

AGENDA
NELSON COUNTY BOARD OF SUPERVISORS
July 8, 2014
THE REGULAR MEETING CONVENES AT 2:00 P.M.
IN THE GENERAL DISTRICT COURTROOM
AT THE COURTHOUSE IN LOVINGSTON

- I. Call to Order**
 - A. Moment of Silence
 - B. Pledge of Allegiance

- II. Consent Agenda**
 - A. Resolution – **R2014-47** Minutes for Approval
 - B. Resolution – **R2014-48** Reimbursement Resolution, Future Courthouse Renovations
 - C. Resolution – **R2014-49** Approval of Virginia Cooperative Extension MOU
 - D. Resolution – **R2014-50** Designation of Unpaved Rural Rustic Roads

- III. Public Comments and Presentations**
 - A. Public Comments
 - B. VDOT Report

- IV. New Business/ Unfinished Business**
 - A. Emergency Services and Revenue Recovery Program Report (J. Miller & D. McCann)
 - B. Reconsideration of Authorization for Public Hearing -Planning Commission Referred Comprehensive Plan Updates (**R2014-44 Deferred**)

- V. Reports, Appointments, Directives, and Correspondence**
 - A. Reports
 - 1. County Administrator’s Report
 - 2. Board Reports
 - B. Appointments
 - C. Correspondence
 - D. Directives

- VI. Adjourn and Reconvene for Evening Session**

EVENING SESSION

7:00 P.M. – NELSON COUNTY COURTHOUSE

- I. Call to Order
- II. Public Comments
- III. Public Hearings and Presentations

A. **Public Hearing - Consideration of Proposed Amendments to Nelson County Zoning Ordinance, Article 4 (Agricultural District A-1) – “Lots Allowed and Area Regulations”** Proposed Ordinance to amend the Code of Nelson County, Virginia, Appendix A, Zoning Ordinance. The proposed amendments would reduce the minimum required acreage required for a two-family detached dwelling or “duplex” from 4 acres (minimum) to 2 acres (minimum). (O2014-04)

B. **Public Hearing – Consideration of Class C Communication Tower Permit #2014-005, CV488 for Velocitel, Inc. on behalf of AT&T Wireless** Application is for a 130 ft. Class C tower identified as CV488 on Tax Map parcel #67-A-49 located adjacent to Route 29 with access at 6391 Thomas Nelson Highway, Lovingson VA.

- IV. Other Business (As May Be Presented)
- V. Adjournment

RESOLUTION R2014-47
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF MEETING MINUTES
(May 29, 2014 and June 10, 2014)

RESOLVED, by the Nelson County Board of Supervisors that the minutes of said Board's meetings conducted on **May 29, 2014 and June 10, 2014** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

Approved: July 8, 2014

Attest: _____, Clerk
Nelson County Board of Supervisors

May 29, 2014

Virginia:

AT A CONTINUED MEETING of the Nelson County Board of Supervisors at 7:00 p.m. in the General District Courtroom located on the third floor of the Nelson County Courthouse.

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

Absent: None

I. Call to Order

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

II. Public Hearing- Proposed FY14-15 Budget

Ms. Brennan opened the public hearing and the following person was recognized:

1. Roger Collins, School Superintendent

Dr. Collins thanked the Board for their support of their budget noting that through the years there has been a great partnership and they have survived tough times.

He apologized for being unable to meet with the joint Boards, however he had attended a Superintendents meeting. He noted he was happy that the Board chose to support the Early College Program.

He then asked for the Board's support for a salary increase for employees, adding that if they could work together to give this as a bonus, step, or COLA, he would be appreciative. He added that he knew they had big decisions to make and he appreciated their collaboration.

Mr. Bruguiera noted that they have had a good working relationship and that the schools had progressed under his leadership.

Mr. Saunders noted that he was disappointed that schools were open on Memorial Day and that this day should not be an inclement weather day as it was not honoring veterans. He asked Dr. Collins to relate this to the School Board or he would write a letter. He added that he would like to avoid this in the future.

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Mr. Harvey noted that he thought that when he was in school, veterans came up to the school for a program. Mr. Saunders added he did not think that was done on Memorial Day.

Ms. Brennan thanked Dr. Collins for his years of hard work with the students and staff of Nelson County schools. She noted it was a pleasure to not have to cut their budget significantly or have layoffs. She then wished him well in his next adventure and hoped he would not leave them behind.

Mr. Harvey noted that he thought that Bedford County may be laying off 140 employees and Nelson County has never laid off a teacher. He added that he appreciated the projects they had done together and he would miss him.

There being no other persons wishing to be recognized, the public hearing was closed.

III. Other Business (As May Be Presented)

Introduced: New Nelson County Times Reporter Introduction

New reporter Rachael Smith introduced herself; noting she was from Lynchburg, went to EC Glass High School, and Radford undergraduate school. She noted that she graduated in December 2012 and has been freelancing for prototype media and the News and Advance which led to this full time job.

Introduced: County Attorney Opinion regarding Planning Commission Recommendation on the Duplex Zoning Ordinance Amendment

Mr. Hale noted that he saw Mr. Payne's opinion that the Board had to send back the duplex amendment to the Planning Commission.

Mr. Carter then explained that staff thought that the Board could go ahead with the proposed amendment based on the expiration of the 100 day period prescribed in the Code. He noted that had the Planning Commission not made a recommendation then this would have been the case; however they did but had not conducted the obligatory public hearing on the matter. He added that a Planning Commissioner called and questioned it; and it was discovered that they had not held a public hearing. He added it was not the intent of staff to mislead the Board. In response to questions, Mr. Carter clarified that a referral to the Planning Commission did not have to be made by resolution as the Code did not require it. He advised that this was noted to County Staff. He then added that he had advised Planning and Zoning staff to always have a public hearing and then have the Planning Commission make their recommendation. He concluded by noting they were advised that they were to have a public hearing on this matter.

Introduced: Blue Ridge Tunnel Phase I bids

Mr. Carter reported that the Invitation to Bid for the rebid of Phase I of the Blue Ridge Tunnel project was advertised in Sunday's paper. Mr. Hale noted that he had wanted to review the revised estimate sheet prior to the placement of the advertisement. Mr. Carter

May 29, 2014

noted that staff wanted the ad to go out timely and that he had asked for the revised estimate two days ago.

Mr. Hale noted that he thought there had been a breakdown in the system with Woolpert on this project. He noted that he had never seen Woolpert's response to comments on the plans/specs made by Wayne Nolde. He noted he was concerned that the revised specifications and plans would be put out with uncertainties. Mr. Carter advised that staff was supposed to have a conference call including Mr. Nolde, however he could not participate and it was decided that they should go ahead with the bid process. He noted that they needed to reconcile some of the cuts on the slopes etc.; however Mr. Nolde wanted more definitive information and unless they went back into the field, it was as well defined as it could be at this point.

Mr. Hale then reiterated that the problem was that he had not seen a revised bid sheet to show what was previously discussed. He added that if contractors were unclear then he could see how the bids would come in high again and it was hard to accept that Woolpert had not given them a revised set of plans since their meeting on April 8th. Mr. Carter noted that a conference call occurred with Mr. Nolde on the call, where everything was reconciled. He added to his knowledge, he had a few more comments that were pending and at that point the estimate was below available funding.

Mr. Harvey inquired if there was a cost in getting the plans and Mr. Carter noted that they would be available on Woolpert's FTP site as of June 2nd.

Mr. Hale reiterated his expectation that he and Mr. Saunders would have had an opportunity to review the estimate sheet prior to the bid going out. Mr. Saunders added that if they found it was okay, then they have gained time but if it was not, then they would lose the cost of the ad placed already.

Mr. Carter noted that there was an uncertainty and he could not assure the Board that the bids would not come in high. Mr. Saunders suggested that they could go ahead with the pre-bid meeting and if there were too many questions, they could extend the bid receipt date.

Mr. Carter advised that he would get the bid estimate sheet ASAP and he preferred not to delay because it was already construction season. He added that he thought that after their last call, Mr. Nolde was in agreement with every item and then Woolpert got another list that they were trying to address. He noted that they thought that until they got in the field, some things could not be addressed.

Mr. Hale noted that the additional comments had to do with a cross section and a profile that they have never seen. He noted that he had requested this and they had provided it.

Mr. Saunders noted that they were closer to the mark this time than last and he thought they should go ahead with advertising it. Mr. Carter then noted that he would call Mr. Nolde and would also get the revised estimate.

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Ms. McGarry then noted that she would send the ad out to the Board, however the ad stated there would be a mandatory pre-bid conference on June 16, 2014 at 10 am and bids were due on July 1, 2014 at 2pm.

Mr. Harvey then clarified that this was a sealed bid process where the low bid was accepted if qualified.

Introduced: Request for Proposal, AE Services for Courthouse Renovation

Mr. Carter noted that the County had received seven (7) proposals on courthouse AE services and that staff needed Board guidance on who to include on the selection committee. Mr. Carter noted that it would be a competitive negotiation process; in which the committee selected at least two (2) firms to interview, then they would be ranked and the County would negotiate with the top ranked firm. Supervisors then agreed by consensus to appoint Mr. Hale and Mr. Saunders to the committee. Mr. Carter then noted that there were typically five or so people involved and that staff had discussed having Judge Gamble or Judy Smythers, and Debbie McCann participate. He added that staff would get the proposals out to the committee the following day.

Introduced: Dominion Natural Gas Pipeline

Ms. Brennan inquired as to the availability of the pipeline map to the public. Mr. Carter noted that he was called by Dominion and asked to withhold the map for now. He noted that he had provided the letter template to WSET. He added that Dominion had advised that the pipeline was a competitive process between two companies and their competitor had a different route and this information may be proprietary. He noted he would have to get guidance from Mr. Payne on this; however he had gotten something from Piedmont Environmental Council showing a different pipeline coming down through Buckingham.

In response to questions regarding the County's control over this, Mr. Carter noted he would have to research it more; however his understanding was that it was a Federal process and FERC had overall authority on this. He noted that it encompassed interstate commerce as well and he was not sure what role the SCC had. He noted that he thought that the County probably had no authority other than commenting on this.

Supervisors then inquired as to what rights the landowner had and Mr. Carter noted he was not sure; however a reliable source has indicated that if Dominion was able to show FERC that 70% of the gas in the pipeline was locally used, they may have the right of eminent domain but this would be at the Federal level.

Mr. Carter then noted that the County had a fact sheet, the letter template, and a fuzzy map. He noted that staff could distribute the fact sheet; however he asked that the map be withheld for now; however he was unsure if it could be under the Freedom of Information Act. He advised that Dominion would still have to go through a four (4) year process beginning with the environmental review process.

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Ms. Brennan then clarified that it was okay to disburse the fact sheet but not the map at this point. Mr. Hale then supposed there would be some compensation to the landowners along the route and it was noted that a Columbia gas line ran through Buckingham.

Mr. Saunders then noted that he did not think a landowner would get much out of it. Mr. Carter noted he would send out further information and Dominion had indicated that they would come in July to present to the Board.

IV. Adjournment

At 7:45 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.

DRAFT

June 10, 2014

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.

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

Absent: Constance Brennan, Central District Supervisor - Chair

I. Call to Order

Mr. Saunders called the meeting to order at 2:00 pm, with four (4) Supervisors present to establish a quorum and Ms. Brennan being absent.

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

Following the Call to Order, Ms. McCann introduced new employee, Grace Mawyer who would be replacing Linda Staton in the Finance Department. She noted that Ms. Mawyer was a Nelson County High School Graduate who had also just graduated from Virginia Tech with an Accounting Degree.

I. Consent Agenda

Mr. Hale requested that item E. Resolution **R2014-38** be removed from the Consent Agenda and considered separately. Supervisors agreed and Mr. Harvey moved to approve the Consent Agenda minus item E. and Mr. Hale seconded the motion. There being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion and the following resolutions were adopted:

- A. Resolution – **R2014-34** FY13-14 Budget Amendment

RESOLUTION R2014-34
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF FISCAL YEAR 2013-2014 BUDGET
NELSON COUNTY, VA

June 10, 2014

BE IT RESOLVED by the Board of Supervisors of Nelson County that the Fiscal Year 2013-2014 Budget be hereby amended as follows:

I. Appropriation of Funds (General Fund)

<u>Amount</u>	<u>Revenue Account (-)</u>	<u>Expenditure Account (+)</u>
\$ 2,679.00	3-100-002404-0015	4-100-032020-5648
\$ 2,011.00	3-100-009999-0001	4-100-051010-7002
<u>\$ 4,690.00</u>		

II. Transfer of Funds (General Fund)

<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
\$ 14,322.00	4-100-999000-9901	4-100-012040-3002
\$ 500.00	4-100-999000-9901	4-100-032020-2007
\$ 7,535.00	4-100-091030-5616	4-100-012150-1001
\$ 578.00	4-100-091030-5616	4-100-012150-2001
\$ 437.00	4-100-091030-5616	4-100-012150-2002
\$ 525.00	4-100-091030-5616	4-100-012150-2005
<u>\$ 23,897.00</u>		

B. Resolution – **R2014-35** Minutes for Approval

**RESOLUTION R2014-35
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF MEETING MINUTES
(May 6, 2014 and May 13, 2014)**

RESOLVED, by the Nelson County Board of Supervisors that the minutes of said Board's meetings conducted on **May 6, 2014 and May 13, 2014** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

C. Resolution – **R2014-36** COR Refunds

**RESOLUTION R2014-36
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF COMMISSIONER OF REVENUE REFUNDS**

RESOLVED, by the Nelson County Board of Supervisors that the following refunds, as certified by the Nelson County Commissioner of Revenue and County Attorney pursuant to §58.1-3981 of the Code of Virginia, be and hereby are approved for payment.

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<u>Amount</u>	<u>Category</u>	<u>Payee</u>
\$ 293.43	2012/2013 PP Tax & Vehicle License Fee	April Joy Winsheimer 112 E. McDowell St. Lexington, VA 24450-2339
\$131.30	Duplicate PP/RE Tax Payment	Ella Turner P.O. Box 193 Lovington, VA 22949
\$150.00	2013/2014 Vehicle License Fee, DMV Stop Fee and Administration Fee	Ronnie Washington 94 Briar Hook Rd. Gladstone, VA 24553

D. Resolution – **R2014-37** JAUNT Annual Meeting Proxy

**RESOLUTION R2014-37
NELSON COUNTY BOARD OF SUPERVISORS
DESIGNATION OF JAUNT ANNUAL MEETING PROXY**

RESOLVED, by the Nelson County Board of Supervisors that Stephen A. Carter or his designee is hereby appointed as proxy to act and vote all shares of the Nelson County Board of Supervisors at the annual meeting of the shareholders of JAUNT, Inc., a Virginia Public Services Corporation on Wednesday, July 9, 2014 and at any adjournments thereof, upon the election of directors, and, in his discretion, upon such other matters as may properly come before such meetings.

BE IT FURTHER RESOLVED, that this proxy shall be valid until otherwise designated.

E. Resolution – **R2014-38** Endorsement of BBRC Rail Preservation Funding Application. Removed

F. Resolution – **R2014-39** Approval of Amendments to the CVCJC Charter Agreement

**RESOLUTION R2014-39
NELSON COUNTY BOARD OF SUPERVISORS
A RESOLUTION APPROVING THE AMENDED CHARTER AGREEMENT
OF THE CENTRAL VIRGINIA CRIMINAL JUSTICE ACADEMY**

June 10, 2014

WHEREAS, the Central Virginia Criminal Justice Academy ("Academy") Board of Directors has recommended amendments to the Academy's Charter Agreement that was adopted in 1990; and

WHEREAS, approval of the amendments by participating governmental units of the Academy is required by the Academy's existing Charter Agreement;

NOW THEREFORE BE IT RESOLVED, by the Nelson County Board of Supervisors that the amendments to the Academy's Charter Agreement recommended by the Academy's Board of Directors, dated May 5, 2014, are hereby approved, and the COUNTY hereby enters into the Charter Agreement attached hereto.

**CENTRAL VIRGINIA CRIMINAL JUSTICE ACADEMY
CHARTER AGREEMENT .(amended May 5, 2014)**

SECTION 1. CREATION/ACADEMY NAME

Pursuant to Va. Code § 15.2-1747, the governmental units specified in the attached Resolutions hereby create the Central Virginia Criminal Justice Academy (hereinafter called the "Academy") which shall have all the powers, authority, attributes and immunities as specified in Title 15.2, Chapter 17, Article 5 of the Code of Virginia (Va. Code § 15.2-1747 et seq.) as amended from time to time. The Academy exists under and is subject to the terms and conditions of this charter- Agreement, which shall be deemed to constitute the agreement required by § 15.2-1747. The Academy was originally formed by agreement dated October 20, 1975, as amended in 1990, pursuant to the authority of former Va. Code§ 15.1-21 (now§ 15.2-1300), and was originally known as the Central Virginia Criminal Justice Training Center. The Academy being created hereunder is a continuation of the original Academy; accordingly, the effective date of the organization of the Academy is October 20, 1975. The actions taken by the Academy and its predecessor entities since its inception in 1975 are hereby ratified.

Other criminal justice agencies as defined and regulated by the Virginia Department Of Criminal Justice Services may join the Academy by two-thirds vote of the Academy's board of directors. The principal office of the Academy shall be located in the City of Lynchburg, Virginia. All participating jurisdictions and agencies shall be assigned to one of three Planning Districts as established by the Board. If an agency joins that is not within the geographical boundaries of the three established Planning Districts, such agency will be assigned to the closest Planning District.

SECTION 2. PURPOSE

The purpose of the Academy is to establish and conduct training for law enforcement And correctional officers, those being trained to be law enforcement and correctional officers, and other personnel who assist or support such officers.

SECTION 3. DURATION

June 10, 2014

This agreement shall exist in perpetuity unless amended or terminated by two-thirds Vote of the Academy's board of directors. A governmental unit and other criminal justice agencies as defined and regulated by the Virginia Department of Criminal Justice Services may withdraw from the Academy only in accordance with the procedure specified in Va. Code § 15.2-1747D.

SECTION 4. BOARD OF DIRECTORS

A. Selection and Composition

There is hereby created a Board of Directors (hereinafter called the "Board") which Shall be the governing body of the Academy. The Board will be composed of no more than seven members, with each member having one vote. There shall be two elected representatives from each of the participating planning districts. Members of the Board shall be elected from each of the planning districts by the heads of the law enforcement agencies in that particular district, each agency having one vote. If a head of a law enforcement agency cannot be present for a scheduled election, he may be represented by a proxy of his choosing. The head of the law enforcement agency of the jurisdiction that serves as fiscal agent shall hold a non-elective standing position on the Board. The majority of the Board of the Academy shall be composed of heads of law enforcement agencies of member departments and chief executives of local political subdivisions. Each planning district shall have at least one Board member who is the elected head of a law enforcement agency. Additional members shall come from the Criminal Justice System. Ex-officio member positions may be appointed by the Board as deemed necessary by the Board. Such appointments are for a period of one year, from July 1 through June 30. Selections shall be made during the spring meeting for the coming year. These ex-officio members shall be voting positions.

B. Terms

Each Board member's term will be three years and will begin on January 1. Election Of new Board members will occur in the fall of the year in which the incumbents' terms expire. A Board member may serve successive terms if duly elected. The Board members in place in 2014 will remain the same and will continue with the remainder of their terms of office. If a Board member cannot fulfil the obligation of office for the full term for any reason, the heads of the law enforcement agencies of that particular planning district shall at their earliest convenience elect a new member to complete that term. If any Board member misses three consecutive Board meetings, the heads of the law enforcement agencies of his/her planning district shall be notified. Upon petition by the majority of the heads of law enforcement agencies of a planning district, the Academy's Executive Director shall schedule a special election for the purpose of refilling such Board member's position for the remainder of the term.

C. Meetings

The Board shall meet in the spring of each year to adopt a proposed operating budget for the Academy for the ensuing fiscal year. The Board shall fix such other meeting times as it deems necessary. Written minutes of meetings shall be kept.

D. Officers

The Board shall elect a chairman and vice-chairman for the following calendar year during their fall meeting. The chairman and vice-chairman shall be from different planning districts. The Chairman's duties are as follows:

1. To preside over all meetings of the Board.
2. To provide guidance to the Director.
3. To appoint special committees to consider matters of special interest to the Board.
4. To represent the Board in public and private matters.

The Vice-Chairman's duties are as follows:

1. To preside at meetings in the absence of the Chairman.
2. To perform other duties as assigned by the Chairman or as directed by the Board.

E. Powers

The Board shall have the following powers and duties:

1. To develop and approve the Academy's curriculum in cooperation with, and subject to review by the Department of Criminal Justice Services.
2. To approve the operating policy including the expenditure of such funds as may be available in any year's appropriation, in such manner as the Board deems most appropriate.
3. To oversee and be responsible for the operation of the Academy, giving due consideration to the needs of the participating jurisdictions for recruiting and in-service training, for: fixing length and frequency of training, and to service demand in fixing operations and staffing levels of the Academy.
4. To appoint a Director who shall serve at the will and pleasure of the Board. The Board shall approve such other positions as necessary and fix the compensation, powers and responsibilities of the Director and the staff members. Also, the Board will evaluate the Director on an annual basis.
5. To contract with participating jurisdictions for necessary administrative and maintenance services.
6. To promulgate a schedule in each year of fixed costs for: maintenance of the Academy, equipment, basic staff and of the costs of operation depending on student population; and to promulgate an annual fee per authorized officer and other non-sworn personnel requiring training per department.
7. To provide for the training of students not employed by a participating jurisdiction, based upon a pre-arranged fee between the student's department head and the Academy Director.

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8. To render decisions on referred student disciplinary matters that cannot be resolved between the Academy Director and the head of the student's agency. If acceptable disposition cannot be reached, the Director shall refer the matter to the Board for resolution.

9. Such additional powers as are permitted by Title 15.2, Chapter 17, Article 5 of the Code of Virginia (V a. Code· § 15.2-1747 et seq.) as amended from time to time.

SECTION 5. DIRECTOR OF THE ACADEMY

The duties of the Director shall include:

1. Act as the Academy's fiscal officer.
2. Prepare the Academy's annual budget.
3. Act as the Academy's purchasing agent.
4. Advertise, hire, and train support staff.
5. Evaluate, discipline, and terminate support staff.
6. Establish support staff work schedules.
7. Prepare Academy governing body meeting agenda in cooperation with the Academy Board chairperson.
8. Advertise Academy governing body meetings.
9. Provide liaison to Academy governing body members and other officials.
10. Develop and continually review Academy curriculum.
11. Schedule Academy courses and programs.
12. Review instructor lesson plans and tests.
13. Ensure that faculty and students comply with Academy bylaws.
14. Review Academy bylaws.
15. Monitor Academy courses and programs.
16. Select and evaluate faculty performance.
17. Prepare and submit Annual Report to the Academy governing body.
18. Prepare and distribute Academy training calendar.
19. Instruct as needed.
20. Enter into contracts as needed.
21. Assure satellite training as authorized by the Academy governing body.
22. Ensure compliance with applicable laws and regulations governing Academy operations and programs.
23. To be responsible for the supervision and discipline of the students, and to ensure their compliance with the rules and regulations of the Academy during their attendance at the Academy.
24. Schedule Board elections and notify the heads of the law enforcement agencies of the planning district.
25. Such additional duties as are given to the Director from time to time by the Board.

SECTION 6. FINANCING AND BUDGET

A. Capital Assets and Expenditures

June 10, 2014

To accomplish the Academy's purpose, the Board shall have the authority to incur debt, to acquire and own real estate, to secure obligations by placing deeds of trust upon its property, to contract for its location needs and to execute all necessary instruments and documents. Any indebtedness so incurred shall not be indebtedness of any participating local jurisdiction or agency.

B. Operating Expenses

The total operating expense of the Academy will be funded by the state and participating jurisdictions and agencies. The local share of expenditures shall be determined by the total number of authorized sworn personnel. Each participant shall contribute annually the cost per officer times its number of employees requiring training, as determined by the guidelines of the Department of Criminal Justice Services. The Board shall determine when the appropriation of each participant is to be made to the Academy. Any new participant, after being approved by the Board, shall be assessed the standard fee per authorized officer based on a prorated quarterly basis.

SECTION 7. TERMINATION

In the event this Agreement is terminated in its entirety, all property of the Academy shall be scheduled and valued by or at the direction of the Board and distribution in kind to the participants as nearly as is feasible in the same proportion as they contributed to acquiring the property. The word "termination" in this section applies only to the complete dissolution of the Academy in accordance With Section 3 of this Charter Agreement, and does not include those situations in which a participating jurisdiction or agency withdraws its membership.

SECTION 8. AMENDMENTS

The Board may recommend amendments to this Charter. Such amendments shall become effective upon approval by any two of the participating governmental units.

G. Resolution – **R2014-40** Election of VRS Contribution Rates

RESOLUTION R2014-40
NELSON COUNTY BOARD OF SUPERVISORS
EMPLOYER CONTRIBUTION RATES FOR COUNTIES, CITIES,
TOWNS, SCHOOL DIVISIONS AND OTHER POLITICAL SUBDIVISIONS
(IN ACCORDANCE WITH THE 2014 APPROPRIATION ACT ITEM 467(I))

BE IT RESOLVED, that the Nelson County Board of Supervisors, **Employer Code 55162** does hereby acknowledge that its contribution rates effective July 1, 2014 shall be based on the higher of a) the contribution rate in effect for FY 2012, or b) eighty percent of the results of the June 30, 2013 actuarial valuation of assets and liabilities as approved by the Virginia Retirement System Board of Trustees for the 2014-16 biennium (the "Alternate Rate") provided that, at its option, the contribution rate may be based on the employer contribution rates certified by the

June 10, 2014

Virginia Retirement System Board of Trustees pursuant to Virginia Code § 51.1-145(I) resulting from the June 30, 2013 actuarial value of assets and liabilities (the “Certified Rate”); and

BE IT ALSO RESOLVED that the Nelson County Board of Supervisors **Employer Code 55162** does hereby certify to the Virginia Retirement System Board of Trustees that it elects to pay the following contribution rate effective July 1, 2014:

(Check only one box)

The Certified Rate of 12.31% The Alternate Rate of _____%; and

BE IT ALSO RESOLVED, that the Nelson County Board of Supervisors **Employer Code 55162** does hereby certify to the Virginia Retirement System Board of Trustees that it has reviewed and understands the information provided by the Virginia Retirement System outlining the potential future fiscal implications of any election made under the provisions of this resolution; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, the officers of the Nelson County Board of Supervisors **Employer Code 55162** are hereby authorized and directed in the name of the County of Nelson to carry out the provisions of this resolution, and said officers of the County of Nelson are authorized and directed to pay over to the Treasurer of Virginia from time to time such sums as are due to be paid by the County of Nelson for this purpose.

H. Resolution – **R2014-41** Nelson Rescue Insurance Deductible Reimbursement

**RESOLUTION R2014-41
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF REIMBURSEMENT OF PAYMENT OF
INSURANCE DEDUCTIBLE FOR NELSON RESCUE SQUAD**

BE IT RESOLVED that the Nelson County Board of Supervisors does hereby approve reimbursement of \$250.00 to Nelson Rescue Squad for the insurance deductible associated with repairs to Rescue Unit #102 completed by Bill’s Body Shop of Amherst, Virginia.

Mr. Hale then noted that Buckingham Branch Railroad operated the old C&O tracks from the Bremo Bluff area all the way to Clarkesville, Virginia.

Mr. Hale then moved to approve Resolution **R2014-38** Rail Preservation Application Buckingham Branch Railroad Company.

Mr. Bruguiere asked if it came through Nelson and Mr. Hale noted it did in the Afton area and was adjacent to the Blue Ridge Tunnel. He noted that CSX called this the Mountain Division.

Mr. Bruguiere seconded the motion and Mr. Hale added that they were doing significant improvements with a total budget of \$6 Million and that they were already working on a portion in Nelson County. He noted that they were upgrading the tracks, removing telegraph

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lines, and that they had been very helpful to the County with visitors to the tunnel. He added that he and possibly Mr. Carter may make a personal visit to support them.

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

**RESOLUTION R2014-38
NELSON COUNTY BOARD OF SUPERVISORS
RAIL PRESERVATION APPLICATION
BUCKINGHAM BRANCH RAILROAD COMPANY**

WHEREAS, the Buckingham Branch Railroad desires to file an application with the Virginia Department of Rail and Public Transportation for funding assistance for the projects;
And

WHEREAS, Buckingham Branch Railroad has identified projects that are estimated to cost \$6,637,000.00; and

WHEREAS, the General Assembly, through enactment of the Rail Preservation Program, provides for funding for certain improvements and procurement of railways in the Commonwealth of Virginia; and

WHEREAS, the Buckingham Branch Railroad is an important element of the Nelson County transportation system; and

WHEREAS, the Buckingham Branch Railroad is instrumental in the economic development of the area, and provides relief to the highway system by transporting freight, and provides an alternate means of transportation of commodities; and

WHEREAS, the County of Nelson supports the projects and the retention of the rail service;
and

WHEREAS, the Commonwealth Transportation Board has established procedures for all allocation and distribution of the funds provided.

NOW, THEREFORE, BE IT RESOLVED, that the Nelson County Board of Supervisors does hereby request the Virginia Department of Rail and Public Transportation to give priority consideration to the projects proposed by the Buckingham Branch Railroad.

BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the minutes of the June 10, 2014 meeting and sent to Buckingham Branch Railroad.

II. Public Comments and Presentations

A. Public Comments

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There being a large number of citizens present, Mr. Saunders asked those wishing to make public comment to state their name and address and to keep their comments to under three minutes in length. He then noted that the public comment period would last for thirty minutes. Mr. Saunders then opened the floor and the following persons were recognized:

1. James Klemic, Afton

Mr. Klemic spoke in opposition to the Dominion pipeline and read a prepared statement that noted he was concerned with maintaining the beauty and character of the County and that the gas being transported was primarily for export. He asked that the Board jointly express disapproval of the project and pass it up the chain to all state and federal officials for an effective strategy of opposition. He then read aloud the "Mission" of the Board and asked that the Board advertise a special Board of Supervisors meeting the following week to address this issue.

2. Ernie Reed, Director of Wild Virginia Conservation and Nelson County resident.

Mr. Reed spoke in opposition to the Dominion pipeline because it would run through areas of nature conservancy, and other wildlife areas. He added that Wild Virginia was dedicated to being a part of the process through FERC and in opposing it every step of the way. He noted attendance of the citizen meeting at the library and it was clear that they were interested in seeing it not go through the county at all. He suggested that the Board get in touch with other impacted counties to see what could be done to keep it from going through Nelson. He then implored the Board to create a resolution in opposition to this and to hold a public meeting on this issue to get opposition on the record.

3. Lilly Gill, Nellysford

Ms. Gill spoke in opposition to the Dominion pipeline noting that she was concerned with the construction process and any maintenance rights that the company would have. She noted that she thought it would reduce property values and make it harder to sell. She also noted that it would alter the rural character of the County. She then noted that in 2014, there had been 12 pipeline leaks and accidents resulting in bad things. She noted that the Wikipedia list of these was 30 pages long and noted that leaks could affect the environment for a long time and it was not worth it for temporary gain. She concluded by noting that natural gas was a finite source of energy and she was concerned with what happened to pipelines and to the properties once the resource was depleted.

4. Charlie Weinberg, Realtor in Nelson County

Mr. Weinberg spoke in opposition to the Dominion pipeline; noting it would be coming at a bad time for his industry and would place a question mark on real estate recovery affecting values and sales. He added that he was told the list of letter recipients was proprietary information and Dominion placed a stigma upon a broad swath in the county unnecessarily. He added that the suggestion of the pipeline has had a negative impact already and that it would compromise citizens' greatest assets: their land and home. He then asked the Board to

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request a list of affected property owners be made available to the public and assert that the pipeline was incompatible for Nelson County.

5. Andrew Gantt, Norwood

Mr. Gantt spoke in opposition to the Dominion pipeline and noted he owned land on the pipeline path and he wanted to keep his property in conservation status. He noted he would do everything he could to prevent it for environmental and ecological reasons.

6. Charlotte Rae, Afton

Ms. Rae spoke in opposition to the Dominion pipeline and noted that her property had a covenant on it to protect the environmental nature of property. She noted she had property on the North Fork of the Rockfish River and knew the impacts of sedimentation etc. and building a pipeline there would be devastating to the area; affecting water supply if it leaked. She then asked the Board to assemble a meeting the following week to discuss the issue and hear citizens' concerns. She noted that it would be helpful if she could see a detailed map showing addresses and landowners along the path and she requested that the County provide this.

7. Kathy Versluys, Adial Road - Acorn Inn

Ms. Versluys spoke in opposition to the Dominion pipeline and read a prepared statement to Mr. Carter and the Board. She added that the proposed pipeline would scar the landscape and destroy property values in the county. She noted that the pipeline would have to be maintained by spraying with herbicide by helicopter and that she did not believe in fracking and it was not sustainable.

8. Ron Enders, Goodwin Creek Trail

Mr. Enders spoke in opposition to the Dominion pipeline and noted that he had property near the North Fork of the Rockfish River. He added that he would like an explanation of how the County had information from Dominion that could not be shared with constituents.

9. William Gage, Jr. Berryville Road

Mr. Gage spoke in opposition to the Dominion pipeline and noted that he had received a certified letter from Dominion regarding his property. He noted that he would like to get beyond the argument and ask the Board to find a way to express disapproval or dissent in the face of something which citizens oppose. He noted it was a complicated issue that involved a lot of factors and that citizens expressing disapproval through the Board would be a good and functioning democracy.

10. Marie Derdeyn, Davis Creek

Ms. Derdeyn spoke in opposition to the Dominion pipeline noting that she had a Conservation Easement as part of Shields Gap. She added that the Nature Conservancy would like to keep this forest intact and that 270 of her 400 acres were in a conservation easement. She noted that she had received a letter from Dominion regarding the pipeline going through this 270 acres in easement. She then noted she had written them back noting the conditioned access to their property. She then also requested the Board's support in opposition of this and in keeping Nelson County the way it was. She emphasized that the time for action was earlier rather than later.

11. Ann Buteau, Shipman

Ms. Buteau spoke in opposition to the Dominion pipeline noting that she came to Nelson County with nothing and had developed a sustainable income and property. She added that she would like know more about what was happening and she believed that condoning the pipeline was condoning fracking and devastation.

12. Joyce Burton, Wild Orchid Lane

Ms. Burton spoke in opposition to the Dominion pipeline and then asked others present who were in opposition to stand. She then asked the Board to let the public know where they stood on the issue individually and as a group.

13. Ridgley Harrison, Citizen

Ms. Harrison noted that she had heard legislation was put in place in 2006 to allow the pipeline and questioned whether or not the County could put in place ordinances that made conditions on them coming through land. She also inquired as to whether or not the County could have its own environmental study done to check on the safety etc.

Mr. Carter advised her that FERC staff would have some degree of responsibility for this.

Mr. Saunders having noted that the timeframe for public comment on the Dominion pipeline had expired, closed the public comments session regarding this issue.

Mr. Bruguere then noted to the public that the Board did not know any more than they did. He noted he had received an email about the proposed pipeline approximately four days prior to when the letters went out and there was no secrecy there. He added that things were very preliminary and they had no contact from Dominion. Mr. Bruguere stated that he was neutral on the issue until he got more information. He added that there was some information on the website and that until Dominion came before them to speak about it, he would remain neutral. He then noted that he had spoken to Dickie Bell, who had said there were pros and cons and he thought everyone should listen to all sides. He noted that the surveying was preliminary and may show it to not be feasible and added that they had a long way to go before they saw a pipeline.

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Mr. Hale noted that there was no effort on the part of staff or the Board to conceal any information and the information they received was received about the same time as it became public. He added that they had some information on the project and that they had not yet even applied to the federal agency to pursue the project. He then noted that he understood that Dominion was going to come to speak to the Board and that Mr. Carter had asked them to come to the July Board meeting. Mr. Hale noted that he intended to follow up and gather as much information as possible about it and have them come for the public.

Mr. Harvey then noted that he found out about the pipeline on May 29th from his sister in law who got the letter from Dominion. He noted that he did not support the pipeline and he did not see any benefit from it to Nelson County. He added that no person or government would benefit from this. He then noted that the proposed route showed them coming over the parkway through mill creek; which was solid rock and he did not think it was humanly possible to get through there. He then noted he thought there was a hidden agenda and he thought it should be opposed. He added that he thought there was nothing they could do at the local level; however he thought the more they could join together in opposition, the better. Mr. Harvey then noted he would like to hear from surrounding localities and would like to employ the Planning District's Legislative Liaison to work on this. He also suggested that they work together and not use negativity. He noted that there was information on the County's website now. In conclusion he noted that they were told that three companies were vying for this and that they have not yet identified them. He added that he did not fully understand the process.

Mr. Saunders emphasized that there were no secrets and the Board and staff were not hiding anything. He added there was a lot to be done and the pipeline was years away from being built. He reiterated that the Board was not keeping secrets from anyone and that he did not have enough knowledge to speak on it. He added that he was in the pipeline installation business for forty years and he did not agree with some of what had been said and did not agree with the element of danger that has been presented. He then noted he would not form an opinion until he had more information.

Mr. Saunders then asked for public comments on any other subject and the following person was recognized:

1. Reverend Rose, Shipman

Mr. Rose noted he had several issues to note to the Board as follows:

Nelson Senior Center – He noted he had invited them to the Senior Prom at United Methodist Church and no-one showed up. He noted that no-one has been coming to the Senior Advisory Committee and he was concerned about that.

Town Hall Meetings – He noted that he had requested that a town hall meeting be set in each of the districts. He noted that Mr. Hale, Mr. Harvey, and Ms. Brennan had them. He

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added that people in the districts did not know who they were and they should make themselves known by having town hall meetings.

Mobile Food Pantry – He noted he had requested that the Board come to the mobile food pantry held on the first and third Tuesday of every month. He noted that there were a lot of people in need and they were now doing a drive through at the Heritage Center. He added that the previous week, the parking lot was full and no one from the Board had come yet. He noted this seemed like a lack of concern and they needed to see those in need.

House on Route 647 – He asked how long it would take to do something with the house on Route 647. He noted it should have been destroyed by now and action needed to be taken.

Mr. Saunders then noted that this property was scheduled for demolition in July and he had been working on this for three years.

B. VDOT Report

Mr. Carter noted that Mr. Austin was in Charlottesville at a required meeting and was unable to attend.

Mr. Harvey then asked staff to notify VDOT that there was dumping at the bridge at Route 6 East coming from Route 151 and to check to see if it was them. He added if they were using it, they should keep it cleaned up and chained off.

Mr. Bruguiere and Mr. Hale had no VDOT issues and Mr. Saunders had no issues but wanted to follow up on the ones he presented at the last meeting.

III. New Business/ Unfinished Business

A. Adoption of FY15 Budget (R2014-42)

Mr. Carter noted that staff had prepared resolutions for the adoption and appropriation of the FY15 budget. He noted that the Board had held a public hearing which was properly advertised by state law.

Mr. Harvey then moved to approve resolution **R2014-42** Adoption of Budget Fiscal Year 2014-2015, July 1, 2014 to June 30, 2015 and Mr. Hale seconded the motion.

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

RESOLUTION 2014-42
NELSON COUNTY BOARD OF SUPERVISORS
ADOPTION OF BUDGET FISCAL YEAR 2014-2015
(JULY 1, 2014-JUNE 30, 2015)

June 10, 2014

NELSON COUNTY, VIRGINIA

WHEREAS, pursuant to the applicable provisions of Chapter 25, Budgets, Audits and Reports of Title 15.2 of the Code of Virginia, 1950, the Board of Supervisors of Nelson County, Virginia has prepared a budget for informative and fiscal planning purposes only and has also established tax rates, as applicable, for Fiscal Year 2014-2015 (July 1, 2014-June 30, 2015); and

WHEREAS, the completed Fiscal Year 2014-2015 Budget is an itemized and classified plan of all contemplated expenditures and all estimated revenues and borrowing; and

WHEREAS, the Board of Supervisors has published a synopsis of the budget, given notice of a public hearing in a newspaper having general circulation in Nelson County and, subsequent thereto, convened a public hearing on the Fiscal Year 2014-2015 Budget.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Nelson County, Virginia that the Fiscal Year 2014-2015 Budget be hereby adopted in the total amount (all funds, revenues and expenditures) of \$68,375,441. The individual fund totals are denoted as follows:

<u>Fund</u>	<u>Budget</u>
General	\$ 35,149,555.00
VPA	\$ 1,852,054 .00
Debt Service	\$ 3,266,560.00
Capital	\$ 897,940.00
School	\$25,924,013.00
Textbook	\$ 366,958.00
Piney River (Operations)	\$ 213,361.00
Courthouse Project	\$ 705,000.00

1)The General Fund includes \$18,140,888 in local funding transferred to the Broadband Fund (\$100,000), the Reassessment Fund (\$100,000), the Debt Service Fund (\$3,266,560), the Piney River Water & Sewer Fund (\$40,000), and the School Fund (\$14,171,107 for general operations, \$215,000 allocated for school nursing, \$190,000 allocated for school buses, and \$58,221 allocated for facility improvements). Also included is \$1,852,054 in local, state, and federal funds transferred to the VPA Fund.

2)The School Fund includes a transfer of \$181,558 to the Textbook Fund.

BE IT LASTLY RESOLVED, that adoption of the Fiscal Year 2014-2015 Budget shall not be deemed to be an appropriation and no expenditures shall be made from said budget until duly appropriated by the Board of Supervisors of Nelson County, Virginia.

B. Appropriation of FY15 Budget (**R2014-43**)

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Mr. Hale moved to approve resolution **R2014-43** Fiscal Year 2014-2015 Appropriation of Funds and Mr. Bruguere seconded the motion.

Mr. Hale then noted that at the budget public hearing only one person came to comment and that was the Superintendent of Schools. He noted that he wished people would comment on where their taxes were being spent.

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

**RESOLUTION R2014-43
NELSON COUNTY BOARD OF SUPERVISORS
FISCAL YEAR 2014-2015 APPROPRIATION OF FUNDS**

WHEREAS, the applicable provisions of Chapter 25, Budgets, Audits and Reports of Title 15.2 of the Code of Virginia, 1950 require the appropriation of budgeted funds prior to the availability of funds to be paid out or become available to be paid out for any contemplated expenditure; and

WHEREAS, the Nelson County Board of Supervisors has heretofore approved the Fiscal Year 2014-2015 Budget (July 1, 2014 to June 30, 2015) for the local government of Nelson County and its component units; and

WHEREAS, the Board of Supervisors now proposes to appropriate the funds established in the Fiscal Year 2014-2015 Budget;

NOW, THEREFORE, BE IT RESOLVED by the Nelson County Board of Supervisors that the Fiscal Year 2014-2015 Budget be hereby appropriated on an annual basis by fund category, as follows:

<u>Fund</u>	<u>Revenue(s) (All Sources)</u> <u>Departments)</u>	<u>Expenditure(s) (All</u>
General	\$ 35,149,555.00	\$ 35,149,555.00
VPA	\$ 1,852,054.00	\$ 1,852,054.00
Debt Service	\$ 3,266,560.00	\$ 3,266,560.00
Capital	\$ 897,940.00	\$ 897,940.00
School	\$ 25,924,013.00	\$ 25,924,013.00
Textbook	\$ 366,958.00	\$ 366,958.00
Piney River (Operations)	\$ 213,361.00	\$ 213,361.00
Courthouse Project	\$ 705,000.00	\$ 705,000.00
	<u>\$ 68,375,441.00</u>	<u>\$ 68,375,441.00</u>

BE IT FURTHER RESOLVED by the Board of Supervisors that:

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1. The General Fund appropriation includes the transfer of \$1,852,054 (4-100-093100-9201) to the VPA Fund (3-150-004105-0001), \$3,266,560 (4-100-093100-9204) to the Debt Service Fund (3-108-004105-0100), \$14,634,328 (4-100-093100-9202/Nursing \$215,000, 4-100-093100-9203/Operations \$14,171,107, 4-100-093100-9205/Buses \$190,000, 4-100-093100-9206/Capital \$58,221 to the School Fund (3-205-004105-0001), \$100,000 (4-100-093100-9114) to the Broadband Fund (3-114-004105-0100), \$100,000 (4-100-093100-9101) to the Reassessment Fund (3-101-004105-0001) and \$40,000 (4-100-093100-9207) to the Piney River Water & Sewer Fund (3-501-004105-0001). The amounts transferred from the General Fund to the VPA Fund, Debt Service Fund, School Fund, and Piney River Water & Sewer Fund are also included in the total appropriation for each of these funds.
2. The Textbook Fund appropriation includes the allocation of \$181,558 from the School Fund.
3. The appropriation of funds to the School Fund, Textbook Fund, and VPA Fund shall be in total and not categorically.
4. The appropriation and use of funds within the General, Debt Service, Capital, Piney River Water & Sewer, and Courthouse Project funds shall adhere to the amounts prescribed by the Board of Supervisors for each department therein unless otherwise authorized by the Board of Supervisors.

C. Authorization for Public Hearing -Planning Commission Referred
Comprehensive Plan Updates **(R2014-44)**

Mr. Tim Padalino addressed the Board and noted that the process of updating the Transportation Chapter had begun at the end of 2010, the Thomas Jefferson Planning District Commission helped develop it through 2011 and 2012, and Staff worked on further revisions in 2013. He noted that at that point it was put on hold in order to include outcomes of the Route 151 Corridor Study. He noted that the Planning Commission held its public hearing on November 20, 2013, VDOT had provided its review, input, and concurrence and the Planning Commission made its recommendation to the Board for approval on April 23, 2014. He noted that it was a state requirement to have a transportation chapter that has been reviewed by VDOT. He reiterated that Rick Youngblood of VDOT had provided his approval by email. It was noted that the draft had been posted on the County's website for public review.

Mr. Padalino then briefly described the updates as follows: Three changes to pages 7-9 included the Route 151 Corridor study. Pages 10-15 and 17 have been changed for grammatical reasons. Page 16 was more extensive in the description of Route 151 and of Route 29 (as requested by the Board). Finally, Page 29, recommended a new principle to support non-motorized greenways.

Mr. Padalino noted that the Board's consideration was authorizing a public hearing to be held by them the following month.

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Mr. Harvey noted he would like to digest the information before setting a public hearing date. Supervisors agreed by consensus to review the changes further and for staff to wait for the Board to be ready to move forward. Staff noted that it could be brought back in July to see where they stood. Mr. Hale noted that he thought all of his issues had been addressed; however the consensus was to defer any action.

- D. Closed Session pursuant to Virginia Code § 2.2-3711(A) (1): discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body.

Mr. Carter noted that they could avoid having a closed session by addressing the policy issue and not using names.

He noted the information provided to the Board and that the employee was leaving service to pursue other things. He noted that the Board had adopted a policy in 1999 that provided for a retiree health insurance assistance program such that if an employee worked for the County for fifteen (15) years or longer, they could get \$2.50 per year of service per month credited towards their cost of health insurance. He noted that the employee in question had worked for the County and the School Board combined for over 15 years and he was not sure if the Board would agree or not that the years worked for the School Board counted towards the required years of service to obtain the health insurance credit.

Supervisors briefly discussed this and were in agreement that School employees were considered County employees. Mr. Carter noted he just wanted to be sure the Board was comfortable with this as the question was is the interpretation broader than what was on paper.

Supervisors then agreed by consensus that years worked for the School Board were considered County years of service for the purpose of being granted the retiree health insurance credit.

IV. Reports, Appointments, Directives, and Correspondence

A. Reports

1. County Administrator's Report

I. Courthouse/Government Center Project: Blair Construction has completed additional repairs to the tunnel connector structure. Final project payment to be paid on June 11, 2014.

Mr. Carter noted that Blair has given their assurances that they will continue to address any concerns that arise.

II. Courthouse Project Phase II: Six proposals from AE firms received on 5-28. Selection Committee to meet week of 6-16 to review proposals and move towards AE selection.

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Mr. Carter noted that he, Mr. Hale, Mr. Saunders, Ms. Smythers, and David Thompson would be on the selection committee and would meet next week to recommend firms for interview and selection. Mr. Hale noted that he had spoken with Ms. Smythers and next week looked fine for her except for Tuesday. Mr. Carter noted that staff was working on setting this up and Monday at 2pm had been suggested. Mr. Hale noted to be sure that Judge Gamble was invited in case he would like to participate.

III. Jefferson Building: Lynchburg Restoration, Inc. submitted the low cost proposal (\$30,540) and is process with project completion (by July 14, 2014).

Mr. Carter reported that he had signed off on a couple of change orders that would increase the cost somewhat; however the building would look outstanding when it was finished.

Mr. Hale then asked if the contractor would remove the poured concrete where the old steps were and Mr. Saunders and Mr. Carter both confirmed that this was part of the change orders. They noted that the railing would also be extended and the other window on the northwest corner was to be enclosed also.

IV. Massies Mill School Demolition: In process. Contract completion date is July 7th.

Mr. Carter noted that this was in process and that they were still dealing with asbestos; so the building was not down yet.

V. Lovington Health Care Center: Planning session scheduled for 6-27 to include JABA and Region Ten staffs.

VI. BR Tunnel and BR Railway Trail Projects: A) **BRRT** – Construction complete with VDOT close out in process. Retainage pending payment. B) **BRT** – Advertisement for sealed bids issued on 6-1. Mandatory pre-bid meeting on 6-16 at 10 a.m. Sealed bid(s) receipt is July 1 at 2 p.m. Notice from VDOT on Phase 2 TAP grant award is pending receipt.

Mr. Carter noted that on the BRRT, the County was holding retainage of less than \$7,000.

VII. 2014 Lockn Festival: Special Event Permit approval of the 2014 festival is in process.

Mr. Saunders reiterated that he would like for everything to be finalized for 2013 before 2014 was permitted and Mr. Carter noted staff was working on this. He added that they have had hearings with the ABC Board; however he did not know the outcome and he would report back when he did.

VIII. Broadband: Fiber installations in process to 11-13 properties in Rockfish Orchard Subdivision. NCBA rate schedule for tower co-locations submitted to the Nature Conservancy regarding consent for Hightop Tower wireless co-location. EMATS is new Ms.

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Utility locates contractor for NCBA replacing CCTS, which continues as outside plant contractor.

IX. Radio Project: Coverage testing scheduled the week of July 7th.

Mr. Carter noted that the County had secured two additional frequencies, training had gone through, and September was close out of the project.

X. Rockfish Valley Area Plan: Contract with TJPDC received and being reviewed for approval. Project to commence following approval and TJPDC assistance to be completed by 10-1-14.

Mr. Carter noted that the scope was included in the Phase I description and he would send this out to the Board.

XI. Roseland/Ferguson's Store PER: DEQ working to complete MOU for County's approval with project to commence thereafter.

Mr. Hale noted that any information coming from this should be shared with the Service Authority. Mr. Carter assured the Board that he would do this. He added that the Draper Aden proposal had been given to George Miller; however he would follow up. Mr. Harvey then noted that the Service Authority had been unhappy with the quality of work done by them so far.

XII. Sturt Property Plan: Staff to meet with Community Design Assistance Center staff from VA Tech, following County's submittal of project proposal, to CDAC to assist with completion of a master plan for the County's Sturt Property.

Mr. Carter noted that Virginia Tech wanted to come visit the property later in the month.

XIII. SE Reliability Project (Dominion Resources/Transmission, Inc. Proposed Pipeline): Staff has posted on the County's website information from Dominion Resources and the Federal Energy Regulatory Commission on the utility company's proposed interstate natural gas pipeline project. This work will be ongoing.

Mr. Carter noted having contacted Senator Warner's office and he hoped to speak to a FERC representative the next day. He reiterated that staff had posted Dominion and FERC information on the County's website.

XIV. Staff Reports: Provided within the June 10, 2014 Agenda

2. Board Reports

Mr. Bruguere and Mr. Saunders had no reports.

Mr. Harvey noted that Gladstone Rescue had been awarded the fifty-fifty grant for an ambulance so they would receive half of \$83,000 for the ambulance.

Mr. Hale reported that the Sturt heirs had given the County a grant for the Sturt property study. He added that staff should mention to the Community Design people that the County could obtain funds to do the study. Mr. Harvey suggested that they share it and get Sturt input on the design.

Mr. Hale then reported that the past Saturday was National Trails Day, and Ms. Harper had organized an event to celebrate the near completion of the Blue Ridge Railway Trail. He noted it was well attended and they had given rides down and back on the trail. He added that he thought the Board would like to see Ms. Harper's presentation on the trail.

B. Appointments

Ms. McGarry noted that the following information had been provided regarding appointments. She added that there had been no applications received from new applicants for any of the seats.

(1) New Vacancies/Expiring Seats & New Applicants :				
Board/Commission	Term Expiring	Term & Limit Y/N	Incumbent	Re-appointment
Nelson County Service Authority	6/30/2014	4Years/No Limit	Allen Hale - East	
			Russell Otis - Central	Y
			Tommy Harvey - North	Y
Local Board of Building Code Appeals	6/30/2014	4Years/No Limit	Robert L. Yoder	Y
			Robin Meyer	Y
Economic Development Authority (EDA)	6/30/2014	4Years/No Limit	Natt A. Hall, Jr.	Y
			J. Alphonso Taylor	Y
Libarary Advisory Committee	6/30/2014	4Years/No Limit	Ellen Bouton - North	Y
			Nancy K. Kritzer - East	N
Planning Commission	6/30/2014	4Years/No Limit	Phillipa Proulx - North	Y
			Emily Hunt - East	
			Linda Russell - Central	Y
Department of Social Services Board	6/30/2014	4Years/2 Term Limit	Joan Giles - West	Y
			Pauline Page - East	Y
	6/30/2017		Donald Gray - North	N
TJ Area Community Criminal Justice Board	6/30/2014	3Years/2 Term Limit*	Jim Hall	Y
<i>* term limit does not apply if noone else is qualified</i>				
(2) Existing Vacancies:				
Board/Commission	Terms Expired	Term & Limit Y/N	Number of Vacancies	
JABA Advisory Council	12/31/2013	2 Year/No Limit	Deborah Harvey	N

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Mr. Hale then proposed that the Board hold a continued meeting on the fourth Thursday to deal with appointments when the entire Board was present and then they could see about getting more applicants. Mr. Harvey suggested that they could do the ones that the Board agreed upon and after brief discussion, action was deferred until a meeting to be held on June 26, 2014 at 4:00 pm for appointments and a presentation by Emily Harper on the Blue Ridge Railway Trail.

C. Correspondence

Mr. Carter distributed an EMS Council request for an interest free loan for Wintergreen Rescue Squad for their building renovation. He noted that they were requesting \$250,000 for this and the Board had granted them \$70,000 in the previous year. He added that the Loan Fund balance was a little over \$626,000 and staff had no concerns with approving the loan.

Mr. Carter then clarified that the Board had granted them approximately \$70,000-\$80,000 with Mr. Harvey noting that they had done the same for them as they did for the Nelson Rescue Squad. Mr. Harvey noted that this had been costly for them because they had to move all of the utilities. Mr. Carter then noted that they had asked for a fifteen (15) year term; however they noted their intention to repay it in ten (10) years.

Mr. Harvey then moved that the Board allow the Treasurer to release the requested loan funds to Wintergreen Rescue Squad and Mr. Bruguiera seconded the motion. There being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion.

D. Directives

Mr. Harvey and Mr. Saunders had no Directives.

Mr. Hale directed staff to provide him and Mr. Saunders any future addenda to the Woolpert Contract on the Blue Ridge Tunnel as well as invoices prior to their payment.

Mr. Hale then inquired as to what extent staff could get more information on the Dominion pipeline.

Mr. Carter noted that staff had posted a guide on the website and would be talking with FERC representatives when they were available. He noted that staff was trying to glean how it all worked and had gathered that they were in the pre-filing mode now. He added that the competitor's route did not come through Nelson County but went more north. He noted that once a docket number was assigned to the project, the County would be a recipient of any and all information on the project and would be better able to interact with FERC throughout the process. He added that the Board could take a position on the project that could be communicated to Dominion and FERC etc.

Mr. Hale then directed that staff check with colleagues in Augusta and other impacted counties to see what they were doing.

June 10, 2014

Mr. Carter noted he would and that staff would continue to post things and would let the Board and public know. Mr. Harvey recommended that the citizens group have one spokesperson designated to share information and Mr. Carter noted that once the docket number was issued by FERC, anyone could follow the project. He added that to get to the point of construction would take two (2) years and construction would take two (2) years.

Mr. Hale then inquired if it were true that if a property owner did not give them permission, they could come on the property to survey anyway.

A citizen in attendance noted that a lawyer had advised that not signing the Dominion letter allowed them to come on the property and one had to write them a letter saying they were not permitted.

V. Adjournment (No Evening Session Will Be Held)

At 4:40 PM, Mr. Harvey moved to adjourn and continue the meeting until June 26th at 4:00 pm in the General District Courtroom. Mr. Hale seconded the motion and there being no further discussion, Supervisors voted unanimously by voice vote to approve the motion and the meeting adjourned.

RESOLUTION R2014-48
NELSON COUNTY BOARD OF SUPERVISORS
DECLARING ITS INTENTION TO REIMBURSE ITSELF FROM THE
PROCEEDS OF ONE OR MORE TAX-EXEMPT FINANCINGS FOR
CERTAIN EXPENDITURES MADE AND/OR TO BE MADE IN
CONNECTION WITH THE ACQUISITION, CONSTRUCTION,
EXPANSION, RENOVATION AND EQUIPPING OF NELSON COUNTY
COURTHOUSE FACILITIES

WHEREAS, the County of Nelson (**the “Issuer”**) is a political subdivision organized and existing under the laws of the Commonwealth of Virginia; and

WHEREAS, the Issuer has paid beginning no earlier than 60 days prior to the date of adoption of this resolution, and will pay, on and after the date hereof, certain expenditures (**“Expenditures”**) for the acquisition, construction, expansion, renovation and equipping of Nelson County Courthouse facilities and related administrative space and holding areas (**the “Project”**); and

WHEREAS, the Board of Supervisors of the Issuer (**the “Board”**) has determined that those moneys previously advanced no earlier than 60 days prior to the date of adoption of this resolution and to be advanced on and after the date hereof to pay the Expenditures are available only for a temporary period and it is necessary to reimburse the Issuer for the Expenditures from the proceeds of one or more issues of tax-exempt bonds (**the “Bonds”**).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

Section 1. The Board hereby declares the Issuer’s intent to reimburse the Issuer with the proceeds of the Bonds for the Expenditures with respect to the Project made on and after the dates referenced above. The Issuer reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Bonds.

Section 2. Each Expenditure was and will be either (a) of a type properly chargeable to capital account under general federal income tax principles (determined in each case as of the date of the Expenditures), (b) a cost of issuance with respect to the Bonds, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the Issuer so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the Issuer.

Section 3. The maximum principal amount of the Bonds expected to be issued for the Project is \$5,000,000.

Section 4. The Issuer will make a reimbursement allocation, which is a written allocation by the Issuer that evidences the Issuer’s use of proceeds of the Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The Issuer recognizes that exceptions are available for certain “preliminary expenditures,” costs of issuance, certain de minimis amounts, expenditures by “small issuers” (based on the year of issuance and not the year of expenditure) and expenditures for construction projects of at least 5 years.

Section 5. This resolution shall take effect immediately upon its passage.

The members of the Board voted as follows:

Yes

No

Absent

Abstained

PASSED AND ADOPTED THIS ___ day of _____, 2014.

Chairman, Board of Supervisors
of Nelson County, Virginia

Attested to:

Clerk, Board of Supervisors
of Nelson County, Virginia

Candy McGarry

From: Steve Carter
Sent: Tuesday, June 10, 2014 9:10 AM
To: Candy McGarry
Cc: Debbie McCann
Subject: FW: Nelson County - Reimbursement Resolution - courthouse renovation
Attachments: Reimbursement Resolution (V0114442).doc

Candy,

FYI for July 2014 meeting (or thereafter).

Steve

Stephen A. Carter
Nelson County Administrator
P. O. Box 336
84 Courthouse Square
Lovingston, VA 22949
Ph. (434) 263-7001
Fx. (434) 263-7004

From: Jacobson, Paul C. [mailto:pjacobson@sandsanderson.com]
Sent: Monday, June 09, 2014 11:49 AM
To: Steve Carter; Debbie McCann
Subject: Nelson County - Reimbursement Resolution - courthouse renovation

Dear Steve and Debbie - As discussed, attached is a draft Reimbursement Resolution for the proposed historic courthouse renovation project. I tried to be fairly expansive in the description of the project, but please review and let me know if changes should be made. Also, as usual, the maximum principal amount may be a little higher than current estimates, and is not binding on the County. Please let me know if you have any comments or questions on this. Thanks.

Paul C. Jacobson

Attorney

Sands Anderson PC

4101 Lake Boone Trail, Suite 100 Raleigh, NC 27607
(919) 706-4210 **D** | (919) 706-4200 **M** | (919) 706-4205 **Fax**
www.SandsAnderson.com | pjacobson@sandsanderson.com | [Bio](#) | [vCard](#)

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RESOLUTION R2014-49
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH
VIRIGINIA COOPERATIVE EXTENSION

RESOLVED, by the Nelson County Board of Supervisors that the County Administrator is hereby authorized to execute the attached Memorandum of Understanding between the County and Virginia Cooperative Extension for the purpose of establishing a mutual agreement between Virginia Cooperative Extension and Nelson County related to the local Extension Office's administration, programs, personnel, and financial arrangement.

Approved: July 8, 2014

Attest: _____, Clerk
Nelson County Board of Supervisors

Memorandum of Understanding
between
Virginia Cooperative Extension
(Virginia Tech and Virginia State University)
and
Nelson County, Virginia

Introduction

Established in 1914, Cooperative Extension was designed as a partnership of the U.S. Department of Agriculture, the Land-Grant Universities, and local governments. Today, Virginia Cooperative Extension provides research based educational programs to the people of the Commonwealth through Extension Agents in 106 county and city offices. Local citizens are engaged in helping Extension agents design, implement and evaluate educational programs in the areas of Agriculture and Natural Resources, 4-H Youth Development, Family and Consumer Sciences, and Community Viability to address the educational needs of local residents.

Agriculture and Natural Resources

Agriculture and natural resources (ANR) programs help sustain the profitability of agricultural and forestry production and enhance and protect the quality of our land and water resources. We help the agriculture industry use the most current technology and management practices to develop strong businesses that prosper in today's economy. We deliver programs that help put research-based knowledge to work for Virginia's agriculture industry.

4-H Youth Development

4-H is a community of young people across America who are learning leadership, citizenship, and life skills. 4-H, the largest comprehensive youth development program in the nation, educates young people, ages 5-18, through a variety of experiential techniques that encourage hands-on, active learning.

Family and Consumer Sciences

Virginia Cooperative Extension views the family unit as the cornerstone of a healthy community. We strive to improve the well being of Virginia families through programs that help participants put research-based knowledge to work in their lives in the areas of family financial management, family and human development, and nutrition education.

Community Viability

Community viability programs are dedicated to strengthening communities and their economic viability by creating innovative programs that allow citizens and local governments to respond to local issues. Our faculty can assess community needs, design a plan of action, and determine the appropriate delivery method suitable for various programs.

I. Purpose of Memorandum

The purpose of the memorandum of understanding is to establish a mutual agreement between Virginia Cooperative Extension and Nelson County related to Extension's administration, programs, personnel, and financial arrangement.

II. Administrative Responsibility

Extension faculty (Agents and Unit Coordinators) in the Nelson County Extension office will report administratively to the Virginia Cooperative Extension District Director.

The District Director will appoint a Unit Coordinator for the Nelson County office after consultation with local government. The Unit Coordinator will supervise the support staff in the Nelson County Extension Office, and is responsible for office operations. Also, the Unit Coordinator is responsible for those additional assignments which are mutually agreed to by Virginia Cooperative Extension and Nelson County. Appointment of the Unit Coordinator may require a local interview when multiple faculty members express interest in this role.

**Specific Administrative Responsibility agreements can be outlined in Appendix 1, Section A.*

III. Program Responsibility

Programs will be developed in accordance with the Virginia Cooperative Extension programming process. This process involves citizens in the determination and implementation of programs that will address their needs. Supervision of the total program will be under Virginia Cooperative Extension with the expectation that there will be close program coordination and collaboration with local government and other key agencies and organizations. Reports of Extension programs and program impacts will be provided to the local government at least quarterly.

**Specific Program Responsibility agreements can be outlined in Appendix 1, Section B.*

IV. Personnel

There may be two types of employees within a Virginia Cooperative Extension office. These are employees of Virginia Cooperative Extension and employees of Nelson County assigned to Virginia Cooperative Extension.

Virginia Cooperative Extension employees are those employees who are pay-rolled by Virginia Cooperative Extension and may be funded 100 percent by Nelson County, or funded jointly by Virginia Cooperative Extension and Nelson County. These employees will be employed through the procedures prescribed by the Commonwealth of Virginia and the Virginia Tech EEO/Affirmative Action Program. A minimum of one-third combined local funding is required for funding extension agents.

Local government input will be sought on the selection of Virginia Cooperative Extension personnel and on their annual performance evaluation. The District Director will work with local government to secure this input.

Any employees pay-rolled by Nelson County and assigned to Virginia Cooperative Extension will be employed in accordance with the local government's established hiring procedures. Virginia Cooperative Extension is not liable for actions of Nelson County employees and Nelson County is not liable for actions of Virginia Cooperative Extension employees.

Virginia Cooperative Extension agents are faculty of the University and subject to the guidelines of the Faculty Handbook. Virginia Cooperative Extension employees who are members of the State of Virginia Personnel Classification System are subject to system guidelines, including salaries and employee benefits. Wage employees pay-rolled by Virginia Cooperative Extension are subject to the applicable state and university guidelines. Wage employees pay-rolled by Nelson County and assigned to Virginia Cooperative Extension are subject to applicable Nelson County guidelines.

The title of Extension Agent is reserved for the employees of Virginia Cooperative Extension. No County employee can assume the title of Extension Agent.

**Specific Personnel Agreements can be outlined in Appendix 1, Section C.*

V. Financial Arrangement

Virginia Cooperative Extension will annually submit a formal budget request for Nelson County funds to support the Extension program. The guidelines for the budget are:

Salaries and Employee Benefits

VCE Employees

Virginia Cooperative Extension will payroll all Extension employees and will bill Nelson County for the locality's portion of salaries and benefits on a quarterly basis. Virginia Cooperative Extension will pay employee benefit costs on the state portion of salaries. The percentage of employee benefits to be applied to salary costs will be requested in the local budget document.

This includes Virginia Cooperative Extension (VCE) employees funded 100 percent by VCE, funded 100 percent by Nelson County, or funded jointly by VCE and Nelson County.

Salary adjustments for Extension Agents are based on an annual evaluation. The local government will be asked by the District Director to provide input into Extension Agents' evaluations. Nelson County is responsible for the local portion of the approved salary increase. Any salary increases designated by the University Board of Visitors for Extension employees will occur on November 25th unless the University Board of Visitors or the Governor of Virginia designate additional salary increases during the course of the fiscal year. By contrast, when the locality provides a raise to their employees, this does not apply to Virginia Cooperative Extension employees.

Staff Support

Virginia Cooperative Extension agrees to provide Faculty Specialist assistance from Virginia Tech and Virginia State University, base level secretarial support, university laboratory services both fee based and non-fee based, office equipment, publications, travel funds, office supplies, postage budget, personal computers, in-service education, and program development support to the extent of budget limitations.

Nelson County agrees to provide office space and appropriate insurance, custodian services, additional secretarial assistance (where needed), and telephone service. Nelson County agrees, as funding permits, to provide printing, equipment, supplies, training opportunities, information technology support and travel funds not furnished by Virginia Cooperative Extension and approved by Nelson County.

**Specific Financial Arrangements can be outlined in Appendix 1, Section D.*

VI. **Amendment**

This memorandum supersedes all previous versions. It may be further amended upon written consent of the parties involved. However, before the memorandum can be terminated by either party, a three month notice must be given in writing to the appropriate party.

The following representatives of Virginia Cooperative Extension and Nelson County agree to the above MOU and attached Appendices.

 _____	<u>June 2, 2014</u> _____
Unit Coordinator	Date
_____	_____
Nelson County Representative	Date
_____	_____
District Director	Date
_____	_____
Director, Virginia Cooperative Extension	Date

Appendix 1 Specific Arrangements between Virginia Cooperative Extension and Nelson County

A. Administrative Responsibility

(This section would be used to describe arrangements in Units where Unit Coordinators are County/City Department Heads or where Unit Coordinators are responsible for specific functions such as County/City Emergency Operation Teams, FEMA Disaster Liaison, etc.)

No additional UC administrative responsibilities at this time (June 2, 2014).

B. Program Responsibility

(This section would be used to describe specific programmatic arrangements desired by the locality such as the addendum that the City of Richmond requires that outlines VCE involvement with specific City initiatives such as the Mayor's Youth Academy).

C. Personnel

4-H Agent housed in Nelson County

ANR Agent (Environmental Horticulture emphasis) housed in Nelson County

ANR Agent (Animal Science emphasis) shared with—and housed in--Amherst County

D. Financial Arrangement

ANR Agent (Env. Hort) 66.66% State 33.34% County

4-H Agent 66.66% State 33.34% County

ANR Agent (Animal Science) 50.00% State 50.00% County (85% Amherst, 15% Nelson)

Unit Administrative Assist. 100% State

Candy McGarry

To: Candy McGarry
Subject: RE: MOU

From: Goerlich, Daniel [<mailto:dalego@vt.edu>]

Sent: Friday, June 20, 2014 9:24 AM

To: Steve Carter

Cc: Candy McGarry

Subject: RE: MOU

Good morning, Steve:

It looks like VCE's most recent MOU with Nelson County was signed in 1997 (please see attached). I read it over and the main differences between the current edition and the 1997 version appear to be the following:

The new MOU.....

- provides additional background information on Extension program areas.
- requires VCE to seek local input prior to appointment of the Unit Coordinator, and mentions that VCE will conduct interviews for the Unit Coordinator position when multiple agents express interest.
- requires that reports on Extension programming accomplishments be provided to the locality at least quarterly.
- Includes an Appendix that outlines specific funding and/or personnel arrangements and allows for the inclusion of specific administrative and program responsibilities of interest to the locality.

Overall my impression is that the new MOU strengthens VCE partnership with the locality. If you see anything in the new MOU that raises questions or causes you concern, however, please do not hesitate to contact me.

Sincerely,

Dan Goerlich

From: Steve Carter [<mailto:SCarter@nelsoncounty.org>]

Sent: Wednesday, June 18, 2014 9:53 AM

To: Goerlich, Daniel

Cc: Candy McGarry

Subject: MOU

Dan,

Good morning. Will you be so kind to send me the current MOU between the County and VCE? I've looked through our files and cannot locate this document.

We do plan to have the MOU approved and back to you after 7-8 (possibly sooner) but also want to compare the current document to the update that you recently sent.

Thanks so much.

Steve

Stephen A. Carter

Memorandum of Understanding
between
Virginia Cooperative Extension
(Virginia Polytechnic Institute and State University and Virginia State University)
and the County of Nelson, Virginia

Introduction

Established in 1914, Cooperative Extension was designed as a partnership of the U.S. Department of Agriculture, the Land-Grant Universities, and local governments. Today, Virginia Cooperative Extension provides research based educational programs to the people of the Commonwealth through Extension Agents in 107 county and city offices. Local citizens are engaged in helping Extension agents design, implement and evaluate educational programs to address the educational needs of local residents.

I. Purpose of Memorandum

The purpose of the memorandum of understanding is to establish a mutual agreement between Virginia Cooperative Extension and the County of Nelson related to Extension's administration, programs, personnel, and financial arrangement.

II. Administrative Responsibility

Extension faculty (Agents and Unit Coordinator) in the Nelson County office will report administratively to the Virginia Cooperative Extension District Director.

A Unit Coordinator for the county office will be appointed by the District Director after consultation with local government. The Unit Coordinator will supervise the support staff in the Nelson County office, and is responsible for office operations. Also, the Unit Coordinator is responsible for those additional assignments which are mutually agreed to by Virginia Cooperative Extension and Nelson County.

III. Program Responsibility

Programs will be developed in accordance with the Virginia Cooperative Extension process of program development which involves residents in the determination and implementation of programs that will address their needs. Supervision of the total program will be under Virginia Cooperative Extension with the expectation that there be close program coordination and collaboration with local government, and other key agencies and organizations.

Virginia Cooperative Extension has implemented specialization of staff and area programming. Specialization is the process of acquiring in-depth knowledge and skills to lead a designated program specialty. Area programming is programming

across geographical areas, usually a planning district, with the expectation to deliver better programs.

IV. Personnel

There may be two types of employees within a Virginia Cooperative Extension office. These are employees of Virginia Cooperative Extension and employees of the county assigned to Virginia Cooperative Extension.

Virginia Cooperative Extension employees are those payrolled by Virginia Cooperative Extension and may be funded 100 percent by Virginia Cooperative Extension, funded 100 percent by the county, or funded jointly by Virginia Cooperative Extension and the county. These employees will be employed through the procedures prescribed by the Commonwealth of Virginia and the Virginia Tech EEO/Affirmative Action Program.

Local government input will be sought on the selection of Virginia Cooperative Extension personnel and on their annual performance evaluation. The District Director will work with local government to secure this input.

Any employees payrolled by the county and assigned to Virginia Cooperative Extension will be employed in accordance with the local government's established hiring procedures. Virginia Cooperative Extension is not liable for actions of county employees and Nelson County is not liable for actions of Virginia Cooperative Extension employees.

Virginia Cooperative Extension agents are faculty of the University and subject to the guidelines of the Faculty Handbook. Virginia Cooperative Extension employees who are members of the State of Virginia Personnel Classification System are subject to system guidelines, including salaries and employee benefits. Wage employees payrolled by Virginia Cooperative Extension are subject to the applicable state and university guidelines.

The title of Extension Agent is reserved for the employees of Virginia Cooperative Extension. No county employee shall assume the title of Extension Agent.

V. Financial Arrangement

Virginia Cooperative Extension will annually submit a formal budget request for county funds to support the Extension program. The guidelines for the budget are:

Salaries

Extension Agents, jointly funded by Virginia Cooperative Extension and a county and/or a planning district will be paid 33 1/3 percent of their salary from local funding sources (unless otherwise agreed upon) and the full cost of benefits on the local salary share.

Salary adjustments for Extension Agents are based on an annual evaluation. The local government will be asked by the District Director to provide input to the Extension Agents' evaluations. Local funding sources are responsible for the local portion of the approved salary increase.

Virginia Cooperative Extension will payroll all Extension state employees and will bill for the localities' portion of salaries and benefits on a quarterly/monthly basis. Local governments will not provide any direct payments to these employees. Any employee payrolled by the county and assigned to the Extension Office will receive 100 percent of their salaries/wages from the county in accordance with the localities' policies.

Employee Benefits

The county will reimburse the state for employee benefit costs on the county portion of salaries. Virginia Cooperative Extension will pay employee benefit costs on the state portion of salaries. The percentage of employee benefits to be applied to salary costs will be requested in the local budget document.

The county is responsible for paying and administering employee benefits according to county policy for county employees assigned to Virginia Cooperative Extension.

Staff Support

Virginia Cooperative Extension agrees to provide specialist assistance from Virginia Tech and Virginia State, base level secretarial support, office equipment, office furniture, publications, travel funds, office supplies, postage budget, personal computer, Internet connectivity, and software upgrades, in-service education, and program development support.

The county agrees to provide office space and appropriate insurance, additional secretarial assistance, telephone service, printing and other equipment and supplies not furnished by Virginia Cooperative Extension ~~and~~ approved by the county.

VI. Amendment

This memorandum may be amended upon consent of the parties involved. However, before the memorandum can be terminated by either party, a three month notice must be given in writing to the appropriate party.

VII. Signatures

The following representatives of Virginia Cooperative Extension the County of Nelson agree to the above.

Michael W. Lachman 7-31-97
Unit Coordinator Date
Nelson

John D. Kelly 7-31-97
County Administrator (JDK) Date
Nelson

Martha M. Loughran 8/11/97
District Director Date
Northern District

C. C. [Signature] 8/11/97
Director Date
Virginia Cooperative Extension

Revised 1/8/97

RESOLUTION R2014-50
NELSON COUNTY BOARD OF SUPERVISORS
DESIGNATION OF RURAL RUSTIC ROADS
VIRGINIA DEPARTMENT OF TRANSPORTATION

WHEREAS, Section 33.1-70.1 of the *Code of Virginia*, permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Nelson County, Virginia desires to consider whether these Routes should be designated as Rural Rustic Roads as follows:

- Route 640, Wheelers Cove Road, From: Route 623 To: Route 620,
- Route 613, Lodebar Estates, From: Route 151 To: Route 612,
- Route 634, Old Roberts Mountain Road, From: Route 619 To: Route: 754,
- Route 654, Falling Rock Road, From: 1.00 mile East Route 657 To: Route 661,
- Route 680, Cub Creek Rock Road, From: 0.51 mile West Route 669 To: 1.90 mile West Route 669,
- Route 721, Greenfield Drive, From: Route 626 To: 0.50 mile West Route 626,
- Route 756, Wrights Lane, From: Route 623 To: Dead End,
- Route 814, Campbell's Mountain Road, From: 0.99 mile North Route 56 To: 1.99 mile North Route 56, and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on these roads; and

WHEREAS, the Board believes that these roads should be so designated due to their qualifying characteristics; and

WHEREAS, these roads are in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby adopts the resolutions designating these roads as Rural Rustic Roads, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, the Board requests that these roads be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the roads in their current state.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Residency Administrator.

Adopted: July 8, 2014

Attest: _____, Clerk
Nelson County Board of Supervisors

Recorded Vote

A Copy Teste:

Moved By: _____

Seconded By: _____

Yeas: _____

Nays: _____

Signed _____

Printed Name: Stephen A. Carter

Title: Clerk, Board of Supervisors

The Board of Supervisors of Nelson County, Virginia, in regular meeting on the 8th day of July, 2014, adopted the following:

RESOLUTION

WHEREAS, Section 33.1-70.1 of the *Code of Virginia*, permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Nelson County, Virginia desires to consider whether Route 613, Lodebar Estates, From: Route 151 To: Route 612, should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Residency Administrator.

Recorded Vote

A Copy Teste:

Moved By: _____

Seconded By: _____

Yeas: _____

Nays: _____

Signed _____

Printed Name _____

Title _____

The Board of Supervisors of Nelson County, Virginia, in regular meeting on the 8th day of July, 2014, adopted the following:

RESOLUTION

WHEREAS, Section 33.1-70.1 of the *Code of Virginia*, permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Nelson County, Virginia desires to consider whether Route 634, Old Roberts Mountain Road, From: Route 619 To: Route: 754, should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board’s six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Residency Administrator.

Recorded Vote

A Copy Teste:

Moved By: _____

Seconded By: _____

Yeas: _____

Nays: _____

Signed _____

Printed Name _____

Title _____

The Board of Supervisors of Nelson County, Virginia, in regular meeting on the 8th day of July, 2014, adopted the following:

RESOLUTION

WHEREAS, Section 33.1-70.1 of the *Code of Virginia*, permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Nelson County, Virginia desires to consider whether Route 640, Wheelers Cove Road, From: Route 623 To: Route 620, should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Residency Administrator.

Recorded Vote

A Copy Teste:

Moved By: _____

Seconded By: _____

Yeas: _____

Nays: _____

Signed _____

Printed Name _____

Title _____

The Board of Supervisors of Nelson County, Virginia, in regular meeting on the 8th day of July, 2014, adopted the following:

RESOLUTION

WHEREAS, Section 33.1-70.1 of the *Code of Virginia*, permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Nelson County, Virginia desires to consider whether Route 654, Falling Rock Road, From: 1.00 mile East Route 657 To: Route 661, should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board’s six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Residency Administrator.

Recorded Vote

A Copy Teste:

Moved By: _____

Seconded By: _____

Yeas: _____

Nays: _____

Signed _____

Printed Name _____

Title _____

The Board of Supervisors of Nelson County, Virginia, in regular meeting on the 8th day of July, 2014, adopted the following:

RESOLUTION

WHEREAS, Section 33.1-70.1 of the *Code of Virginia*, permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Nelson County, Virginia desires to consider whether Route 680, Cub Creek Rock Road, From: 0.51 mile West Route 669 To: 1.90 mile West Route 669, should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board’s six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Residency Administrator.

Recorded Vote

A Copy Teste:

Moved By: _____

Seconded By: _____

Yeas: _____

Nays: _____

Signed _____

Printed Name _____

Title _____

The Board of Supervisors of Nelson County, Virginia, in regular meeting on the 8th day of July, 2014, adopted the following:

RESOLUTION

WHEREAS, Section 33.1-70.1 of the *Code of Virginia*, permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Nelson County, Virginia desires to consider whether Route 721, Greenfield Drive, From: Route 626 To: 0 .50 mile West Route 626, should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board’s six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Residency Administrator.

Recorded Vote

A Copy Teste:

Moved By: _____

Seconded By: _____

Yeas: _____

Nays: _____

Signed _____

Printed Name _____

Title _____

The Board of Supervisors of Nelson County, Virginia, in regular meeting on the 8th day of July, 2014, adopted the following:

RESOLUTION

WHEREAS, Section 33.1-70.1 of the *Code of Virginia*, permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Nelson County, Virginia desires to consider whether Route 756, Wrights Lane, From: Route 623 To: Dead End, should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Residency Administrator.

Recorded Vote

A Copy Teste:

Moved By: _____

Seconded By: _____

Yeas: _____

Nays: _____

Signed _____

Printed Name _____

Title _____

The Board of Supervisors of Nelson County, Virginia, in regular meeting on the 8th day of July, 2014, adopted the following:

RESOLUTION

WHEREAS, Section 33.1-70.1 of the *Code of Virginia*, permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Nelson County, Virginia desires to consider whether Route 814, Campbell's Mountain Road, From: 0.99 mile North Route 56 To: 1.99 mile North Route 56, should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Residency Administrator.

Recorded Vote

A Copy Teste:

Moved By: _____

Seconded By: _____

Yeas: _____

Nays: _____

Signed _____

Printed Name _____

Title _____

Review of the Revenue Recovery Program

Purpose

The purpose of this report is to give a brief overview of the progress achieved with the Revenue Recovery Program during the past year; the call statistics are collected and reported on a calendar year basis while the revenue billed and collected has historically been collected and reported on a fiscal year basis. This report will include call statistics as well as billing and revenue information.

Background Information

In April 2006, an agreement was entered into between the County, Wintergreen Property Owners Association (“WPOA”), and Gladstone Volunteer Rescue Squad, Montebello Volunteer Rescue Squad, Nelson County Volunteer Rescue Squad, Rockfish Valley Volunteer Fire Department, Roseland Volunteer Rescue Squad, and Wintergreen Property Owners Volunteer Rescue Squad (collectively, the “Volunteer Companies”); due to the increasing demand for emergency medical services in Nelson County and the burden placed upon the volunteers to meet the demands to provide such care. It was agreed that to augment the work performed by the Volunteer Companies and WPOA Fire and Rescue, the County shall provide funding to employ six full-time personnel (the “Paid Personnel”), one of whom shall be designated shift captain.

The dynamics of the program have drastically changed since 2006; the Career Staff now operates with one 12-hour crew and one 24-hour crew, both operating from Nelson Station 2 in Lovingston, to provide a central response to all calls for service. With the two Career Crews in place, they are able to provide coverage 24/7, to include weekends and holidays. There are still times that are necessary to have the volunteers provide crews to supplement the Career Crews when call volumes are higher, however; this has been harder to obtain.

Call Statistics

2013 Calls for Service																			
Agency	Total Dispatches	Total Calls Answered	% of Total Answered	Total Transports	% of Total Transports Answered	Calls answered for:													
						NELS	ROSE	ROCK	MONT	GLAD	WINT	AMHR	APPO	BUCK	AUGU	ALBE	DUAL		
NELS	1067	138	12.93%	57	4.73%	125	13	0	0	0	0	0	0	0	0	0	0	0	
ROSE	983	266	27.06%	98	8.14%	75	158	0	2	3	1	26	1	0	0	0	0	0	
ROCK	290	100	34.48%	27	2.24%	15	4	68	0	0	2	0	0	0	0	0	7	4	
MONT	91	78	85.71%	25	2.08%	2	11	0	64	0	0	0	0	0	0	1	0	0	
GLAD	201	150	74.63%	68	5.65%	13	6	6	0	80	0	12	25	8	0	0	0	0	
WINT	165	161	97.58%	92	7.64%	55	33	46	2	0	5	0	0	0	0	0	0	20	
151 Crew	751	751		481	39.95%	395	200	131	5	18	2	0	0	0	0	0	0	0	
29 Crew	869	869		356	29.57%	374	450	7	6	30	1	1	0	0	0	0	0	0	
			64.47%																
	<u>4417</u>	<u>2513</u>		<u>1204</u>		<u>1054</u>	<u>875</u>	<u>258</u>	<u>79</u>	<u>131</u>	<u>11</u>	<u>39</u>	<u>26</u>	<u>8</u>	<u>1</u>	<u>7</u>	<u>24</u>		
				<u>3213</u>	Nontransports or Nonresponses														

Explanation of the Chart: **Total dispatches** is the number of calls for service that each agency was toned to respond on; this number indicates that the agency was toned to respond for a call for service either in their first due area or as a mutual aid response because another agency failed to respond to the call. **Total Calls Answered** is the number of calls that the agency actually responded on. **Percentage of Total Answered** is that particular agencies response percentage, i.e. Montebello Rescue responded to 85.71% of their total calls during 2013. **Total transports** are the number of billable transports that resulted from these calls for service. **Percentage of Total Transports Answered** is a comparison of the agencies to show who is providing the bulk of the billable transports within the system. The remainder of the chart is a breakdown of how many calls were answered by each agency either in their first due area, for a specific Nelson agency, or outside of Nelson County.

Nelson Rescue: Nelson Rescue received 1,067 dispatches for calls for service in 2013; of which **they answered 138 calls for service or 12.9% of their total calls for service.** Fifty-seven of Nelson Rescue's calls for service resulted in a billable transport. One hundred twenty five calls for service that were answered by Nelson Rescue were located within their first due area and 13 were mutual aid calls for Roseland Rescue. **The transports performed by Nelson Rescue make up 4.73% of the total transports for 2013.** The total calls answered by Nelson Rescue make up 5.49% of the total calls for service for 2013.

Roseland Rescue: Roseland Rescue received 983 dispatches for calls for service in 2013; of which **they answered 266 calls for service or 27.06% of their total calls for service.** Ninety-eight of Roseland Rescue's calls for service resulted in a billable transport. One hundred fifty eight calls for service that were answered by Roseland Rescue were located within their first due area, 75 were mutual aid calls for Nelson, 2 were mutual aid calls for Montebello, 3 were mutual aid calls for Gladstone, 1 was a mutual aid call for Wintergreen, 26 were calls in their first due area in Amherst County, and 1 call was in Appomattox County. **The transports performed by Roseland Rescue make up 8.14% of the total transports for 2013.** The total calls answered by Roseland Rescue make up 10.58% of the total calls for 2013.

Rockfish Rescue: Rockfish Rescue received 290 dispatches for calls for service in 2013; of which **they answered 100 calls for service or 34.48% of their total calls for service.** Twenty-seven calls for service that were answered by Rockfish Rescue resulted in a billable transport. Sixty-eight calls for service that were answered by Rockfish Rescue were located within their first due area, 15 were mutual aid for Nelson, four were mutual aid for Roseland, two were mutual aid for Wintergreen, seven were in their first due area in Albemarle, and four were in their dual response area with Wintergreen. **The transports performed by Rockfish Rescue make up 2.24% of the total transports for 2013.** The total calls answered by Rockfish Rescue make up 3.98% of the total calls for 2013.

Montebello Rescue: Montebello Rescue received 91 dispatches for calls for service in 2013; of which **they answered 78 calls for service or 85.71% of their total calls for**

service. Twenty-five calls for service that were answered by Montebello Rescue resulted in a billable transport. Sixty-four calls for service that were answered by Montebello Rescue were located within their first due area, two were mutual aid calls for Nelson, 11 were mutual aid calls for Roseland, and one was a mutual aid call for Augusta County. **The transports performed by Montebello Rescue make up 2.08% of the total transports for 2013.** The total calls answered by Montebello Rescue make up 3.10% of the total calls for 2013.

Gladstone Rescue: Gladstone Rescue received 201 dispatches for calls for service in 2013; of which **they answered 150 calls for service or 74.63% of their total calls for service.** Sixty-eight calls for service that were answered by Gladstone resulted in a billable transport. Eighty calls for service that were answered by Gladstone Rescue were located within their first due area, 13 were mutual aid calls for Nelson, six were mutual aid calls for Roseland, six were mutual aid for Rockfish, 12 were in their first due area in Amherst County, 25 were in their first due area and/or mutual aid for Appomattox County, and eight were mutual aid for Buckingham County. **The transports performed by Gladstone Rescue make up 5.65% of the total transports for 2013.** The total calls answered by Gladstone Rescue make up 5.97% of the total calls for 2013.

Wintergreen Rescue: Wintergreen Rescue received 165 dispatches for calls for service in 2013 of which **they answered 161 calls for service or 97.58% of their total calls for service.** Ninety-two calls for service that were answered by Wintergreen Rescue resulted in a billable transport. Five calls for service that were answered by Wintergreen Rescue were located within their first due area, 55 were mutual aid for Nelson, 33 were mutual aid for Roseland, 46 were mutual aid for Rockfish, two were mutual aid for Montebello, and 20 were in their dual response area with Rockfish. **The transports performed by Wintergreen Rescue make up 7.64% of the total transports for 2013.** The total calls answered by Wintergreen Rescue make up 6.41% of the total calls received for 2013.

Career Staff: The Career Staff received one thousand six hundred twenty dispatches for calls for service in 2013, of those eight hundred thirty seven calls for service resulted in a billable transport. Seven hundred sixty nine calls were answered in the Nelson Rescue area, 650 calls were answered in the Roseland Rescue area, 138 calls were answered in the Rockfish Rescue area, 11 calls were answered in the Montebello Rescue area, 48 calls were answered in the Gladstone Rescue area, three calls were answered in the Wintergreen Rescue area, and one call was answered in Amherst County. **The transports performed by the Career Staff comprise 69.52% of the total billable transports for 2013. The total calls answered by the Career Staff make up 64.47% of the total calls received in 2013.**

Financial Data:

	July 1, 2012 – June 30, 2013
Opening Accounts Receivable	\$991,685.42
Billing Charges	\$1,361,890.90
Cash Collections	(\$536,333.30)
Contractual & Other Adjustments	(\$414,454.75)
Refunds Issued	\$4,817.27
Closing Accounts Receivable	\$1,407,605.54
Year End Expenditures	\$656,290.00

	July 1, 2013 – February 28, 2014
Opening Accounts Receivable	\$1,407,605.54
Billing Charges – Fidelis	\$449,865.80
Billing Charges - EMS	\$304,492.40
Cash Collections - Fidelis	(\$123,266.34)
Cash Collections – EMS	(\$47,253.09)
Contractual & Other Adjustments-Fidelis	(\$90,216.04)
Contractual & Other Adjustments-EMS	(\$92,938.83)
Refunds Issued - Fidelis	\$1,131.07
Refunds Issued - EMS	\$0.00
Write Off - Fidelis	(\$853.29)
Write Off - EMS	(\$2,385.00)
Closing Accounts Receivable	\$1,806,182.22
Year End Expenditures	\$413,952.25

2014 Calls for Service - January through June

Agency	Total Dispatches	Total Calls Answered	% of Total Answered	Total Transports	% of Total Transports Answered	Calls answered for:												
						NELS	ROSE	ROCK	MONT	GLAD	WINT	AMHR	APPO	BUCK	AUGU	ALBE	DUAL	
NELS	382	46	12.04%	20	2.99%	21	8	2	0	0	0	0	0	0	0	0	0	0
ROSE	318	70	22.01%	34	5.07%	25	54	1	0	0	0	10	0	0	0	0	0	0
ROCK	198	108	54.55%	40	5.97%	6	5	77	0	2	0	0	0	0	0	0	11	0
MONT	22	18	81.82%	13	1.94%	1	0	0	21	0	0	0	0	0	0	0	0	0
GLAD	107	82	76.64%	27	4.03%	6	14	1	0	26	0	8	20	4	0	0	0	0
WINT	160	138	86.25%	68	7.64%	25	11	51	1	0	11	0	0	0	0	0	0	38
151 Crew	121	121		93	13.88%	46	34	33	2	7	0	0	0	0	0	0	0	0
29 Crew	480	480		375	55.97%	260	177	24	0	18	0	0	0	0	0	0	0	0
	<u>1788</u>			<u>670</u>		<u>390</u>	<u>303</u>	<u>189</u>	<u>24</u>	<u>53</u>	<u>11</u>	<u>18</u>	<u>20</u>	<u>4</u>	<u>0</u>	<u>11</u>	<u>38</u>	

1124 Nontransports or Nonresponses

2013 Calls for Service

Agency	Total Dispatches	Total Calls Answered	% of Total Answered	Total Transports	% of Total Transports Answered	Calls answered for:											
						NELS	ROSE	ROCK	MONT	GLAD	WINT	AMHR	APPO	BUCK	AUGU	ALBE	DUAL
NELS	1067	138	12.93%	57	4.73%	125	13	0	0	0	0	0	0	0	0	0	0
ROSE	983	266	27.06%	98	8.14%	75	158	0	2	3	1	26	1	0	0	0	0
ROCK	290	100	34.48%	27	2.24%	15	4	68	0	0	2	0	0	0	0	7	4
MONT	91	78	85.71%	25	2.08%	2	11	0	64	0	0	0	0	0	1	0	0
GLAD	201	150	74.63%	68	5.65%	13	6	6	0	80	0	12	25	8	0	0	0
WINT	165	161	97.58%	92	7.64%	55	33	46	2	0	5	0	0	0	0	0	20
151 Crew	751	751		481	39.95%	395	200	131	5	18	2	0	0	0	0	0	0
29 Crew	869	869		356	29.57%	374	450	7	6	30	1	1	0	0	0	0	0
	<u>4417</u>	<u>2513</u>	64.47%	<u>1204</u>		<u>1054</u>	<u>875</u>	<u>258</u>	<u>79</u>	<u>131</u>	<u>11</u>	<u>39</u>	<u>26</u>	<u>8</u>	<u>1</u>	<u>7</u>	<u>24</u>

3213 Nontransports or Nonresponses

2012 Calls for Service

Mutual Aid information was not maintained during this period

Agency	Total Dispatches	Total Transports	Calls answered for:												Dual
			Nelson	Rosela	Rockfis	Monteb	Gladstc	Winter	Amhers	Appom	Buckin	August	Alebr	respons	
Nelson	193	101													
Roseland	341	139													
Rockfish	100	56													
Montebell	70	20													
Gladstone	25	11													
Wintergre	103	28													
151 Crew															
29 Crew	1327	790													
	<u>2159</u>	<u>1145</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	

1014 Nontransports

2011 Calls for Service

Agency	Total Dispatches	Total Transports	Calls answered for:										Dual	
			Nelson	Rosela	Rockfis	Monteb	Gladstc	Winter	Amhers	Appom	Buckin	August	Aleb	respons
Nelson	384	159												
Roseland	469	250												
Rockfish	208	75												
Montebell	103	51												
Gladstone	63	35												
Wintergre	209	109												
151 Crew														
29 Crew	932	565												
	<u>2368</u>	<u>1244</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

1124 Nontransports

FY 2010 - 2011 Calls for Service

Agency	Total Dispatches	Total Transports	Calls answered for:										Dual	
			Nelson	Rosela	Rockfis	Monteb	Gladstc	Winter	Amhers	Appom	Buckin	August	Aleb	respons
Nelson	473	240												
Roseland	399	190												
Rockfish	262	100												
Montebell	128	68												
Gladstone	151	40												
Wintergre	257	109												
151 Crew														
29 Crew	944	538												
	<u>2614</u>	<u>1285</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

1329 Nontransports

FY 2009 - 2010 Calls for Service

Agency	Total Dispatches	Total Transports	Calls answered for:											Dual
			Nelson	Rosela	Rockfis	Monteb	Gladstc	Winter	Amhers	Appom	Buckin	August	Aleb	respons
Nelson	461	261												
Roseland	280	192												
Rockfish	185	110												
Montebell	97	45												
Gladstone	98	46												
Wintergre	111	111												
151 Crew														
29 Crew	838	477												
	<u>2070</u>	<u>1242</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

828 Nontransports

RESOLUTION R2014-44
NELSON COUNTY BOARD OF SUPERVISORS
AUTHORIZATION FOR PUBLIC HEARING
COMPREHENSIVE PLAN UPDATES –TRANSPORTATION CHAPTER

BE IT RESOLVED, that pursuant to §15.2-1427, §15.2-2204, §15.2-2223, §15.2-2225, and §15.2-2226 of the Code of Virginia 1950 as amended, the County Administrator is hereby authorized to advertise a public hearing to be held for the purpose of receiving public input on proposed amendments to the Nelson County Comprehensive Plan, specifically, Chapter 5, the Transportation Chapter.

The public hearing will be held at 7:00 PM on _____, 2014 in the General District Courtroom of the Nelson County Courthouse, 84 Courthouse Square, Lovington, Virginia.

Adopted: _____ 2014

Attest: _____, Clerk
Nelson County Board of Supervisors

**NOTICE OF PUBLIC HEARING
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT TO COMPREHENSIVE PLAN:
ADDITION OF A TRANSPORTATION CHAPTER**

In accordance with Volume 3A, Title 15.2, Counties, Cities and Towns, of the Code of Virginia, 1950, as amended, and pursuant to §15.2-2204, §15.2-2285, and §15.2-2226, the Nelson County Board of Supervisors will hold a public hearing on _____, **2014** at 7:00 p.m., or as soon as possible thereafter, in the General District Courtroom in the Courthouse in Lovingson, Virginia.

The purpose of said public hearing is to receive public input on proposed revisions to the Nelson County Comprehensive Plan. Specifically, the addition of a Transportation Chapter is being considered. These proposed revisions include a new summary of the 2013 Route 151 Corridor Study in the “Existing Plans and Studies” section; a revised description of Route 29 and Route 151 and other minor modifications in the “Existing Roadway Inventory” section; and the introduction of a new principle, relating to greenways, in the “Recommendations and Vision” section.

A copy of the proposed changes to the Comprehensive Plan is available for public inspection in the Office of the County Administrator at 84 Courthouse Square, Lovingson VA 22949, as well as in the Office of Planning and Zoning at 80 Front Street, Lovingson, VA 22949; and is also posted at www.nelsoncounty-va.gov.

BY AUTHORITY OF THE NELSON COUNTY BOARD OF SUPERVISORS

RESOLUTION

WHEREAS, The Nelson County Planning Commission has completed work on reviewing and making recommendations for appropriate changes to the Transportation Chapter of the Nelson County Comprehensive Plan, dated April 23, 2014;

WHEREAS, Pursuant to Section 15.2-2204 of the Code of Virginia, public notifications were completed as required;

WHEREAS, On November 20, 2013, the Nelson County Planning Commission held a public hearing on the Transportation Chapter of the Nelson County Comprehensive Plan;

WHEREAS, after considering both written and public comments and making appropriate changes to the Comprehensive Plan;

NOW, THEREFORE, BE IT RESOLVED, on this date, April 23, 2014, the Nelson County Planning Commission recommends to the Nelson County Board of Supervisors;

That the proposed amendments of the Transportation Chapter of the Comprehensive Plan be referred with our approval.

Motion made by: Commissioner Linda Russell

Seconded by: Commissioner Michael Harman

Motion approved by the following vote of the Commissioners present:

Chair Philippa Proulx	Yes
Commissioner Linda Russell	Yes
Commissioner Michael Harman	Yes
Commissioner Emily Hunt	Absent
Commissioner Mary Kathryn Allen	Absent

Date: April 23, 2014

P. Proulx, Chair of the
Nelson County Planning Commission

Attest:

T. M. Allen, Designated Agent
of the Nelson County Board of Supervisors

Nelson County Comprehensive Plan

Chapter Five - Transportation

Introduction

As a rural area, Nelson County's transportation needs are concerned with safety, due to mountainous terrain and longer distances to travel for daily trips to work, shopping and recreation. This chapter addresses these and other transportation concerns in the County. It documents the roads, bridges and services that make up Nelson's transportation system. It also provides guidance to the Planning Commission, Board of Supervisors, state agencies, and private developers in providing for the County's future transportation needs.

Purpose

The transportation chapter is an important tool for County officials and is intended to serve as a resource to local citizens. The County developed this chapter to meet Virginia State Code requirements but also to:

- Assist with identifying important transportation projects and provide guidance for their implementation;
- Help County staff and officials assess the new developments and policy proposals from a transportation perspective;
- Aid with proffer negotiations that involve transportation improvements;
- Aid the development of Nelson County's Capital Improvements Program;
- Protect the public's health, safety and welfare;
- Ensure the safe and efficient movement of people, goods and services throughout the County;
- Meet the existing demand for transportation and meet future needs;
- Serve as a resource for citizens, to inform them of the community's transportation system and empower them in the public process;
- Serve as a resource for the development community as they prepare development proposals;
- Provide guidance for decisions on the location and intensity of land development in the County; and
- Help to ensure that the transportation system will not become obsolete or overburdened.

Background

In recent years, the Virginia General Assembly has devoted more attention to transportation issues across the State. This focus led to several amendments to the State Code, including the requirement for a locality to develop a detailed transportation plan, which may be included as a chapter in its comprehensive plan.

Existing Plans and Studies

There are several existing plans and studies that directly address or indirectly influence transportation in Nelson County. These include planning documents from the State, bordering counties, and within Nelson County. Considering these existing plans and studies is critical because they:

- Set conditions on what the County can do,
- Lead to potential impacts on Nelson's transportation system, or
- Identify existing roadway data and project recommendations.

Rural Long Range Plan – RLRP (2010)

VDOT and their consultants prepared the Rural Long Range Plan (RLRP). The planning process included partnerships with the TJPDC and coordination with officials from Nelson and the region's other counties. The plan includes the Nelson's Primary Road Priority List, as set by the County Board of Supervisors. The recommendations from the RLRP will be integrated into the State Highway Plan. Nelson County's transportation recommendations in this chapter are consistent with the RLRP.

Route 29 Corridor Study (Under Development)

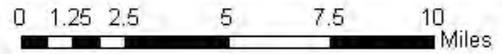
VDOT funded the Route 29 Corridor Study to make short and long-term recommendations for the entire Route 29 Corridor from Interstate 66 to the North Carolina border. This plan is still under development at this time. The draft plan reports the existing conditions for the Nelson County section of this roadway:

- The Nelson County portion of Rte. 29 has the lowest traffic volume of the entire corridor, with between 2,814 and 15,827 trips per day.
- Between 2005 and 2007, there were 110 crashes in the Nelson County section of Rte. 29, resulting in 112 injuries or fatalities.
- There are many intersections and driveways along the route. There are thirteen intersections with four or more approaches, and approximately 170 smaller T-intersections or driveways. These points can be safety hazards and cause congestion, particularly in hilly areas.

The following recommendations were made that pertain to Nelson County:

- **Upgrade the southern portion of US 29 in Nelson County** to a “parkway” with grade-separated interchanges and the northern portions to a parkway with at-grade intersections. This includes widening lanes to 12 feet and shoulders to 8 feet.
- **Four new interchanges should be constructed south of Lovington to the county border.**
- **Access points should be limited to (the existing) thirteen (intersections) in Nelson County** with shared access points for multiple driveways. This requires access roads and parallel networks.
- **Land use planning should be continued in line with the Nelson County Comprehensive Plan**, including economic development in designated growth corridors and preservation of rural agricultural lands.
- **Norfolk Southern rail lines should be improved to double tracks with expanded service.**
- **Expand Park and Ride options** in the vicinity of Route 6 West and Route 29.
- **Transit service through JAUNT and proposed passenger rail service will become an important feature of the corridor.** Sidewalk networks should be expanded in certain growth areas.

Nelson County Route 29 Corridor Study



Legend

- Route 29
- Existing Intersection
- Proposed Interchange
- Primary Routes
- Secondary Routes
- Railroad



Prepared by the Thomas Jefferson Planning District Commission.
Source: US Census Tiger Data Winter 2010

Bordering Counties

Nelson has six bordering counties, including Albemarle, Buckingham, Appomattox, Amherst, Augusta and Rockingham. Each of these communities has its own comprehensive plan, influencing transportation in Nelson County.

To the north of Nelson is Albemarle County. In their plan, the Albemarle recommends improvements the Route 29 corridor, to create a “parkway” style road. This roadway design would include grade-separated intersections, which reduces the number of turning vehicles. The state recommends a similar design for Nelson. Albemarle’s plan designates its southern borders as Rural Areas. It recommends that rural roads in these areas remain in their current state, except for safety improvements.

Buckingham County shares a border with Nelson County, along the James River. There are two bridges spanning the river between the counties: County Road 602/Howardsville Road and Virginia Primary Highway 56 near Wingina. Their Comprehensive Plan calls for a gateway plan to ensure that entrances into the county are unique and attractive. The bridge near Howardsville is singled out for a potential increase in traffic flow, due to a new development, although no capacity improvements are recommended. The plan notes that neither of the bridges spanning the James River are structurally deficient, and there are no plans for significant repair.

Appomattox County shares a four-mile border with Nelson County along the James River. State Route 60 is the only bridge crossing between the counties. The Appomattox Comprehensive Plan does not address any specific future plans for this transportation connection.

Amherst County borders Nelson County to the south, sharing the important US 29 corridor that connects both counties with Lynchburg to the south and Charlottesville to the north. The Amherst County Comprehensive Plan considers this corridor “critical to the County’s economic health and quality of life.” The plan calls for access management for all new development along the corridor so as not to impede traffic flow. This requires minimizing the number of new driveway entrances and traffic signals. One strategy is to amend the zoning code to require service roads for new development along the corridor. The plan also calls for signage and landscaping requirements to enhance the aesthetic experience of entering the county. The plan recommends the installation of a traffic signal at the intersection of US Route 29 and State Route 151, about four miles south of Nelson County. The Comprehensive Plan also calls for the promotion of passenger rail service between the town of Amherst and other metropolitan areas.

Augusta County shares a border with most of the western edge of Nelson County. The Augusta County Thoroughfare Plan does not address the area bordering Nelson County directly. It is sparsely populated with very little projected growth, so no proposed transportation improvements are included in the plan for the area.

Rockbridge County shares a short border with the southwest corner of Nelson County in the Blue Ridge Mountains. The two counties are connected by State Route 56 near Montebello. The Rockbridge County Comprehensive Plan does not address transportation connections with Nelson County.

Nellysford Safety, Mobility, and Access Management Study (2002)

The TJPDC conducted this study, funded by VDOT, to evaluate safety measures and access issues to accompany increased traffic on Route 151 in the Rockfish District. The study recommended a reduction of the speed limit in the area from 45 to 35 miles per hour, the introduction of a series of median islands, and signage to warn of pedestrian crossings.

Other recommendations were to limit direct access to 151 by providing access to multiple parcels from single entrance points. The plan called for attention to all road users, including cyclists and pedestrians with such improvements as bike lanes, racks at commercial centers, sidewalks, crosswalks, and off-road trails. It recommended a transit stop at Wintergreen for regular JAUNT routes currently in operation, as well as an adjacent park and ride lot. The plan also recommended land use strategies to complement the transportation recommendations. While VDOT funded this study, the Nelson County Board of Supervisors never formally adopted the document or its recommendations.

Lovingston Safety Study (2005)

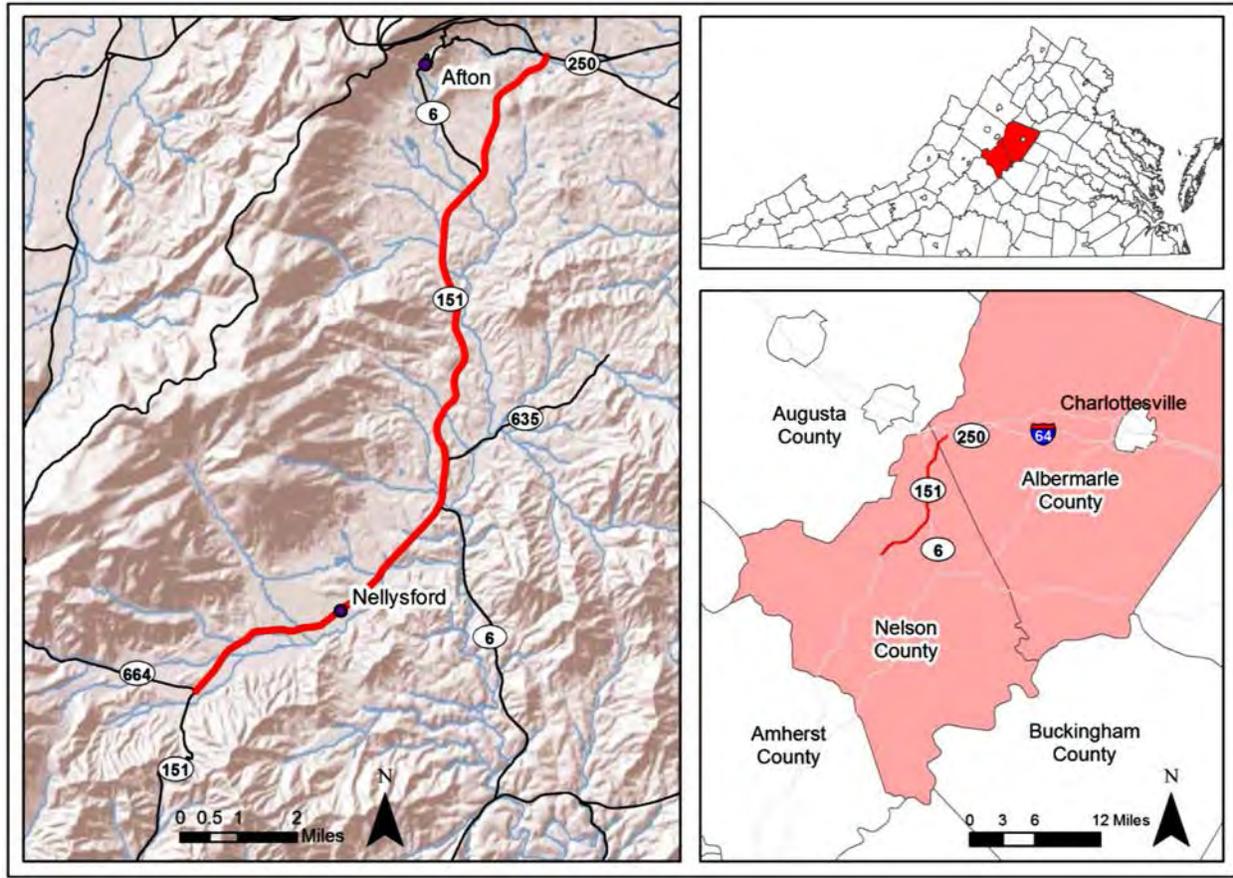
Conducted by the TJPDC and funded by VDOT, the purpose of this plan is to enhance the small town, pedestrian-oriented character of historic Lovingston and to achieve a safer, more efficient connection between historic Lovingston and the growth occurring on the western side of Route 29. This Study is designed to achieve a balanced, multi-modal system that allows pedestrians, bicyclists, and drivers to safely travel in the greater Lovingston area while maintaining and improving the capacity of Route 29 for regional through-traffic.

The key transportation recommendations designed to achieve these goals include:

- **Achieve the goal of the VDOT “Route 29 Corridor Development Study” to upgrade Route 29 to restricted access Parkway** by upgrading existing turning lanes from Route 29 to local streets, eliminating median breaks (the ability to make left turns to and from Route 29), and providing landscaping consistent with a parkway and small town.
- **Enhance the access between both sides of Route 29** by constructing several grade-separated facilities that will offer greater roadway capacity and safer connections.
- **Extend Route 56 from its current Front Street connection west to a new interchange with Route 29** that will continue westward to provide primary access to the future growth areas of western Lovingston. This will achieve better access between Route 56 and 29, better access between historic Lovingston and Route 29, and more controlled growth in western Lovingston.
- **Reinforce the traditional grid street network of historic Lovingston** in order to better achieve the County goals of economic development and downtown revitalization. Recommended improvements include traffic calming features and streetscape enhancements.
- **Extend Front Street south to Route 29** consistent with the downtown pedestrian oriented feel of existing Front Street and create a gateway to historic Lovingston. Expand the traditional gridded street pattern to accommodate future development.
- **Establish a two-lane roadway parallel to Route 29 on the western side of Lovingston.** This will enhance access to and from Route 29 and support internal circulation through a grid system of roads consistent with historic Lovingston.
- **Enhance Lovingston as a walkable community** with sidewalk upgrades in historic Lovingston, bulbouts and pedestrian crosswalks at key intersections, streetscape enhancements, and a pedestrian and bike trail along the east side of Route 29.

Route 151 Corridor Study (2013)

Conducted by the HNTB Corporation and funded by VDOT, this study evaluated the operations and safety of approximately 14 miles of Route 151 in the North District and Central District of Nelson County. The study area focused on the segment from the intersection of Route 151/Route 664 (Beech Grove Road) in the south to the intersection of Route 151/U.S. Route 250 in the north, which is located just beyond the county line with Albemarle County.



Route 151 Corridor Study Area. (Source: HNTB Corporation / VDOT)

This study was conducted because this section of Route 151 has experienced steady population growth, increasing commercial development, and a substantial increase in vehicles traveling the corridor in the past 10 years. This increase in traffic is due in part to the corridor being used as a viable shortcut for many commercial trucks traveling between I-64 and U.S. Route 29. The steady growth in the use of this corridor by local residents, visitors, tourists, and pass-through commercial truck drivers has resulted in increased traffic congestion and has caused safety concerns for the corridor.

The key transportation recommendations designed to achieve better mobility and increased safety are largely focused on fifteen (15) key intersections. There are also corridor-wide recommendations, with specific short-term, mid-term, and long-term recommendations for different segments of the study area. Key recommendations from the study that address operational, geometric and safety deficiencies include:

Short Term:

- At Route 6 south (River Road) – add a left turn lane on the southbound and westbound approaches.
- At Route 635 south (Rockfish School Lane) – add a left turn lane on the northbound and eastbound approaches.
- At Route 784 (Bland Wade Lane) – reconstruct the roadway to improve horizontal and vertical alignment.
- At Route 849 (Tanbark Drive) – Slope the embankments in the southeast and southwest quadrants to improve sight distance for the northbound approach.
- Improvements were recommended at Route 635 north (Greenfield) and Route 709 (Chapel Hollow Road); improvements have since been constructed.

Mid-Term:

- From Route 613 (Rodes Farm Road) to 0.05 miles north of Route 613 – reconstruct the roadway to address geometric deficiencies, including improvements at the intersection with Route 613 (Rodes Farm Road) to correct sight distance deficiency. (Note: although not specified, it is assumed that the northern terminus is north of Route 613 – Lodebar Estates).
- At the intersection with U.S. Route 250 – install traffic control improvements, including a signal with a northbound turn lane, or a roundabout.

Long Term:

- At the Route 151 intersection with Route 627 (Spruce Creek Lane) – reconstruct the intersection to improve horizontal and vertical curves.
- From Route 634 south (Adial Road) to Route 6 south (River Road) – reconstruct the existing roadway to increase capacity, address geometric deficiencies, and accommodate two 12-foot travel lanes with paved 6-foot shoulders marked as bike lanes. Right-of-way should be reserved for an ultimate four-lane cross-section when volumes warrant.
- From Route 6 south (River Road) to Route 638 south (Avon Road) – reconstruct the existing roadway to increase capacity, address geometric deficiencies, and accommodate two 12-foot travel lanes with paved 6-foot shoulders marked as bike lanes. Right-of-way should be reserved for an ultimate four-lane cross-section when volumes warrant.
- From Route 638 south (Avon Road) to U.S. Route 250 (Rockfish Gap Turnpike) – widen the existing roadway to increase capacity, address geometric deficiencies, and accommodate four 12-foot travel lanes with paved 6-foot shoulders marked as bike lanes. Long-term spot safety and alignment improvements are needed.
- At the intersection with Route 6 north – provide left turn lanes on the minor approaches, and signalize the intersection when warranted.

Existing Roadway Inventory

An existing inventory of roads and services is a first step in the development of a transportation plan. The inventory describes current conditions, assets and challenges. Roadways represent the bulk of the County's transportation system, with most residents relying on their cars for daily travel to work, school and other destinations. The following inventory provides a detailed inventory and review of the major roadways in the County, in order to:

- Provide a comprehensive analysis of traffic counts and conditions in the existing roadway network.
- Assist County officials in considering the transportation impacts of development proposals.
- Help identify the need for future road projects and improvements, providing the foundation and rationale behind the goals, objectives and recommendations in this chapter.

Interstate 64

Interstate 64 crosses the entire State, from Hampton Roads to West Virginia, and links several cities including Norfolk, Richmond, Charlottesville, and Staunton. The interstate also links I-95 and I-81, with Nelson County located between these two north/south corridors. From Nelson, the closest access point to the interstate is exit 99, ~~on the western side of~~ at Rockfish Gap on top of Afton Mountain in Augusta County. The next closest is exit 107, where one can enter onto I-64 from Route 250 in Albemarle County.

Primary Routes

In the hierarchy of highways, the next category after interstates is the state primary system. These are roads that have regional or statewide significance and serve to connect cities, towns and other communities. Some of these routes may have national importance, functioning as major thoroughfares and corridors for several states. In Nelson County, there are seven primary routes, which accounts for 124 miles of roadway. These include Routes 29, 6, 48 (the Blue Ridge Parkway), 56, 60, 151 and 250.

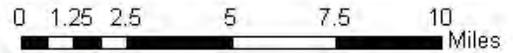
The County faces several challenges with some of these roads. In some of the more rural areas of Nelson, there are significant changes in terrain for many road sections with poor vertical and horizontal alignment. These roads usually have only two lanes. Several of these lanes are relatively narrow, being 10 feet wide or less. Under these conditions there are frequent "no passing" zones, often with lines of cars behind slow moving vehicles, such as school buses and agricultural equipment. Other roads lack

coordinated access management, leading to additional turning movements, as motorists try to access roadside properties. These conditions can severely limit road capacity and safety.

The following inventory of primary routes in Nelson County includes a general narrative on each road, along with detailed figures on traffic counts, level of service and other conditions. *Please note that all traffic counts are from 2010.*

DRAFT

Nelson County Roadway Inventory



Legend

- Route 29
- Corridor of Statewide Significance
- Primary Routes
- Secondary Routes
- Railroad



Prepared by the Thomas Jefferson Planning District Commission.
 Source: US Census Tiger Data Winter 2010

Route 29:

Named Thomas Nelson Highway, this route makes up 23 miles of the County's road network. At its northern end, Route 29 crosses the Albemarle County border, passing through Nelson and then entering Amherst to the south. Thomas Nelson Highway carries the highest traffic volumes of any ~~other~~ road in the County, with 12,600 to 16,000 average trips per day. The next highest counts in the County are along sections of Route 151, with fewer than 8,500 daily trips.

The County uses Route 29 as a critical component of local transportation and land use policies. The County's Future Land Use Plan shows Thomas Nelson Highway connecting growth areas around the Lovingson area. This includes land uses such as Rural Residential, Rural Small Town, and Light Industrial/Mixed Commercial. In the County plan, the road also acts as the artery for more Industrial and Mixed Use Commercial to the south, near Colleen and towards Amherst.

The following are additional facts and data on Route 29:

- It is designated as a Rural Principal Arterial.
- VDOT designated this as a Scenic Road-Byway for the segments north of Route 6.
- Route 29 has four-lanes, with each being 12-foot wide, plus paved shoulders.
- The speed limit is to 60 mph.
- The entire road length has a Level of Service A, where vehicles are able to travel freely, with few delays or congestion.
- In some locations, Route 29 ~~has~~ does not have good sight distances, ~~both~~ either horizontally, ~~and~~ vertically, or both – which can create some difficulties in allowing motorists to clearly see any other vehicles or unexpected obstacles ~~in the road.~~
- The area with the highest traffic counts is around the rural village of Lovingson, reaching 16,000 trips per day.
- The intersection at Lovingson has the only traffic light in the entire County.

Route 29 is also identified as a Corridor of Statewide Significance (CoSS). The Commonwealth's Statewide Transportation Plan identified eleven of these corridors. The CoSS include the major roadways, rail lines, airports, ports and transit services across Virginia. The Code of Virginia requires that each locality with a CoSS, "note such corridor or corridors on the transportation plan map included in its comprehensive plan for information purposes at the next regular update of the transportation plan map" (15.2-2232).

Route 6:

As Route 6 crosses Nelson County, its name changes several times. In the northwest corner of the County, it begins as Afton Mountain Road, then Rockfish Valley Highway, River Road and finally Irish Road as it heads into Albemarle County. Over this stretch in Nelson County, the road accounts for approximately 13 miles as it roughly follows the Rockfish River. The Future Land Use plan shows Route 6 as an important road that accesses rural residential uses, between the areas of Avon and Greenfield. While this is a major road, its design and capacity are not suited for higher volumes of traffic.

The following are additional facts and data on Route 6:

- The road segments located northwest of Route 29 are designated as a Rural Minor Arterial.
- The segments that are southeast of Route 29 are designated as a Rural Major Collector.
- The State also designates Route 6 as a Virginia Scenic Byway.
- This is a two-lane road, with 10-foot travel lanes.
- There are limited shoulders, ranging from 1 to 2 feet, enough to provide a small buffer between traveling vehicles and the roadside ditches.
- There is an average of 770 to 3,700 daily trips, depending on the road segment.
- The highest traffic counts for Route 6 are between Route 29 and 151.
- The In most places, the speed limit varies between 45 mph and is 55 mph. As it overlaps with Route 29, the speed limit increases to 60 mph, and some portions of Afton Mountain Road have a much lower speed limit due to the mountainous terrain and very sharp curves.
- On the southeastern segments of Route 6, the Level of Service indicates that the road is nearing capacity.

Route 48:

Also known as the Blue Ridge Parkway, Route 48 has regional, ~~and~~ national, and international significance. For example, the Parkway is the most visited unit in the entire National Park System. In Nelson County, the Blue Ridge Parkway runs parallel to the western border with Augusta and Rockbridge Counties, along the mountains. Approximately 14 miles of the road are actually within Nelson County. There are challenges to maintaining the Parkway, due mostly to the mountainous terrain and weather. The roadway is not open in the winter, and sections which pass over especially high elevations and through tunnels are often impassable and closed from late fall through early spring. Weather is extremely variable in the mountains, so conditions and closures change rapidly.

The following are additional facts and data on Route 48:

- It is designated as a National Parkway, National Scenic Byway, All-American road and a Virginia Scenic ~~Parkway~~Byway.
- Route 48 functions as a Rural Minor Arterial.
- This is a two lane road, with each lane 10-foot wide, along with 4-foot shoulders.
- On average, there are 385 daily trips.
- There are no identified issues with traffic congestion or Level of Service.

Route 56:

Route 56 runs northwest/southeast across Nelson County. Its western end begins in the Shenandoah National Park and the eastern end spans the James River into Buckingham, connecting with Route 60. Across this stretch, Route 56 goes by several different names. To the west, Route 56 is called Crabtree Falls Highway. It then merges with Route 151, where it becomes Patrick Henry Highway. From that point to Route 29, the name changes to Tye Brook Highway. Finally, Route 56 becomes James River Road, between Lovingsston and the James River. In total, these segments equate to 38 miles of Nelson County's road system. U.S. 56 serves several important functions locally. It connects places like Montebello, Nash, Tyro, Massies Mill, and Colleen, along with Shipman and Wingina to the east. Route 56 is also one of the few roads that cross the mountains, connecting with the Blue Ridge Parkway and accessing destinations in the Shenandoah National Park, such as Crabtree Falls.

With speed limits of 55 mph, the road does move traffic relatively quickly on straight stretches. The exception is the far western end of the County, between Rockbridge County and Route 151, where the road includes several challenging curves and poor sight distances as it climbs through the foothills and mountains. In these areas, the speed limit is appropriately reduced to 45 mph. Regardless, these western sections can be difficult to navigate, particularly in poor weather.

The following are additional facts and data on Route 56:

- In the segment that merges with Route 151, the road is defined as a Rural Major Collector.
- West of Route 151, this road is a designated Virginia Scenic Byway.
- The average daily trips range from 300 to 2,000. The highest counts are near Lovingsston, on the eastern side of Rte 29, while some of the lowest counts are to the west, between Montebello and Nash. To the east, the counts decrease again, to 275 daily trips, near Wingina.
- On average, the road has 9 to 10-foot lanes. In addition, there are usually 1 to 2-foot shoulders.

- There are 11-foot lanes and wider shoulders east of Lovingson, between Rte 772 and the Buckingham County line.
- The road has minor capacity issues between the Rockbridge County line and Nash. There are similar issues around Tyro and the Massies Mill area. Between Lovingson and shipman, the road is nearing capacity, which could lead to travel delays.

Route 60:

Route 60 only has a short 6-mile segment in Nelson County, in its southeastern corner of Gladstone, which is shown in the Future Land Use Plan as rural and farming. Route 60 is called Richmond Highway and serves as one of Nelson's two major crossings over the James River.

The following are additional facts and data on Route 60:

- The state categorizes this road as a Rural Minor Arterial.
- There are around 1,500 average daily trips.
- It is a 2-lane road with 10 to 11-foot lanes and 2-foot shoulders.
- The Speed limit is 55mph.

Route 151:

~~Route 151 begins in western Albemarle County at the intersection with U.S. Route 250, and enters Nelson County approximately 1 mile to the south. Route 151 starts in the northern end of Nelson County, where it connects with U.S. 250 in Albemarle County. It runs~~ Running roughly parallel to Route 29, ~~and later it continues south for 28 miles before entering~~ enters Amherst County, ~~as it heads south.~~ Route 151 ~~accounts for 28 miles and~~ holds ~~threetwo~~ names; Critzer Shop Road, Rockfish Valley Highway, and Patrick Henry Highway. It serves as the primary access to Wintergreen, and also provides access to: ~~It also connects places like~~ Piney River, Roseland, Nellysford, Greenfield and Avon.

In recent years, the Critzer Shop Road and Rockfish Valley Highway portions of Route 151 have become heavily traveled as the primary corridor for Nelson County's burgeoning tourism industries. Continued heavy use and additional tourism-related activities and development are anticipated for this corridor. As such, VDOT commissioned the Route 151 Corridor Study in 2013 to evaluate safety and mobility issues with Route 151 from Beech Grove Road to U.S. Route 250.

The following are additional facts and data on Route 151:

- The ~~state designates this road as a Virginia Byway~~ road is defined as a ~~and~~ Rural Minor Arterial.
- Route 151 is designated a Virginia Scenic Byway from its northern terminus at Route 250 to the intersection with Crabtree Falls Highway in Roseland.
- On the border with Amherst County, there are approximately 2,500 average daily trips.
- Further north, daily trips decreases to nearly 1,500 until Wintergreen, where volumes reach over 4,000.
- From the intersection with Route 6 at Greenfield to the Albemarle County line, daily trips reach almost 8,500.
- This is a 2-lane road with 10-foot travel lanes, along with 1 to 2-foot shoulders.
- The road widens near Albemarle County with 22 to 24 feet of pavement and 2 to 3-foot shoulders.
- The speed limit is 55mph, with a section where the speed limit is 45 mph.
- Near Roseland and the intersection with Route 56, the road is nearing capacity. Further south, near Piney River and the Amherst County Line, there are minor capacity issues.

Route 250:

U.S. 250 only briefly passes through the northernmost tip of Nelson County, near the base as it ascends to Rockfish Gap near the top of Afton Mountain. This short 2-mile section is also referred to as Rockfish Turnpike. The road design creates a higher capacity facility for the surrounding rural area and through-traffic. While only a small section is within the County, this road does have significant influence on Nelson by providing access to and from its northern areas. It also helps take pressure off of other west/east roadways within the County.

The following are additional facts and data on Route 250:

- The state designates Route 250 as a Virginia Scenic Byway and as a Rural Minor Arterial.
- This is a two-lane road with shoulders, making up 30 feet of pavement. There is a section on Afton Mountain where there are two lanes going westbound, almost to the top of the mountain.
- The speed limit is 55 mph.

Secondary Routes

The remaining public road network consists of state secondary roads that are not designed to carry heavy traffic loads. Most originated over the last century as pathways between farms and market areas. The routes and road beds were established long

before suburban growth, and therefore, the roads are generally narrow with poor horizontal and vertical alignment. Issues facing many secondary roads include:

- Limited right-of-way.
- Natural or constructed obstacles located close to the right-of-way, making improvements to the road expensive with numerous design challenges.
- Mountainous terrain that make road improvements challenging
- Rural secondary roads that are increasingly being used to carry extensive subdivision development.

The following table provides detailed descriptions of several of the more significant roadways.

Rte #	Name	Category	Daily Trips	Description
617	-Rockfish River Road	- Rural Minor Collector	138 – 340	Rte 617 intersects with Rte 29, north of Lovingston, and runs generally parallel with Rte 6 to the east, where it enters <u>before entering</u> Albemarle County. The 2-lane road is about 9 miles long, with 8-foot travel lanes and 1 to 3-foot shoulders.
622	-Allens Creek Road	- Rural Minor Collector	141	Rte 622 is located in the southeastern tip of Nelson, in the Gladstone area. The northern end begins with Norwood Road (Rte 626). Heading south, it crosses Rte 60 and enters the corner of Amherst County. This is a narrow road, with 9-foot travel lanes and a foot of shoulders. One section with several sharp turns can be challenging for motorists.
626	-Norwood Road -Union Hill Drive -Cabell Road	- Connector Route to scenic road - Rural Minor Collector	155	Rte 626 runs parallel with the James River. The southern end starts at Rte 60, before it passes over Rte 56 and heads northeast into Albemarle County. This is a narrow 2-lane road with 7-foot travel lanes and 1-foot shoulders.
635	-Greenfield Road -Craigs Store Road -Cold Creek Lane	- Rural Major Collector - Rural Minor Collector - Rural Local	353 – 972	Rte 635 is in the northwestern portion of Nelson, connecting Rte 6 in the Greenfield areas and Albemarle County. <u>This is a 2-lane road with 8 to 9-foot lanes and 1-foot shoulders.</u> There is <u>also</u> a small segment also on the west side of Rte 6 (<u>Rockfish School Lane</u>), which dead ends. This is a 2-lane road with 8 to 9-foot lanes and 1-foot shoulders.

639	-Nelson Avenue -CraigTown Road -Laurel Road	- Rural Major Collector	212 – 498	Rte 639 runs parallel with Rte 29, connecting Rtes 56 and 6 to the east. It passes through the Shipman and Rockfish areas. This is a narrow and occasionally winding road, with 7 to 8-foot lanes and 1-foot shoulders.
650	-Oak Ridge Road -High Peak Lane	- Rural Major Collector - Rural Local	896	Rte 650 runs parallel with Rte 29, just east of Lovington. It connects Rte 653 with Rte 56, from the Oak Ridge to Shipman areas. It is a 2-lane road with 9 –foot travel lanes and 1-foot shoulders.
653	-Freshwater Cove Lane -Oak Ridge Road -Wilson Road	- Rural Major Collector - Rural Local	886	Rte 653 is roughly parallel with Rte 56. To the south of Lovington, it connects Rtes 655, 650 and U.S. 29. To the west it dead ends as Freshwater Cove Lane. The 2-lane road has 10 –foot travel lanes and 1-foot shoulders.
655	-Roseland Road -Colleen Road -Arrington Road -Variety Mills Road	- Rural Major Collector	840 – 1,141	Rte 655 winds across the southern part of the County, running east/west. The western end begins at Rte 151/56, in the Roseland area. Heading east, it crosses Rte 29 at Colleen and into the Arrington area. On the far eastern end, it dead ends into the Norwood area, at Rte 626. There are two 9-foot lanes for this entire stretch, with 1 to 2-foot shoulders.
656	-Gladstone Road	- Rural Major Collector	149	Rte 656 passes through the Gladstone area of Nelson. It connects Rte 60 with 622. This is a very narrow 2-lane road. There are 7-foot travel lanes and 1-foot shoulders.
657	-Tye River Road -Piedmont Road	- Rural Minor Collector - Rural Major Collector	310 – 782	Rte 657 is located in the southeastern corner of Nelson, running parallel to the Amherst County line. It begins just east of Rte 29 and passes over Rte 60, before heading into Amherst. The northern end is narrower, with 8-foot lanes and 1-foot shoulders. As it winds to the south, Rte 657 widens to 10-foot lanes with 2-foot shoulders.
661	-Phoenix Road	- Rural Major Collector	993	Rte 661 is in the southeast quadrant of Nelson, beginning in the Arrington area before it leads south for about 4 miles. While the traffic counts are relatively low, VDOT identifies this road as having issues with Level of Service. There is “unstable flow at or near capacity” for sections of this route. The travel lanes are narrow, at 9 feet and 1-foot shoulders.

664	-Beech Grove Road	- Rural Major Collector - Virginia Byway	1,786 – 2,481	Rte 664 begins in the Wintergreen area, at Rte 151. To the west, it climbs into the mountains, crossing the Blue Ridge Parkway and leading into Waynesboro. There are relatively high levels of traffic, creating issues with SOL. Near the Augusta County line, there is “high density flow”, though this 2-lane road is wide, with 10 to 12-foot lanes.
665	-Old Rose Mill Road -Wilson Hill Road	- Rural Minor Collector - Rural Major Collector	405	Rte 665 crosses east/west, over Nelson’s southern part of the U.S. 29 corridor. This road is split into two segments. The west side connects Amherst with Rte 29 and the eastern half is flanked by Rte 29 and the Arrington area. This is a narrow two lane road, with 8-foot lanes and 1-foot shoulders.
666	-Jonesboro Road -Dickie Road -Woodson Road	- Rural Minor Collector - Rural Major Collector	37 – 273	In the south-central part of Nelson, Rte 666 connects Rtes 151 and 56. It then hugs the Amherst County line and enters the Lowesville area. In this southern segment, the road is wider, with 9-foot lanes and 2-foot shoulders. Further north it narrows to 7-foot lanes and no shoulders in some areas, though it widens again to 9 feet at the northern end.
676	-Clay Pool Road -Buffalo Mines Road	- Rural Minor Collector	145	Rte 676 branches off from the southern portion of Rte 151. From there it goes south, towards the Amherst County line and Lowesville. This is a very narrow 2-lane road. There are 7-foot lanes and 1-foot shoulders.
679	-Level Green Road -Castle Creek Lane	- Rural Local	15	In the Massies Mill area, Rte 679 is a short stretch of road near the confluence of Rtes 151 and 56. The road is very narrow, with 7-foot lanes and no shoulders. With such little traffic, this width is sufficient.
710	-Oak Ridge Road	- Rural Major Collector	899	Rte 710 is less than 2 miles long, but carries relatively high level of traffic. Located in the Oak Ridge area, it connects Rtes 653 and 650. It has 9-foot lanes and 2-foot shoulders.
739	-Tye River Road -Boxwood Farm Road -Napier Loop	- Rural Minor Collector - Rural Local	724	Near the Amherst County line, Rte 739 intersects with Rte 29 and leads east, along the Tye River and into Amherst. With 8-foot lanes and 2-foot shoulders, the road is relatively narrow.
750	-Old Turnpike Road	- Rural Local	152	In the northern tip of Nelson, Rte 750 creates another connection between Rtes 250 and 6. The 8-foot lanes are narrow, but there are few daily trips along this

				stretch.
778	-Lowesville Road	- Rural Major Collector	616	Rte 778 is located near the Amherst County line, west of Rte 151. It connects the Piney River area with Lowesville. With 9-foot lanes and 2-foot shoulders, the road is sufficient to handle the existing traffic.
800	-Schuyler Road	- Scenic Road, - Rural Local	678	Near the northern county line, Rte 800 passes through the Schuyler area into Albemarle. This road is relatively wide, with 10-foot lanes and a foot of shoulder on either side.
814	-Campbells Mountain Road -Love Road	- Rural Local	119	Rte 814 is located in the western end of Nelson. From the Nash area, it connects with Rte 56 and leads north, into the mountains. After crossing the Blue Ridge Parkway, it enters Augusta County. This is a narrow road with 8-foot lanes and several sharp turns as it winds into the mountains. With <u>limited</u> shoulders and poor sight distances, this can be a challenging road for motorists.
1001	-Main Street -Court Street -Ridge Lane	- Rural Local	1,999	Rte 1001 functions as the main street for the village of Lovingston. The street is flanked by small town development and ushers drivers through this small community.

Rural Transit and Carpooling

A commute is defined as a home-to-work or work-to-home trip, and is one of the main functions of a transportation network. While there are other types of trips, commuting patterns are consistent, predictable and make up a major portion of roadway traffic. Assessing these travel patterns is a vital exercise in understanding a community and how its transportation system functions.

While some people commute into Nelson County for work, the major traffic pattern involves trips out to employment centers in the surrounding areas. According to 2008 American Community Survey data (U.S. Census), there are 4,607 people who live in Nelson, but work outside of the County. Conversely, there are 1,558 workers who work in Nelson but who live in the surrounding jurisdictions. This equates to a net out commute that is three times larger than the number of people commuting into the County for work. Another group, those who live and work in the County, make up 1,741 of the labor force.

According to the U.S. Census, over 40 percent of Nelson workers travel to the Charlottesville/Albemarle County area for their employment. This is the dominant commuting pattern, with people traveling along the Route 29 corridor and surrounding roadways. This commuting pattern contributes to the traffic counts along Route 29 and 151. Smaller numbers of commuters travel to Augusta County, Amherst, Lynchburg, Waynesboro, and places beyond.

Most people in Nelson typically have to rely on automobiles for these trips and other travel. The costs of repair, expansion and new construction of roads are high and commonly come with logistical obstacles, such as obtaining additional right-of-way. Transportation Demand Management (TDM) services, such as rural transit and carpooling, are a way of maximizing the existing road infrastructure.

Rural Transit

Nelson County's relatively low population density makes extensive fixed-route transit system unfeasible. On-demand or rural transit is reasonable alternative for Nelson County from a financial and logistical perspective.

On-demand public transportation is characterized by flexible routes and schedules, typically using small buses to provide shared occupancy, doorstep, or curbside personalized transportation service. For Nelson County, JAUNT provides this service. Its eighty-vehicle fleet makes over 270,000 trips annually within their service area,

including commuter, health service, and general errand trips. Most trips are scheduled by the passenger, but some fixed routes are available that allow access to urbanized areas. JAUNT buses are all equipped with computers that plan the most effective pick-up and drop-off routes. Federal, state and local funding supplement the agency payments and passenger fares help to keep the cost of service low for those who use it.

In Nelson County, JAUNT offers four separate services: commuter routes to Charlottesville, Wintergreen service, midday service to Charlottesville and intra-county service. The commuter routes to Charlottesville include a Lovington Express Route, which makes stops along Route 29 and in the UVA area. The second commuter route under this service is the Roseland Route. These commuters ride along State Routes 151 and 56, as they head east to Route 29. These passengers arrive to Charlottesville in the morning, with drop offs in the downtown and UVA areas. The Wintergreen service travels from the resort to areas throughout the County, as JAUNT carries passengers to and from Charlottesville. The midday service to Charlottesville is a door-to-door service that is available in all of Nelson County, requiring riders to contact JAUNT to schedule a pickup. Finally, the intra-county service offers trips to various destinations within the County, also requiring appointments. Passengers are encouraged to call JAUNT at (434) 296-3184 or toll-free at 800-36JAUNT. Updated information on JAUNT services are also found at their website: <http://www.ridejaunt.org/nelson.asp>.

Carpooling

Another way for communities to maximize their existing road capacity is to encourage carpooling services. In this region, the RideShare program (housed by the TJPDC) plays a key role in these strategies. The program helps residents identify and ride with others who are traveling along the same routes. By riding in someone else's vehicle, people save on gas, car maintenance and parking. For groups of seven or more people who want to carpool together, RideShare has a vanpool program. Riders lease vans from a designated agency and pay a fee to cover the cost of the lease and gas. Maintenance, license and insurance costs are included in the lease.

RideShare also offers a Guaranteed Ride Home program to provide free rides in an emergency. The idea is to encourage residents to ride public transit or carpool at least twice a week. If they do so, and must get home when transit or a carpool is unavailable, the agency will pay for their taxi or rental car. People can take advantage of the service up to five times per year.

Another RideShare initiative is SchoolPool, designed to help parents who have limits on how much time they can spend shuttling their children to and from school and after-

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school activities. The program acts as a liaison to link parents to others who live within a convenient distance and whose children attend the same school. As with RideShare's carpool programs, the purpose of SchoolPool is to save families money. It can also help reduce congestion during morning and afternoon pick-up times in school parking and entrance areas. A school must apply to be part of the program; at this time no Nelson County schools are participating.

Employers can also take advantage of RideShare. The program will help companies encourage their employees to carpool or vanpool or ride JAUNT buses. RideShare also provides education to employers on how to take advantage of tax breaks for encouraging transit or carpooling.

In Nelson County, RideShare only services a portion of the commuters that carpool in the community. While there are 45 people registered, many more carpool informally by sharing trips with friends, colleagues and other acquaintances. The latest figures from the American Community Survey indicate that over 16 percent of Nelson commuters carpool to work, making up a significant share of commutes. This is noticeable higher than the carpooling rates for the state, which are approximately 10.6 percent.

Park and Ride Lots

Park and ride Lots go hand and hand with transportation options like on-demand transit and carpooling. Particularly in rural areas, these facilities are critical for these alternate modes of travel. With homes generally separated by larger distances, these rural park and rides allow people to meet in convenient places, saving time and bringing greater ease to carpooling and transit commuter routes.

In Nelson County, there are four informal park and rides, along with one that is officially designated. Of the informal lots, one is in the Greenfield/Nellysford area, at the intersection of Routes 151 and 6, in the power substation lot. This allows for 15 spaces. The second lot is located at the intersection of Route 29 and Route 6 East, providing 6 spaces and JAUNT service. The third informal lot is located at the intersection of Route 29 and Route 6 West, with 15 parking spaces and JAUNT service. A fourth is located at US 29 at Freshwater Cove. The only official park and ride facility is along Route 29 South, at Route 1001 in Lovingston. The lot is behind the volunteer fire department building, offering users with 20 spaces and pickup from JAUNT.

Given the high rates of carpooling in the County and the importance of JAUNT, there is a need for expanded park and ride lots in Nelson. New or expanded lots may

encourage these alternative transportation choices, helping to take additional traffic off local roadways. Providing additional facilities would also further encourage service to those with limited means of transportation, such as those that are elderly and those with disabilities. There are logistical and legal obstacles to establishing new park and ride facilities. By working with the RideShare program, Nelson County may be able to find ways to address those issues and provide for these amenities.

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Rail and Freight Plan

One of the major functions of the transportation system is moving goods. This is usually done with rail cars or trucks, as businesses receive and ship out raw materials and finished products. The following sections outline the current character and capacity of rail and freight in Nelson County.

Freight Generators and Destinations

Nelson County has several employers that may require freight service. Wintergreen resort and Food Lion are the major freight destinations, followed by Central Virginia Electric Cooperative, California Side Car, American Fibers and Yarn, and overnight package delivery services. Each of these employers receives freight via truck from locations outside of Nelson County. This means additional trucks on roads that lead to and from these areas.

Rail Facilities

Nelson County has two rail lines: Norfolk Southern Railroad and CSX Railroad. The Norfolk Southern line cuts through the middle of the county, passing Faber, Rockfish, Shipman, and Arrington. CSX follows the Tye River along Nelson County's southern border, and passes through Howardsville, Warminster, Wingina, Norwood, Greenway and Gladstone. Both lines service a number of rail carriers that transport goods cross-country; however, neither line routinely stops in Nelson County. Instead, the majority of goods that travel in and out of Nelson are moved via truck.

Freight

Trucks are the single most-used mode to move freight, especially for distances less than 500 miles. In 2007, trucks moved 69 percent of the weight and 65 percent of the value of freight throughout the country. According to the Freight Analysis Framework, a dataset issued by the Federal Highway Administration, trucks routinely travel to and through Nelson County. The primary trucking routes are US 29, state highways 151 and highway 6, and, to a much lesser degree, the Blue Ridge Parkway.

Route 29 is by far the most used road for freight in Nelson County. Long distance truck traffic predominantly uses this road to pass through Nelson County. The majority of local truck traffic is also on US 29. Very few freight trips are made on Hwy 151, despite being a major thoroughfare for Nelson County. This may be due to the fact that Hwy 151 is narrower, has lower speed limits, and has fewer businesses located along the route.

By 2040, annual average daily truck traffic (AADTT) is expected to increase dramatically on US 29, carrying well over 2,500 trucks per day. AADTT is expected to stay the same on the Blue Ridge Parkway and 151, but will increase on Hwy 6. This increase on 6 is most likely due to trucks feeding onto US 29. It is also expected that long distance truck traffic will no longer use Hwy 151 by 2040. These projections indicate that businesses requiring freight, or wishing to capture trucking business, should ideally locate along US 29.

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Recommendations and Vision

The following goals and principles state the long-term expectations for the County's transportation system. Under each goal, principles are stated. Principles are a more specific statement of the actions intended to achieve the broad goal.

Goal – Promote a safe, efficient and diverse transportation system to serve both local and regional traffic.

Principle – Emphasize the importance of safety on county roads and publicize the negative affects of speeding.

Principle – Ensure that through truck traffic is meeting state standards.

Principle – Encourage the use of the county's existing rail lines for the movement of commercial and industrial goods and for passenger service, including tourists.

Principle – Increase the mobility of the general public, and especially the elderly, handicapped and economically disadvantaged by encouraging walking, bicycling, bus and van services, park and ride lots, and carpooling.

Principle – Support the development of strategically-located greenways that provide non-motorized transportation connections between the county's community assets and tourism attractions as a way of increasing the quality of life for residents; attracting new residents, businesses, and other private investments; and maximizing the county's increasingly successful tourism niche industries.

Goal – Enhance the internal and external flow of traffic within designated development areas.

Principle – Promote internal vehicular, pedestrian, and bicycle connections within development areas.

Principle – Encourage a network of streets for internal traffic flow within development areas that limit "cut through" traffic.

Principle – For large scale industrial and commercial park development off Route 29, limit access to locations established in the Route 29 Corridor Development Study when possible.

Principle – Support improvements to designated roadways that include facilities for bicyclists, following the Regional Bicycle and Pedestrian Plan.

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Long Range Project List

The following list identifies 45 transportation projects for Nelson County. This list includes a Map Key of the project or how the project is labeled on the accompanying map. Beside each key is a description, including the location of the project and whether that project is an intersection improvement or a segment improvement. The project description also indicates the system deficiency, the timeline and the recommendation for the planned improvement. *Refer to the key on the map for color meaning.*

Road Projects

- 10 US 29/VA 655
Short-term improve signage; Mid-term lengthen turn lanes. (Local Priority)
- 16 US 60 (Richmond Hwy.)/VA 622 (Allen's Creek Rd.)
Mid-term improve intersection to address site distance deficiency. (Local Priority)
- 20 VA 151 (Rockfish Valley Hwy.)/VA 627 (Spruce Creek Lane)
Long-term reconstruct intersection to improve horizontal and vertical curves. (Local Priority)
- 22 VA 151 (Rockfish Valley Hwy.)/VA 613 (Rodes Farm Dr.)
Mid-term improve intersection to address sight distance deficiency. (Local Priority)
- 26 VA 151 (Rockfish Valley Hwy.)/VA 635 (Greenfield Rd.)
Short-term study intersection to identify safety improvements. (Local Priority)
- 10 VA 635 (~~Greenfield~~~~Cold Creek~~ Rd.)/VA 6/VA 151 to VA 633
Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders). (Local Priority)

35

VA 6 West (River Rd.)/VA 634 (Old Roberts Mt. Lane)

Short-term improve signage; Mid-term add turn lanes.(Local Priority)

1

VA 666 (Dickie Rd.)/VA 827 to VA 679 West

Long-term reconstruct road to address geometric deficiencies (10-foot lanes).

2

VA 676 (Clay Pool Rd.)/VA 778 to VA 151

Long-term reconstruct road to address geometric deficiencies (10-foot lanes).

3

VA 705/VA 676 to 0.5 mi. North of VA 676

Mid-term repave roadway.

4

VA 780/VA 674 to End State Maintenance

Mid-term repave roadway.

5

VA 666 (Jonesboro Rd.)/VA 679 East to VA 56 South

Long-term reconstruct road to address geometric deficiencies (11-foot lanes).

6

VA 681/0.1 mi. North of VA 666/VA 769

Mid-term repave roadway.

7

VA 151 (Patrick Henry Hwy.)/VA 56 (Tye Brook Hwy.)

Mid-term improve intersection to address sight distance deficiency.

8

VA 151/VA 151 to VA 56

Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders).

9

VA 56/VA 151 to US 29

Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders).

11

VA 665 (Wilson Hill Rd.)/US 29 North to VA 655

Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders).

- 12** VA 739/VA 657 to US 29 South
Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders).
- 13** VA 658 (Tye River Rd.)/VA 721 to VA 739
Long-term reconstruct road to address geometric deficiencies (11-foot lanes).
- 14** VA 622/VA 739 to 0.5 mi. North of VA 739
Mid-term repave roadway.
- 15** VA 626 (Cabell Rd.)/US 60 to VA 606 South
Long-term reconstruct road to address geometric deficiencies (10-foot lanes).
- 17** VA 656/US 60 to VA 622
Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders).
- 18** VA 680/0.515 mi. North VA 699 to 3.043 mi. North VA 699
Mid-term repave roadway.
- 19** VA 814/Blue Ridge Pkwy. to Augusta County Line
Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders).
- 21** VA 613/VA 612 to 1.0 mi. South of VA 612
Mid-term repave roadway.
- 23** VA 151/VA 613 to 0.050 mi. N. VA 613
Mid-term reconstruct road to address geometric deficiencies.
- 24** VA 151/VA 6
Deficiency with low priority; Continue to monitor for potential improvements.
- 25** VA 6/VA 6 South to VA 6 North
Long-term widen road to increase capacity and address geometric deficiencies (including full-width lanes and shoulders).

- 28 **VA 151 at VA 6/VA 638**
Deficiency with low priority; Continue to monitor for potential improvements.
- 29 **VA 151/VA 6 North to Albemarle County Line**
Long-term widen road to increase capacity and address geometric deficiencies (including full-width lanes and shoulders).
- 30 **VA 250/Augusta County Line to Albemarle County Line**
Long-term widen road to increase capacity and address geometric deficiencies (including full-width lanes and shoulders).
- 31 **I-66/Augusta County Line to Albemarle County Line**
Long-term widen road to six lanes to increase capacity and accommodate existing and future travel demand.
- 32 **US 29 (Thomas Nelson Hwy.)/VA 775 (Anderson Lane/Lewis Lane)**
Short-term improve signage; Long-term consider closing median opening and installing rumble strips.
- 33 **VA 756/VA 623 to End State Maintenance**
Mid-term repave roadway.
- 34 **VA 828/US 29 to End State Maintenance**
Mid-term repave roadway.
- 36 **VA 617 (Rockfish River Road)/VA 639 South to US 29**
Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders).
- 37 **VA 639 (Laurel Rd./Rockfish River Rd.)/VA 643 to VA 800**
Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders).
- 38 **VA 639 (Laurel Rd.)/VA 719 to VA 643**
Long-term reconstruct road to address geometric deficiencies (11-foot lanes).

- 39** **VA 639 (Craigtown Rd.)/VA 56 East to VA 719**
Long-term reconstruct road to address geometric deficiencies (including full width-lanes and shoulders).
- 40** **VA 694/VA 649 to End State Maintenance**
Mid-term repave roadway.
- 41** **VA 56 (James River Rd.)/VA 647 (Findlay Mt. Rd.)**
Mid-term improve intersection to address sight distance deficiency.
- 42** **US 29 (Thomas Nelson Hwy.)/Bus. 29 (Callohill Dr./Front St.)**
Short-term modify signal timing and improve signage and pavement markings.
- 43** **US 29 Bus. (Front St.)/US 29 North to US 29 South**
Mid-term improve intersection to address sight distance deficiency and install sidewalks. (Town of Lovingston)
- 44** **VA 56 Extension**
Mid-term study extension of Rt. 56 to Rt. 29 to create safer intersection. (Town of Lovingston)
- 45** **VA 604/VA 626 to 2.0 mi. West of VA 626**
Mid-term repave roadway.

§ 15.2-2204. Advertisement of plans, ordinances, etc.; joint public hearings; written notice of certain amendments.

A. Plans or ordinances, or amendments thereof, recommended or adopted under the powers conferred by this chapter need not be advertised in full, but may be advertised by reference. Every such advertisement shall contain a descriptive summary of the proposed action and a reference to the place or places within the locality where copies of the proposed plans, ordinances or amendments may be examined.

The local planning commission shall not recommend nor the governing body adopt any plan, ordinance or amendment thereof until notice of intention to do so has been published once a week for two successive weeks in some newspaper published or having general circulation in the locality; however, the notice for both the local planning commission and the governing body may be published concurrently. The notice shall specify the time and place of hearing at which persons affected may appear and present their views, not less than five days nor more than 21 days after the second advertisement appears in such newspaper. The local planning commission and governing body may hold a joint public hearing after public notice as set forth hereinabove. If a joint hearing is held, then public notice as set forth above need be given only by the governing body. The term "two successive weeks" as used in this paragraph shall mean that such notice shall be published at least twice in such newspaper with not less than six days elapsing between the first and second publication. After enactment of any plan, ordinance or amendment, further publication thereof shall not be required.

B. When a proposed amendment of the zoning ordinance involves a change in the zoning map classification of 25 or fewer parcels of land, then, in addition to the advertising as required by subsection A, written notice shall be given by the local planning commission, or its representative, at least five days before the hearing to the owner or owners, their agent or the occupant, of each parcel involved; to the owners, their agent or the occupant, of all abutting property and property immediately across the street or road from the property affected, including those parcels which lie in other localities of the Commonwealth; and, if any portion of the affected property is within a planned unit development, then to such incorporated property owner's associations within the planned unit development that have members owning property located within 2,000 feet of the affected property as may be required by the commission or its agent. However, when a proposed amendment to the zoning ordinance involves a tract of land not less than 500 acres owned by the Commonwealth or by the federal government, and when the proposed change affects only a portion of the larger tract, notice need be given only to the owners of those properties that are adjacent to the affected area of the larger tract. Notice sent by registered or certified mail to the last known address of such owner as shown on the current real estate tax assessment books or current real estate tax assessment records shall be deemed adequate compliance with this requirement. If the hearing is continued, notice shall be remailed. Costs of any notice required under this chapter shall be taxed to the applicant.

When a proposed amendment of the zoning ordinance involves a change in the zoning map classification of more than 25 parcels of land, or a change to the applicable zoning ordinance text regulations that decreases the allowed dwelling unit density of any parcel of land, then, in addition to the advertising as required by subsection A, written notice shall be given by the local planning commission, or its representative, at least five days before the hearing to the owner, owners, or their agent of each parcel of land involved, provided, however, that written notice of such changes to zoning ordinance text regulations shall not have to be mailed to the owner, owners, or their agent of lots shown on a subdivision plat approved and recorded pursuant to the provisions of Article 6 (§ 15.2-2240 et seq.) where such lots are less than 11,500 square feet. One notice sent by first class mail to the last known address of such owner as shown on the current real estate tax assessment books or current real estate tax assessment records shall be deemed adequate compliance with this requirement, provided that a representative of the local commission shall make affidavit that such mailings have been made and file such affidavit with the papers in the case. Nothing in this subsection shall be construed as to invalidate any subsequently adopted amendment or ordinance because of the inadvertent failure by the representative of the local commission to give written notice to the owner, owners or their agent of any parcel involved.

The governing body may provide that, in the case of a condominium or a cooperative, the written notice may be mailed to the unit owners' association or proprietary lessees' association, respectively, in lieu of each individual unit owner.

Whenever the notices required hereby are sent by an agency, department or division of the local governing body, or their representative, such notices may be sent by first class mail; however, a representative of such agency, department or division shall make affidavit that

such mailings have been made and file such affidavit with the papers in the case.

A party's actual notice of, or active participation in, the proceedings for which the written notice provided by this section is required shall waive the right of that party to challenge the validity of the proceeding due to failure of the party to receive the written notice required by this section.

C. When a proposed comprehensive plan or amendment thereto; a proposed change in zoning map classification; or an application for special exception for a change in use or to increase by greater than 50 percent of the bulk or height of an existing or proposed building, but not including renewals of previously approved special exceptions, involves any parcel of land located within one-half mile of a boundary of an adjoining locality of the Commonwealth, then, in addition to the advertising and written notification as required by this section, written notice shall also be given by the local commission, or its representative, at least 10 days before the hearing to the chief administrative officer, or his designee, of such adjoining locality.

D. When (i) a proposed comprehensive plan or amendment thereto, (ii) a proposed change in zoning map classification, or (iii) an application for special exception for a change in use involves any parcel of land located within 3,000 feet of a boundary of a military base, military installation, military airport, excluding armories operated by the Virginia National Guard, or licensed public-use airport then, in addition to the advertising and written notification as required by this section, written notice shall also be given by the local commission, or its representative, at least 30 days before the hearing to the commander of the military base, military installation, military airport, or owner of such public-use airport, and the notice shall advise the military commander or owner of such public-use airport of the opportunity to submit comments or recommendations.

E. The adoption or amendment prior to July 1, 1996, of any plan or ordinance under the authority of prior acts shall not be declared invalid by reason of a failure to advertise or give notice as may be required by such act or by this chapter, provided a public hearing was conducted by the governing body prior to such adoption or amendment. Every action contesting a decision of a locality based on a failure to advertise or give notice as may be required by this chapter shall be filed within 30 days of such decision with the circuit court having jurisdiction of the land affected by the decision. However, any litigation pending prior to July 1, 1996, shall not be affected by the 1996 amendment to this section.

F. Notwithstanding any contrary provision of law, general or special, the City of Richmond may cause such notice to be published in any newspaper of general circulation in the city.

G. When a proposed comprehensive plan or amendment of an existing plan designates or alters previously designated corridors or routes for electric transmission lines of 150 kilovolts or more, written notice shall also be given by the local planning commission, or its representative, at least 10 days before the hearing to each electric utility with a certificated service territory that includes all or any part of such designated electric transmission corridors or routes.

H. When any applicant requesting a written order, requirement, decision, or determination from the zoning administrator, other administrative officer, or a board of zoning appeals that is subject to the appeal provisions contained in § [15.2-2311](#) or [15.2-2314](#), is not the owner or the agent of the owner of the real property subject to the written order, requirement, decision or determination, written notice shall be given to the owner of the property within 10 days of the receipt of such request. Such written notice shall be given by the zoning administrator or other administrative officer or, at the direction of the administrator or officer, the requesting applicant shall be required to give the owner such notice and to provide satisfactory evidence to the zoning administrator or other administrative officer that the notice has been given. Written notice mailed to the owner at the last known address of the owner as shown on the current real estate tax assessment books or current real estate tax assessment records shall satisfy the notice requirements of this subsection.

This subsection shall not apply to inquiries from the governing body, planning commission, or employees of the locality made in the normal course of business.

(Code 1950, § 15-961.4; 1962, c. 407, § 15.1-431; 1964, c. 632; 1968, cc. 354, 714; 1973, cc. 117, 334; 1974, cc. 100, 570; 1975, c. 641; 1976, c. 642; 1977, c. 65; 1982, c. 291; 1990, c. 61; 1992, cc. 353, 757; 1993, cc. 128, 734; 1994, c. [774](#); 1995, c. [178](#); 1996, cc. [613](#), [667](#); 1997, c. [587](#); 2001, c. [406](#); 2002, c. [634](#); 2004, cc. [539](#), [799](#); 2005, c. [514](#); 2007, cc. [761](#), [813](#); 2011, c. [457](#); 2012, c. [548](#); 2013, cc. [149](#), [213](#).)

§ 15.2-2226. Adoption or disapproval of plan by governing body.

After certification of the plan or part thereof, the governing body shall post the comprehensive plan or part thereof certified by the local planning commission on a website that is maintained by the governing body or on any other website on which the governing body generally posts information, and that is available to the public or that clearly describes how the public may access information regarding the plan or part thereof being considered for adoption. After a public hearing with notice as required by § [15.2-2204](#), the governing body shall proceed to a consideration of the plan or part thereof and shall approve and adopt, amend and adopt, or disapprove the plan. In acting on the plan or part thereof, or any amendments to the plan, the governing body shall act within ninety days of the local planning commission's recommending resolution. Any comprehensive plan or part thereof adopted by the governing body pursuant to this section shall be posted on a website that is maintained by the local governing body or on any other website on which the governing body generally posts information, and that is available to the public or that clearly describes how the public may access information regarding the plan or part thereof adopted by the local governing body. Inadvertent failure to post information on a website in accordance with this section shall not invalidate action taken by the governing body following notice and public hearing as required herein.

(Code 1950, § 15-964.4; 1962, c. 407, § 15.1-450; 1975, c. 641; 1976, c. 642; 1997, c. [587](#); 2000, c. [893](#); 2009, c. [605](#).)

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§ 15.2-2223. Comprehensive plan to be prepared and adopted; scope and purpose.

A. The local planning commission shall prepare and recommend a comprehensive plan for the physical development of the territory within its jurisdiction and every governing body shall adopt a comprehensive plan for the territory under its jurisdiction.

In the preparation of a comprehensive plan, the commission shall make careful and comprehensive surveys and studies of the existing conditions and trends of growth, and of the probable future requirements of its territory and inhabitants. The comprehensive plan shall be made with the purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the territory which will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity and general welfare of the inhabitants, including the elderly and persons with disabilities.

The comprehensive plan shall be general in nature, in that it shall designate the general or approximate location, character, and extent of each feature, including any road improvement and any transportation improvement, shown on the plan and shall indicate where existing lands or facilities are proposed to be extended, widened, removed, relocated, vacated, narrowed, abandoned, or changed in use as the case may be.

B. 1. As part of the comprehensive plan, each locality shall develop a transportation plan that designates a system of transportation infrastructure needs and recommendations that include the designation of new and expanded transportation facilities and that support the planned development of the territory covered by the plan and shall include, as appropriate, but not be limited to, roadways, bicycle accommodations, pedestrian accommodations, railways, bridges, waterways, airports, ports, and public transportation facilities. The plan shall recognize and differentiate among a hierarchy of roads such as expressways, arterials, and collectors. The Virginia Department of Transportation shall, upon request, provide localities with technical assistance in preparing such transportation plan.

2. The transportation plan shall include a map that shall show road and transportation improvements, including the cost estimates of such road and transportation improvements from the Virginia Department of Transportation, taking into account the current and future needs of residents in the locality while considering the current and future needs of the planning district within which the locality is situated.

3. The transportation plan, and any amendment thereto pursuant to § [15.2-2229](#), shall be consistent with the Commonwealth Transportation Board's Statewide Transportation Plan developed pursuant to § [33.1-23.03](#), the Six-Year Improvement Program adopted pursuant to subdivision (7)(b) of § [33.1-12](#), and the location of routes to be followed by roads comprising systems of state highways pursuant to subdivision (1) of § [33.1-12](#). The locality shall consult with the Virginia Department of Transportation to assure such consistency is achieved. The transportation plan need reflect only those changes in the annual update of the Six-Year Improvement Program that are deemed to be significant new, expanded, or relocated roadways.

4. Prior to the adoption of the transportation plan or any amendment to the transportation plan, the locality shall submit such plan or amendment to the Department for review and comment. The Department shall conduct its review and provide written comments to the locality on the consistency of the transportation plan or any amendment to the provisions of subdivision 1. The Department shall provide such written comments to the locality within 90 days of receipt of the plan or amendment, or such other shorter period of time as may be otherwise agreed upon by the Department and the locality.

5. The locality shall submit a copy of the adopted transportation plan or any amendment to the transportation plan to the Department for informational purposes. If the Department determines that the transportation plan or amendment is not consistent with the provisions of subdivision 1, the Department shall notify the Commonwealth Transportation Board so that the Board may take appropriate action in accordance with subdivision (7)(e) of § [33.1-12](#).

6. Each locality's amendments or updates to its transportation plan as required by subdivisions 2 through 5 shall be made on or before its ongoing scheduled date for updating its transportation plan.

C. The comprehensive plan, with the accompanying maps, plats, charts, and descriptive matter, shall show the locality's long-range recommendations for the general development of the territory covered by the plan. It may include, but need not be limited to:

1. The designation of areas for various types of public and private development and use, such as different kinds of residential, including age-restricted, housing; business; industrial; agricultural; mineral resources; conservation; active and passive recreation; public service; flood plain and drainage; and other areas;
 2. The designation of a system of community service facilities such as parks, sports playing fields, forests, schools, playgrounds, public buildings and institutions, hospitals, nursing homes, assisted living facilities, community centers, waterworks, sewage disposal or waste disposal areas, and the like;
 3. The designation of historical areas and areas for urban renewal or other treatment;
 4. The designation of areas for the implementation of reasonable ground water protection measures;
 5. A capital improvements program, a subdivision ordinance, a zoning ordinance and zoning district maps, mineral resource district maps and agricultural and forestal district maps, where applicable;
 6. The location of existing or proposed recycling centers;
 7. The location of military bases, military installations, and military airports and their adjacent safety areas; and
 8. The designation of corridors or routes for electric transmission lines of 150 kilovolts or more.
- D. The comprehensive plan shall include the designation of areas and implementation of measures for the construction, rehabilitation and maintenance of affordable housing, which is sufficient to meet the current and future needs of residents of all levels of income in the locality while considering the current and future needs of the planning district within which the locality is situated.

(1975, c. 641, § 15.1-446.1; 1976, c. 650; 1977, c. 228; 1988, c. 268; 1989, c. 532; 1990, c. 19; 1993, cc. 116, 758; 1996, cc. [585](#), [600](#); 1997, c. [587](#); 2003, c. [811](#); 2004, cc. [691](#), [799](#); 2005, cc. [466](#), [699](#); 2006, cc. [527](#), [563](#), [564](#); 2007, c. [761](#); 2012, cc. [729](#), [733](#); 2013, cc. [561](#), [585](#), [646](#), [656](#).)

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§ 15.2-2225. Notice and hearing on plan; recommendation by local planning commission to governing body; posting of plan on website.

Prior to the recommendation of a comprehensive plan or any part thereof, the local planning commission shall (i) post the comprehensive plan or part thereof that is to be considered for recommendation on a website that is maintained by the commission or on any other website on which the commission generally posts information, and that is available to the public or that clearly describes how the public may access information regarding the plan or part thereof being considered for recommendation, (ii) give notice in accordance with § [15.2-2204](#), and (iii) hold a public hearing on the plan. After the public hearing, the commission may approve, amend and approve, or disapprove the plan. Upon approval, the commission shall by resolution recommend the plan, or part thereof, to the governing body and a copy shall be certified to the governing body. Any comprehensive plan or part thereof approved by the commission pursuant to this section shall be posted on a website that is maintained by the commission or on any other website on which the commission generally posts information, and that is available to the public or that clearly describes how the public may access information regarding the plan or part thereof approved by the commission and certified to the governing body. Inadvertent failure to post information on a website in accordance with this section shall not invalidate action taken by the local planning commission following notice and public hearing as required herein.

(Code 1950, §§ 15-908, 15-921, 15-922, 15-964.2, 15-964.3; 1958, c. 389; 1962, c. 407, § 15.1-448, 15.1-449; 1968, c. 735; 1975, c. 641; 1976, c. 642; 1997, c. [587](#); 2009, c. [605](#).)

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July 2, 2014

To: Board of Supervisors
From: S. Carter
Re: County Administrator's Report (July 8, 2014 Meeting)

I. Courthouse/Government Center Project: Complete.

II. Courthouse Project Phase II: Interviews with prospective AE firms scheduled for 6-11-14.

III. Jefferson Building: Complete.

IV. Massies Mill School Demolition: Complete (including retention pond rehabilitation).

V. Lovington Health Care Center: Planning meeting conducted on 6-27 with concurrence of participants (County, JABA, Region 10) to contact potential re-development partners.

VI. BR Tunnel and BR Railway Trail Projects: **A) BRRT** – Construction complete with VDOT close out in process. Retainage pending payment. **B) BRT** – Bid receipt delayed to 6-22. Phase 2 grant funding formally approved by Commonwealth Transportation Board.

VII. 2014 Lockn Festival: Special Event Permit approval of the 2014 festival is in process.

VIII. Broadband: Fiber installations to Rockfish Orchard Subdivision completed. Consent received from Nature Conservancy on proposed High Top Tower co-location. Feasibility of CDBG grant application for fiber network extension being reviewed.

IX. Radio Project: In process with project completion projected at 9-30-14.

X. Rockfish Valley Area Plan: Contract completed with TJPDC for project assistance. Project status is very preliminary.

XI. Roseland/Ferguson's Store PER: Agreement with Draper Aden Associates to update the previous PER in partnership with VA-DEQ completed on 7-2. Work to commence within ensuing two weeks, approximate, with draft report submittal 30 days thereafter.

XII. Sturt Property Plan: Site visit by VT-Community Design Assistance Center completed on 6-25. A decision is pending on agreement between County and CDAC for planning project.

XIII. Personnel: Recruitment in process for Secretary 3 position in Co. Administrator's office.

XIV. Staff Reports: Provided within the July 8, 2014 Agenda

NELSON COUNTY PLANNING COMMISSION

NAME, ADDRESS & PHONE

TERM EXPIRATION

Phillipa Proulx – **North District**
950 Avon Road
Afton, VA 22920
(540) 456-6849

June 30, 2014

Linda C. Russell- **Central District**
1236 Stoney Creek W.
Nellysford, VA 22958
(434) 361-2137

June 30, 2014

Emily K. Hunt- **East District**
P.O. Box 150
Schuyler, VA 22969

June 30, 2014

Mary Kathryn Allen- **South District**
1115 Gladstone Road
Gladstone, VA 24553
(434) 933-8214 (H)
(434) 942-7695 (W)
mkallen@vaems.org

June 30, 2016

Michael E. Harman – **West District**
2828 Embly's Gap Road
Roseland, VA 22967
(434) 277-5016

June 30, 2016

Authority: Established by the Code of Virginia §15.2-2200 et seq. and County Code Article II, Sec.9-26

Membership: 6 members: 5 Appointments by Election District, with 1 appointed Board of Supervisors member.

Term: 4 Years, July 1 – June 30, **No Term Limits**

Summary of Duties: As Established by the Code of Virginia §15.1-427.1 et seq., the Board members serve in order to promote the orderly development of the County and to plan community centers with adequate highway, utility, health, educational and recreational facilities, and to provide for the needs of agriculture, industry and business in future growth. This includes interpretation and development of the County Zoning and Subdivision Ordinance with review of citizen applications for re-zoning requests, conditional use permits, and subdivision requests with subsequent recommendations to the Board of Supervisors for action on such applications.

Meetings: Regular meetings are held the fourth Wednesday of each month with the exception of November. Members are compensated \$75 per meeting plus mileage paid at the existing State mileage rate.

RECEIVED

APR 25 2014

COUNTY ADMINISTRATOR'S
OFFICE



Nelson County Planning Commission

Please return form to:

County Administrator's Office

Attn: Candy McGarry - Appointments

P.O. Box 336

Lovington, VA 22949

Fax: (434) 263-7004 or cmcgarry@nelsoncounty.org

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

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

Printed Name: _____

Linda Russell

Signed Name: _____

Linda Russell

Date: _____

4/22/14



Nelson County Planning Commission

Please return form to: County Administrator's Office
Attn: Candy McGarry - Appointments
P.O. Box 336
Lovingson, VA 22949
Fax: (434) 263-7004 or cmcgarry@nelsoncounty.org

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

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

Printed Name: PHILIPPA PROULX

Signed Name: P. Proulx Date: 4-15-14

NELSON COUNTY BOARDS AND COMMISSIONS APPLICATION FORM

Subject: Appointments - Statement of Interest Form

Completing this form is one way to indicate your interest in being considered for appointment to some of the Boards, Commissions and Committees appointed by the Board of Supervisors. All appointments remain at the discretion of the Board of Supervisors.

Please complete and mail this form to:

Nelson County Board of Supervisors
Attention: Stephen A. Carter, Clerk of Board
Post Office Box 336
Lovingsston, VA 22949

or fax to (434) 263-7004

Date 29 June 2014

Mr. Mrs. Ms.

Name: William Cupo

List a maximum of three (3) Boards on which you are interested in serving.

1. Planning Commission
2. Social Services Board
3. Nelson County Service Authority

Home Address: 1701 Tanbark Dr.

Afton VA 22920

Occupation: Physician Employed by: AEP

Home Phone No.: 229-669-2614 Business Phone No.: 540-332-4423

Fax No.: _____ E-Mail Address: cuposmail@mac.com

Do you live in Nelson County? Yes No

Are you currently a member of a County Board, Commission, Committee or Authority? Yes No

If yes, list the Board(s):

What talent(s) and/or experience can you bring to the Board(s)?

These Board in Absentia for two years. Are also in several states. Living in so many places has given me the opportunity to see successful civic planning in a variety of environments.

What do you feel you can contribute to the Board(s) and to the community that may not be evident from information already on this form?

I currently work at Augusta Health and have family connections to the area.

Please use this space for any additional information you would like to provide:

A resume or separate sheet with additional information may be included.

ATTENDANCE REQUIREMENTS

Section 2-153, Absences, Chapter 2, Administration, Article V. Appointments for Boards and Commissions of the Nelson County Code, an appointee of the Board of Supervisors who either (a) fails, during a calendar year, to attend seventy-five percent of the regular meetings of the board or commission of which he/she is a member, or (b) is absent for three consecutive regular meetings, shall be deemed to have tendered his/her resignation from such position. The Board of Supervisors may accept such resignation by appointing another person to fill the position.

In light of the above, will you be able to attend at least 75% of the regular meetings of the boards to which you may be appointed?

Yes No

NELSON COUNTY BOARDS AND COMMISSIONS APPLICATION FORM

Subject: Appointments - Statement of Interest Form

Completing this form is one way to indicate your interest in being considered for appointment to some of the Boards, Commissions and Committees appointed by the Board of Supervisors. All appointments remain at the discretion of the Board of Supervisors.

Please complete and mail this form to:

Nelson County Board of Supervisors
Attention: Stephen A. Carter, Clerk of Board
Post Office Box 336
Livingston, VA 22949

or fax to (434) 283-7004

Date June 28, 2014

Mr. Mrs. Ms.

Name: Daniel L. Rutherford

List a maximum of three (3) Boards on which you are interested in serving.

1. Planning Commission

2. _____

3. _____

Home Address:

1026 Hickory Creek Road, Faber, VA 22938

Occupation: Attorney Employed by: Rutherford Law Group, PC

Home Phone No.: (434) 263-4831 Business Phone No.: (434) 263-8009

Fax No.: (800) 947-0389 E-Mail Address: Dan@DLRutherfordLaw.com

Do you live in Nelson County? Yes No

Are you currently a member of a County Board, Commission, Committee or Authority? Yes No

If yes, list the Board(s):

What talent(s) and/or experience can you bring to the Board(s)?

As an attorney, I have extensive experience reading and understanding complex codes and law as well as applying certain facts and circumstances to the applicable code or law section in question.

Please see my attached Resume.

What do you feel you can contribute to the Board(s) and to the community that may not be evident from information already on this form?

In addition to my legal knowledge, I have extensive ties with the community as a volunteer.

Please see my attached Resume

Please use this space for any additional information you would like to provide:

A resume or separate sheet with additional information may be included.

ATTENDANCE REQUIREMENTS

Section 2-153, Absences, Chapter 2, Administration, Article V, Appointments for Boards and Commissions of the Nelson County Code, an appointee of the Board of Supervisors who either (a) fails, during a calendar year, to attend seventy-five percent of the regular meetings of the board or commission of which he/she is a member, or (b) is absent for three consecutive regular meetings, shall be deemed to have tendered his/her resignation from such position. The Board of Supervisors may accept such resignation by appointing another person to fill the position.

In light of the above, will you be able to attend at least 75% of the regular meetings of the boards to which you may be appointed?

Yes No

NELSON COUNTY BOARDS AND COMMISSIONS APPLICATION FORM

Subject: Appointments - Statement of Interest Form

Completing this form is one way to indicate your interest in being considered for appointment to some of the Boards, Commissions and Committees appointed by the Board of Supervisors. All appointments remain at the discretion of the Board of Supervisors.

Please complete and mail this form to:

Nelson County Board of Supervisors
Attention: Stephen A. Carter, Clerk of Board
Post Office Box 336
Lovingsston, VA 22949

or fax to (434) 263-7004

Date 6/30/2014

Mr. X Mrs. _____ Ms. _____

Name: Justin Shimp, P.E.

List a maximum of three (3) Boards on which you are interested in serving.

1. Planning Commission
2. Nelson County Service Authority
3. _____

Home Address: 148 Tanbark Drive

Afton, VA 22920

Occupation: Civil Engineer Employed by: Self Employed

Home Phone No.: 434-953-6116 Business Phone No.: 434-953-6116

Fax No.: 804-302-7997 E-Mail Address: justin@shimp-engineering.com

Do you live in Nelson County? Yes No

Are you currently a member of a County Board, Commission, Committee or Authority? Yes No

If yes, list the Board(s):

What talent(s) and/or experience can you bring to the Board(s)?

~~Please refer to attached letter for details/qualifications~~

What do you feel you can contribute to the Board(s) and to the community that may not be evident from information already on this form?

~~Please refer to attached letter for details/qualifications~~

Please use this space for any additional information you would like to provide:

~~Please refer to attached letter for details/qualifications~~

A resume or separate sheet with additional information may be included.

ATTENDANCE REQUIREMENTS

Section 2-153, Absences, Chapter 2, Administration, Article V. Appointments for Boards and Commissions of the Nelson County Code, an appointee of the Board of Supervisors who either (a) fails, during a calendar year, to attend seventy-five percent of the regular meetings of the board or commission of which he/she is a member, or (b) is absent for three consecutive regular meetings, shall be deemed to have tendered his/her resignation from such position. The Board of Supervisors may accept such resignation by appointing another person to fill the position.

In light of the above, will you be able to attend at least 75% of the regular meetings of the boards to which you may be appointed?

Yes No

Nelson County Board of Supervisors
C/O Stephen A. Carter, Clerk of the Board
P.O Box 336
Lovington, VA 22949

RE: Application for Planning Commission Vacancy

Dear Members of the Board,

My name is Justin Shimp; I am a resident of the North District of the County and a licensed Professional Engineer. I understand that the Board is considering nominating residents of the County for the Planning Commission and I am pleased to offer this letter and the application to be considered for service to the County. I have lived in the Afton area for just over two years now, but have always considered Nelson my home County as I spent my teenage years living in Lowesville and visiting friends in Lovington and Shipman. My Father, John Shimp, retired from teaching automechanics at Nelson High school and we have always considered our family to be part of the Nelson Community.

The application asks three specific questions, which I have answered below:

What talent(s) and or experience can you bring to the Board(s)?

As a Professional Engineer practicing land planning and design, I have worked in many localities with Planning Commissions, Supervisors and planning staff and have a thorough understanding of the purposes of a planning commission. I understand how a commission can best help implement zoning policies and procedures to guide localities in the right growth patterns that both protect the rural qualities and beauty of the County. This can be done while encouraging businesses and entrepreneurs to invest in the County to provide jobs and improved quality of life for all citizens. I have extensive experience in zoning, engineering, storm water management, utility planning and infrastructure design, construction, and long term comprehensive planning. In addition to my engineering related experience, I have been self-employed since 2010 and understand the challenges facing those wanted to start their own businesses and believe that responsive government in the planning and zoning realm is vital to giving new businesses a chance to succeed.

What do you feel you can contribute to the Board(s) and to the community that may not be evident from information already on this form?

I believe my most valuable contribution to the County would be my knowledge of development and zoning coupled with my desire to propagate and encourage the way I was raised on a small family farm. I believe that the most important thing for our County to do is to continue to encourage the agro-tourism and agricultural businesses that have done so well over the past ten years. My knowledge of the business of development will help the Commission and the County staff work with applicants to achieve their goals while protecting the goals and interest of the County.

Please use this space for any additional information that you would like to provide:

As noted above, I am a Professional Engineer and run my own business. Of the hundreds of projects I've looked at over the last 4 years, two of them have been in Nelson County and I do not actively look for work in this area. If I am appointed to the Planning Commission instances where I might need to recuse myself from a vote or discussion would be very rare.

I have previously served on the Louisa County Water Authority Board of Directors when I lived in Louisa County, prior to 2012, and am familiar with the time commitments required to participate in local government. I have indicated on the application that I am interested in the Service Authority Board as well, that would be my second choice as I believe my greatest strengths are in planning and zoning. I am however also well versed in the operations of small municipal utilities and would not be opposed to being a part of that board in addition to the planning commission if that were permitted and the time commitments were not unreasonable or in conflict.

Zoning and planning work has been my career for the past ten years, I would very much appreciate the opportunity to serve my County in a capacity in which my knowledge of the process can help our County continue to stay rural and provide the right sort of growth and opportunities for its citizens in a way that protects our way of life for generations to come.

Sincerely Yours,

A handwritten signature in blue ink, appearing to read "Justin Shimp", with a large, stylized flourish that loops back under the name.

Justin Shimp, P.E.

Daniel L. Rutherford

1026 Hickory Creek Rd, Faber, Virginia, 22938
434-987-4820 (mobile) Dan@DLRutherfordLaw.com

LEGAL EXPERIENCE

Bar Admission: Commonwealth of Virginia

October 17, 2007

Rutherford Law Group, PC, Lovingson, Virginia

President/Senior Litigator

October 2007 -Present

Conduct civil and criminal litigation with a bench or jury trials, legal research and settlement negotiations. Represent clients in family law matters, serve as Guardian *ad litem* for children and incapacitated adults. Provide assistance regarding debt re-negotiation and debt collection. Assist client's needs with applicable wills and trusts and estate administration. Perform real estate transactions and title examinations. Provide counsel to corporations and nonprofit organizations.

Nelson Title Agency, Limited Liability Company

Member/Manager

June 2007-Present

Provide title insurance, underwriting and closing services to residential, commercial and industrial clients, lenders, developers, attorneys, real estate professionals and consumers.

United States Army Judge Advocate General Corps Reserve Component – Captain

Chief of Military Justice for the 415th Chemical Brigade

March 2014 – Present

Serves as Chief of Military Justice for the 415th CBRN BDE, its staff, and its more than 23 subordinate units consisting of more than 2400. Represents the Government as Recorder (Prosecutor) and serves as Legal Advisor for administrative separation actions. Manages and monitors sexual assault cases and other serious offenses in the 415th CBRN BDE. Reviews for legal sufficiency: Investigations, Operations, proposals, plans, and command initiatives. Serves as legal advisor for 15-6 investigations, Financial Liability Investigations for Property Loss, EO investigations, and Congressional Complaints.

Trial Defense Counsel, 154th Legal Organization Detachment

May 2010-March 2014

Represent Soldiers at trials by court-martial, administrative separations (actions to discharge soldiers prior to the end of their service), non-judicial punishments, and summary courts-martial.

EDUCATION

United States Army Judge Advocate Officer Basic Course, Charlottesville, Virginia

Judge Advocate

July-September 2010

Regent University School of Law, Virginia Beach, Virginia

Juris Doctor

May 2007

GPA: 3.37 / 4.0; Class Rank: Top 20%

Activities: SBA 3L Class Senator; Mentor in the SBA Mentor-Mentee Program;

Federalist Society: Chief Activity Coordinator; Business Transaction Law Society;

International Law Society; ABA Law Student Member;

Awards: *Making the Commitment*; 2005-2006 & 2006-2007

Yearly worked over 35 hours of community volunteer projects during law school career

University of Virginia, Charlottesville, Virginia

Bachelor of Arts in Foreign Affairs

May 2003

Honors: Dean's List: Spring 2003

Recognized as Class of 2003 youngest graduate, awarded B.A. at the age of nineteen

Activities: Jefferson Leadership Foundation: Secretary

****Held a job throughout undergraduate education***

COMMUNITY

Nelson County Food Pantry Volunteer; Counsel of Nelson County Salt-Triad – Organization providing assistance to seniors; Director of Lions Club; Director of Nelson County Chamber of Commerce, Counsel for the Nelson Senior Advisory Committee, and Judge Advocate for American Legion Post 17.

INTERESTS

Scuba-Diving, Civil War Re-enacting, Martial Arts (2nd degree black belt), Hiking, Tennis, Spelunking and Genealogy.

Daniel L. Rutherford

1026 Hickory Creek Rd, Faber, Virginia, 22938
434-987-4820 (mobile) Dan@DLRutherfordLaw.com

About Daniel Lee Rutherford

I was born and raised in Shipman, Virginia. Growing up I enjoyed taking hikes in the mountains, helping my family around the farm. Upon graduating high school, I attended Piedmont Virginia Community College, where I earned my Associates in Arts; I then transferred to the University of Virginia where I earned a Bachelor's in Arts with the Major in Foreign Affairs at the age of nineteen. After taking a year off from school, I attended Regent University School of Law, and it was during this time that I married my wife Kathryn C. Rutherford in July 2005. I graduated Regent University in May 2007 and my wife and I moved back to Nelson County and we now live in Faber. After passing the bar I began my practice in October 2007 in the old building on the corner of Front and Main Street, once the old Lovingston Baptist Church, then a Boutique. In 2008, my wife and I were blessed with the birth of our first son, Elijah. Seventeen short months later in 2009 Llewelyn, our second son, was born. In October 2013, we welcomed the birth of our daughter Adalyn Grace Rutherford.

About Daniel Rutherford's Community Involvement

Upon beginning my practice I immediately became connected with local organizations within Nelson County. Throughout my life, I have strived to serve those in my community who are in need. After being admitted to practice in the Commonwealth of Virginia, I became a volunteer at the Nelson County Food Pantry; Counsel of Nelson County Salt-Triad – Organization providing assistance to seniors; volunteer at Rockfish River Elementary in Nelson County; Director of Nelson County Chamber of Commerce; Director of Lions Club; Member of the Nelson County Rotary Club, Member of the Nelson Senior Advisory Committee; Nelson County Home Builders Association and most recently Judge Advocate for American Legion Post 17. In addition to serving my community, I also serve my country, on May 3, 2010 I was sworn in as a First Lieutenant in as a Captain in the United States Judge Advocate Generals Corps, Army Reserves. On October 17, 2011, I was promoted to the rank of Captain, where I continue to serve my Country.

NELSON COUNTY SERVICE AUTHORITY

NAME, ADDRESS & PHONE

TERM 4 Years, No Limits

VACANT– **North District**

June 8, 2010 – June 30, 2014

Russell B. Otis - **Central District**

July 1, 2010 - June 30, 2014

286 Riverfield Farm LN

Faber, VA 22938

H: (434) 263-5527

W: (434) 325-8531

rotiswpoa@cs.com

Allen M. Hale- **East District**

July 1, 2010 -June 30, 2014

3130 Laurel Rd.

Shipman, VA 22971

W: (434) 263-8671

super@buteobooks.com

Edward L. Rothgeb- **South District**

July 1, 2012 - June 30, 2016

P.O. Box 98

Shipman, VA 22971

H: (434) 263-5272

David S. Hight – **West District**

July 1, 2012 - June 30, 2016

P.O. Box 5

Roseland, VA 22967

H: (434) 277-5351

Authority : Established by the Code of Virginia §15.2-5113 and Nelson County Code Chapter 12 - Utilities

Membership: 5 Members appointed by Election District.

Term: 4 Years, July 1 – June 30. No term limits

Summary of Duties: To serve as the governing Board of the Nelson County Service Authority.

Meetings: Regular meetings are held monthly on the third Thursday of each month at 2pm. Members are compensated \$75 per meeting plus mileage paid at the existing State mileage rate per BOS Resolution dated April 12, 2005.

NELSON COUNTY BOARDS AND COMMISSIONS APPLICATION FORM

Subject: Appointments - Statement of Interest Form

Completing this form is one way to indicate your interest in being considered for appointment to some of the Boards, Commissions and Committees appointed by the Board of Supervisors. All appointments remain at the discretion of the Board of Supervisors.

Please complete and mail this form to:

Nelson County Board of Supervisors
Attention: Stephen A. Carter, Clerk of Board
Post Office Box 336
Lovingsston, VA 22949

or fax to (434) 263-7004

Date 29 June 2014

Mr. Mrs. Ms.

Name: William Cupo

List a maximum of three (3) Boards on which you are interested in serving.

1. Planning Commission
2. Social Services Board
3. Nelson County Service Authority

Home Address: 1701 Tanbark Dr.

Afton VA 22920

Occupation: Physician Employed by: AEP

Home Phone No.: 229-669-2614 Business Phone No.: 540-332-4423

Fax No.: _____ E-Mail Address: cuposmail@mac.com

Do you live in Nelson County? Yes No

Are you currently a member of a County Board, Commission, Committee or Authority? Yes No

If yes, list the Board(s):

What talent(s) and/or experience can you bring to the Board(s)?

These Board in Absentia for two years. Are also in several states. Living in so many places has given me the opportunity to see successful civic planning in a variety of environments.

What do you feel you can contribute to the Board(s) and to the community that may not be evident from information already on this form?

I currently work at Augusta Health and have family connections to the area.

Please use this space for any additional information you would like to provide:

A resume or separate sheet with additional information may be included.

ATTENDANCE REQUIREMENTS

Section 2-153, Absences, Chapter 2, Administration, Article V. Appointments for Boards and Commissions of the Nelson County Code, an appointee of the Board of Supervisors who either (a) fails, during a calendar year, to attend seventy-five percent of the regular meetings of the board or commission of which he/she is a member, or (b) is absent for three consecutive regular meetings, shall be deemed to have tendered his/her resignation from such position. The Board of Supervisors may accept such resignation by appointing another person to fill the position.

In light of the above, will you be able to attend at least 75% of the regular meetings of the boards to which you may be appointed?

Yes No

NELSON COUNTY BOARDS AND COMMISSIONS APPLICATION FORM

Subject: Appointments - Statement of Interest Form

Completing this form is one way to indicate your interest in being considered for appointment to some of the Boards, Commissions and Committees appointed by the Board of Supervisors. All appointments remain at the discretion of the Board of Supervisors.

Please complete and mail this form to:

Nelson County Board of Supervisors
Attention: Stephen A. Carter, Clerk of Board
Post Office Box 336
Lovingsston, VA 22949

or fax to (434) 263-7004

Date 6/30/2014

Mr. X Mrs. _____ Ms. _____

Name: Justin Shimp, P.E.

List a maximum of three (3) Boards on which you are interested in serving.

1. Planning Commission
2. Nelson County Service Authority
3. _____

Home Address: 148 Tanbark Drive

Afton, VA 22920

Occupation: Civil Engineer Employed by: Self Employed

Home Phone No.: 434-953-6116 Business Phone No.: 434-953-6116

Fax No.: 804-302-7997 E-Mail Address: justin@shimp-engineering.com

Do you live in Nelson County? Yes No

Are you currently a member of a County Board, Commission, Committee or Authority? Yes No

If yes, list the Board(s):

What talent(s) and/or experience can you bring to the Board(s)?

~~Please refer to attached letter for details/qualifications~~

What do you feel you can contribute to the Board(s) and to the community that may not be evident from information already on this form?

~~Please refer to attached letter for details/qualifications~~

Please use this space for any additional information you would like to provide:

~~Please refer to attached letter for details/qualifications~~

A resume or separate sheet with additional information may be included.

ATTENDANCE REQUIREMENTS

Section 2-153, Absences, Chapter 2, Administration, Article V. Appointments for Boards and Commissions of the Nelson County Code, an appointee of the Board of Supervisors who either (a) fails, during a calendar year, to attend seventy-five percent of the regular meetings of the board or commission of which he/she is a member, or (b) is absent for three consecutive regular meetings, shall be deemed to have tendered his/her resignation from such position. The Board of Supervisors may accept such resignation by appointing another person to fill the position.

In light of the above, will you be able to attend at least 75% of the regular meetings of the boards to which you may be appointed?

Yes No

Nelson County Board of Supervisors
C/O Stephen A. Carter, Clerk of the Board
P.O Box 336
Lovington, VA 22949

RE: Application for Planning Commission Vacancy

Dear Members of the Board,

My name is Justin Shimp; I am a resident of the North District of the County and a licensed Professional Engineer. I understand that the Board is considering nominating residents of the County for the Planning Commission and I am pleased to offer this letter and the application to be considered for service to the County. I have lived in the Afton area for just over two years now, but have always considered Nelson my home County as I spent my teenage years living in Lowesville and visiting friends in Lovington and Shipman. My Father, John Shimp, retired from teaching automechanics at Nelson High school and we have always considered our family to be part of the Nelson Community.

The application asks three specific questions, which I have answered below:

What talent(s) and or experience can you bring to the Board(s)?

As a Professional Engineer practicing land planning and design, I have worked in many localities with Planning Commissions, Supervisors and planning staff and have a thorough understanding of the purposes of a planning commission. I understand how a commission can best help implement zoning policies and procedures to guide localities in the right growth patterns that both protect the rural qualities and beauty of the County. This can be done while encouraging businesses and entrepreneurs to invest in the County to provide jobs and improved quality of life for all citizens. I have extensive experience in zoning, engineering, storm water management, utility planning and infrastructure design, construction, and long term comprehensive planning. In addition to my engineering related experience, I have been self-employed since 2010 and understand the challenges facing those wanted to start their own businesses and believe that responsive government in the planning and zoning realm is vital to giving new businesses a chance to succeed.

What do you feel you can contribute to the Board(s) and to the community that may not be evident from information already on this form?

I believe my most valuable contribution to the County would be my knowledge of development and zoning coupled with my desire to propagate and encourage the way I was raised on a small family farm. I believe that the most important thing for our County to do is to continue to encourage the agro-tourism and agricultural businesses that have done so well over the past ten years. My knowledge of the business of development will help the Commission and the County staff work with applicants to achieve their goals while protecting the goals and interest of the County.

Please use this space for any additional information that you would like to provide:

As noted above, I am a Professional Engineer and run my own business. Of the hundreds of projects I've looked at over the last 4 years, two of them have been in Nelson County and I do not actively look for work in this area. If I am appointed to the Planning Commission instances where I might need to recuse myself from a vote or discussion would be very rare.

I have previously served on the Louisa County Water Authority Board of Directors when I lived in Louisa County, prior to 2012, and am familiar with the time commitments required to participate in local government. I have indicated on the application that I am interested in the Service Authority Board as well, that would be my second choice as I believe my greatest strengths are in planning and zoning. I am however also well versed in the operations of small municipal utilities and would not be opposed to being a part of that board in addition to the planning commission if that were permitted and the time commitments were not unreasonable or in conflict.

Zoning and planning work has been my career for the past ten years, I would very much appreciate the opportunity to serve my County in a capacity in which my knowledge of the process can help our County continue to stay rural and provide the right sort of growth and opportunities for its citizens in a way that protects our way of life for generations to come.

Sincerely Yours,

A handwritten signature in blue ink, appearing to read "Justin Shimp", with a large, stylized flourish above the name.

Justin Shimp, P.E.

NELSON COUNTY SOCIAL SERVICES BOARD

NAME, ADDRESS & PHONE

TERM (July – June) 4 Years, 2 Term Limit

Joan Giles – **West District**
719 Cow Hollow Road
Roseland, VA 22967
(434) 277-9266
Jgiles1242@gmail.com

July 1, 2010 – June 30, 2014 (**Reg. Term 1**)

Pauline Page – **East District**
134 Miles LN
Faber, VA 22938
434-263-8223
nomondays@aol.com

July 1, 2010 – June 30, 2014 (**Reg. Term 1**)

Constance Brennan
524 Buck Creek Lane
Faber, VA 22938
H (434) 263-4690
connie@cstone.net

January 2014 – December 31, 2014

Donald Gray – **North District**
1188 Afton Mtn. Rd.
Afton, VA 22920
540-456-6016

July 1, 2013 – June 30, 2017 (**Reg. Term 2**)
(Effective October 1, 2009)

Joseph B. Williamson – **South District**
115 Phoenix Rd.
Arrington, VA 22922
(434) 263-8874
jwilliamson@nelson.k12.va.us

July 1, 2011 – June 30, 2015 (**Reg. Term 1**)

Clifford Savell – **Central District**
14 Crystal Lane
Faber, VA 22938
434-361-0165
funex@falafeldog.com

July 1, 2012 – June 30, 2016 (**Reg. Term 1**)

Authority: Established by the Code of Virginia §63.2-300 et seq.

Membership: 5 Members appointed by Election District.

Term: 4 Years, July 1 – June 30. **2 term limit**

Summary of Duties: To provide, either directly or through the purchase of services subject to the supervision of the Commissioner and in accordance with regulations adopted by the Board, any or all child welfare services herein described when such services are not available through other agencies serving residents in the locality such as: Protecting the welfare of all children including handicapped, homeless, dependent, or neglected children; preventing or remedying, or assisting in the solution of problems that may result in the neglect, abuse, exploitation or

delinquency of children; preventing the unnecessary separation of children from their families by identifying family problems, assisting families in resolving these problems and preventing the break up of the family where preventing the removal of a child is desirable and possible;

NELSON COUNTY SOCIAL SERVICES BOARD

Summary of Duties Cont'd:

Restoring to their families children who have been removed by providing services to the families and children; placing children in suitable adoptive homes in cases where restoration to the biological family is not possible or appropriate; and assuring adequate care of children away from their homes in cases where they cannot be returned home or placed for adoption.

The local board is also authorized and, as may be provided by regulations of the Board, shall provide rehabilitation and other services to help individuals attain or retain self-care or self-support and such services as are likely to prevent or reduce dependency and, in the case of dependent children, to maintain and strengthen family life.

Meetings: Regular meetings are held monthly on the third Tuesday of each month at 1:00 PM at the Dept. of Social Services building in Lovington. Members are compensated \$75 per meeting plus mileage paid at the existing State mileage rate.

NELSON COUNTY BOARDS AND COMMISSIONS APPLICATION FORM

Subject: Appointments - Statement of Interest Form

Completing this form is one way to indicate your interest in being considered for appointment to some of the Boards, Commissions and Committees appointed by the Board of Supervisors. All appointments remain at the discretion of the Board of Supervisors.

Please complete and mail this form to:

Nelson County Board of Supervisors
Attention: Stephen A. Carter, Clerk of Board
Post Office Box 336
Lovingsston, VA 22949

or fax to (434) 263-7004

Date 29 June 2014

Mr. Mrs. Ms.

Name: William Cupo

List a maximum of three (3) Boards on which you are interested in serving.

1. Planning Commission
2. Social Services Board
3. Nelson County Service Authority

Home Address: 1701 Tanbark Dr.

Afton VA 22920

Occupation: Physician Employed by: AEP

Home Phone No.: 229-669-2614 Business Phone No.: 540-332-4423

Fax No.: _____ E-Mail Address: cuposmail@mac.com

Do you live in Nelson County? Yes No

Are you currently a member of a County Board, Commission, Committee or Authority? Yes No

If yes, list the Board(s):

What talent(s) and/or experience can you bring to the Board(s)?

These Board in Absentia for two years. Are also in several states. Living in so many places has given me the opportunity to see successful civic planning in a variety of environments.

What do you feel you can contribute to the Board(s) and to the community that may not be evident from information already on this form?

I currently work at Augusta Health and have family connections to the area.

Please use this space for any additional information you would like to provide:

A resume or separate sheet with additional information may be included.

ATTENDANCE REQUIREMENTS

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In light of the above, will you be able to attend at least 75% of the regular meetings of the boards to which you may be appointed?

Yes No



To: Chair and Members, Nelson County Board of Supervisors

From: Tim Padalino | Director | Department of Planning & Zoning

Date: July 1, 2014

Subject: Public Hearing on proposed amendments to Zoning Ordinance §4-2 “Area Regulations” concerning two-family detached dwellings (“duplexes”)

On February 12th, 2014, the Department of Planning & Zoning received a referral from the Board of Supervisors (BOS) containing suggested text to amend Article 4 (“Agricultural District A-1”), Section 3 (“Lots Allowed and Area Regulations”) as it pertains to regulations for “two-family detached dwellings,” or duplexes.

Specifically, the proposed amendments would reduce the minimum acreage required for a duplex in the A-1 District from 4 acres (minimum) to 2 acres (minimum). The full text of the proposed amendment is as follows:

*4-2-1a The minimum lot area shall be two (2) acres (87,120 sq.ft.) or more per dwelling unit **for single and two-family detached dwellings**. For family subdivisions lots the minimum lot area shall be one (1) acre (43,560 square feet) per dwelling unit.*

Please note that the proposed amendments, as written, would not actually achieve the intended effect of reducing the minimum acreage requirements from 4 acres to 2 acres for a duplex. As written, the proposed amendments still require, “two (2) acres or more per dwelling unit...for two-family detached dwellings.” Using a straightforward interpretation and application of the Zoning Ordinance definitions, this would still require two acres for each of the two dwelling units contained in the duplex, i.e. a requirement for a minimum of 4 acres for a duplex.

Therefore, in order to achieve the Board’s referred objective of reducing the required minimum acreage from 4 acres (minimum) to 2 acres (minimum) for all duplexes in the A-1 District, County staff recommend that the phrase “per dwelling unit” be removed and the proposed amendments be re-written as follows:

*4-2-1a The minimum lot area shall be two (2) acres (87,120 sq.ft.) or more ~~per dwelling unit~~ **for single-family detached dwellings and two-family detached dwellings**. For family subdivisions lots the minimum lot area shall be one (1) acre (43,560 square feet) per dwelling unit.*

Review of Amendment Process To-Date

Please recall that the BOS originally referred the following proposed amendments, as detailed in the March 20th staff report:

- 4-2-1a: The minimum lot area shall be two (2) acres (87,120 sq. ft.) or more **per single-family detached dwelling or two-family detached dwelling containing a total of four (4) or fewer bedrooms and two (2) or fewer bathrooms**. For family subdivision lots the minimum lot area shall be one (1) acre (43,560 sq. ft.) per dwelling unit.
- 4-2-2: For permitted uses utilizing individual sewage disposal systems, **the Health Department shall review and approve** the required area for any such use ~~shall be approved by the health official~~ **in consideration of the average daily water usage, as calculated by the number and size of bedrooms and bathrooms**. The administrator may require a greater area if considered necessary by the health official.

(Note: As explained in the referral memo from Mr. Carter, the Commission was invited to consider the proposed changes to 4-2-2 at their discretion; but the BOS did not discuss these specific amendments or formally refer them to the Commission.)

After reviewing this issue in March and April, the Planning Commission acted at their April 23rd meeting to have Chair Proulx provide a formal recommendation to the Board of Supervisors (BOS), recommending that the BOS not proceed with the proposed amendments as referred; but to instead explore an alternative policy approach that would potentially modify (reduce) minimum acreage requirements for duplexes only when being developed by the Nelson County Community Development Foundation (NCCDF).

This alternative approach was formally recommended to the BOS for two general reasons. The first reason is because the PC identified several questions and concerns at their February 26th Work Session, summarized as follows:

- Concern that the Health Department has not reviewed and endorsed this proposed policy amendment;
- Concern about residential density and concern about possible future “relaxations” of similar density requirements;
- Concern that too many uses are being suggested for the A-1 District;
- Concern that the proposed amendments are too broad in scope – that they could work well for NCCDF but may not be appropriate for all other scenarios;
- Concern that this type of “limited duplex” could be easily expanded or renovated to eventually include more than the proposed restrictions for a maximum total of four (4) bedrooms and two (2) bathrooms; and
- Concern that the proposed amendments are not enforceable.

The second reason for this recommended alternative approach is that the PC felt that a more narrow set of amendments, pertaining specifically (and only) to the NCCDF, would be a more appropriate solution. Upon County staff consultation with County Attorney Phil Payne, this recommended alternative was determined to be a legally-defensible approach. That is because NCCDF duplexes are developed in conjunction with the Foundation’s mission to provide affordable housing opportunities for low- and moderate-income residents, elderly residents, and residents

with disabilities; and such affordable housing efforts are considered a legitimate expression of the locality's "police power" and a legitimate promotion of the County's public health, safety, and/or welfare.

The PC's formal recommendation was provided to County staff by Chair Proulx on May 7th. At the subsequent May 13th BOS meeting, the Board reviewed the PC recommendation before moving to authorize and advertise a Public Hearing at the June 10th BOS meeting for consideration of proposed amendments as they were composed in the original BOS referral from February (i.e. proposed amendments that would reduce the minimum required acreage for all duplexes in the A-1 District from 4 acres to 2 acres).

After the June 10th public hearing was scheduled and advertised, the BOS then postponed that hearing, and have since re-scheduled a BOS public hearing for July 8th. The purpose of that postponement and re-scheduling was to ensure that the Planning Commission properly conducted a Public Hearing at their regularly-scheduled June 25th meeting, before the BOS could legally conduct their own public hearing (and/or take any legislative action on the proposed amendments).

Planning Commission Public Hearing

A public hearing was conducted at the June 25th Planning Commission meeting, and was properly advertised in the Nelson County Times on June 5th and June 12th, in accordance with State Code provisions contained in §15.2-2204.

The first and only member of the public to speak was Mr. Allen Hale, of 3130 Laurel Road in Shipman. Mr. Hale noted that he has been a land surveyor in Nelson County for forty years; and that he is a Board of Supervisors member, where this matter has been previously discussed. Mr. Hale expressed two concerns. One is that the larger the lot size requirement, the greater the expense is for a homeowner. The second concern is that the Board of Supervisors sent this proposed amendment to the Planning Commission as a result of so many things happening in this County, with a specific request from Nelson County Community Development Foundation to build duplexes on two acres per structure, rather than four acres per structure. He further stated that the means by which the Planning Commission reached a verdict – recommending that the Board of Supervisors make a special exemption for the NCCDF – did not seem to be a good solution, in his opinion.

After the Public Hearing was closed by Chair Proulx, Commissioner Russell made the following motion:

“The Planning Commission has received a proposal from the Board of Supervisors to hold a public hearing to amend Section 4-2-1-a, which would allow single and two family detached dwellings on two acres, referred by the Board of Supervisors for the Planning Commission to hold a public hearing and recommend a course of action. The Planning Commission has previously met, reviewed a more restrictive request, which limited the reduction of area to two bedroom and one bathroom units per two unit building. Chair Proulx has responded for the Planning Commission on May 7th. The Board of Supervisors has again referred that we have held a public hearing and have made the decision to recommend to the Board of

Supervisors that we do not recommend approval of this amendment for the following reasons:

- 1. We are concerned about the residential density and possible future relaxation of similar density requirements that could increase future build-out totals for the entire County.**
- 2. We are concerned that the A-1 district is becoming a catch-all with very little focus on the ordinance's description of this district. The description reads, *"this district is designed to accommodate farming, forestry, and limited residential use. While it is recognized that certain desirable rural areas may logically be expected to develop residentially, it is the intent, however, to discourage the random scattering of residential, commercial, or industrial uses in this district."***
- 3. We are concerned that the proposed amendment is too broad, though it might work very well for the NCCDF, it might not be appropriate for all scenarios. This limited focus is not generally considered a very good principle of zoning.**
- 4. The proposal is not easily enforceable.**
- 5. The County has been advised that it has other means to achieve the desired result of encouraging affordable housing, which is the stated goal of the Board of Supervisors, the Comprehensive Plan, and of course this Commission.**

However, if the Board wishes to proceed along these lines, we suggest that they consider a Special Use Permit be added to the Zoning Ordinance in the Agriculture District, which would allow four bedrooms, per two family detached dwellings on less than four acres."

Commissioner Hunt seconded Commissioner Russell's motion; and the Planning Commission voted 4-0.

In addition to the spoken comments, Mr. George Krieger of Nelson County Community Development Foundation provided County staff with written comments prior to the meeting, on June 24th. He also stated that he was providing each of the County Supervisors with a copy of the same written comments.

Summary & Staff Recommendation

In conclusion, County staff recommend that the Board of Supervisors take into consideration the Planning Commission's recommendation and the comments from the public hearing, as well as the clarification from County staff that the Board's referred amendments would need to be modified (as noted on page 1) in order to accomplish the Board's original intentions with these proposed amendments.

Thank you for your attention to this ongoing amendment proposal; and please contact me if you have any questions or require any assistance regarding this matter.

**NOTICE OF PUBLIC HEARING
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT AND RE-ENACTMENT OF THE CODE OF NELSON COUNTY,
VIRGINIA – APPENDIX A, ZONING ORDINANCE, ARTICLE 4,
AGRICULTURAL DISTRICT A-1,
LOTS ALLOWED AND AREA REGULATIONS**

Pursuant to §15.2-1427, §15.2-2204, §15.2-2285, §15.2-2286 of the Code of Virginia 1950 as amended, the Nelson County Board of Supervisors will hold a public hearing on **July 8, 2014** at 7:00 p.m., or as soon as possible thereafter, in the General District Courtroom in the Courthouse in Lovingson, Virginia. The purpose of said public hearing is to receive public input on an Ordinance proposed for passage to amend the Code of Nelson County, Virginia, Appendix A, Zoning Ordinance. The full text of the proposed Ordinance is as follows:

1. That Article 4, Agricultural District A-1, §4-2-1a, be, and the same is amended to read as follows:

4-2-1a the minimum lot area shall be two (2) acres (87,120sq.ft) or more ~~per dwelling unit for single and two-family detached dwellings.~~
For family subdivisions lots the minimum lot area shall be one (1) acre (43,560 square feet) per dwelling unit.

A copy of the proposed Ordinance is available for public inspection in the Office of the County Administrator, the Office of the Circuit Court Clerk at 84 Courthouse Square, Lovingson VA 22949, and at www.nelsoncounty-va.gov .

BY AUTHORITY OF THE NELSON COUNTY BOARD OF SUPERVISORS

ORDINANCE O2014-04
NELSON COUNTY BOARD OF SUPERVISORS
AN ORDINANCE TO AMEND AND REENACT
APPENDIX A, ARTICLE 4, AGRICULTURAL DISTRICT A-1,
SECTION 4-2 LOTS ALLOWED AND AREA REGULATIONS
OF THE CODE OF THE COUNTY OF NELSON, 1989,
GENERALLY RELATING TO ZONING

WHEREAS, public necessity, convenience, general welfare, and good planning and zoning practice requires revision of the Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF NELSON: that Pursuant to §15.2-1427 and §2.2-2204 of the Code of Virginia 1950 as amended, the Nelson County Board of Supervisors does hereby amend and reenact the Code of Nelson County, Virginia, Appendix A – Zoning:

1. That Article 4, Agricultural District A-1, §4-2-1a, be, and the same is amended to read as follows:

4-2-1a the minimum lot area shall be two (2) acres (87,120sq.ft) or more ~~per dwelling unit~~ **for single and two-family detached dwellings**. For family subdivisions lots the minimum lot area shall be one (1) acre (43,560 square feet) per dwelling unit.

Adopted: _____, 2014

Attest: _____, Clerk
Nelson County Board of Supervisors

DEPARTMENT OF
PLANNING & ZONING



PLANNING COMMISSION
BOARD OF ZONING APPEALS

To: Chair and Members, Nelson County Board of Supervisors

From: Tim Padalino | Director | Department of Planning & Zoning

Date: July 1, 2014

Subject: Staff Report for Class C Tower Permit #2014-005 Application (AT&T / CV488)

Site Address / Location: 301 Drumheller Orchard Lane / Lovingson / Central District

Tax Map Parcel: #67-A-49

Parcel Size: 81 acres

Zoning: Agriculture (A-1)

Request: Class C Tower Permit #2014-005 / pursuant to Article 20, Section 13

Application Overview

The Department of Planning & Zoning originally received an application on February 24th from Mr. John Milisitz of Velocitel, Inc., seeking approval for Class III Tower Permit #2014-005, on behalf of AT&T. This application seeks permission for the, "installation and operation of antennas and associated equipment inside a new fenced compound on a new 130' monopole." The proposed new tower site is identified as "CV488."

The subject property is identified as Tax Map Parcel #67-A-49, and is located on the western side of Thomas Nelson Highway (Rte. 29). It adjoins the Nelson County High School property, which is located to the northeast across Drumheller Orchard Lane. The 81-acre subject property is zoned Agricultural (A-1) and is currently used for agricultural and residential purposes. The application includes the required approval signature of the property owner (Mr. Ronald L. Collins) on the affidavit (item #5). Vehicular access to the proposed site is from 6391 Thomas Nelson Highway (Tax Map Parcel#67-A-49A). Please see the attached maps (pages 5 and 6).

Application Update and Revisions

In response to the County's recent "repeal and replacement" of the Tower Ordinance, the members of the applicant team (including Mr. Milisitz as well as Mr. Preston Lloyd and Mrs. Valerie Long of Williams Mullen) have worked in close coordination with County staff to revise and resubmit application materials for this proposed facility.

These new application materials include the following:

- Revised site plan drawings conforming to and satisfying the requirements of §20-12-C (which were received electronically on Tuesday, May 6th, with hard copies being provided on Monday, May 19th);
- An additional \$1,500 to bring their total fee payment to \$2,000, pursuant to §20-18; and
- Photosimulations of the proposed facility, which were developed from photographs taken at a second balloon test which was conducted on Friday, May 16th at 9:00am (and which included proper public notice as required by §20-13-D-1).

In addition, to satisfy the Code of Virginia advertising requirements contained in §15.2-2204, the applicant team caused a Legal Notice of Public Hearing advertisement to be published in the Daily Progress on Friday, May 9th and in the Nelson County Times on Thursday, May 15th and Thursday, May 22nd. The applicant team was responsible for this re-advertising due to their previous request for a one-month deferral from their original Public Hearing (which was scheduled for the April 23rd Planning Commission meeting).

Overview of Proposed Uses

This application for Tower Permit #2014-005 seeks approval for a new Class C Communication Tower, which is the classification for (proposed) 130' tall facilities per §20-5. Specifically, the application seeks approval to install the following, as specified on Sheets C-1, C-2, and C-3 of the site plan drawings:

- a 130' tall monopole (as specified on Sheet C-2), with a potential maximum total of three separate arrays (including the proposed AT&T array at 127' above ground level (AGL), plus two possible future co-location arrays at 117' AGL and 107' AGL);
- a total of twelve (12) AT&T antennas and an additional six (6) "TMAs" mounted on a three-sided platform mount, which is 12' wide on each side (as specified on Sheet C-2); and
- associated ground equipment (as specified on Sheet C-1), located within a 60' x 60' lease area that is surrounded by an eight (8) feet tall security fence (as specified on Sheet C-3).

For more information, please reference the site plan drawings.

April 9th Site Plan Review Committee Meeting and Comments

The Site Plan Review Committee convened on April 9th to review the application materials. The committee members' comments are as follows:

VDOT: Mr. Jeff Kessler requested that additional stone be laid at the access point for this proposed project, in order to accommodate the construction equipment which would access the lease area from Thomas Nelson Highway. Mr. Kessler said he considered the addition of the requested material to be part of the maintenance of the existing entrance.

VDH: Mr. Tom Eick of the Health Department was not in attendance, and has not provided comments at the time of this report. County staff do not believe this application pertains to Mr. Eick's or VDH's scope of responsibilities.

TJSWCD: Mrs. Alyson Sappington of the Thomas Jefferson Soil & Water Conservation District was not in attendance, and has not provided comments at the time of this report. Because this project will involve approximately 2,500 SF of disturbance (as specified in the "Project Summary" table on Sheet T-1), County staff believe there should be no problematic issues with erosion, sediment control, or stormwater management.

Nelson County Building Code Official: Mr. David Thompson was not in attendance, but provided comments prior to the meeting. Mr. Thompson's comments remind the applicant that an approved Erosion & Sediment Control Plan is required for projects that disturb 10,000 square feet or more; and that a Building Permit would be required to authorize the construction activity for this site, if the County permits the proposed project.

Nelson County Planning Commission: Commissioner Linda Russell, in collaboration with County staff, reviewed the site plan drawings and discussed the following issues with Mr. Milisitz:

- Sheet C-2: specify the dimensions of how far from the monopole the platform antenna mounts will extend outward (two separate dimensions were requested – the shortest dimension and the longest dimension);
- Sheet C-2: specify and clarify the exact height of the proposed monopole, the height of antenna, and the total height of tower facility (inclusive of the lightning rod);
- Sheet C-2: regarding the note “tower comes in its natural galvanized steel but can be painted if jurisdiction prefers it,” a suggestion was provided for the monopole to be painted java brown (or some similar natural / neutral color, to be approved by the final approving authority);
- (New Sheet): Provide details (including dimensions) of all types of AT&T antennas and other equipment that are proposed to be mounted in conjunction with this application;
- *Please note: these issues were all addressed on revised Sheet C-2*

In addition to the details associated with the monopole and all the associated tower equipment, there were several issues regarding the landscaping requirements found in §20-12-D-9. In the weeks after the April 9th Site Plan Review Committee meeting, the applicant team has worked with County staff to revise the Site Plans accordingly, satisfying items a), b), and c) of §20-12-D-9. Please reference Sheet L-1 for more detailed information on the revised Landscape Plan.

Additionally, Section 20-8-3 states that, “A Class III Communication Tower cannot be located closer than two (2) miles to another Class III or Class II Communication Tower.” The applicant submitted his analysis of the proposed tower's location relative to existing Class II and Class III facilities on April 15th. He concluded that, according to FCC data, there are no such existing towers within a 2-mile radius of the proposed site.

I reached the same conclusion through my own independent analysis: the County Broadband Project tower at Cooperative Way is approximately 2.5 miles away; the County Broadband Project tower at the Courthouse is approximately 2.9 miles away; and the Mountain Cove tower farm in Lovington is approximately 2.8 miles away. There are existing telecommunication facilities mounted to the transmission line towers across Rte. 29 (approximately 0.5 miles away), but they are not Class II or Class III Communication Towers and thus do not pertain to Section 20-8-3.

Finally, §20-12-C-11 requires that applicant provide documentation that the Federal Aviation Administration (FAA) has determined that the proposed project would not present any hazard to any airport. This determination (dated May 12th) was provided on May 15th.

Balloon Test

Section 20-13-D requires that scaled depictions of the proposed facility be superimposed onto photographs of the balloon test (referred to as a photo simulation or “photosim”). To satisfy this photosim requirement, the applicant team conducted a balloon test on Friday May 16th at 9:00am.

During the balloon test, I went to the proposed tower site and observed the balloon and lease area. I then drove around the high school property, Drumheller Orchard Lane, a small residential area on League Lane, and Route 29 to further observe the balloon test and to take photographs.

The balloon was visible from all sites I visited; and it also was apparent that the lease area and ground equipment would be visible from locations to the northeast, east, southeast, and south.

Planning Commission Review and Public Hearing

On May 28th, the Planning Commission conducted a public hearing in accordance with Code of Virginia requirements for public notification and public advertisement. There were no comments from the public.

After reviewing the proposed facility with the applicant, Mr. John Milisitz, and with Ms. Valerie Long of Williams Mullen, the Commission entertained the following motion by Commissioner Russell:

The Planning Commission recommends that the Board of Supervisors approve the Class C Tower Permit #2014-005, based on the application submitted by Mr. John Milisitz from Velocitel, Inc., on behalf of AT&T, to install a 130' Class C telecommunication tower identified as "CV488" on Tax Map parcel #67-A-49 located adjacent to Route 29 with access at 6391 Thomas Nelson Highway, Lovingson, VA. The Planning Commission further recommends that the following conditions be attached to any approval:

1. *Clarification that the tower height, by Zoning Ordinance regulations, be 130' including all attachments (including lightning rod)*
2. *Antennas per triangular platform leg (or array or sector) be limited to 3 (as required in Section 20-12-D4)*
3. *Landscaping requirement (Section 20-12-D9) – all plant materials as submitted on sheet L-1 of site plan packet submission be maintained annually and replaced so as to provide a continual thick buffer*
4. *The minimum and maximum distances from the pole to the sector (or array or leg of triangular platform) be shown on the site plan packet (Sheet C-2)*
5. *New appropriate site plan page(s) be submitted for approval by the Planning & Zoning Director before final submittal to the Board of Supervisors.*

The four Planning Commissioners present voted unanimously in favor of this motion.

Please note that the Commission's "recommended conditions" were made in direct connection with existing requirements contained in the Tower Ordinance; they are not new obligations or additional requirements. For example: recommended condition #1 is meant to ensure compliance with §20-4 (specifically "Tower Height" and "Class C Communication Tower" definitions); #2 is meant to ensure compliance with §20-12-D-4; and #3 is meant to ensure compliance with §20-12-D-9-a.

Additionally, recommended condition #4 was a request originally made by the Site Plan Review Committee at their April 9th meeting to enable an accurate review of the proposed facility relative to §20-13-F-2; and recommended condition #5 is a request that the applicant submit revised documentation to the County to demonstrate that the proposed facility has been sufficiently revised to be fully compliant with all applicable regulations for a Class C Communication Tower.

Summary

In summary, County staff have attempted to evaluate the potential (negative) visual impacts to the immediate vicinity and adjoining properties, with consideration to the potential (positive) benefits of improved cellular coverage and data capacity.

It is clear that due to the proposed tower site being located on the top of a knoll that does not contain any existing vegetation in the immediate vicinity, the tower (and more specifically the

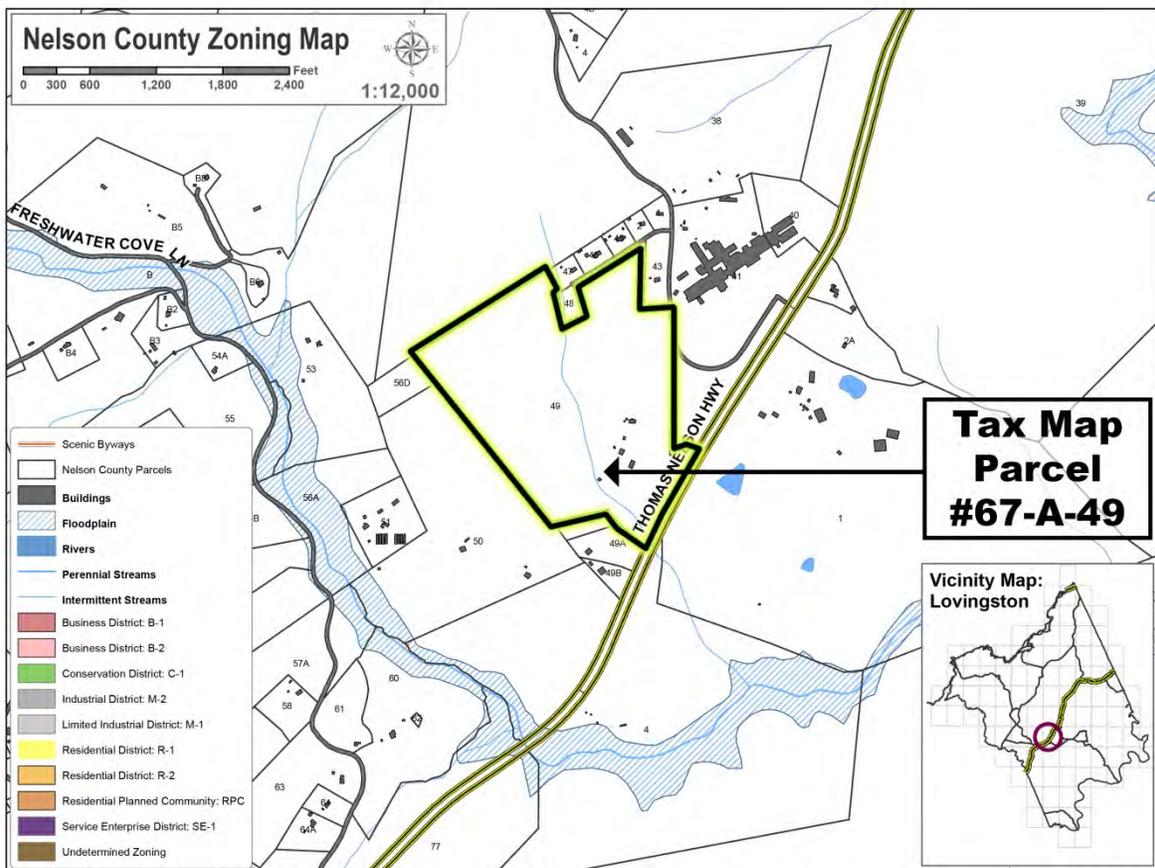
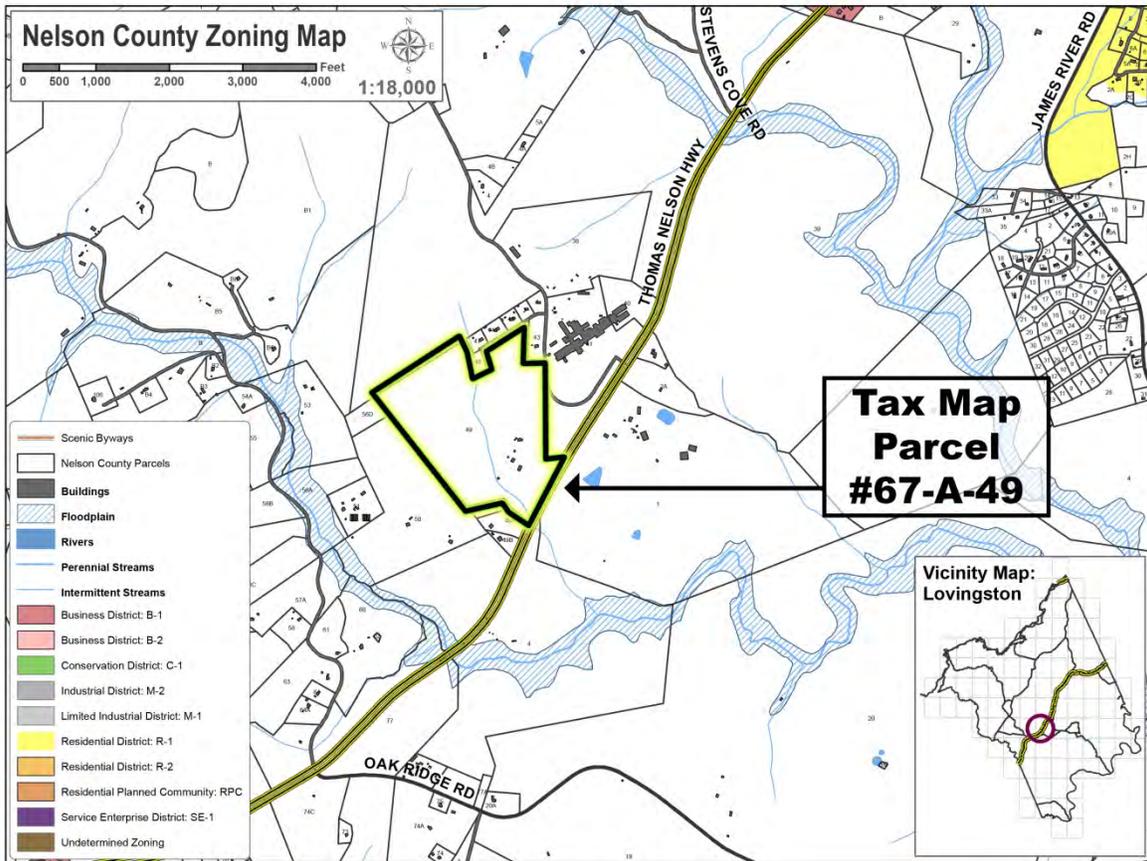
ground equipment and security fencing) will be visible from the high school, from the adjoining properties on League Lane and Drumheller Orchard Lane (which contain single-family dwellings), and possibly from Thomas Nelson Highway. However, the applicant team has revised the site plan drawings to include additional landscaping materials on the sides of the ground equipment compound that would be visible from the League Lane neighborhood and from the Nelson County High School.

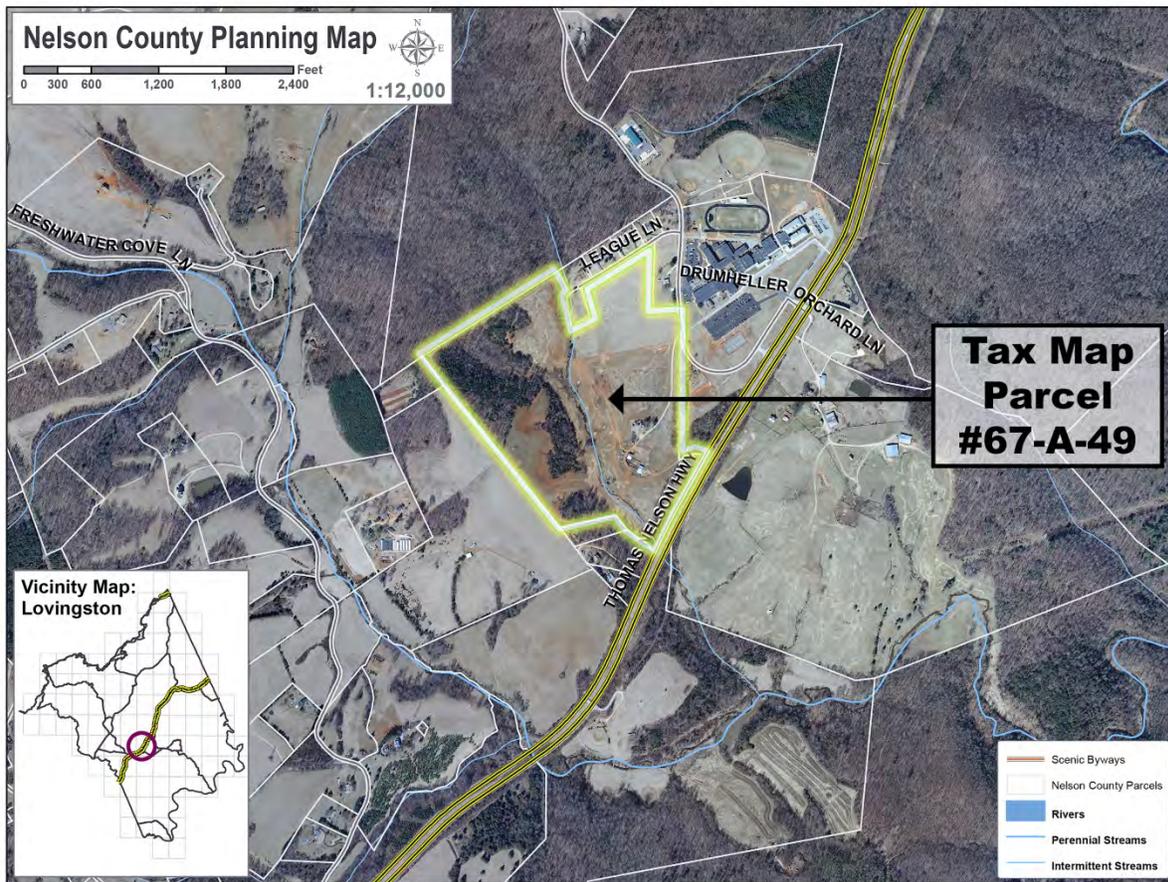
Regarding improved capacity and expanded coverage, this proposed facility would benefit the high school's day-to-day users, as well as visitors at public school events (such as sports competitions), and other residential sites in the immediate area. Please reference the coverage maps on page 9.

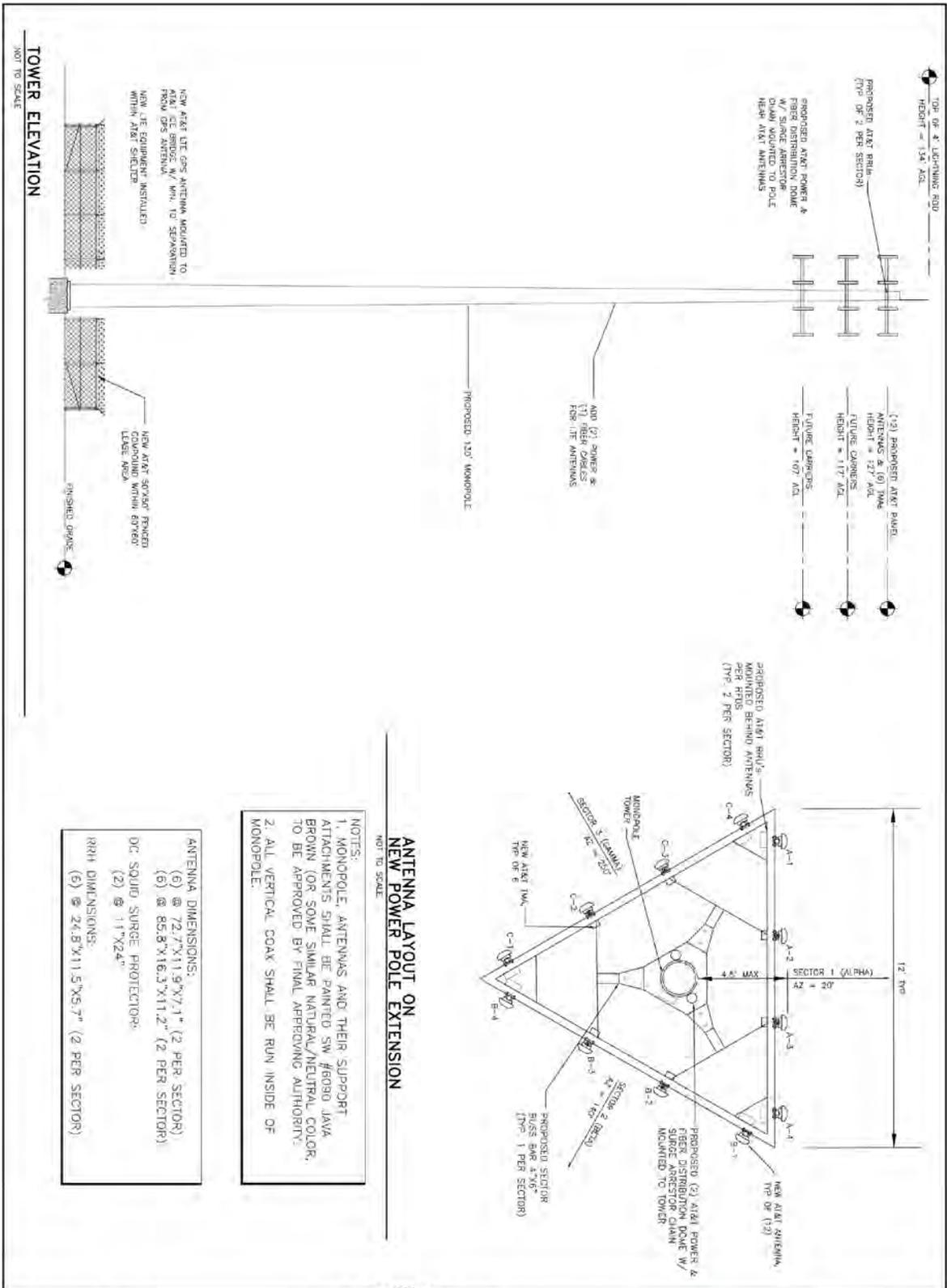
Conclusion & Staff Recommendation

With all of the above factors in mind, and with confirmation that the applicant has properly revised and resubmitted their Site Plan drawings in conjunction with the Planning Commission's "recommended conditions," County staff recommend that the Board of Supervisors consider approving Class C Tower Permit #2014-005 (CV488 / AT&T).

Thank you for your attention to this matter; please contact me if you have any questions about this report or this application, or if I may be of assistance in any other way.

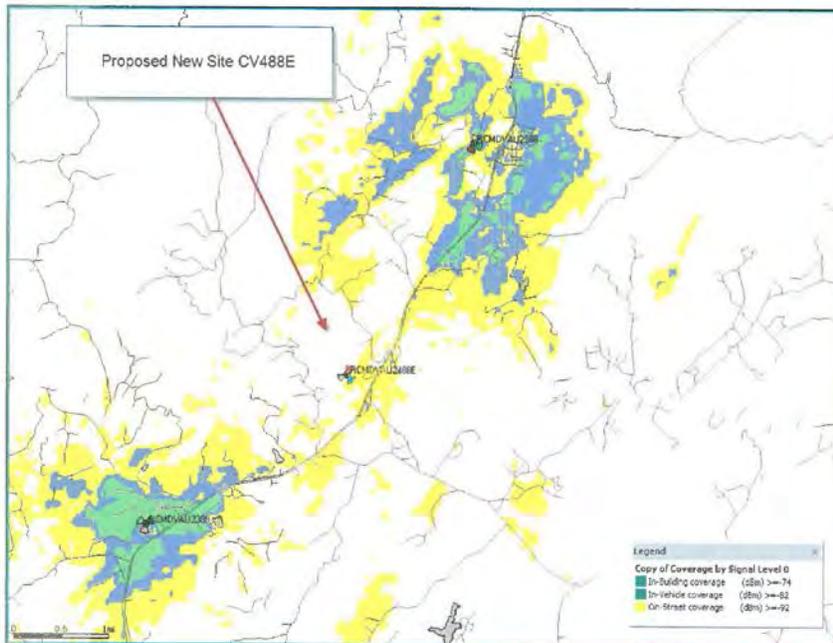




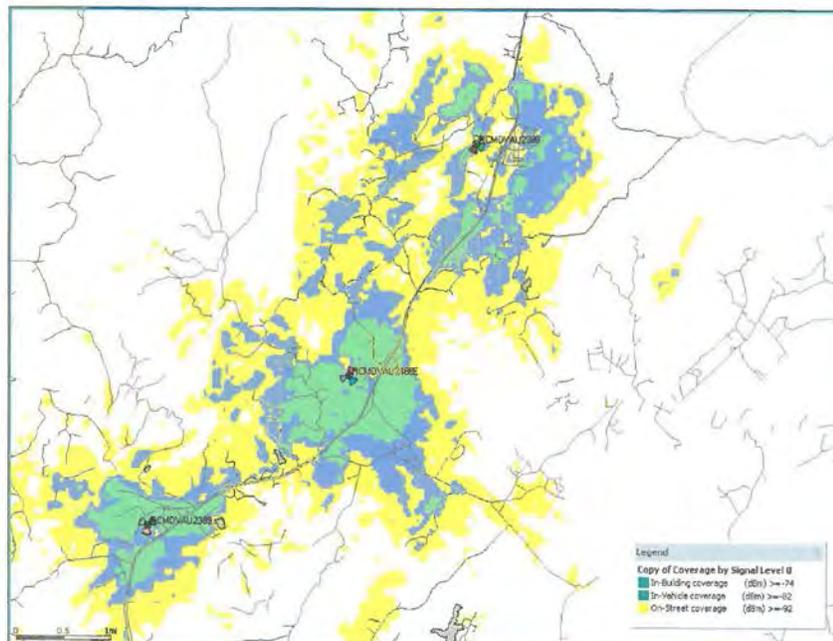


<p>301 DRUMHELLER ORCHARD LANE LOVINGSTON, VA 22949 NELSON COUNTY</p>		<p>218 CHANGING CROSS HIGHWAY NEWPORT NEWS, VA 23602 (757) 496-2266</p>		<p>COMMERCIAL TITLE OF VIRGINIA D. WARREN WILLIAMS, JR. Lic. No. 37090 4-30-14 PROFESSIONAL ENGINEER</p>	
<p>CY488 RAW LAND MONOPOLE</p>		<p>DATE: 11/15/13 1. SITE PLAN 2. UTILITIES 3. ELEVATION VIEW 4. PLAN VIEW 5. SECTION VIEW 6. FINISHED GRADE</p>		<p>DATE: 11/15/13 1. SITE PLAN 2. UTILITIES 3. ELEVATION VIEW 4. PLAN VIEW 5. SECTION VIEW 6. FINISHED GRADE</p>	
<p>SHEET NUMBER: C-2</p>		<p>SHEET TITLE: ELEVATION VIEW</p>		<p>DATE: 11/15/13 DRAWN BY: [Name] CHECKED BY: [Name]</p>	

Existing Coverage CV488



New Site CV488E and existing coverage



DEPARTMENT OF
PLANNING & ZONING



PLANNING COMMISSION
BOARD OF ZONING APPEALS

To: Chair and Members, Nelson County Planning Commission

From: Tim Padalino | Director | Department of Planning & Zoning

Date: May 21, 2014

Subject: Staff Report for Class C Tower Permit #2014-005 Application (AT&T / CV488)

Site Address / Location: 301 Drumheller Orchard Lane / Lovingson / Central District

Tax Map Parcel: #67-A-49

Parcel Size: 81 acres

Zoning: Agriculture (A-1)

Request: Class C Tower Permit #2014-005 / pursuant to Article 20, Section 13

Application Overview

The Department of Planning & Zoning originally received an application on February 24th from Mr. John Milisitz of Velocitel, Inc., seeking approval for Class III Tower Permit #2014-005, on behalf of AT&T. This application seeks permission for the, "installation and operation of antennas and associated equipment inside a new fenced compound on a new 130' monopole." The proposed new tower site is identified as "CV488."

The subject property is identified as Tax Map Parcel #67-A-49, and is located on the western side of Thomas Nelson Highway (Rte. 29). It adjoins the Nelson County High School property, which is located to the northeast across Drumheller Orchard Lane. The 81-acre subject property is zoned Agricultural (A-1) and is currently used for agricultural and residential purposes. The application includes the required approval signature of the property owner (Mr. Ronald L. Collins) on the affidavit (item #5). Vehicular access to the proposed site is from 6391 Thomas Nelson Highway (Tax Map Parcel#67-A-49A). Please see the attached maps (pages 5 and 6).

Application Update and Revisions

In response to the County's recent "repeal and replacement" of the Tower Ordinance, the members of the applicant team (including Mr. Milisitz as well as Mr. Preston Lloyd and Mrs. Valerie Long of Williams Mullen) have worked in close coordination with County staff to revise and resubmit application materials for this proposed facility.

These new application materials include the following:

- Revised site plan drawings conforming to and satisfying the requirements of §20-12-C (which were received electronically on Tuesday, May 6th, with hard copies being provided on Monday, May 19th);
- An additional \$1,500 to bring their total fee payment to \$2,000, pursuant to §20-18; and
- Photosimulations of the proposed facility, which were developed from photographs taken at a second balloon test which was conducted on Friday, May 16th at 9:00am (and which included proper public notice as required by §20-13-D-1).

In addition, to satisfy the Code of Virginia advertising requirements contained in §15.2-2204, the applicant team caused a Legal Notice of Public Hearing advertisement to be published in the Daily Progress on Friday, May 9th and in the Nelson County Times on Thursday, May 15th and Thursday, May 22nd. The applicant team was responsible for this re-advertising due to their previous request for a one-month deferral from their original Public Hearing (which was scheduled for the April 23rd Planning Commission meeting).

Overview of Proposed Uses

This application for Tower Permit #2014-005 seeks approval for a new Class C Communication Tower, which is the classification for (proposed) 130' tall facilities per §20-5. Specifically, the application seeks approval to install the following, as specified on Sheets C-1, C-2, and C-3 of the site plan drawings:

- a 130' tall monopole (as specified on Sheet C-2), with a potential maximum total of three separate arrays (including the proposed AT&T array at 127' above ground level (AGL), plus two possible future co-location arrays at 117' AGL and 107' AGL);
- a total of twelve (12) AT&T antennas and an additional six (6) "TMAs" mounted on a three-sided platform mount, which is 12' wide on each side (as specified on Sheet C-2); and
- associated ground equipment (as specified on Sheet C-1), located within a 60' x 60' lease area that is surrounded by an eight (8) feet tall security fence (as specified on Sheet C-3).

For more information, please reference the site plan drawings.

April 9th Site Plan Review Committee Meeting and Comments

The Site Plan Review Committee convened on April 9th to review the application materials. The committee members' comments are as follows:

VDOT: Mr. Jeff Kessler requested that additional stone be laid at the access point for this proposed project, in order to accommodate the construction equipment which would access the lease area from Thomas Nelson Highway. Mr. Kessler said he considered the addition of the requested material to be part of the maintenance of the existing entrance.

VDH: Mr. Tom Eick of the Health Department was not in attendance, and has not provided comments at the time of this report. County staff do not believe this application pertains to Mr. Eick's or VDH's scope of responsibilities.

TJSWCD: Mrs. Alyson Sappington of the Thomas Jefferson Soil & Water Conservation District was not in attendance, and has not provided comments at the time of this report. Because this project will involve approximately 2,500 SF of disturbance (as specified in the "Project Summary" table on Sheet T-1), County staff believe there should be no problematic issues with erosion, sediment control, or stormwater management.

Nelson County Building Code Official: Mr. David Thompson was not in attendance, but provided comments prior to the meeting. Mr. Thompson's comments remind the applicant that an approved Erosion & Sediment Control Plan is required for projects that disturb 10,000 square feet or more; and that a Building Permit would be required to authorize the construction activity for this site, if the County permits the proposed project.

Nelson County Planning Commission: Commissioner Linda Russell, in collaboration with County staff, reviewed the site plan drawings and discussed the following issues with Mr. Milisitz:

- Sheet C-2: specify the dimensions of how far from the monopole the platform antenna mounts will extend outward (two separate dimensions were requested – the shortest dimension and the longest dimension);
- Sheet C-2: specify and clarify the exact height of the proposed monopole, the height of antenna, and the total height of tower facility (inclusive of the lightning rod);
- Sheet C-2: regarding the note “tower comes in its natural galvanized steel but can be painted if jurisdiction prefers it,” a suggestion was provided for the monopole to be painted java brown (or some similar natural / neutral color, to be approved by the final approving authority);
- (New Sheet): Provide details (including dimensions) of all types of AT&T antennas and other equipment that are proposed to be mounted in conjunction with this application;
- *Please note: these issues were all addressed on revised Sheet C-2*

In addition to the details associated with the monopole and all the associated tower equipment, there were several issues regarding the landscaping requirements found in §20-12-D-9. In the weeks after the April 9th Site Plan Review Committee meeting, the applicant team has worked with County staff to revise the Site Plans accordingly, satisfying items a), b), and c) of §20-12-D-9. Please reference Sheet L-1 for more detailed information on the revised Landscape Plan.

Additionally, Section 20-8-3 states that, “A Class III Communication Tower cannot be located closer than two (2) miles to another Class III or Class II Communication Tower.” The applicant submitted his analysis of the proposed tower's location relative to existing Class II and Class III facilities on April 15th. He concluded that, according to FCC data, there are no such existing towers within a 2-mile radius of the proposed site.

I reached the same conclusion through my own independent analysis: the County Broadband Project tower at Cooperative Way is approximately 2.5 miles away; the County Broadband Project tower at the Courthouse is approximately 2.9 miles away; and the Mountain Cove tower farm in Lovington is approximately 2.8 miles away. There are existing telecommunication facilities mounted to the transmission line towers across Rte. 29 (approximately 0.5 miles away), but they are not Class II or Class III Communication Towers and thus do not pertain to Section 20-8-3.

Finally, §20-12-C-11 requires that applicant provide documentation that the Federal Aviation Administration (FAA) has determined that the proposed project would not present any hazard to any airport. This determination (dated May 12th) was provided on May 15th.

Balloon Test

Section 20-13-D requires that scaled depictions of the proposed facility be superimposed onto photographs of the balloon test (referred to as a photo simulation or “photosim”). To satisfy this photosim requirement, the applicant team conducted a balloon test on Friday May 16th at 9:00am.

During the balloon test, I went to the proposed tower site and observed the balloon and lease area. I then drove around the high school property, Drumheller Orchard Lane, a small residential area on League Lane, and Route 29 to further observe the balloon test and to take photographs.

The balloon was visible from all sites I visited; and it also was apparent that the lease area and ground equipment would be visible from locations to the northeast, east, southeast, and south.

Summary

In summary, County staff have attempted to evaluate the potential (negative) visual impacts to the immediate vicinity and adjoining properties, with consideration to the potential (positive) benefits of improved cellular coverage and data capacity.

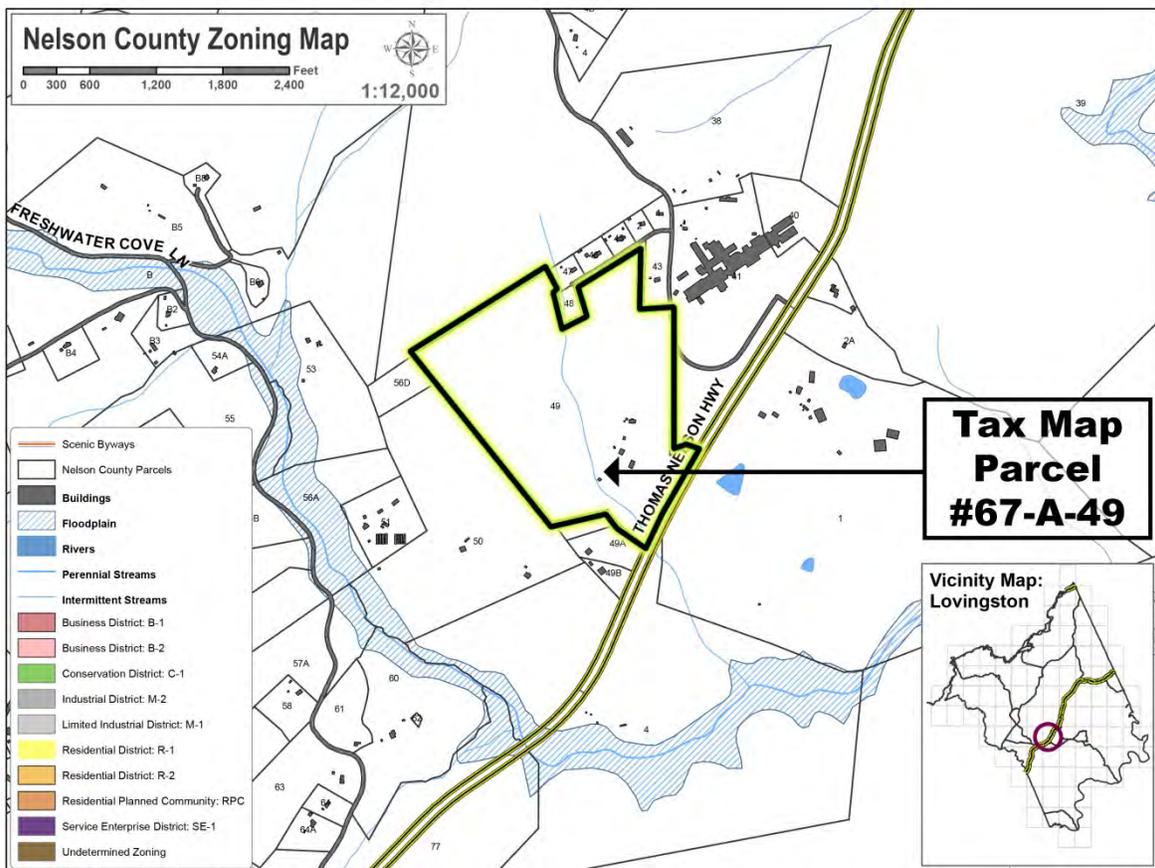
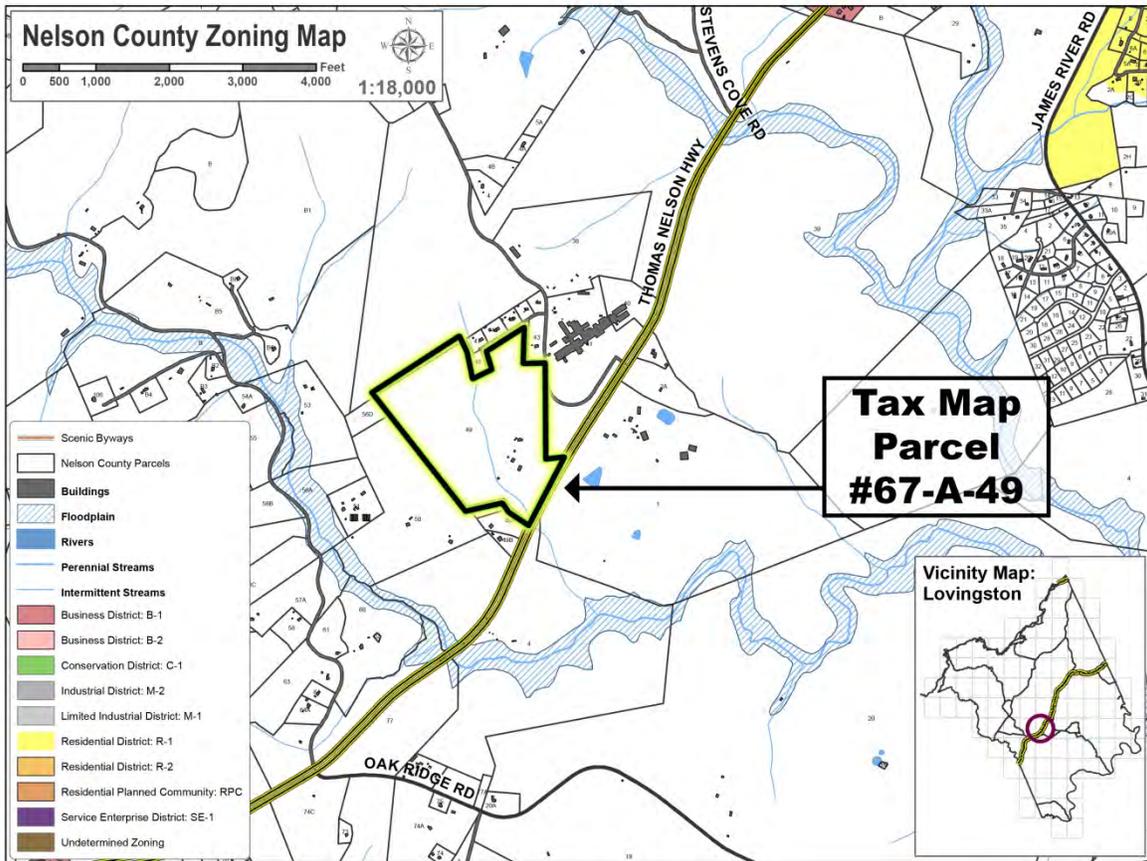
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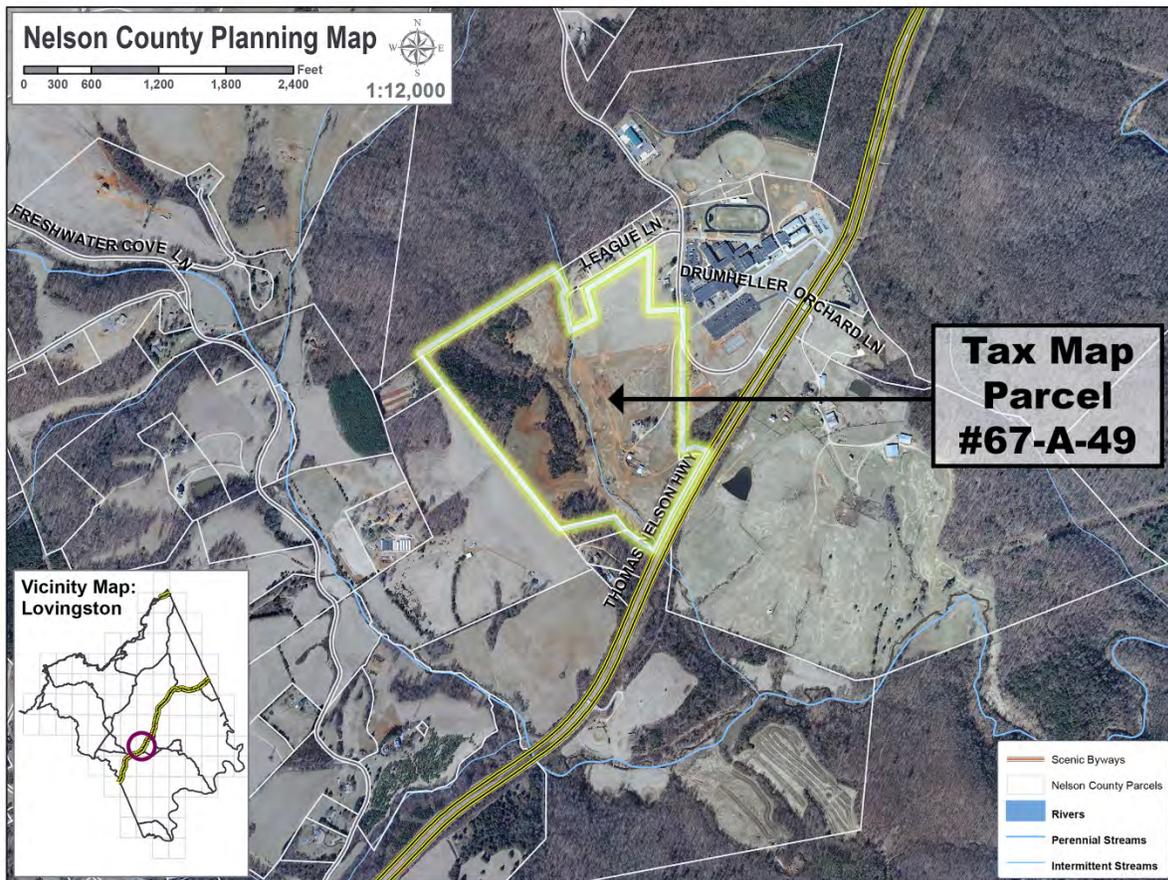
Regarding improved capacity and expanded coverage, this proposed facility would benefit the high school's day-to-day users, as well as visitors at public school events (such as sports competitions), and other residential sites in the immediate area. Please reference the coverage maps, which were provided in the original application and which were included in the April meeting packet.

Conclusion & Staff Recommendation

With all of the above factors in mind, County staff recommend that the Planning Commission consider forwarding this application for Class C Tower Permit #2014-005 (CV488 / AT&T) to the Board of Supervisors with a recommendation for approval.

Thank you for your attention to this matter; please contact me if you have any questions about this report or this application, or if I may be of assistance in any other way.





Commissioner Russell made a motion that the Planning Commission recommends that the Board of Supervisors approve the Class C Tower Permit #2014-005 based on the application submitted by John Milisitz from Velocitel, Inc. on behalf of AT&T to install a one hundred thirty (130') foot Class C Telecommunication Tower; identified as CV488 on Tax Map Parcel 67-A-49; located adjacent to Route 29 with access at 6391 Thomas Nelson Highway, Lovington, VA. The Planning Commission further recommends that the following conditions be attached to any approval:

- 1) Clarification that the tower height by Zoning Ordinance regulations be one hundred thirty (130') feet including all attachments (antennas and lightning rod);**
- 2) Antennas per triangular platform leg, or array, or sector by definition be limited to three (3) as seen in Section 20-12-D-4 of the Zoning Ordinance;**
- 3) The landscaping requirement under Section 20-12-D-9, plant materials as submitted under sheet L-1 be maintained annually and replaced so that a thick buffer is continual;**
- 4) The minimum and maximum distance from the pole to the sector or array be shown on the site plan; and**
- 5) A new site plan be submitted to the Planning Director for approval before submittal to the Board of Supervisors.**

Commissioner Harman seconded the motion; the vote 4-0.



before installation



after installation

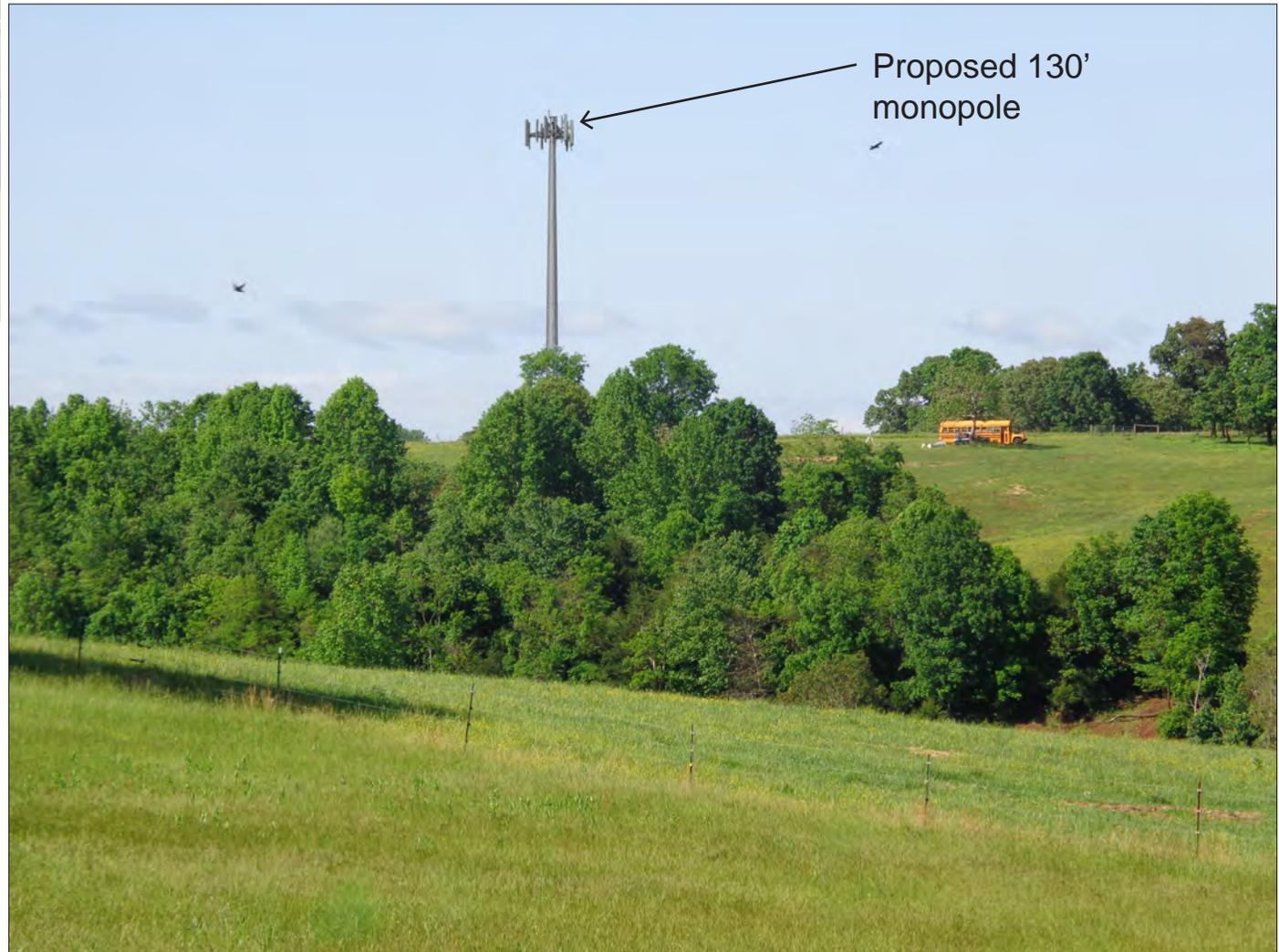


View from Rt 29 Nelson County HS Parking Lot
CV488 301 Drumheller Orchard Lane, Lovingson, VA 22949





before installation



after installation

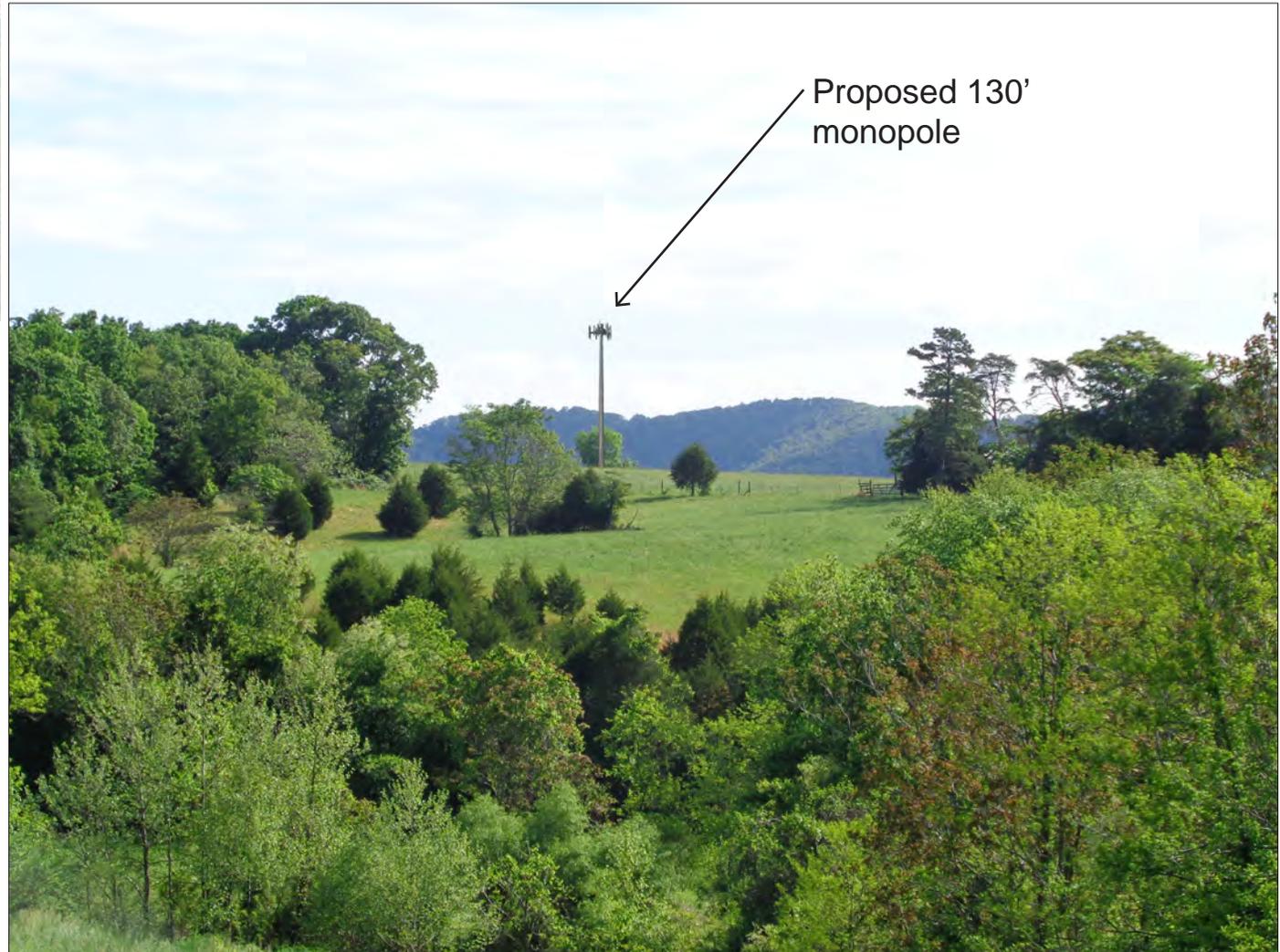


View from Int of Drumheller Orchard & League Ln
CV488 301 Drumheller Orchard Lane, Lovingson, VA 22949





before installation



after installation



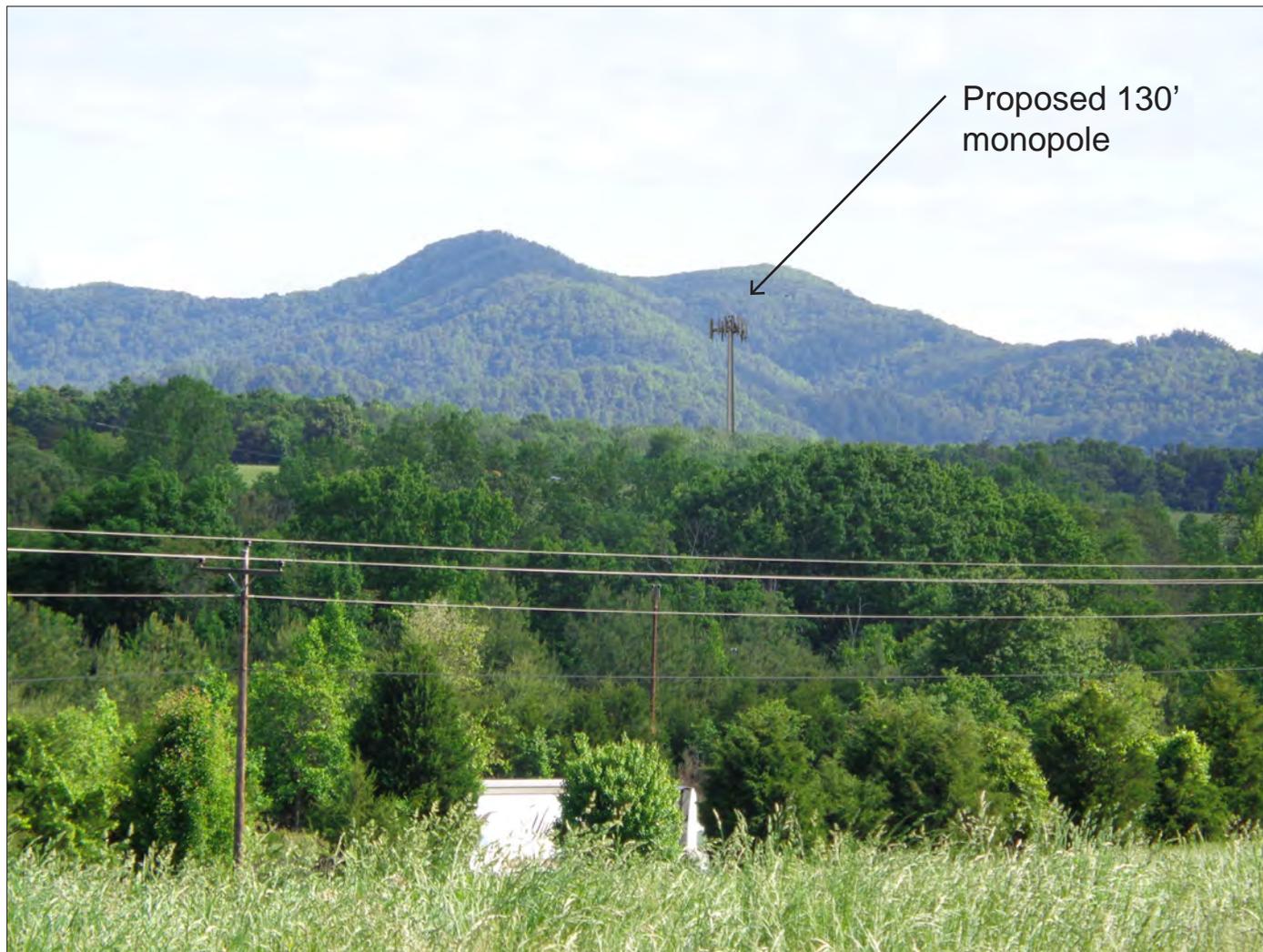
View from Freshwater Cove Lane

CV488 301 Drumheller Orchard Lane, Lovingson, VA 22949





before installation



Proposed 130'
monopole

after installation



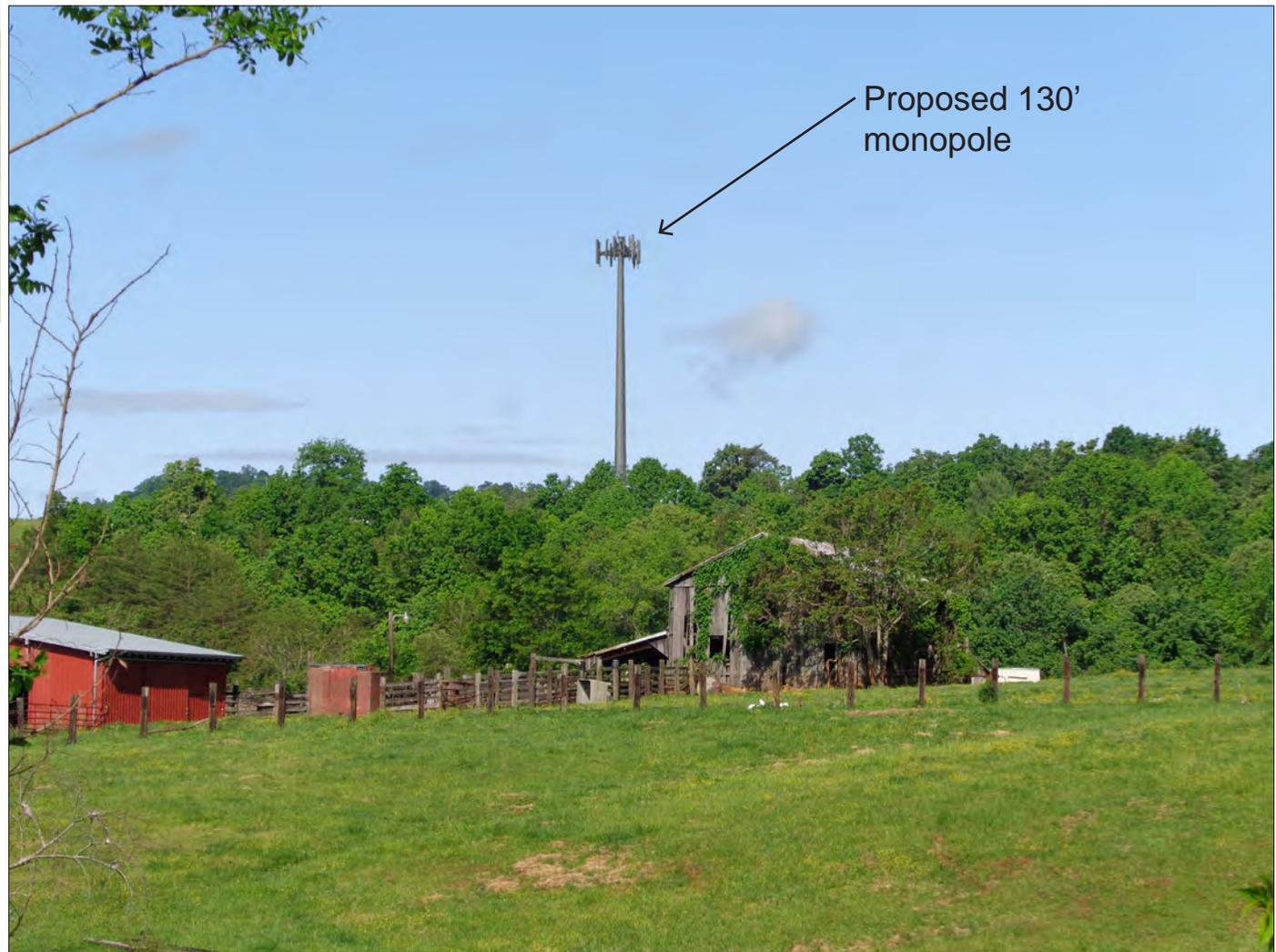
View from Oak Ridge Road

CV488 301 Drumheller Orchard Lane, Lovingson, VA 22949





before installation



after installation



View from RT 29 S near driveway

CV488 301 Drumheller Orchard Lane, Lovingson, VA 22949



Class III Tower No. 2014-005
→ "Class C Tower" # 2014-005

TO THE ZONING ADMINISTRATOR:

1. The undersigned hereby petitions the Planning Commission and/or Board of Supervisors for approval of the following (check appropriate box):

- Rezoning from _____ to _____
- Special Use Permit
- Site Plan - Preliminary (Optional)
- Site Plan - Final
- Amend text of Zoning Ordinance
- Subdivision - Regular Preliminary
- Subdivision - Regular Final
- Site Plan - Minor
- Site Plan - Major
- Other - _____

Pursuant to Article 20, Section 13 of the Nelson County Zoning Ordinance.
Pursuant to Section _____, Subsection _____ of the Nelson County Subdivision Ordinance.

Reason(s) for request: To provide wireless cellular coverage for AT&T wireless customers. Plan to build a tower per section 20.8 of the communication ordinance

2. Applicant(s) and Property Owner(s): (Please print names of applicants and property owners and indicate applicable title. If applicant is not the property owner, show relationship, i.e. lessee, contract purchaser, etc.)

Applicant Property Owner Name: Ronald Lee Collins
Address: ~~6391 Thomas Nelson Hwy~~ 301 Drumheller or other land
Tel. No.: 4342635601 Cell No. _____ E-mail addr. _____

Relationship (if applicable): Lessor
 Applicant Property Owner Name: AT&T wireless
Address: ~~4164 Ennstate Dr.~~ Star Allen VA 23060 422 fountain Pr;
Tel. No.: _____ Cell No. 757 777 8506 E-mail addr. j.milisitz@velocitel.com

Relationship (if applicable): Lessee
 Applicant Property Owner Name: _____
Address: _____
Tel. No.: _____ Cell No. _____ E-mail addr. _____
Virginia Beach VA 23454

Relationship (if applicable): _____
 Applicant Property Owner Name: _____
Address: _____
Tel. No.: _____ Cell No. _____ E-mail addr. _____
Relationship (if applicable): _____
(Use reverse if more space is needed.)

3. Location and Characteristics of Property:

a. Address of property including specific location, route numbers, street names, direction (NSEW), Magisterial District, etc.: _____

Official tax map number: 69A 490

b. Acreage of property: 81 acres

c. Present use: Farm

d. Present zoning classification: Ag

e. Zoning classification of surrounding properties: Ag

(Continued on reverse.)

4. Names of Adjacent Property Owners: Hervey Thornton, Nelson County #5,
Samuel Sanders

5. Affidavit: The undersigned applicant(s) and/or property owner(s) certifies that this application and the foregoing answers, statements, and other information herewith submitted are, in all respects, true and correct to the best of their knowledge and belief. Also, the applicant(s) and/or property owner(s) gives permission for members of the Planning Commission, Board of Supervisors, and County Staff to visit and view the subject property.

Signature: John Milisitz
Signature: Ronald Collins Ronald Collins
Signature: _____
Signature: _____

6. Additional information: _____

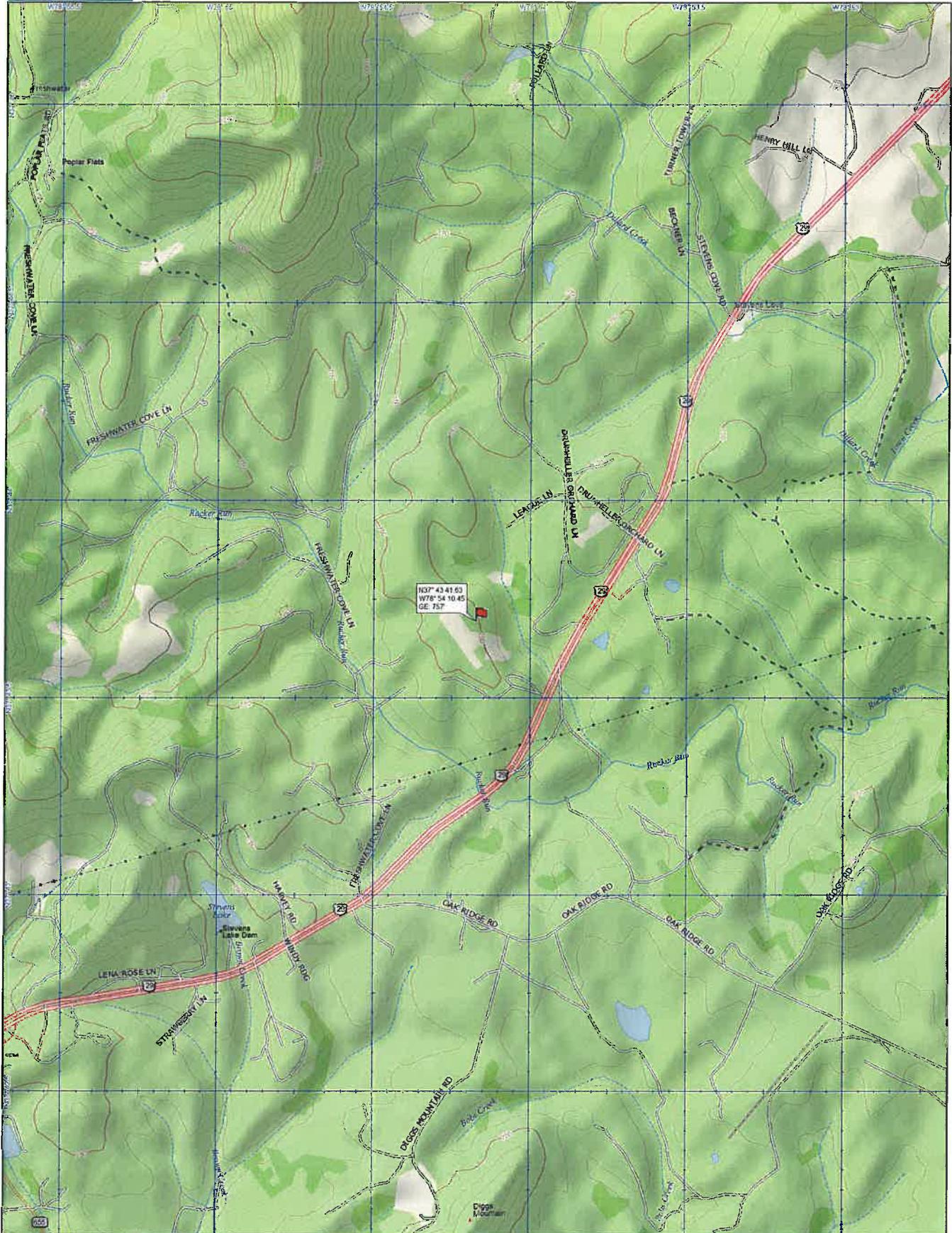
7. Please note: In the event of cancellation or postponement at your request after the initial newspaper advertisement for this application, an additional fee will apply for re-advertisement. The fee will be based on the actual cost of the ad, and will not apply in cases of Planning Commission or Board of Supervisor deferments.

Revised Site Plan Drawings + remaining \$1,500 fee payment received 5/19/2014
*per § 20-12-C ← *per § 20-18 ←

*****TO BE COMPLETED BY PLANNING & ZONING OFFICE*****

Completed application and fee (\$ 500.00) received on February 24, 2014
Hearing Notice published on 4-3-2014 and 4-10-2014 → 5/15 + 5/22 (NCT) + 5/19 (DP)
Planning Commission action: Date of Hearing: 4-23-2014 → 5-28-2014
Recommendation: _____
↳ one month deferral requested by applicant and granted by PC

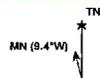
Board of Supervisor action: Date of Hearing: _____
Date of Decision: _____
Action: _____



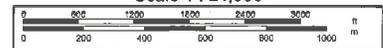
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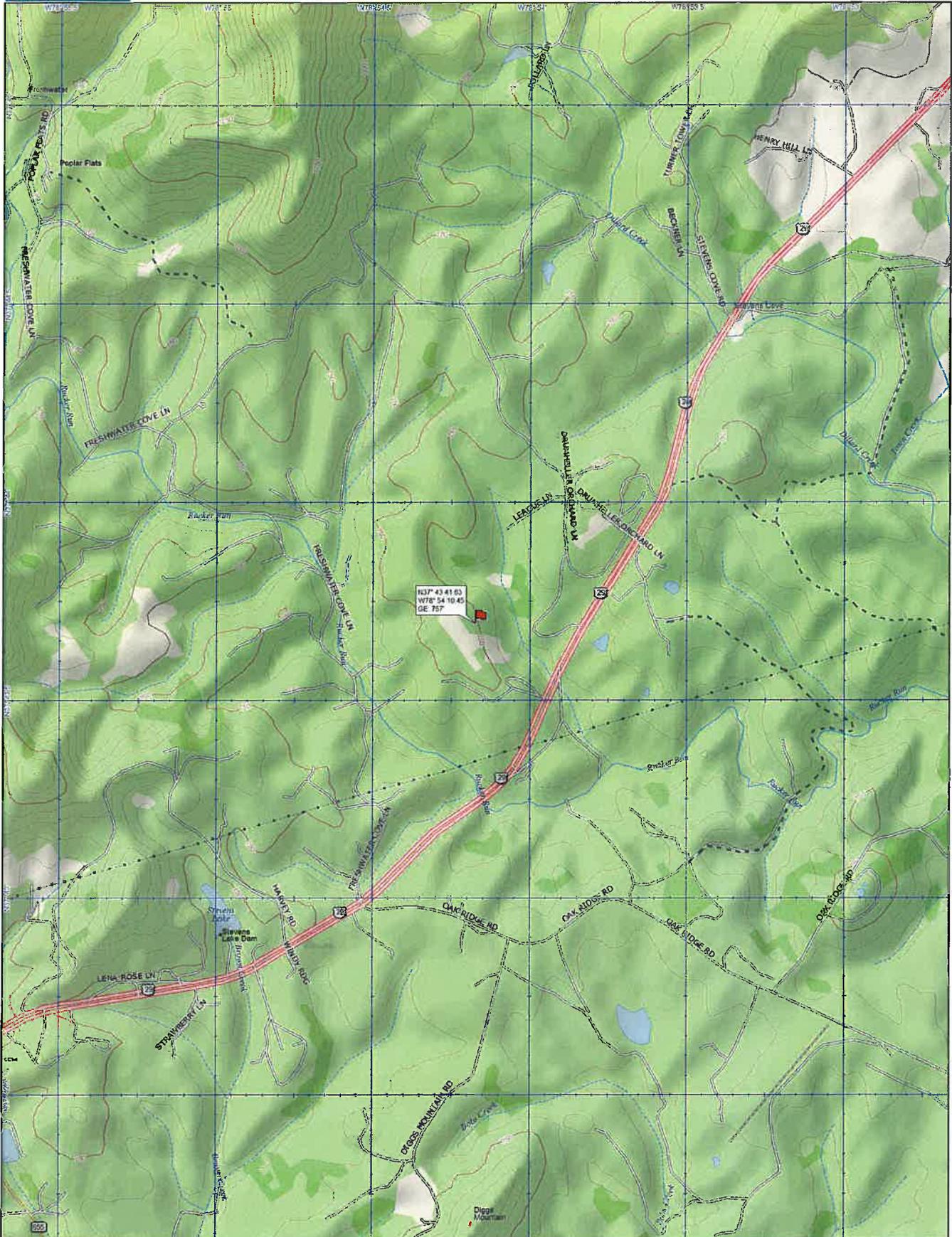


Scale 1 : 24,000



1" = 2,000.0 ft

Data Zoom 13-5



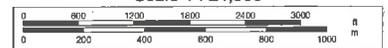
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Scale 1 : 24,000



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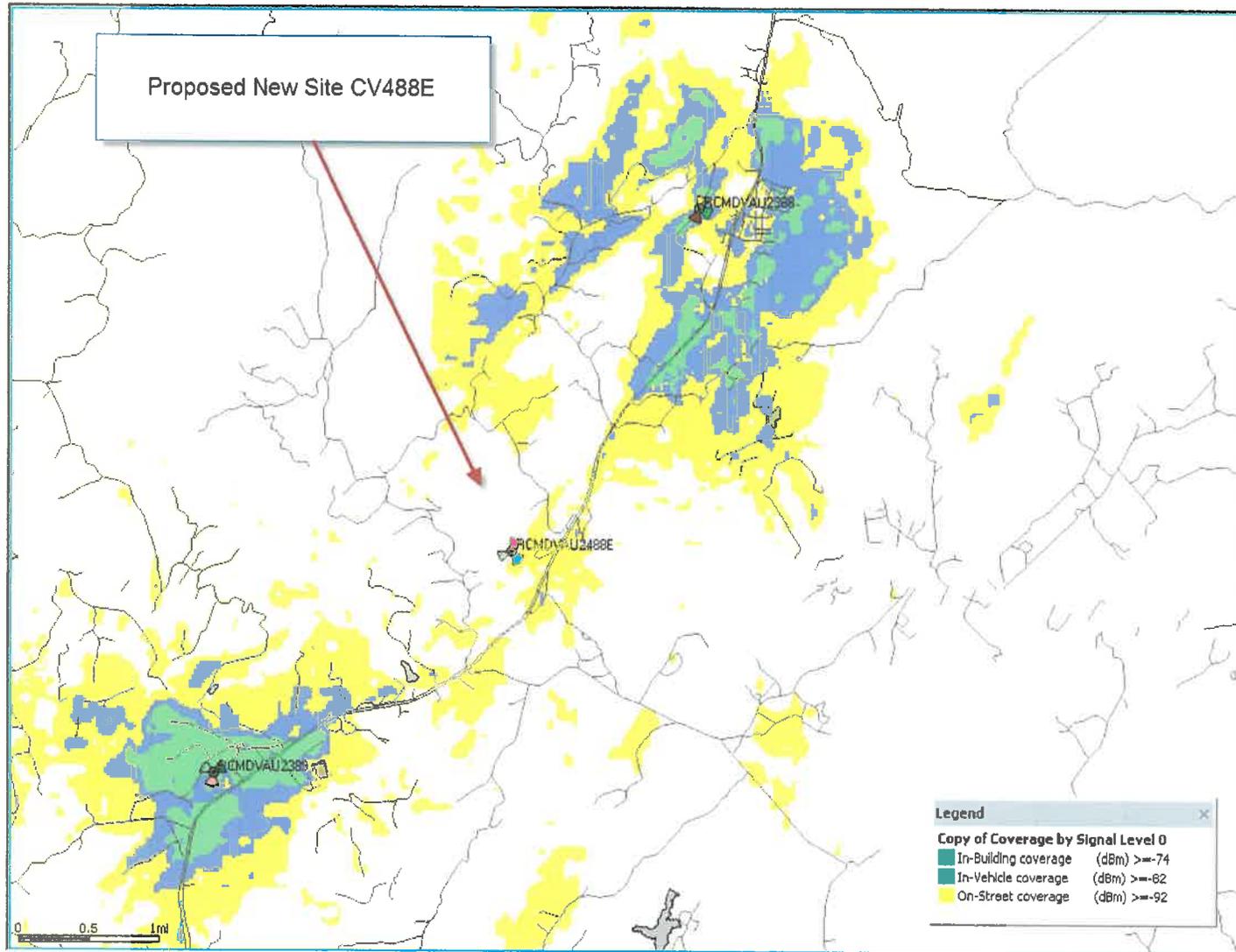
Data Zoom 13-5

Coverage CV488

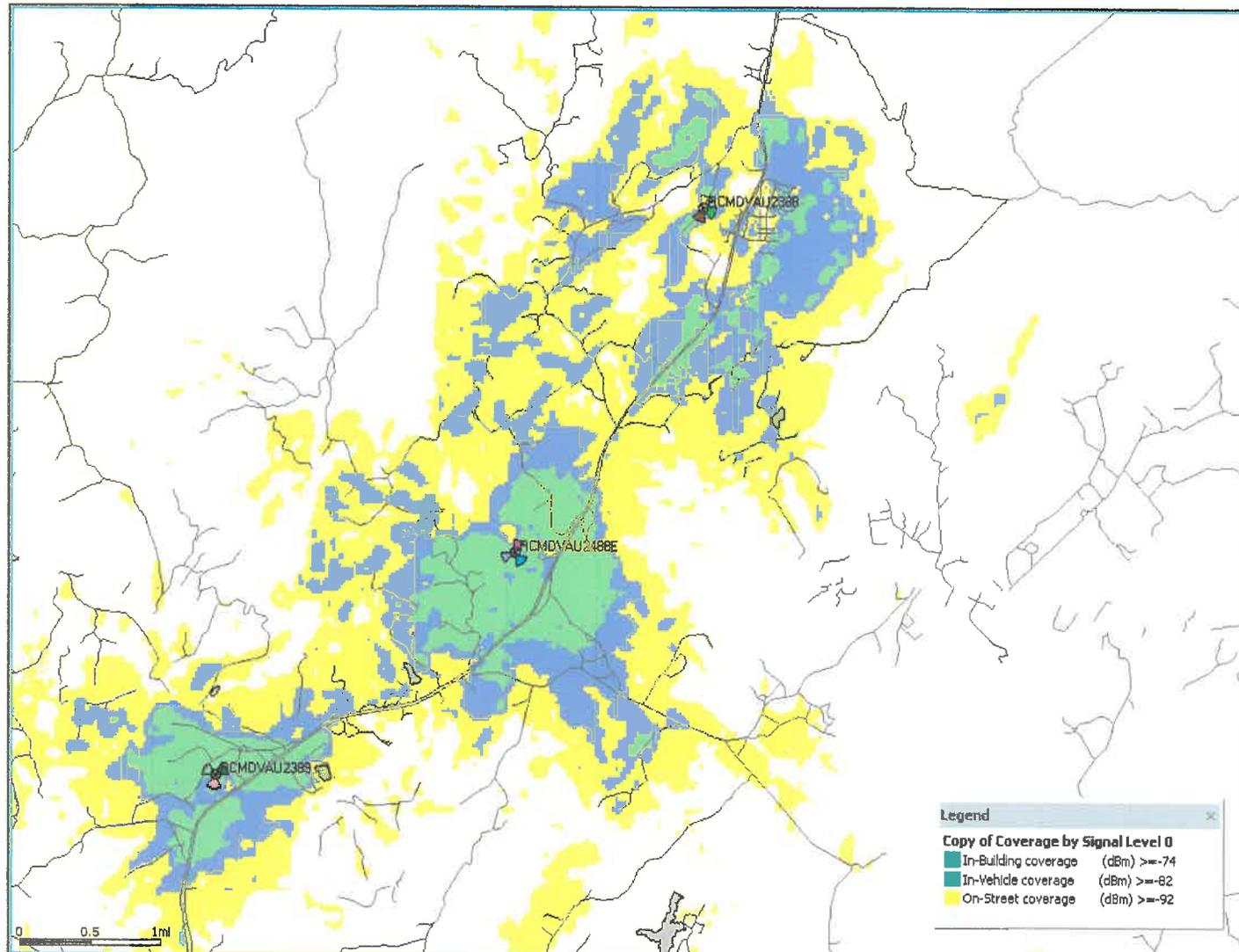
Rad Center 125'



Existing Coverage CV488



New Site CV488E and existing coverage



Surrounding Sites Overview

