

April 28, 2011

**Virginia:**

AT A REGULAR SCHEDULED MEETING of the Nelson County Board of Supervisors at 7:00 p.m. in the Board of Supervisors room located in the Nelson County Courthouse.

Present:

Allen M. Hale, East District Supervisor  
Constance Brennan, Central District Supervisor  
Thomas H. Bruguire, Jr. West District Supervisor - Vice Chair  
Joe Dan Johnson, South District Supervisor – Chair  
Thomas D. Harvey, North District Supervisor  
Stephen A. Carter, County Administrator  
Candice W. McGarry, Administrative Assistant/Deputy Clerk  
Fred Boger, Director of Planning and Zoning

Absent: None

**I. Call to Order**

Mr. Johnson called the meeting to order at 7:00 pm, with all Supervisors present to establish a quorum.

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

**II. New/Unfinished Business**

Prior to consideration of the agenda items, Mr. Johnson noted to the Board receipt of an invitation to attend the Middle School FFA Banquet on May 10<sup>th</sup> and the Board agreed by consensus to attend.

- A. Request for Commemorative Naming of Bridge (L.A. Snead)

Mr. Carter noted that this item had been reported on at the first April meeting after having received communication from Capt. Phifer requesting to name the bridge for his late great grandfather Leonard Alexander Snead. He referred to the extensive information provided by Captain Phifer regarding Mr. Snead's contribution to the history of the County. He added that this information had been provided in accordance with the policy adopted by the Board regarding these requests.

Mr. Harvey noted that the highway the bridge was on should be Crabtree Falls Highway instead of Patrick Henry Highway as written in the resolution.

Mr. Bruguire then moved to approve the corrected resolution **R2011-32**, Resolution Requesting That the Commonwealth Transportation Board Name a Bridge in Nelson County Honoring the Late Leonard Alexander (L.A.) Snead. Ms. Brennan seconded the motion and Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following resolution was adopted:

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**RESOLUTION-R2011-32**  
**NELSON COUNTY BOARD OF SUPERVISORS**  
**RESOLUTION REQUESTING THAT THE COMMONWEALTH TRANSPORTATION**  
**BOARD NAME A BRIDGE IN NELSON COUNTY HONORING THE LATE LEONARD**  
**ALEXANDER (L.A.) SNEAD**

**WHEREAS**, Captain C. Douglas Phifer has provided the Board of Supervisors with a request to honor the late Leonard Alexander (L.A.) Snead, inclusive of information as required pursuant to the policies and procedures adopted by the Board of Supervisors on October 13, 2009 and to Section 33.1-12 of the State Code of Virginia; and

**WHEREAS**, Captain C. Douglas Phifer has indicated by signed statement that he will be responsible for the necessary financial commitment to cover the cost of the signs and their installation; and

**WHEREAS**, The Nelson County Historical Society supports the request as stated in their letter of support dated April 5, 2011;

**NOW THEREFORE BE IT RESOLVED**, that pursuant to the policies and procedures adopted by the Board of Supervisors on October 13, 2009 and to Section 33.1-12 of the State Code of Virginia, the Nelson County Board of Supervisors hereby requests that the bridge over the Tye River on Crabtree Falls Hwy (SR56) approaching Campbell's Mountain Road (RR814); where Campbell's Creek (Elk Creek) meets the Tye River, be named in memory and in honor of the late Leonard Alexander (L.A.) Snead;

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the VDOT Residency Administrator and the Commonwealth Transportation Board for consideration.

- B. FY12 Budget (This item was considered following an introduced Closes Session as noted in item C.)

Schools:

The Board agreed by consensus that the proposed upgrades to the Tye River Elementary School should be done.

Ms. Brennan noted that the school committee met with the NCSB that morning and discussed concerns about salaries. She noted that in reviewing the information from Ms. Irvin, the committee wanted to let the school board decide how to allocate the salary money and looked at providing funding of \$325,000 which should cover their health insurance increase, a 1% raise, and the increase in VRS rates, but not the fuel increase.

Ms. McCann noted that Ms. Irvin had indicated to her that morning that \$314,000 would cover everything including the increase in fuel costs.

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Mr. Johnson noted that he agreed that if the schools run out of fuel money, they would have to come back to the Board to request additional funding and there would be no rollover of any excess into any other funds.

Mr. Harvey added that the new school pay scale was going to be based on last year's scale and in conjunction with whatever the County does. He added that they would have some change in employee's leaving and coming, but could work on those areas and the group would continue to work on the bigger picture ongoing. He stated that the school's raise would be based on whatever the Board decided to do with the County.

Ms. McCann reiterated that her understanding was that \$314,000 was the number to consider now.

Mr. Hale asked for clarification on the status of VRS for State employees, and Ms. McCann noted that the County and schools both pay the employee and employer portions of VRS retirement. She noted that the State was having employees pay their share but was giving them a percentage raise to offset this cost. Mr. Carter noted that the County and Schools only had the option to require an employee to pay its share for those hired after July 2010.

Mr. Bruguere noted that this was an employment incentive. Mr. Carter added that this could be discussed before adoption of the budget and he noted that the State has not paid the actuarial costs and the VRS system was in the hole. He noted that the state reduced the rates for education last year and now is raising it this year to make it up. He added that the County was not affected by this because of using a biennial rate.

The Board then agreed by consensus to fund the schools operations an additional \$314,000 over this fiscal year based on a 1% raise to all employees.

Mr. Hale noted that he would like to abandon his previous suggestion and recommended going to 1% raise for all County employees. He acknowledged that they could not control how the schools administered this and wanted to ensure that the Board gave them a 1% increase based on last year's scale.

Mr. Harvey noted that he did not want to do another salary study; however maybe it could be looked at internally. He noted that they could consider doing another bonus at Christmastime, which he thought was popular. He added that the 1% raise did not apply to the Board.

It was noted that Albemarle was doing a 1% raise, Fluvanna 0%, and Greene 5%.

The Board agreed by consensus to fund a 1% raise across the Board and \$314,000 in new money for the schools. Ms. McCann reported that this added \$64,000 to schools, reduced the contingency to \$79,669, and the non-recurring contingency remained \$159,000.

The Board the briefly discussed the proposed Planning position and agreed by consensus to move this funding from capital outlay to the Planning Department.

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Mr. Carter then noted that he wanted to make the Board aware of the following things that were in the budget:

1. The Economic Development budget contains funds to recruit a 24 hr/week employee to make more of an impact in that office; which is an increase in the Part time funds budgeted
2. The budget maintains the vacant Building Inspections position; although there was no intent to hire an Assistant Building Code Official. He noted that they would be prepared to hire more personnel if things picked up.
3. The budget maintains the vacant maintenance position; noting that there are currently two employees and funds for three. He noted that this position has been held open and would be until it needed to be filled.

He noted that the new building would be coming on line and Mr. Bruguere asked if the County should look at contracting for maintenance. Mr. Carter advised that HVAC and other mechanical maintenance contracts were in place; but that staff may look at contracting out janitorial services. He added that staff had budgeted for one new full time and one new part time custodial position. He then noted that staff may ask to make both of these full time; which would add \$25,000 to the budget.

Mr. Harvey noted that they had discussed looking into the work release program and Mr. Johnson noted that they had also discussed looking into working with the schools on this.

Ms. McCann noted that if they went to two full time, they would use \$25,000 in recurring funds and could use the maintenance position funding to cover this initially. She advised that they could monitor the hours needed etc. and see how it goes.

Mr. Carter reported that the Parks and Recreation van was totaled for \$2,000 by the insurance company. He noted that it would cost \$22,500 to replace it with a twelve passenger van. He added that they could get a minivan for about \$20,000 unless they went with a used one.

Mr. Harvey suggested that they look at how the number of passengers changes things. It was noted that the van was used to haul equipment and people, but more so equipment. Mr. Carter noted that they have a bus that they are using now and that they are also using the extra maintenance truck. He added that they also shared the Crown Vic with Maureen.

Ms. McCann noted that the Sheriff may relinquish some vehicles soon and the Board and staff discussed checking into a used minivan and coming back with a recommendation on May 10<sup>th</sup>. It was noted that non-recurring funds would be used for the purchase.

Mr. Carter then reported changing the landfill tipping fee to \$27/T which added \$4,510.00 to the Solid Waste budget. He noted this change was as of the previous day's Region 2000 Services Authority meeting and would require use of recurring funds.

The Board and staff then discussed glass recycling and Mr. Hale noted that Boxley needed a steady stream of glass to use in production. They advised that staff should keep looking into recycling glass and

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acknowledged that transport was a problem. Mr. Carter advised that the Region 2000 Services Authority has a Recycling Coordinator who is looking for regional opportunities.

Mr. Carter then reported that he had followed up with the Schuyler Community Center and that the offerings there are free, but they accept contributions. He noted that it would cost \$50,000 to replace the furnaces and they had \$5,000 available for this cost. He added that they probably did not have the wherewithal to get the funding from Rural Development. Mr. Bruguere stated that he did not think they should put any money down there and it was suggested that this could be something for the Capital Committee to look into. Members agreed by consensus to look at this issue during their retreat.

The Board then agreed by consensus to advertise the proposed budget and have the public hearing at the second May meeting on May 26<sup>th</sup>.

The Board then discussed dates for the retreat and Mr. Bruguere noted he would be gone June 9-11 and the 16<sup>th</sup>-18<sup>th</sup> and Ms. Brennan would be unavailable on June 24<sup>th</sup>. Members then agreed upon July 8-9 at Mr. Harvey's house at Smith Mountain Lake; with Mr. Carter attending and possibly Ms. McGarry and Ms. McCann.

Mr. Carter then noted that he thought that the County needed another part time Dispatcher at a cost of \$31,000, in order to provide coverage with two people for all shifts. He added that \$31,000 would add 32 hours per week and would provide for an increase in hours for existing Part Time employees. He added that they could create another full time position and that staff has looked at regional salaries and changing shifts from 10 hours to 8 hours. He noted that this would reduce the recurring contingency funds to \$40,000.

It was noted that a Board Committee was assigned to look at Dispatch and that it looked like it would be tough to get all positions under the County. Members agreed to look at this again at the May 10<sup>th</sup> meeting.

#### C. Other (As May Be Presented)

Mr. Carter proposed that the Board hold a closed session to hold discussions with a proposed business wishing to expand in the county that had not yet been announced, including staff and Mr. Smack who was present. He noted that the subject to be discussed comported with the requirements of the State Code to hold a closed session. (This item was considered prior to discussion of the FY12 Budget)

Mr. Johnson suggested considering public comments prior to the closed session and the Board agreed by consensus to do so and Public Comments was considered as noted in item III.)

#### *Introduced: Closed Session:*

Ms. Brennan 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) (5), Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community and Mr. Harvey seconded the motion.

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Mr. Hale noted that he did not believe the motion was an accurate statement; that there had been no previous public announcement.

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

The closed session was held and at its conclusion, Mr. Hale moved to reconvene in open 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 and the Board reconvened in open session.

Ms. Brennan then moved that the Nelson County Board of Supervisors certify that, in the closed session just concluded, nothing was discussed except the matter or matters specifically identified in the motion to convene in closed session and lawfully permitted to be discussed under the provisions of the Virginia Freedom of Information act cited in that motion.

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 closed session was certified.

Mr. Hale noted that the expansion of Blue Mountain Brewery had been discussed and he moved to authorize County staff to negotiate incentives that the County might provide to encourage the enterprise and come back with a proposal at the Board's next meeting. Ms. Brennan seconded the motion and there being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

It was noted that the business planned to break even in 18 months and make a profit in 2 years.

### **III. Public Comments**

This item was considered prior to Other Business.

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

1. Robert Canody, Pounding Branch Road

Mr. Canody inquired as to whether or not the leash law would be considered at this meeting and noted that he has cats affected by dogs running to his place from up the road and he was curious how the Board will do this.

Mr. Johnson advised him that the Board has been discussing containment issues and that they have heard various complaints. He added that the Board was considering this issue but has taken no action at this point.

### **IV. Adjournment**

At 8:30 pm, Mr. Hale moved to adjourn and Mr. Harvey seconded the motion. There being no further discussion, Supervisors voted unanimously by voice vote to approve the motion and the meeting adjourned.