the request. They have 9 home matches, and he believes they would not be able to play 3 here, but if the court was refurbished, they could have at least 6 of those matches at home, otherwise, they would have to find another location. He added Staff has reached out to Wintergreen and asked about the use of their facilities, and the director of their tennis program indicated to Maureen Kelley of our Staff that they would be willing to talk and maybe help out with that. They have about 18 courts at Stoney Creek and up on the mountain, so that's another option if the Board wants to defer this to the future.

Mr. Rutherford asked Dr. Eagle if they have had discussion of other venues and if they have had any success. Dr. Eagle noted they are also looking at Sweet Briar. Mr. Saunders asked if they have considered Stoney Creek. Dr. Eagle stated she has not had contact with the high school as far as who else they have spoken to, but added that they would definitely consider that. Mr. Saunders noted that he viewed the courts this morning, and said 2 are in bad shape and not playable. He noted concern with the time of year construction-wise doing this type of work, and how long it would last. Dr. Eagle stated they are working with Tennis Courts Inc. who has worked with several other school divisions and court systems, and they speak of milling the footprint, furnishing and replacing a new surface, pavement going around where the fence line is, and what that looks like and how they do it. She noted she knows that it is wet and that's something they would have to take into consideration. Mr. Saunders stated milling is normally just having the surface cut off the top, and he thinks the problem here is more than just the surface. He added he would hate to see \$200,000 as a band-aid and have the same problem next year. Dr. Eagle stated it's her understanding that it is not to be a band-aid.

Mr. Saunders stated this is not something that has happened just in the last several months; it's been like this for a while and no one has reported it. Dr. Eagle said it is her understanding that this has been on the capital improvement plan for a few years, and the crack continuously gets larger. She stated it is now at the point where they are unable to play on it and they don't want anybody to get hurt.

Mr. Rutherford asked if this is the only company they got a quote from. Dr. Eagle said yes, and they are doing this under the cooperative procurement clause. This company recently worked with Chesterfield.

Mr. Carter noted that Ms. McGarry has looked at the capital fund, and there is about \$700,000 there, if the Board wanted to consider this today.

Mr. Rutherford asked when we expect to get the proposed budget from the schools. Mr. Carter stated Dr. Eagle told him the school board is having their public hearing Thursday night, so hopefully we will hear something from them after Thursday. He added we did receive a preliminary budget and we've looked at that, but it's subject to whatever the School Board decides to submit to the Board.

Mr. Saunders noted if this was his personal tennis court, he wouldn't have it done this time of the year. He does not have a problem supporting it, but he feels like it's the wrong time of year to have it done. He added if they have an alternative place to play, then they should use that, and do this when the weather is more suitable. He noted they don't even start paving roads until around April, and this is not paving, but it's a rubber base that he would think is sensitive to temperature.

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Mr. Rutherford noted he would like to address this while looking at the school board's capital improvements budget, and maybe there's a way we could benefit from the economies of scale of doing the track and this. Mr. Saunders stated he doesn't think it could be the same company.

Mr. Bruguere stated maybe they could do this after the school year is over.

Mr. Rutherford noted it's important to preserve sports and added these courts are also utilized by the community, but he would like to see the school board's budget first.

Mr. Bruguere stated he agrees with Mr. Rutherford and added this should be in their upcoming budget. He would like to see it done this summer, after the season is over, and he would also like to see if we can work with Wintergreen and Stoney Creek to utilize courts in the county. If all else fails, we could go to Sweet Briar.

Mr. Harvey noted he thinks there are some advantages to waiting, especially because of how the weather has been this year.

Mr. Saunders asked how old the tennis courts are. Ms. Irving stated they were put in around 2003. Mr. Saunders stated he is in favor of doing this but he is not in favor of doing it this time of the year.

Mr. Bruguere then moved to put this off until after the budget hearing, noting he is in favor of fixing the courts but the timing isn't quite right, and he thinks it should go through the budget process. Mr. Rutherford seconded the motion and there being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion.

2. Thomas Jefferson Planning District Commission (Contribution to Housing Summit)

Mr. Carter noted the Thomas Jefferson Planning District Commission (TJPDC) is doing a regional study of housing, and he added Mr. Rutherford is representing the County on that initiative. He stated the planning district has created a regional housing partnership, and there will be membership from each of the member localities and probably the community at large. They will host a summit on April 19th, and they have requested consideration of assistance with hosting that summit; the amounts they've listed are \$5,000, \$2,500, and \$1,000. \$1,000 would sponsor breaks, and the others are more extensive as far as what the funding would be utilized for.

Mr. Rutherford noted the regional housing partnership is a wonderful asset, but he does not believe this government body needs to be paying for the summit. He believes there will be a sufficient amount of money coming from the private sector. He added he will give a good report once we get to reports on the agenda on the next steps with the regional housing partnership.

Mr. Rutherford then moved to not contribute to the summit. The Board agreed by Consensus to approve the motion.

V. **REPORTS, APPOINTMENTS, DIRECTIVES AND CORRESPONDENCE**

A. Reports

1. County Administrator's Report

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A. BR Tunnel Project: The project is in full progress. The eastern bulkhead has been removed and removal of the western bulkhead is in progress. Other activities include rock bolt installation, investigative probing of the brick casement, grouting, brick repointing and placement of shotcrete in void areas.

Mr. Carter noted that we have just submitted for comment to VDOT and the Federal Highway Administration the Phase 3 construction documents for review, and we are hopeful and optimistic that either later this month or in early April, we'll have approval to go to bid for phase 3.

B. Broadband: A draft agreement with multiple schedules is currently in review for subsequent submittal to federal NTIA. The final submittal to NTIA is anticipated to be completed following the current review of the draft documents.

C. Library Project: The project manual (bid documents, contracts, construction drawings and specifications) is at 95% completion. Bid advertisement is forthcoming with the current bid due date set at April 24th.

Mr. Carter noted we actually advertised the project this past Sunday in the Charlottesville and Lynchburg newspapers, and it will be in the Nelson County Times this week. The bid date is April 24th, and there will be a pre-bid conference in about 2 weeks.

D. Lovingston Revitalization: VA-DHCD conducted the mandatory Facilitated Project Meeting on 2-26. County and TJPDC staff are currently working on submittals necessary to finalize the award of \$30,000 in planning grant funding for the project.

E. School Division Transportation Study: The project is in process.

Mr. Carter noted we spoke to Mr. Boyles today and asked him to stop this, subject to further discussion.

F. Closeout of Groundwater Monitoring Program: Comments have been received from VA-DEQ on the County's submittal(s) to close out the solid waste GW Monitoring Program. The comments will be responded to by the County's landfill consultant (Draper Aden Associates).

Mr. Carter noted that this would mean we would not have to expend about \$65,000 a year to address that requirement anymore.

Mr. Bruguere asked if the wells will be capped. Mr. Carter stated that once we have approval for the closeout, the wells will be capped.

G. FY 19-20 Budget: The draft FY 19-20 budget is scheduled for presentation at the 3-12 Board meeting.

H. Repair/Replacement of Scales at Transfer Station: Staff will report to the Board to facilitate a funding decision on either the repair or replacement of the scales at the County's Transfer Station. At minimum the plating of the scale decking needs to be replaced. Quotations for repair or replacement of the existing scales are attached hereto with a range of costs off \$7,720 for repair of the existing scales to a high of \$70,174 to replace the scales (see the attachment for all quotations).

Mr. Carter asked if the Board could hold this until the first budget work session. Mr. Saunders noted he went to see the scales this morning and saw there are some holes, but they're not in the way of traffic. He added it is indication that they're getting thin and worn. He added that they have received 5 quotations and would like

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to hear what Staff is looking for. Mr. Carter stated the minimum action would be to re-plate the existing platform, and the others are to replace the scales entirely. He added that he believes Mr. Truslow's goal is to replace the scales that were installed in 1993-1994 with something that's fiber optic based rather than electrical/circuitry, and out of those 4 bids, the one that is preferred is in the neighborhood of \$60,000 instead of the highest proposal of \$70,000.

Mr. Carter addressed Ms. Amadon's concern from the public comments and noted that we have a company now who is working on a plan and implementing it, and hopefully they will be trimming those rose bushes.

2. Board Reports

Mr. Rutherford:

Mr. Rutherford provided an update about the regional affordable housing partnership. He noted there have been wonderful discussions regarding how we as governments can better officiate/understand the concepts of affordable housing and how that works in rural communities versus urban communities. He noted there will be a summit in April and many industry practitioners will be there. He stated the need for affordable housing is so substantial that as of right now, if he's not mistaken, there is a 5,000 house shortage in Charlottesville, and in surrounding counties, they are 2,000-3,000 homes short. Mr. Bruguere asked how many short are we in Nelson County, and Mr. Rutherford stated they did not have that specific information and that they pulled it from the census of Louisa, Fluvanna, and Nelson Counties. He added they are probably a bit heavier in the Louisa area, but we are probably within a 500-800 house shortage. He noted they have looked at the supply of homes that exist today, and we have not kept up with the replacement of the depreciation of homes. Mr. Bruguere asked where people are going, and Mr. Rutherford stated out of Nelson County.

Mr. Rutherford reported that TJPDC went through some budget sessions and they have some neat projects coming up.

Mr. Rutherford reported they had a wonderful stakeholders meeting for Lovingston. They have some people working on some mosaic paintings on buildings and also the concept of Welcome to Lovingston signs as well as signs showing the businesses in Lovingston.

Mr. Bruguere:

Mr. Bruguere noted the Emergency Services Council didn't meet this past month due to snow.

Mr. Harvey:

Mr. Harvey reported that the Planning Commission is making progress with the project in Afton. He added that the applicant will not be using the original store and will be putting the restaurant in the area where the grocery store was scheduled.

Mr. Saunders:

Mr. Saunders had no report.

B. Appointments

Ms. Mawyer reviewed the following table:

(1) New Vacancies/Expiring Seats & New Applicants :					
Board/Commission	Term Expiring	Term & Limit Y/N	Incumbent	Re-appointment	Applicant (Order of Pref.)
<i>NC Social Services Board</i>	6/30/2018	4 Years/ 2 term limit	Joan Giles-West (served 2T)	N/A	Edith Napier
<i>Ag & Forestal Dist. Advisory</i>	5/13/2019		Joyce Burton (T2)		
<i>4 Year Term - 3 Term Limit</i>	5/13/2019		Andy Wright (T3)		
	5/13/2019		Billy Newman (T1)		
	5/13/2019		Susan McSwain (T3)		
			Other Landowners		
	5/13/2019		Dr. Andre Derdeyn (T3)		
	5/13/2019		Chapin Wilson (T1)		
	5/13/2015		Bruce A. Vlk (T2)		
			Staff Member		
	5/13/2019		Commissioner of Rev.		
	5/13/2019		Connie Brennan		

Ms. Mawyer noted that in May, a few vacancies will be coming up in the Agricultural and Forestal District Advisory Committee. She added she will be sending out letters or emails for those.

C.Directives

Mr. Rutherford:

Mr. Rutherford stated he would like to discuss Tanbark Drive. He noted the businesses on that road with the cooperation of the Chamber of Commerce have made some great efforts in trying to resolve the issue of the depreciated road. He added this is an opportunity to promote Lovington as a place of future business in Nelson County. He then suggested making a \$5,000 contribution to their efforts, so that the majority of the burden goes to the business owners, and making sure that they're committed to maintaining that road. Mr. Rutherford echoed that he does not want this to be seen as a precedent; the intention behind this is to see that Lovington be a viable and good place for business. He then made a motion to contribute \$5,000.

Mr. Saunders noted that as the owner of a property on that road, he restrains from any comments and turned it over to the Vice-Chair, Mr. Harvey.

Mr. Bruguire asked if everybody on that road has agreed to contribute the appropriate amount of money. Mr. McClellan came forward and stated that the Chamber of Commerce Board has met with the VDOT representative, and he believes the Chamber of Commerce is planning to approach the VDOT Board to try and get them to incorporate that road into their plan, but it would take a few years. He added this would be a one-time deal that the Board would be making; it would not be ongoing because they hope to get into the VDOT system. Mr. Rutherford asked him if all property owners on that road are in agreement to contribute to the road, and Mr. McClellan said yes.

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Mr. Bruguieri then seconded the motion to contribute \$5,000 to bring the road up to standards. He believes it would enhance the value of everyone's business there and increase the potential for more business to come in. He added that once it's brought up to state specs, they (VDOT) are supposed to take it into the system and maintain it.

Mr. Carter stated his understanding is that the road won't be brought up to state specifications; more work is required. Mr. Bruguieri noted that at least by doing this, they'll have a nice surface with the potholes filled in.

Mr. Harvey noted he sees the repercussion of turning down somebody else with similar circumstances.

Mr. Bruguieri noted several years ago, they paid for the paving of the road from Front Street to Court Street. Mr. Carter stated that Mr. Payne gave the opinion that that was part of the public domain.

Mr. Rutherford reiterated that this is an effort of trying to attract business to Lovingston, and added that this is not precedent setting and not to be seen as a recurring concept.

There being no further discussion, Supervisors voted (2-1-1) by roll call vote to approve the motion with Mr. Harvey voting No and Mr. Saunders abstaining.

Mr. Carter noted that he is not sure 2-1 can work for a vote, so Staff will have to look at that.

It was later determined that the Board's decision to provide funding for the proposed repair to the Tanbark Plaza road would require reconsideration, as the County Code at Section 2.52 requires a majority vote of the membership of the Board for appropriations that exceed \$500.00. The 2-1 decision with one abstention did not meet the required majority approval. The reconsideration occurred during the March 14th budget work session.

VI. FISCAL YEAR 2019-2020 BUDGET (INTRODUCTION & WORK SESSION SCHEDULE)

Staff provided the Board with the following written overview of the FY 19-20 General Fund Budget:

FY19-20 Draft General Fund Budget as of March 5, 2019

Mr. Carter noted we have determined that we've been conservative with our revenue estimates with local revenues. Ms. McGarry noted this is a balanced budget with total revenues and expenditures of \$42,731,578.

REVENUES: Total Revenues \$42,731,578

FY20 estimated revenues from all sources increased by 3.5% or \$1,425,458 from the FY19 Budgeted amounts.

Local Revenues:

FY20 Local Revenues increased 4.77% or \$1,449,922 from the FY19 budgeted amount. The following estimates were drivers of the increase from FY19 budgeted to FY20 estimated amounts:

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- 2.8% or \$482,518 increase in Real Estate Tax revenue from FY19 budgeted. Total FY20 Real Estate Tax revenue of \$17,819,027 yields a per penny tax rate equivalent of \$247,486.
- 12.7% or \$108,292 increase in Public Service Tax revenue from FY19 budgeted.
- 3.9% or \$220,996 increase in Personal Property and Mobile Home tax revenues from FY19 budgeted.
- 30.1% or \$375,740 increase in Local Sales Tax from FY19 budgeted to FY20 as provided by the State.
- 76.3% or \$145,000 increase in Interest on Investments from FY19 budgeted.

State Revenues:

FY20 State Revenues, without inclusion of updated State Compensation Board Reimbursement amounts, decreased slightly by 0.7% or (\$45,827) from the FY19 budgeted amount. The following were notable estimates that affected the overall decrease:

- -58.4% or (\$77,000) decrease in Wireless E-911 Funds from FY19 budgeted.
- Other changes in various grant funds to be received in FY20 from FY19 budgeted.

Federal Revenues:

FY20 Federal Revenues increased slightly 4.30% or \$42,208 from the FY19 budgeted amount. The following was a notable estimate that affected the overall increase:

- 6.3% or \$42,208 increase in Public Assistance and Welfare. Estimate is provided by the Department of Social Services.

Non-Revenue Receipts and Year Ending Balance:

FY20 Non-Revenue Receipts increased 255.1% or \$1,137,984 from the FY19 budgeted amount primarily due to a lesser amount of bond proceeds being budgeted for and realized in FY19 (\$446,008) than in FY20 (\$1,578,992) related to the Nelson Memorial Library expansion project.

Year Ending Balance declined -40.1% or (\$1,162,940) and includes:

- Estimated Unexpended FY19 Recurring Contingency of \$725,259
- Estimated Unexpended FY19 Non-recurring funds of \$802,021 (Includes use of \$390,180 for Extra Piney River Water/Sewer debt).
- Continuation of School Resource Officer Reserve of \$207,132

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EXPENDITURES: Total Expenditures \$42,731,578

FY20 estimated expenditures, before school funding, increased by 5.7% or \$1,508,866 from the FY19 Budgeted amounts. Funding for schools was included at the same level as FY19 pending a formal request from the School Board. Including this level funding, Total FY20 Expenditures increased 3.5% or

\$1,425,459. The following are notable components of proposed expenditures:

County Departmental Operations: decreased -0.2% or (\$29,684) from FY19 budgeted to FY20. Staff reductions in departmental operations was (\$333,810) from the FY20 requested amount.

Departmental Operations Includes:

- Funding for 2 Sheriff's Vehicles and Equipment and 2 AWD Vehicles for Building Inspections
- New Positions funded: PT Recreation Field/Trail Maintenance
- 8.8% Regional Jail Increase
- 5.6% Increase for Commonwealth Attorney – Assistant Commonwealth Attorney mandated by State for localities with Law Enforcement Officers wearing body cameras or an agreement in lieu of as determined by the County and Commonwealth Attorney. Funding includes PT (24hrs per week) and salary adjustments for current employees as proposed by Commonwealth Attorney.
- (14.8%) Decrease in cost of Employee Benefits proposed. Includes- 5% decrease in Health Insurance premiums and 33% of 2016 pay study or 3% salary adjustment
- Discontinuance of the Transfer to Broadband Fund of \$100,000
- Increase in Paid EMS Program due to expenses related to Nelson Station II
- Various departmental increases and decreases

Agencies: Level funded with a decrease of (3.1%) or (\$45,981) in total Non-departmental expenditures recommended.

Blue Ridge Tunnel Project: Includes approximately 25% of Phase 2 expenditures and 100% of Phase 3 expenditures that are offset by state VDOT grant funds on the revenue side.

Capital Outlay, Projects, and Non-Recurring Expenses: Includes an increase of 1.1% or (\$67,299) from FY19 budgeted to FY20 and includes:

- Various E-911 related expenditures including full CAD replacement and upgrade of the Microwave Network.
- Emergency services vehicles
- Library expansion project to be completed in FY20, which is offset by bond financing proceeds on the revenue side.

Contingency Reserves:

- School Resource Officer Reserve of \$207,132

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- Contingency from Recurring Revenue of \$1,434,696 – includes unallocated prior year funds, FY20 expenditure cuts by staff and excess revenue over expenditures for FY20.
- Contingency from Non-Recurring Revenue of \$1,527,280 –includes estimated Unexpended FY19 Recurring Contingency of \$725,259, and estimated Unexpended FY19 Non-recurring funds of \$802,021 (Includes use of \$390,180 for Extra Piney River Water/Sewer debt.)

Mr. Carter noted again that we've been less conservative in our revenue estimates, and he believes they're going to prove to be correct this coming year. He added we weren't overly conservative with budget cuts but we did reduce operational expenses where we thought necessary, and we looked at the priorities that we thought the Board would want to endorse.

Mr. Bruguere stated he would like to see everything that we owe and see what we could pay off or down significantly. Ms. McGarry noted the debt schedules are in the budget packets given to the Board. Mr. Rutherford asked if we paid down on the Piney River Water/Sewer debt this year, and Mr. Carter stated we added another one-third payment so it'd be paid at two-thirds the balance, but the Board could easily pay off the whole thing this coming year, if they decide to do so. Mr. Saunders stated they can discuss this during the work session.

Supervisors then agreed by consensus to schedule a work session on Thursday, March 14th at 5:00 PM.

VII. OTHER BUSINESS (AS PRESENTED)

Supervisors discussed the subject from public comments concerning a resolution for naming a bridge in honor of Eddie Embrey. Mr. Carter noted Staff could prepare the resolution and work with VDOT and bring it back to the Board in April. He added he's not sure if there has to be a public hearing, but Staff would get that figured out.

Mr. Saunders noted several people have been interviewed by VDOT to fill Don Austin's position. He asked if the Board would like to send a letter in support of Robert Brown. Mr. Bruguere noted he would prefer someone with experience in this district, and added he thinks Mr. Brown would be fine. Mr. Carter stated the Board could send an endorsement to VDOT, but the decision is ultimately up to Mr. Winstead.

Mr. Saunders noted he read from the department reports that the Rockfish dumpster site is still having problems with overcrowding and people using the reuse shed more than once per day. Mr. Carter stated there can be a lot of congestion during the week, and when the reuse shed is open, traffic gets backed up to the gate and beyond, and there was an accident recently that caused damage to the entrance gate. He added that according to our department supervisor, Ms. Gable, the issues are mostly due to people not wanting to comply with the rules we've posted. They'll spend a large amount of time parked in front of the building, which causes backups. He added we try to encourage people to not take too many items out of the reuse shed because a lot of times, they resell the items. Mr. Harvey suggested putting up a sign

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saying the building is closed this week due to people not abiding by the rules. Mr. Carter added that we've partnered with Goodwill for the clothing containers, so we have nice containers there, but people are regularly getting into those containers to take clothing out, and our attendants try to stop them. Mr. Saunders suggested taking them out of there and moving them to Food Lion. Mr. Carter stated he is not sure if Ms. Gable has spoken to the owners of Food Lion or the shopping mall and if they are willing to do that. Mr. Carter noted that not opening those reuse sheds on weekends has been very helpful, and added that increasing the amount of staff working there to 3 people during the week has also helped handle the high volume of traffic.

Mr. Saunders asked Mr. Carter why the school transportation study was stopped. Mr. Carter stated he doesn't believe that the Thomas Jefferson Planning District staff is up to par at this point. He noted they have recently lost two of their most senior staff members, one of whom was going to work on this project. He added he was not comfortable with how it was going, so he thought it best to stop until we regroup and discuss it further.

Mr. Bruguiere asked if the County has a pending lawsuit against them. Mr. Carter confirmed and said it's concerning the rezoning decision with the store at route 6 and the apartments. He added Mr. Payne has filed a response on behalf of the County to hopefully put that to rest. He said our position is that the people who filed the appeal don't have standing.

Mr. Saunders noted he heard rumors that our new Family Dollar store might be one of the ones being cut nationwide. Mr. Carter stated our Staff has not heard anything.

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

At 4:15 PM, Mr. Rutherford moved to adjourn and continue the meeting until Thursday, March 14, 2019 at 5:00 PM and Mr. Bruguiere seconded the motion.

Supervisors and Staff agreed on meeting in the Bridge conference room on the 4th floor of the Courthouse in Lovingston.

There being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion and the meeting adjourned.