

**AGENDA**  
**NELSON COUNTY BOARD OF SUPERVISORS**  
**June 27, 2013**

**THE REGULAR MEETING CONVENES AT 7:00 P.M. IN THE  
BOARD OF SUPERVISORS ROOM, SECOND FLOOR, COURTHOUSE, LOVINGSTON**

- I. Call to Order**
  - A. Moment of Silence
  - B. Pledge of Allegiance
  
- II. Public Comments**
  
- III. Consent Agenda**
  - A. Resolution - **R2013- 42** Minutes for Approval
  - B. Resolution – **R2013-43** FY13 Budget Amendment
  - C. Resolution – **R2013-44** Reallocation of VDOT Maintenance Funds to Preventative Bridge Maintenance Project Number BRDG-963-101, B618
  - D. Resolution – **R2013-45** Reallocation of VDOT Secondary Road Funds to Primary Road Project Number HSIP-062-S01
  - E. Resolution – **R2013-46** Reallocation of VDOT Secondary Road Funds to Primary Road Project Number HSIP-062-S02
  
- IV. New/Unfinished Business**
  - A. Citizen Claim for Payment, May 17, 2013 Flooding Cleanup
  - B. NC Electoral Board Request to Move the Central Absentee Voting Precinct (**R2013-47**) Authorization for Public Hearing)
  - C. Revised Ordinance O2013-03 Class IV Personal Wireless Services (**O2013-03**)
  - D. Nelson County Emergency Services Council, Fire Trucks Aquisition
  
- V. Other Business (As May Be Presented)**
  
- VI. Adjournment**

**RESOLUTION R2013-42**  
**NELSON COUNTY BOARD OF SUPERVISORS**  
**APPROVAL OF MEETING MINUTES**  
**(May 23, 2013)**

**RESOLVED**, by the Nelson County Board of Supervisors that the minutes of said Board's meeting conducted on **May 23, 2013** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

Approved: June 27, 2013

Attest: \_\_\_\_\_, Clerk  
Nelson County Board of Supervisors

May 23, 2013

**Virginia:**

AT A REGULAR MEETING of the Nelson County Board of Supervisors at 7:00 p.m. in the Board of Supervisors Room located on the second floor of the Nelson County Courthouse.

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

Absent: Thomas D. Harvey, North District Supervisor

**I. Call to Order**

Mr. Bruguiera called the meeting to order at 7:12 PM with four Supervisors present to establish a quorum and Mr. Harvey being absent.

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

**II. Public Comments**

1. Marta Keene, CEO of JABA

Ms. Keene introduced herself as the new CEO of Jefferson Area Board for Aging (JABA) and thanked the Board for recognizing the needs of seniors in Nelson County. She then introduced her coworkers in attendance, Ginger Dillard and Frances Mitchell. Ms. Keene then shared some statistics for Nelson County on seniors; noting that almost 10% of seniors were living at or below the poverty level and that 24% lived alone; which was an increase from 2010. She then noted that JABA would provide services for over 900 citizens of the County. Ms. Keene then distributed a packet about JABA being a resource for seniors. She concluded by noting that she would like to collaborate with the Board on meeting the County's needs going forward.

**III. Public Hearing – FY13-14 General Fund and Other Fund Budgets**

Ms. McCann gave the following budget presentation:

Budget Funds:

- General Operating Fund

- School Operating Fund (&Textbook Fund)
- Debt Service Fund
- Capital Fund
- Courthouse Project Fund
- Community Development Block Grants
- Piney River Water/Sewer Operations

Ms. McCann noted that there are eight funds that comprise the overall county budget. The primary fund is the general fund which often supports other funds as is the case with the School Fund and the Debt Service Fund. She noted that the remaining funds are generally project oriented such as the Courthouse Project Fund or a fund may relate to an enterprise operation such as Piney River water & sewer operations.

### GENERAL FUND BUDGET COMPARED TO FY12-13

■ FY12-13	\$35,460,057
■ FY13-14	\$34,682,969
■ <u>Decrease</u>	-\$777,088
■ % Change	-2.19%

Ms. McCann noted that compared to the current year budget as amended (through 2/13), the proposed FY14 General Fund budget reflects a decrease of approximately **\$777 thousand which** is an approximate **decrease of 2%**. She noted that the decrease was primarily due to the near completion of a communications project addressing narrow banding radio requirements (-2.6 million).

### Significant Revenue Factors

- **Moderate increases in Real Estate and Personal Property tax collections. There is no change in tax rates for 2014.**
- **Growth in revenue from meals tax is anticipated to generate an additional \$110,763.**
- **Growth in court fines is expected to generate an additional \$115,000.**
- **Decrease in non-recurring financing proceeds and projected carryover utilized in the proposed budget.**

Ms. McCann noted that there was no change to real estate and personal property tax rates but collections reflected moderate increases. She noted that revenue from the Meals Tax and Court fines was also expected to increase.

She then noted that overall revenues reflected a decrease which was primarily due to the receipt of financing proceeds for the county's radio project in the current year which were not recurring in the upcoming fiscal year (\$1.4 million reduction). She also noted that ambulance billing collections also reflected a decrease attributed to the decline in call volume and difficulties in obtaining patient information from UVA Hospital.

### Local Revenue

■ FY13 Budget	\$27,210,725
■ FY14 Projections	<u>\$27,757,755</u>
■ Overall Increase	\$547,030
■ Percent Change	+2.0%

Ms. McCann noted that FY14 local revenue makes up 80% of the total General Fund budget. She noted that the primary source of local revenue was general property taxes (\$22,425,173) which accounts for 81% of all local revenue. She noted that the FY14 budget reflected a 2% budgetary increase, \$547 thousand in local revenue primarily due to increased real estate and personal property tax collections, meals tax, and court fines.

### State Revenue

■ FY13 Budget	\$2,978,888
■ FY14 Projections	<u>\$3,754,844</u>
■ Overall Increase	+\$775,956
■ Percent Change	+ 26.05%

Ms. McCann noted that State revenue makes up 10.8% of the total General Fund budget in FY14 as compared to 8.4% in FY13. She noted that the largest sources of state funding within the General Fund included Compensation Board funding for Constitutional Offices and state support of public assistance and social services programs. She added that next year's budget reflects an overall increase of \$775 thousand primarily due to the anticipated award of Transportation Alternative funds for phase 1 construction of the Crozet Tunnel Project.

### Federal Revenue

■ FY13 Budget	\$ 870,406
■ FY14 Projections	<u>\$ 822,894</u>
■ Overall Decrease	-\$47,512
■ Percent Change	-5.46%

Ms. McCann noted that federal revenue makes up 2.4% of the total General Fund budget and that generally, federal sources included social services funding, the payment in lieu of taxes relative to national forest located in Nelson (from the U.S. Bureau of Land Management) and various federal grants. She added that the decrease reflected here was due to fluctuations in various grant funding (Blue Ridge Railway Trail-no new awards). She then noted that full entitlement (Payment in Lieu of Taxes Program) was authorized by the federal government's enactment of the Emergency Economic Stabilization Act of 2008. (Guaranteed through 2012).

**All Sources of Revenue**

■ Local	\$27,757,755
■ State	\$ 3,754,844
■ Federal	\$ 822,894
■ Non-Revenue Receipts	\$ 580,000
■ Year Ending Balance	<u>\$ 1,767,476</u>
■ Total	\$34,682,969

Ms. McCann noted that local, state and federal revenues together with financing proceeds, transfers from other funds, and year ending balance make up all projected revenue supporting the FY14 proposed expenditures. She noted that Non-Revenue Receipts included the balance of Financing proceeds for the final phases of the public safety radio project (to meet new federal narrow banding standards) and the Transfer In of funds set aside for the purchase of school buses. She added that the year ending fund balance reflected carryover funds allocated for various capital projects and reserves.

She noted that there was \$300,000 in carryover for the Radio Project, \$1,057,476 carryover from unexpended FY13 Contingency (\$977,476 allocated to non-recurring contingency and \$80,000 for demolition of health dept bldg) and \$410,000 other anticipated FY13 carryover (allocated in Capital Outlay for Solid Waste Truck & Emergency Services Vehicles).

**Expenditure Highlights:**

- Proposed 3% Employee Salary adjustment
- Additional Law Enforcement Positions
- Vehicle Replacement
- Increased Regional Jail expense
- Savings from debt refinancing
- Reductions for Reassessment as work nears completion.
- Reductions in Capital Outlay

Ms. McCann noted that significant increases in Operational spending within the proposed budget include:

A 3% salary adjustment proposed for all employees (\$130,000), two additional full time and two part-time positions are proposed for law enforcement (\$115,018), vehicle replacement including 3 police vehicles and 1 motor pool vehicle (\$122,500), and increased Regional Jail costs (\$81,860).

She then noted that significant reductions in expenditures include: Savings from debt refinancing (\$211,249-Courthouse Renovation and Rockfish River Literary Loan), reductions attributed to the near completion of the 2014 reassessment work, and reductions attributed to near completion of the county's public safety communications project implemented to meet federal narrow banding requirements.

**Grant Projects**

- **Blue Ridge Tunnel restoration**
- **Blue Ridge Railway Trail**
- **Funded with Transportation Enhancement/Alternatives grants from VA Dept. of Transportation.**

Ms. McCann noted that the County has two significant grant funded projects included in next year’s budget:

The Blue Ridge or Claudius Crozet Tunnel restoration project encompasses tunnel restoration and development of access trails (located in Augusta and Nelson counties). The County anticipates award of Transportation Alternative Funding to begin construction of this project which has been included within the proposed budget (\$749,149). The county continues to seek additional funding sources to fully implement this project. (and has established a non-profit foundation to assist with project funding.)

Secondly, the county was awarded funding for Phase 3 of the Blue Ridge Railway Trail which encompasses renovation of the Piney River Depot and weigh station house and a 250 ft. trail extension to the weigh station house located at the eastern terminus of the trail near Tye River.

**Local Contribution to Schools**

- **School Nursing Program (Level)**
- **School Operations +\$750,000**
- **School Buses \$180,000**
- **Total Contribution \$ 14,506,107**
- **Total Debt                    2,264,740**
- \$ 16,770,847**

Ms. McCann noted that within the General Fund, local Operational funding for Schools (including the nursing program) is proposed at \$14.5 million (\$14,111,107 operations, \$215,000 nursing, & \$180,000) which is a 6.9% increase over the current year. She noted that in addition to this support, the county funds almost \$2.3 million for school related debt (\$2,264,740).

**SCHOOL FUND BUDGET COMPARED TO FY12-13**

<b>FY12-13</b>	<b>\$24,525,366</b>
<b>FY13-14</b>	<b>\$25,470,920</b>
<b><u>Increase</u></b>	<b>\$ 945,554</b>
<b>% Change</b>	<b>+3.86%</b>

**\*Operations Budget only (excludes debt)**

Ms. McCann noted that the School Fund budget compared to the current year (original budget) reflects an increase of \$945 thousand which is a 3.86% increase. However, this year's local funding provides \$750,000 in new operational funding and \$180,000 for the purchase of new school buses. The proposed budget also reflects an overall increase of \$15,554 in other sources of funding (federal, state, and other).

Ms. McCann added that the denoted budget is less than the advertised budget (\$25,506,610) by \$35,690 due to adjustments in state and federal revenue projections. (State +16,148 salary supplement and Federal -\$51,838) This information was provided after the budget information was submitted to the newspaper.

### Summary by Fund

■ General Fund	\$34,682,969
■ School Fund	\$25,470,920
■ Textbook Fund	\$320,667
■ Debt Service Fund	\$3,331,008
■ Capital Fund	\$1,497,975
■ Courthouse Project	\$290,000
■ CDBG Grant Fund	\$3,600
■ Piney River Water/Sewer	\$214,270

Ms. McCann noted that these were all of the funds that make up the county budget. She added that she had only discussed the General Fund and the School Fund which were the two the largest components of the budget. She then noted that the Courthouse Project was completed with the exception of work still underway on the Jefferson Building (old Sheriff's office).

In response to questions, Ms. McCann noted that the total County Budget was \$65,847,099 and that Local Funds were \$27,750,000. She added that the transfers of funds from the General Fund to the Schools was sort of double counting but also included state and federal funds. She noted that the General Fund did not include revenues from state, feds and other that were in the School Fund and that only Piney River revenues were in that budget etc. Ms. McCann then noted that if the Board were to back out General Fund transfers, they would get an unduplicated amount of the total budget. She added that just over \$18 million was transferred out of the General Fund.

Mr. Bruguieri suggested that it would be helpful to see local, state, and federal funding broken out by department and Ms. Brennan noted she would like to see how much taxpayer revenue versus fees is.

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Mr. Hale then noted that he did not think that the employee salary adjustment was discussed in detail and he inquired as to when was the last time that County staff received a salary adjustment, not including the VRS 5% or bonuses.

Ms. McCann noted that employees received a 1% salary increase in FY10-11 and went for three (3) years without a raise. She noted that the cost of a 3% raise was \$130,000.

Mr. Bruguiera then opened the public hearing and the following persons were recognized:

1. Dr. Roger Collins, School Division Superintendent

Dr. Collins thanked the Board for its support of students and staff. He added that the school division was getting bids on the approved capital items and that the old bleachers had been removed; with the new ones to be in place by the first football game next year.

Mr. Bruguiera noted that he would like to know the cost of the School Security Task Force recommendations as soon as all of the tabletop exercises were completed. Dr. Collins briefly noted some of the things being discussed so far. Mr. Bruguiera suggested that the Board may recommend having a joint meeting with the School Board once the recommendations were finalized to see what would be done.

Dr. Collins then reported that the School Board had enacted the new teacher pay scale as recommended; excluding the bonus for performance and the doctoral supplement. He noted that this would put them in the top 50% in the state. He noted that all other employees would receive a 3% pay increase. Dr. Collins then noted that their health insurance cost increased \$330,000 this year and has been kept in the single digit percentage increase range. He noted that the division had applied the funds already budgeted and the employee picked up the rest. He noted that they had extended the Special Education Teacher and Aid contracts to allow them to be able to get students on and off the buses. Dr. Collins added that they were still looking at the early college program but that he was not sure what would work out and they were not able to offer the CATEC program this year.

Mr. Hale noted that there was no doubt that education was the most important and was the largest single component of the County's budget. He added that over his time on the Board, they have been able to increase the level of local funding to the schools; however he was not sure they would be able to do as much after the reassessment comes in.

Dr. Collins then noted that during the scholarship awards night, the students received over \$600,000 in scholarship money from all sources and that \$200,000 was local money. He noted that they would have convocation a week earlier this coming school year on August 6th at 8:30 am.

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Dr. Collins then noted that testing was going on right now with two new tests being given on Reading and Science this year and all testing being done online. He then invited the Board to attend the graduation of 150 seniors.

Mr. Bruguiera commented that if the tuition for the PVCC early college program were County funded, there would be a lot of interest but if not then there wasn't. He added that in this program, students could be working towards getting their High School and Associates degree at the same time. Dr. Collins and Members briefly discussed how Greene County achieved their program. He then noted that for \$30,000 plus, they could get one class through the program and then it might take off. He added that right now, they would need fifteen (15) paying students to implement the program.

2. Robert McSwain, Faber

Mr. McSwain noted that he thought that the Treasurer has done a great job on managing the tax sales. He added that for transparency's sake, it would be nice to have a report on what properties were owned by entities that were tax exempt and why. He noted he thought this was another aspect of the budget review to consider.

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

#### **IV. Other Business**

- A. Referral to Planning Commission - Proposed Amendment to Appendix A -Zoning Ordinance, Planning & Zoning Rates, Fees, and Charges (**R2013-34**)

Mr. Carter noted that staff was presenting a resolution to refer the proposed changes to local zoning fees back to the Planning Commission. He added that Mr. Payne had advised that it should be referred back and so this draft resolution was provided in lieu of moving forward with the Board's previously authorized public hearing on June 11th.

Mr. Hale then moved to approve resolution **R2013-34** Referral of Amendment to Nelson County Zoning Ordinance to Nelson County Planning Commission (Zoning Fees) and Ms. Brennan seconded the motion.

Mr. Hale noted that had the Planning Commission recommended these changes initially, this could have been avoided and Mr. Saunders noted that these increases were a long time in coming.

Mr. Carter noted that these increases had been brought forward by staff previously and that staff was working on revising them and now thought they were ready to go forward.

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

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**RESOLUTION R2013-34**  
**NELSON COUNTY BOARD OF SUPERVISORS**  
**REFERRAL OF AMENDMENT TO NELSON COUNTY ZONING ORDINANCE**  
**TO NELSON COUNTY PLANNING COMMISSION**  
**(ZONING FEES)**

**WHEREAS**, the Nelson County Board of Supervisors (the Board) has received and reviewed in public session conducted on May14, 2013 a staff report on the fees presently approved for use in the administration of Appendix A-Zoning (Nelson County Zoning Ordinance) of the Code of the County of Nelson, Virginia; and,

**WHEREAS**, the staff report found that the present fees applicable to Appendix A-Zoning are considerably less than the actual expenses incurred by Nelson County in the administration and processing of zoning applications for which payment of a fee is required; and,

**WHEREAS**, the Board finds that the present zoning fees should be considered for amendment to address in part the inadequacy of these fees with respect to the actual expenses incurred by the County to administer and process applications pursuant to Appendix A-Zoning.

**NOW, THEREFORE, BE IT RESOLVED** by the Nelson County Board of Supervisors, pursuant to the applicable provisions of Chapter 22, Planning, Subdivision of Land and Zoning of the Code of Virginia, 1950 with specific reference to §15.2-2285 of said Code, that amendment of Nelson County's present zoning fee(s) schedule be referred to the Nelson County Planning Commission for review and to report the Commission's findings and recommendations to the Board in accordance with Chapter 22 of the Code of Virginia.

**BE IT FURTHER RESOLVED**, by the Board of Supervisors that the Board herewith requests that the Nelson County Planning Commission limit its review to the following fees and also limit adjustments to these fees as proposed herein below unless the Commission should determine that additional recommendations to the Board are necessary:

<u>Fee Type</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
Special Use Permit	\$45	\$200
Rezoning	\$25	\$300
Variance	\$25	\$150
Appeal	\$25	\$150

**LASTLY, BE IT RESOLVED** by the Board of Supervisors that the Nelson County Planning Commission's ensuing report on the Board's request herein also encompass an amendment to Appendix A-Zoning of the Code of the Count of Nelson, VA to provide

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for the establishment of a complete schedule of fees (current and as may be amended) within said Appendix A – Zoning.

*Introduced: Additional Budget related Requests: Chamber of Commerce Letter Regarding Small Business Development Center funding and DSS*

Mr. Carter reported receiving a letter from the Chamber of Commerce asking for more funding for the Small Business Development Center (SBDC). They noted they were concerned about being able to provide services in the county and would like \$5000 in funding.

Ms. McCann also noted that the Department of Social Services (DSS) would need additional funding for implementing a 3% raise on July 1st. She noted that they had gotten state funding for a 3% raise starting on August 1st.

Ms. Brennan reported that she had been contacted by the Chamber about the letter and that a couple of citizens have confirmed that the SBDC seminars were very valuable. She then proposed that the Board fully fund their \$7,500 request and Ms. McCann noted that they were currently funded at \$3,750 within the proposed budget.

Mr. Bruguere noted that Ms. Kelley had advised him that \$5,000 was sufficient to keep the SBDC going at the same capacity and he recommended this.

Ms. McCann reported that \$7,500 had been funded in the past and that this was their full request for FY14.

Ms. Brennan reiterated that the Board had the money to fund the full request and she moved that the County fully fund the SBDC in FY14 for a total of \$7,500.

Mr. Hale seconded the motion and Ms. McCann reported that this would be an additional amount of \$3,750 added to the budget.

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

*Introduced: Montebello Fish Hatchery*

Mr. Bruguere reported that the Montebello Fish Hatchery was to be closed for the months of June and July for cleaning as a measure of disease prevention.

#### **IV. Adjournment**

At 8:15 pm, Ms. Brennan moved to adjourn and Mr. Hale seconded the motion. There being no further discussion, Supervisors voted unanimously by voice vote to approve the motion and the meeting adjourned.

**RESOLUTION R2013-43**  
**NELSON COUNTY BOARD OF SUPERVISORS**  
**AMENDMENT OF FISCAL YEAR 2012-2013 BUDGET**  
**NELSON COUNTY, VA**  
**June 27, 2013**

**BE IT RESOLVED** by the Board of Supervisors of Nelson County that the Fiscal Year 2012-2013 Budget be hereby amended as follows:

**I. Transfer of Funds (General Fund)**

<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
\$ 6,500.00	4-100-999000-9905	4-100-092010-9201

Adopted: June 27, 2013

Attest: \_\_\_\_\_  
Clerk, Nelson County Board of Supervisors

## EXPLANATION OF BUDGET AMENDMENT

- I. The **Transfer of Funds** includes a transfer from General Fund Contingency in the amount of **\$6,500** for General Fund Refunds. Refunds include approved real estate and personal property tax refunds. The balance in Contingency after this request will be \$917,486.

**From:** [Austin Sr., Donald L. \(VDOT\)](#)  
**To:** [Steve Carter](#); [Candy McGarry](#)  
**Subject:** Resolutions for BOS  
**Date:** Thursday, June 13, 2013 2:08:25 PM  
**Attachments:** [Secondary to Maintenance Resolution \(UPC 100968\).docx](#)  
[Secondary to Primary Resolution \(UPC 104676\).docx](#)  
[Secondary to Primary Resolution \(UPC 104677\).docx](#)

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Steve:

I forgot about these resolutions Tuesday that needed to be presented. We will need to pass the attached resolutions next month to cover the moving of funds to the two Safety Projects on Route 151 and previous unspent Bridge funds to a new bridge project on Route 666.

If any additional information is needed, please advise.

Thanks,  
Don

**RESOLUTION R2013-44**  
**NELSON COUNTY BOARD OF SUPERVISORS**  
**REALLOCATION OF VDOT MAINTENANCE FUNDS**  
**PREVENTATIVE BRIDGE MAINTENANCE**  
**PROJECT NUMBER BRDG-963-101, B618**

**WHEREAS**, this Board requests \$134,338 of Secondary Bridge allocations be used for the concrete overlay of the Route 666 bridge over Piney River (Project Number BRDG-963-101, B618),

**WHEREAS**, this action will not disrupt existing funding commitments to construction underway or on the Virginia Department of Transportation's 24 Month Advertisement Schedule,

**NOW THEREFORE BE IT RESOLVED** that since this action appears to be in the best interests of the citizens residing in Nelson County, the use of Secondary allocations for this Preventive Bridge Maintenance Project is hereby approved.

Adopted: June 27, 2013

Attest: \_\_\_\_\_, Clerk  
Nelson County Board of Supervisors

At a regular meeting of the Board of Supervisors of the County of Nelson, held at the Courthouse in Lovingston on June 27, 2103 at 7:00 pm,

Present were:

On motion by \_\_\_\_\_, seconded by \_\_\_\_\_ and carried:

**RESOLUTION R2013-45  
NELSON COUNTY BOARD OF SUPERVISORS  
REALLOCATION OF VDOT SECONDARY ROAD FUNDS TO  
PRIMARY ROAD PROJECT NUMBER HSIP-062-S01**

**WHEREAS**, Section 33.1-23.4 of the 1950 Code of Virginia, as amended, provides for the use of regular Secondary allocations on a Primary System Project,

**WHEREAS**, this Board requests the improvement of the intersection on Route 6/151 at Route 635, From: 0.200 Mile South of Route 635 West, To: 0.200 Mile North of Route 635 West (Project Number HSIP-062-S01), at a cost of \$1,500,000,

**WHEREAS**, this action will not disrupt existing funding commitments to construction underway or on the Virginia Department of Transportation's 24 Month Advertisement Schedule,

**NOW THEREFORE BE IT RESOLVED** that since this action appears to be in the best interests of the citizens residing in Nelson County, the use of Secondary allocations for this Primary Project is hereby approved.

Adopted: June 27, 2013

Attest: \_\_\_\_\_, Clerk  
Nelson County Board of Supervisors

At a regular meeting of the Board of Supervisors of the County of Nelson, held at the Courthouse in Lovingson on June 27, 2103 at 7:00 pm,

Present were:

On motion by \_\_\_\_\_, seconded by \_\_\_\_\_ and carried:

**RESOLUTION R2013-46**  
**NELSON COUNTY BOARD OF SUPERVISORS**  
**REALLOCATION OF VDOT SECONDARY ROAD FUNDS TO**  
**PRIMARY ROAD PROJECT NUMBER HSIP-062-S02**

**WHEREAS**, Section 33.1-23.4 of the 1950 Code of Virginia, as amended, provides for the use of regular Secondary allocations on a Primary System Project,

**WHEREAS**, this Board requests the improvement of the intersection on Route 6/151 at Route 638, From: 0.200 Mile South of Route 638, To: 0.200 Mile North of Route 638 (Project Number HSIP-062-S02), at a cost of \$1,500,000,

**WHEREAS**, this action will not disrupt existing funding commitments to construction underway or on the Virginia Department of Transportation's 24 Month Advertisement Schedule,

NOW THEREFORE BE IT RESOLVED that since this action appears to be in the best interests of the citizens residing in Nelson County, the use of Secondary allocations for this Primary Project is hereby approved.

Adopted: June 27, 2013

Attest: \_\_\_\_\_, Clerk  
Nelson County Board of Supervisors

At a regular meeting of the Board of Supervisors of the County of Nelson, held at the Courthouse in Lovingston on June 27, 2103 at 7:00 pm,

Present were:

On motion by \_\_\_\_\_, seconded by \_\_\_\_\_ and carried:

June 27, 2013 Board of Supervisors Meeting

Subject: Agenda Item IV. A – Citizen Claim for Payment, May 17, 2013 Flooding Cleanup

Summary: Ms. Pat Harker, 434 Court Street, Lovingson, VA 22949 has presented an invoice (included herewith) to the County Administrator's Office for payment of \$200.00 to Taylor's Touch, General Contractor, for costs incurred by Ms. Harker for "mud and gravel removal – clean up, power wash brick patio, step and pool area due to flooding on 5-7-13." The invoice has not been paid by the County. It is, instead, included as agenda item for consideration as a claim, which in this matter is a decision to be made by the Board of Supervisors.

Included herewith are copies of the provisions of Article 4 (Payment of Claims), §15.2-1243 through §15.2-1249, from the Code of Virginia which is the applicable state law for consideration of the claim. In discussion of this subject with the County Attorney, **the guidance provided was that the claim should be submitted to the Board for a determination with specific consideration by the Board of §15.2-1245.D of the Code of VA, which states: "Nothing in this section shall prevent any county governing body from disallowing any account, in whole or in part, when rendered consistent with subsection A, or requiring any other evidence of the truth and propriety of any account as it thinks proper."**

In the Board's consideration of the claim pertinent to §15.2-1245.D, its review should be narrowed to the question of whether or not the claim is valid, that the County bears responsibility for the cause that required the expense to be incurred by Ms. Harker.

In Ms. Harker's assessment, the County bears responsibility because of the construction of the New Judicial Center addition to the Courthouse, which she attributes as the source of water damage her property is sustaining during periods of heavy rainfall. This is the basis of her claim.

There are many factors that are contrary to the basis of Ms. Harker's claim. These include:

1. The County adhered to state and local E&S and storm water regulation(s) requirements in the construction of the New Judicial Center, including the submission and approval of E&S and Stormwater Management Plans as part of the construction project. In accordance with these approved plans, post development (storm water) runoff did not exceed pre-development (storm water) runoff. (See D. Thompson's attached email for additional input).
2. Ms. Harker's residence abuts a state roadway (Rt. 1003; locally Court Street) with maintenance of the road, including storm water installations (drop inlet, culvert, etc.) the responsibility of VDOT.
3. The section of Court Street beyond "State Maintenance" is a private road with no known road maintenance agreement.
4. The large land owner located east of the Courthouse has been timbering the property which has the potential to add to storm water runoff during rainfall periods.
5. The Harker residence is located at or below the road grade of Rt. 1003.
6. The County has no control over acts of nature.

Additionally, consenting to payment of the claim has the potential to establish the County as responsible for any/all future claims submitted by the property owner.

Recommendation: Deny the claim.



## Steve Carter

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**From:** David Thompson  
**Sent:** Friday, June 14, 2013 10:07 AM  
**To:** Steve Carter  
**Subject:** Info requested & Topic we discussed this morning (6-14-2013)

Steve,  
My thoughts on the topic we discussed this morning:

The county denies any claim of negligence and adhered to all requirements in completion of the construction activity. Code of Virginia Statue 10.1-569, section H. Compliance with the provisions of this article shall be prima facie evidence in any legal or equitable proceedings for damages caused by erosion or sedimentation that all requirements of the law have been met and the complaining party must show negligence in order to recover any damages.

Prior to starting the courthouse renovations and additions the county secured an E&S plan approval of the Thomas Jefferson Soil and Water Conservation District. The approval of the plan addressed the county's more stringent local requirements addressing the minimum standard 19; completed development storm water discharge from the site to all receiving channels must be less than or equal to pre-development discharge levels.

Therefore, no increases in the discharge of offsite stormwater velocity and volume from the construction activity and post development was engineered and planned in the approved erosion & sediment control plan design.

The repairs and replacement of the retaining wall along with the drainage improvements to the VDOT road is exempt from the requirements of a local Erosion & Sediment Control Permit. Article III, Sec.9-52; Disturbed land areas less than 10,000 square feet are not defined as a land-disturbing activity. The wall repair required a VDOT construction permit for the work and the drainage improvements were a requirement of VDOT plan approval and issuing that permit.

Let me know if you have any questions, have a great weekend.

David

*David L Thompson, CBO*  
Building Code Official  
Nelson County Inspections Department  
P O Box 558  
Lovingston, Virginia 22949

Office Phone # 434-263-7081  
Office Fax # 434-263-7086  
email: [dthompson@nelsoncounty.org](mailto:dthompson@nelsoncounty.org)

E-mail messages may be subject to FOIA

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§ 10.1-569. Penalties, injunctions and other legal actions.

A. Violators of § [10.1-563](#), [10.1-564](#) or [10.1-566](#) shall be guilty of a Class 1 misdemeanor.

B. Any person who has violated or failed, neglected, or refused to obey any regulation or order of the Board, any order, notice, or requirement of the Department or VESCP authority, any condition of a permit, or any provision of this article or associated regulation shall, upon a finding of an appropriate court, be assessed a civil penalty. If a locality or district serving as a VESCP authority has adopted a uniform schedule of civil penalties as permitted by subsection K of § [10.1-562](#), such assessment shall be in accordance with the schedule. The VESCP authority or the Department may issue a summons for collection of the civil penalty. In any trial for a scheduled violation, it shall be the burden of the locality or Department to show the liability of the violator by a preponderance of the evidence. An admission or finding of liability shall not be a criminal conviction for any purpose. Any civil penalties assessed by a court shall be paid into the treasury of the locality wherein the land lies, except that where the violator is the locality itself, or its agent, or where the Department is issuing the summons, the court shall direct the penalty to be paid into the state treasury.

C. The VESCP authority, the Department, or the owner of property which has sustained damage or which is in imminent danger of being damaged, may apply to the circuit court in any jurisdiction wherein the land lies or other appropriate court to enjoin a violation or a threatened violation under § [10.1-563](#), [10.1-564](#) or [10.1-566](#) without the necessity of showing that an adequate remedy at law does not exist; however, an owner of property shall not apply for injunctive relief unless (i) he has notified in writing the person who has violated the VESCP, the Department, and the VESCP authority, that a violation of the VESCP has caused, or creates a probability of causing, damage to his property, and (ii) neither the person who has violated the VESCP, the Department, nor the VESCP authority has taken corrective action within 15 days to eliminate the conditions which have caused, or create the probability of causing, damage to his property.

D. In addition to any criminal or civil penalties provided under this chapter, any person who violates any provision of this chapter may be liable to the VESCP authority or the Department, as appropriate, in a civil action for damages.

E. Without limiting the remedies which may be obtained in this section, any person violating or failing, neglecting or refusing to obey any injunction, mandamus or other remedy obtained pursuant to this section shall be subject, in the discretion of the court, to a civil penalty not to exceed \$2,000 for each violation. A civil action for such violation or failure may be brought by the VESCP authority wherein the land lies or the Department. Any civil penalties assessed by a court shall be paid into the treasury of the locality wherein the land lies, except that where the violator is the locality itself, or its agent, or other VESCP authority, or where the penalties are assessed as the result of an enforcement action brought by the Department, the court shall direct the penalty to be paid into the state treasury.

F. With the consent of any person who has violated or failed, neglected, or refused to obey any regulation or order of the Board, any order, notice, or requirement of the Department or VESCP authority, any condition of a permit, or any provision of this article or associated regulations, the Board, the Director, or VESCP authority may provide, in an order issued by the Board or VESCP authority against such person, for the payment of civil charges for violations in specific sums, not to exceed the limit specified in subsection E. Such civil charges shall be instead of any appropriate civil penalty which could be imposed under subsection B or E.

G. Upon request of a VESCP authority, the attorney for the Commonwealth shall take legal action to enforce the provisions of this article. Upon request of the Board, the Department, or the district, the Attorney General shall take appropriate legal action on behalf of the Board, the Department, or the district to enforce the provisions of this article.

H. Compliance with the provisions of this article shall be prima facie evidence in any legal or equitable proceeding for damages caused by erosion or sedimentation that all requirements of law have been met and the complaining party must show negligence in order to recover any damages.

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§ 15.2-1245. Procedure for allowance of claims.

A. No account shall be allowed by the governing body of the county unless made out in separate items with the nature of each item specifically stated. When no specific fees are allowed by law, the time actually and necessarily devoted to the performance of any service charged in such account shall be verified by affidavit, which shall be filed with the account. The attorney for the Commonwealth, or the county attorney if there is one, shall represent the county before the board and advise the board of any claim which in his opinion is illegal or not before the board in proper form or upon proper proof, or which for any other reason ought not to be allowed. No such claim shall be denied unless the attorney representing the county has, by certified mail, served written notice on the claimant or his agent of the date that the governing body will consider the claim.

B. If any claim has been allowed by the governing body against the county which in the opinion of such attorney is improper as to form or proof or illegal, the attorney shall seek the advice of the Attorney General as to legality or the State Auditor of Public Accounts as to matters of accounting. If any claim has been allowed by the governing body against the county which, in the opinion of any six owners of land within the county is improper as to form or proof or illegal, such landowners may appeal the decision of the governing body to the circuit court for the county. If either the Attorney General or the State Auditor of Public Accounts is of the opinion the claim is illegal or in improper form, the attorney for the Commonwealth shall appeal from the decision of the governing body to the circuit court for the county. In the event of any such appeal, the moving party shall serve a written notice of the appeal on the clerk of the governing body and the party in whose favor the claim is allowed within 30 days after the making of such decision. If the court finds and states in its order that the claim was improperly allowed but that the consideration received or to be received by the county for payments made or to be made was or will be for value, it shall dismiss the appeal. If the court finds otherwise, it shall remand the claim to the governing body for appropriate action.

C. Whenever any claim allowed by a county governing body is declared illegal by a court of competent jurisdiction, the attorney for the Commonwealth, or the county attorney if there is one, in the name of the county, shall institute proper proceedings in the circuit court of his county within two years from the entry of the order declaring the claim illegal, if such amount has already been paid. Such attorney shall be available to the governing body and give his legal opinion when requested.

D. Nothing in this section shall prevent any county governing body from disallowing any account, in whole or in part, when rendered and verified consistent with subsection A, or requiring any other evidence of the truth and propriety of any account as it thinks proper.

(Code 1950, §§ 15-257, 15-258; 1962, c. 623, §§ 15.1-550, 15.1-551; 1968, c. 450; 1980, c. 58; 1982, c. 173; 1984, c. 617; 1997, c. 58Z; 2010, c. 668.)

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§ 15.2-1246. Appeal from disallowance of claim.

When a claim of any person against a county is disallowed in whole or in part by the governing body, if such person is present, he may appeal from the decision of the governing body within 30 days from the date of the decision. If the claimant is not present, the clerk of the governing body shall serve a written notice of the disallowance on him or his agent, and he may appeal from the decision within 30 days after service of such notice. In no case shall the appeal be taken after the lapse of six months from the date of the decision. The appeal shall be filed with the circuit court for the county. No appeal shall be allowed unless the amount disallowed exceeds \$10. The disallowance may be appealed by serving written notice on the clerk of the governing body and executing a cash or surety bond or irrevocable letter of credit to the county in the amount of \$250, with condition for the faithful prosecution of such appeal, and the payment of all costs imposed on the appellant by the court.

(Code 1950, § 15-259; 1962, c. 623, § 15.1-552; 1983, c. 114; 1997, c. 587; 2000, c. 300; 2010, c. 668.)

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§ 15.2-1247. When disallowance of claim final; exception; when no execution to be issued.

The determination of the governing body of any county disallowing a claim, in whole or in part, shall be a bar to any action in any court founded on such claim, unless (i) the decision of the governing body disallowing the claim is appealed; (ii) the governing body consents to the institution of an action by the claimant against the county; or (iii) the governing body fails to act upon any claim within 90 days of the date the claim is received by the governing body or its clerk, provided that such time may be extended by mutual agreement of the claimant and the county. No execution shall be issued upon any judgment recovered against a county, board of supervisors, or against any officer of the county, when the judgment should be paid by the county. Any judgment against the county shall be provided for by the governing body in the next county levy and paid by the treasurer as other county charges.

(Code 1950, § 15-260; 1962, c. 623, § 15.1-553; 1997, c. 587; 2010, c. 668.)

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§ 15.2-1248. No action against county until claim presented to governing body.

No action shall be maintained by any person against a county upon any claim or demand until such person has presented his claim to the governing body of the county, unless the governing body has entered into a binding arbitration agreement or there is a provision in a written contract with the county to submit to arbitration any controversy thereafter arising. When there exists such a provision in a contract or there is a written agreement to arbitrate, the provisions of the Uniform Arbitration Act, Article 2 (§ [8.01-581.01](#) et seq.) of Chapter 21 of Title 8.01, shall apply.

(Code 1950, § 15-261; 1962, c. 623, § 15.1-554; 1987, c. 483; 1997, c. [587](#).)

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§ 15.2-1249. Amounts allowed endorsed on claim; copies of record and accounts to be furnished.

The clerk shall endorse upon every account on which any sum shall be audited and allowed by the governing body the amount so audited and allowed and the charges for which the same was allowed; every such endorsement, if found to be in order, shall be subscribed by the chairman or acting chairman of the governing body; and the clerk shall deliver to any person who may demand it a certified copy of any record in his office, or of any account therein, on receiving from such person the fees allowed to the clerk of the circuit court for similar services.

(Code 1950, § 15-262; 1962, c. 623, § 15.1-555; 1997, c. 587.)

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§ 15.2-1243. Governing body to receive, audit and approve claims; warrants.

A. The governing body of every county shall receive and audit all claims against the county, except those required to be received and audited by the county school board, and shall, by resolution or recorded vote, approve and order warrants issued in settlement of those claims that are found to be valid; provided that a county administrator, county executive or county manager may sign and issue orders or warrants under such conditions as the governing body may prescribe. Every warrant issued pursuant to the provisions of this section shall bear the date on which the governing body orders it to be issued and shall be made payable on demand, signed by the clerk of the governing body or his deputy, countersigned by the chairman or acting chairman of the governing body, and recorded in the form and manner prescribed by the Auditor of Public Accounts. Such warrant may be converted to a negotiable check by the treasurer, or appropriately designated deputy treasurer, by affixing his signature thereto in conformity with the provisions of § [58.1-3162](#) and by designating thereon the bank by which it is to be paid.

B. Notwithstanding the requirements of subsection A, the governing body of any county may provide, by resolution, for the drawing of special warrants on the county treasurer, payable out of county funds, in payment of compensation, when such compensation has been earned or is due for (i) all employees and officers under written contract, and all officers elected or appointed for a term of office and their deputies and employees, (ii) upon receipt of certified time sheets or other evidence of services performed, the payment of all other employees whose rates of pay have been established by such governing body or its properly designated agent, or (iii) for payment on contracts for construction projects according to the terms of such contracts. All such special warrants so authorized shall be signed by the clerk of such governing body and countersigned by the chairman of such governing body. Any special warrant may be converted into a negotiable check in the manner provided in subsection A. All such payrolls and contracts so paid shall be reviewed and approved by the governing body at its next regular meeting.

C. The governing body of any county may, in its discretion, destroy the papers constituting any or all claims allowed and paid, upon the expiration of five years after audit in accordance with retention regulations established pursuant to the Virginia Public Records Act (§ [42.1-76](#) et seq.).

(Code 1950, § 15-253; 1952, cc. 16, 304; 1954, c. 183; 1962, c. 623, § 15.1-547; 1968, c. 269; 1979, c. 206; 1982, c. 493; 1997, c. [587](#).)

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§ 15.2-1244. Limitations on issuance of warrants.

No county governing body shall order any warrant issued for any purpose other than the payment of a claim received, audited and approved as required by § [15.2-1243](#). No clerk, deputy clerk, chairman or acting chairman of any county governing body shall sign or countersign any warrant not ordered issued by the governing body pursuant to § [15.2-1243](#). No county governing body shall expend in any year for any purpose an amount greater than the amount available for such purpose during the year or order issued against any fund at any time any warrant in excess of the amount available in such fund and in the treasurer's possession at the time such warrant is issued, taking into account all previously issued and outstanding warrants payable from such fund. No interest shall be paid on any county warrant. Any clerk, deputy clerk or member of any county governing body who violates any of the provisions of this section shall be guilty of a misdemeanor, and in addition shall be guilty of malfeasance in office.

(Code 1950, § 15-256; 1962, c. 623, § 15.1-549; 1997, c. [587](#).)

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# Nelson County Electoral Board

PO Box 292, Lovingston, Virginia 22949 434-263-4068  
David McBee, Chair; Don Bailey, Vice-Chair; Lynne S. Simpson, Secretary

June 14, 2013

Nelson County Board of Supervisors  
PO Box 336  
Lovingston, VA 22949

Re: Central Absentee polling location

Dear Honorable Members:

One of the duties of the Nelson County Electoral Board is to ensure the adequacy of county polling places to service the needs of both primary and general elections.

As the Board of Supervisors is aware, the Central Absentee precinct has been located in the Nelson County Courthouse Jury room for many years. We have been fortunate over the years to not have experienced scheduling conflicts with jury trials. The 2013 General Election is scheduled for November 5, 2013. The Clerk of Court has advised us that there is a jury trial scheduled for November 4 – 5 and the room will not be available for Central Absentee.

We have been contacted Tannith Knight at the Nelson Library and received permission from the Director to use the meeting room as an alternative location. The Library facility and location are suitable to the NCEB. Therefore we are seeking approval from the Board of Supervisors to proceed with this move.

Thank you very much for consideration of this matter.

Respectfully,

Lynne S. Simpson, Secretary  
Nelson County Electoral Board

§ 24.2-712. Central absentee voter precincts; counting ballots.

A. Notwithstanding any other provision of law, the governing body of each county or city may establish one or more central absentee voter precincts in the courthouse or other public buildings for the purpose of receiving, counting, and recording absentee ballots cast in the county or city. The decision to establish any absentee voter precinct shall be made by the governing body by ordinance; the ordinance shall state for which elections the precinct shall be used. The decision to abolish any absentee voter precinct shall be made by the governing body by ordinance. Immediate notification of either decision shall be sent to the State Board and the electoral board.

B. Each central absentee voter precinct shall have at least three officers of election as provided for other precincts. The number of officers shall be determined by the electoral board.

C. If any voter brings an unmarked ballot to the central absentee voter precinct on the day of the election, he shall be allowed to vote it. If any voter brings an unmarked ballot to the electoral board on or before the day of the election, he shall be allowed to vote it, and his ballot shall be delivered to the absentee voter precinct pursuant to § [24.2-710](#).

The officers at the absentee voter precinct shall determine any appeal by any other voter whose name appears on the absentee voter applicant list and who offers to vote in person. If the officers at the absentee voter precinct produce records showing the receipt of his application and the certificate of mailing for the ballot, they shall deny his appeal. If the officers cannot produce such records, the voter shall be allowed to vote in person at the absentee voter precinct and have his vote counted with other absentee votes. If the voter's appeal is denied, the provisions of § [24.2-708](#) shall be applicable, and the officers shall advise the voter that he may vote on presentation of a statement signed by him that he has not received an absentee ballot and subject to felony penalties for making false statements pursuant to § [24.2-1016](#).

D. Absentee ballots may be processed as required by § [24.2-711](#) by the officers of election at the central absentee voter precinct prior to the closing of the polls but the ballot container shall not be opened and the counting of ballots shall not begin prior to that time. In the case of punch card or mark sense ballots to be inserted in electronic counting equipment, the ballot container may be opened and the absentee ballots may be inserted in the counting equipment prior to the closing of the polls in accordance with procedures prescribed by the State Board, including procedures to preserve ballot secrecy, but no ballot count totals shall be initiated prior to that time.

As soon as the polls are closed in the county or city the officers of election at the central absentee voter precinct shall proceed to ascertain and record the vote given by absentee ballot and report the results in the manner provided for counting and reporting ballots generally in Article 4 (§ [24.2-643](#) et seq.) of Chapter 6 of this title.

E. The electoral board may provide that the officers of election for a central absentee voter precinct may be assigned to work all or a portion of the time that the precinct is open on election day subject to the following conditions:

1. The chief officer and the assistant chief officer, appointed pursuant to § [24.2-115](#) to represent the two political parties, are on duty at all times; and

2. No officer, political party representative, or other candidate representative shall leave the precinct after any ballots have been counted until the polls are closed and the count for the precinct is completed and reported.

F. The electoral board, with the written agreement of the general registrar, may provide that the central absentee voter precinct will open after 6:00 a.m. and at any time before noon on the day of the election provided that the office of the general registrar will be open for the receipt of absentee ballots until the central absentee voter precinct is open and that the officers of election for the central absentee voter precinct obtain the absentee ballots returned to the general registrar's office for the purpose of counting the absentee ballots at the central absentee

voter precinct and provided further that the central absentee voter precinct is the same location as the office of the general registrar.

(1974, c. 428, § 24.1-233.1; 1978, c. 778; 1991, c. 3; 1993, c. 641; 1994, cc. [287](#), [742](#); 1998, cc. [549](#), [572](#); 2003, c. [1015](#); 2006, c. [297](#); 2008, c. [423](#).)

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§ 24.2-306. Changes not to be enacted within 60 days of general election; notice requirements.

A. No change in any local election district, precinct, or polling place shall be enacted within 60 days next preceding any general election. Notice shall be published prior to enactment in a newspaper having general circulation in the election district or precinct once a week for two successive weeks. The published notice shall state where descriptions and maps of proposed boundary and polling place changes may be inspected.

B. Notice of any adopted change in any election district, town, precinct, or polling place other than in the location of the office of the general registrar shall be mailed to all registered voters whose election district, town, precinct, or polling place is changed at least 15 days prior to the next general, special, or primary election in which the voters will be voting in the changed election district, town, precinct, or polling place. Notice of a change in the location of the office of the general registrar shall be given by posting on the official website of the county or city, by posting at not less than 10 public places, or by publication once in a newspaper of general circulation in the county or city within not more than 21 days in advance of the change or within seven days following the change.

C. Each county, city, and town shall comply with the applicable requirements of law, including §§ [24.2-304.3](#) and [30-264](#), and send copies of enacted changes to the local electoral board, the State Board, and the Division of Legislative Services.

(Code 1950, §§ 24-49 through 24-51; 1970, c. 462, § 24.1-39; 1971, Ex. Sess., c. 119; 1993, c. 641; 1995, c. [249](#); 2003, c. [1015](#); 2004, c. [1000](#); 2012, cc. [328](#), [486](#).)

§ 24.2-310. Requirements for polling places.

A. The polling place for each precinct shall be located within the county or city and either within the precinct or within one mile of the precinct boundary. The polling place for a county precinct may be located within a city (i) if the city is wholly contained within the county election district served by the precinct or (ii) if the city is wholly contained within the county and the polling place is located on property owned by the county. The polling place for a town precinct may be located within one mile of the precinct and town boundary. For town elections held in November, the town shall use the polling places established by the county for its elections.

B. The governing body of each county, city, and town shall provide funds to enable the electoral board to provide adequate facilities at each polling place for the conduct of elections. Each polling place shall be located in a public building whenever practicable. If more than one polling place is located in the same building, each polling place shall be located in a separate room or separate and defined space.

C. Polling places shall be accessible to qualified voters as required by the provisions of the Virginians with Disabilities Act (§ [51.5-1](#) et seq.), the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. § 1973ee et seq.), and the Americans with Disabilities Act relating to public services (42 U.S.C. § 12131 et seq.). The State Board shall provide instructions to the local electoral boards and general registrars to assist the localities in complying with the requirements of the Acts.

D. If an emergency makes a polling place unusable or inaccessible, the electoral board shall provide an alternative

polling place and give notice of the change in polling place, including to all candidates, or such candidate's campaign, appearing on the ballot to be voted at the alternative polling place, subject to the prior approval of the State Board. The electoral board shall provide notice to the voters appropriate to the circumstances of the emergency. For the purposes of this subsection, an "emergency" means a rare and unforeseen combination of circumstances, or the resulting state, that calls for immediate action.

E. It shall be permissible to distribute campaign materials on the election day on the property on which a polling place is located and outside of the building containing the room where the election is conducted except as specifically prohibited by law including, without limitation, the prohibitions of § [24.2-604](#) and the establishment of the "Prohibited Area" within 40 feet of any entrance to the polling place. However, and notwithstanding the provisions of clause (i) of subsection A of § [24.2-604](#), and upon the approval of the local electoral board, campaign materials may be distributed outside the polling place and inside the structure where the election is conducted, provided that the "Prohibited Area" (i) includes the area within the structure that is beyond 40 feet of any entrance to the polling place and the area within the structure that is within 40 feet of any entrance to the room where the election is conducted and (ii) is maintained and enforced as provided in § [24.2-604](#). The local electoral board may approve campaigning activities inside the building where the election is conducted when an entrance to the building is from an adjoining building, or if establishing the 40-foot prohibited area outside the polling place would hinder or delay a qualified voter from entering or leaving the building.

F. Any local government, local electoral board, or the State Board may make monetary grants to any non-governmental entity furnishing facilities under the provisions of § [24.2-307](#) or [24.2-308](#) for use as a polling place. Such grants shall be made for the sole purpose of meeting the accessibility requirements of this section. Nothing in this subsection shall be construed to obligate any local government, local electoral board, or the State Board to appropriate funds to any non-governmental entity.

(Code 1950, §§ 24-45, 24-46, 24-171, 24-179 through 24-181; 1954, c. 375; 1956, c. 378; 1962, cc. 185, 536; 1970, c. 462, §§ 24.1-36, 24.1-37, 24.1-92, 24.1-97; 1971, Ex. Sess., c. 119; 1976, c. 616; 1977, c. 30; 1978, c. 778; 1980, c. 639; 1981, c. 425; 1984, c. 217; 1985, c. 197; 1986, c. 558; 1992, c. 445; 1993, cc. 546, 641; 1994, c. [307](#); 2003, c. [1015](#); 2004, c. [25](#); 2005, c. [340](#); 2008, cc. [113](#), [394](#); 2010, cc. [639](#), [707](#); 2012, cc. [488](#), [759](#).)

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§ 24.2-310.1. Polling places; additional requirement.

The requirement stated in this section shall be in addition to requirements stated in §§ [24.2-307](#), [24.2-308](#), and [24.2-310](#), including the requirement that polling places be located in public buildings whenever practical. No polling place shall be located in a building which serves primarily as the headquarters, office, or assembly building for any private organization, other than an organization of a civic, educational, religious, charitable, historical, patriotic, cultural, or similar nature, unless the State Board has approved the use of the building because no other building meeting the accessibility requirements of this title is available.

(1993, c. 904, § 24.1-37.1; 1993, c. 641.)

NELSON

CENTRAL ABSENTEE VOTER ELECTION DISTRICT

The governing body of the county or city listed below

HAS

HAS NOT

passed an ordinance establishing a Central Absentee Voter Election District.

If established, the ordinance was passed on: \_\_\_\_\_ and shall be used for:  
(date)

All elections; or

Only the following elections:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A copy of the ordinance for the records of the State Board of Elections

IS ENCLOSED

HAS BEEN PREVIOUSLY FORWARDED.

County/City of: Nelson

Signature: Margaret G. Small  
Secretary of Electoral Board

Date: 10/18/1984



County of Nelson

# Board of Supervisors

P. O. Box 336  
Lovingson, Virginia 22949

PHONE 804 - 263-4873

February 12, 1981

R. LEON BRANDT, JR.  
East District  
Lovingson, VA. 22949

WALTER A. HOFFMAN, JR.  
West District  
Roseland, VA. 22967

LEONARD BURNLEY  
South District  
Shipman, VA. 22971

JOHN K. POLLOCK  
North District  
Afton, VA. 22920

JOHN B. WILLIAMSON, III  
Lovingson, VA. 22949  
County Administrator

Ms. Joan S. Mahan  
Secretary, State Board of Elections  
101 Ninth Street Office Building  
Richmond  
Virginia 23219

Dear Joan:

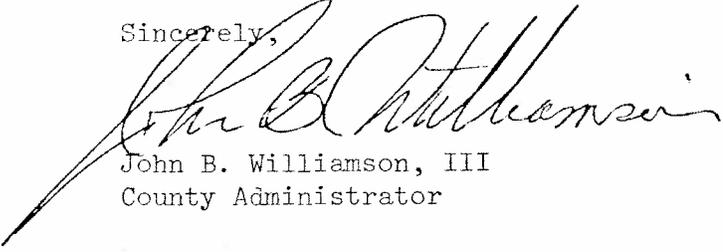
This is to advise that at the recommendation of the Nelson County Electoral Board, the Nelson County Board of Supervisors has following advertisement and public hearing taken the following action:

1. Relocation of the East I Polling Place from the Building Official's Office to the Circuit Courtroom.
2. Relocation of the West II (Montebello) Polling Place from Anderson's Store to the Montebello Fishing and Campground Store.
- ✓ 3. Created a Central Absentee Election District.

Attached to this letter is a copy of the documentation sent to the Attorney General's Office for your review. Included in this documentation are copies of the resolutions of the Board of Supervisors for your files.

Thanking you for your attention to this matter, I am

Sincerely,

  
John B. Williamson, III  
County Administrator

JBW/jwc

Attachment

Virginia:

At a regular meeting of the Nelson County Board of Supervisors on February 10, 1981, at the Courthouse thereof:

Re: Creation of a Central Absentee Voter Election District

WHEREAS, The Nelson County Board of Supervisors did adopt a resolution of intent to create a Central Absentee Voter Election District by Ordinance; and

WHEREAS, Said intent was advertised in the Nelson County Times on January 22, January 29, and February 5, 1981; and

WHEREAS, A Public Hearing was duly held as advertised at the County Courthouse on February 10, 1981:

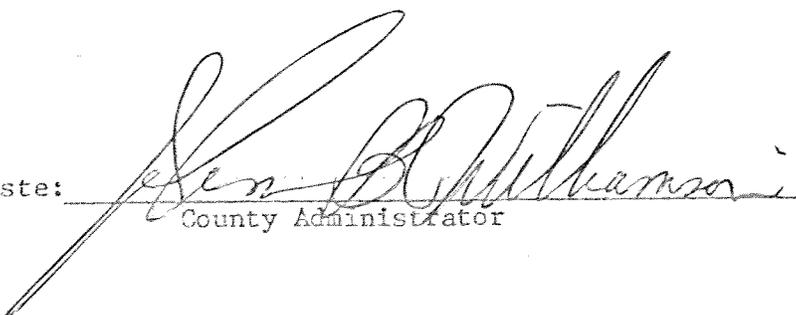
NOW THEREFORE, On a motion duly made by Mr. Brandt and seconded by Mr. Hoffman with Mr. Burnley voting yes and Mr. Pollock voting yes, the following resolution was adopted:

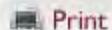
BE IT RESOLVED, That the Nelson County Board of Supervisors does hereby by ordinance create a Central Absentee Voter Election District as allowed by 24.1-233.1 of the Code of Virginia as amended, to become effective immediately.

The foregoing, consisting of one page, is a true copy of Resolution recorded in Supervisor's Order Book 10.

A Copy -

Teste:

  
County Administrator



## Sec. 2-28. - Precincts and polling places.

The precincts and their polling places are established as follows:

### *North District:*

#### *Rockfish Precinct*

*Polling place:* Rockfish Valley Volunteer Fire and Rescue Building, Afton

All that area comprising the North Election District as set forth in [section 2-27](#) above.

### *East District:*

#### *Lovingston Precinct*

*Polling place:* Lovingston Fire Department, Lovingston

All that portion of the East District as set forth in [section 2-27](#) above lying north and west of a line beginning at a point on the East District boundary at the confluence of the James River and Swan Creek and continuing in a northwesterly direction along Swan Creek to its intersection with Cabell Road/State Route 626;

thence, northeast along Cabell Road/State Route 626 to its intersection with Warminster Drive/ State Route 604;

thence, northwest along Warminster Drive/State Route 604 to its intersection with Hunting Lodge Road/State Route 646;

thence, northeast along Hunting Lodge Road/State Route 646 to its intersection with Virginia Lee Drive;

thence in a straight line from such intersection to the confluence of Beaver Creek and Buffalo Creek;

thence, west along Beaver Creek to its intersection with Glade Road/State Route 722;

thence, southwest along Glade Road/State Route 722 to its intersection with the Lovingston Magisterial District boundary;

thence, northwest along the Lovingston Magisterial District boundary to its intersection with the Norfolk Southern Railway;

thence, in a northeasterly direction along the Norfolk Southern Railway to its intersection with Rockfish River Road/State Route 617.

#### *Schuyler Precinct*

*Polling place:* Walton's Mountain Museum, Schuyler

All that portion of the East District as set forth in [section 2-27](#) above lying southeast of the line established for the Lovingston Precinct.

### *South District:*

#### *Shipman Precinct*

*Polling place:* American Legion Post #17, Shipman

All that portion of the South District as set forth in [section 2-27](#) above lying north of a line beginning at a point on the south bank of the James River opposite the mouth of Owens Creek, thence along the centerline of Owens Creek to the centerline of State Route 626, thence in a southwesterly direction along the centerline of State Route 626 to its intersection with State Route 721;

thence, due north along a straight line to the Tye River;

thence, up the Tye River to the confluence of the Buffalo River and the Tye River;

thence, up the Buffalo River to the Nelson County line.

#### *Gladstone Precinct*

*Polling place:* Gladstone Rescue Squad Building, Gladstone

All that portion of the South District as set forth in [section 2-27](#) above lying south of the line established for the Shipman Precinct.

### *West District:*

#### *Roseland Precinct*

*Polling Place:* Roseland Rescue Squad, Roseland

All that portion of the West District as set forth in [section 2-27](#) above lying south and east of a line beginning at a point on the Nelson County line where a line drawn due south will intersect with the end of the State Route 684;

thence, along a straight line to the confluence of Pannels Creek with the North Fork of the Tye River;

thence, along a straight line to the top of the De Priest Mountain;

thence, along a straight line to the junction of the county lines of Rockbridge, Amherst and Nelson.

*Montebello Precinct*

*Polling Place:* Montebello Volunteer Fire and Rescue Building, Montebello

All that portion of the West District as set forth in [section 2-27](#) above lying west and north of the line established for the Roseland Precinct.

*Central District:*

*Nellysford Precinct*

*Polling place:* Tuckahoe Clubhouse, Nellysford

All that portion of the Central District as set forth in [section 2-27](#) above lying northwest of a line beginning at a point on the Central District boundary at the intersection of the Massies Mill Magisterial District boundary and the Schuyler Magisterial District boundary and continuing along the Schuyler Magisterial District boundary to its intersection with the stream which feeds the lake on the east side of Gullysville Road/State Route 629;

thence, east along said creek to its intersection with the Rockfish River;

thence, in a northerly direction along the centerline of the Rockfish River to its confluence with an unnamed tributary of the Rockfish River located south of Truslow's Lane/State Route 788.

*Faber Precinct:*

*Polling place:* Nelson Rescue Squad Building, Faber

All that portion of the Central District as set forth in [section 2-27](#) above lying southeast of the line established for the Nellysford Precinct.

(Ord. of 5-17-01; Ord. of 9-10-02; Ord. of 6-8-04; Res. No. R2009-45, 5-28-09; Ord. No. O2010-07, 7-22-10; Ord. No. O2011-02, 4-12-11)

**RESOLUTION-R2013-47**  
**NELSON COUNTY BOARD OF SUPERVISORS**  
**AUTHORIZATION FOR PUBLIC HEARING ON AN ORDINANCE TO AMEND**  
**THE CODE OF NELSON COUNTY, VIRGINIA CHAPTER 2**  
**(ADMINISTRATION), ARTICLE I (IN GENERAL), SECTION 2-28**  
**(PRECINCTS AND POLLING PLACES)**

**WHEREAS**, pursuant to Section 24.2-712 of the Code of Virginia, 1950 as amended, the Nelson County Board of Supervisors wishes to accommodate the Nelson County Electoral Board's request to move the Central Absentee Precinct from the Nelson County Courthouse, Jury Room so as not to conflict with the increasing number of jury trials held by the Nelson County Circuit Court;

**NOW THEREFORE BE IT RESOLVED**, by the Nelson County Board of Supervisors that the request to move the Central Absentee Precinct from its current location at the Nelson County Courthouse, Jury Room to the Nelson County Memorial Library, Lovingson VA is hereby approved and;

**BE IT FURTHER RESOLVED**, that pursuant to §15.2-1427, §24.2-712, and §24.2-306, the County Administrator is hereby authorized to advertise a public hearing to be held on **July 25, 2013 or on August 13, 2013** at 7:00 p.m. in the Board of Supervisors Room in the Courthouse in Lovingson, Virginia to receive public input on an Ordinance proposed for passage to amend the Code of Nelson County, Virginia, Chapter 2, Article I, Section 2-28 to establish the Central Absentee Precinct at the Nelson Memorial Library, Lovingson Virginia 22949.

Approved: \_\_\_\_\_, 2013

Attest: \_\_\_\_\_, Clerk  
Nelson County Board of Supervisors

**NOTICE OF PUBLIC HEARING  
NELSON COUNTY BOARD OF SUPERVISORS  
A PROPOSED ORDINANCE TO AMEND THE CODE OF NELSON COUNTY,  
VIRGINIA CHAPTER 2 (ADMINISTRATION), ARTICLE I (IN GENERAL),  
SECTION 2-28 (PRECINCTS AND POLLING PLACES)**

Pursuant to §15.2-1427, §24.2-306, and §24.2-712 of the Code of Virginia, 1950 as Amended, the Nelson County Board of Supervisors will conduct a public hearing on **July 25, 2013 or on August 13, 2013** at 7:00 p.m. in the Board of Supervisors Room in the Courthouse in Lovingston, Virginia. The purpose of the public hearing is to receive public input on an Ordinance proposed for passage to amend the Code of Nelson County, Virginia, Chapter 2, Article I, Section 2-28 to re-establish the Central Absentee Precinct in the Nelson Memorial Library, Lovingston Virginia from the current location of the Circuit Court Jury Room in the Courthouse in Lovingston.

The proposed ordinance in its entirety is available for public inspection in the Office of the County Administrator in the Courthouse in Lovingston.

**BY AUTHORITY OF THE NELSON COUNTY BOARD OF SUPERVISORS**

**ORDINANCE O2013-03**  
**NELSON COUNTY BOARD OF SUPERVISORS**  
**AMENDMENT TO THE CODE OF NELSON COUNTY, VIRGINIA**  
**APPENDIX A-ZONING CHAPTER 20, COMMUNICATION TOWERS,**  
**TO INCLUDE SECTION 20-18 CLASS IV PERSONAL WIRELESS SERVICES**

**BE IT HEREBY ORDAINED**, that Pursuant to §15.2-1427 of the Code of Virginia 1950 as amended, the Nelson County Board of Supervisors does hereby amend the Code of Nelson County, Virginia, Appendix A – Zoning, Chapter 20, Communication Towers as follows:

20-18 Class IV Personal Wireless Services.

Notwithstanding anything to the contrary in the other sections of this communication tower ordinance, the provisions of this subsection 20-18 shall govern with respect to the telecommunications facilities and services addressed herein.

20-18-1 Definitions.

*Antenna array*: An orderly arrangement of antennas mounted at the same height on a tower or other structure and intended to transmit a signal providing coverage over a specific area for a single provider of personal wireless services.

*Class IV Personal Wireless Service Facility (“Class IV Facility”)*: A personal wireless service facility that:

- (i) is located within an existing structure but which may include a self-contained ground equipment shelter not exceeding one hundred fifty (150) square feet that is not within the building, or, a whip antenna that satisfies the requirements of Section 20-18-2; or
- (ii) consists of one or more antennas, other than a microwave dish, attached to an existing structure and are flush mounted to the structure, together with associated personal wireless service equipment; or
- (iii) consists of a single attachment pole attached to an existing structure the total height of which, together with a grounding rod, shall not exceed twenty (20) feet above the top of the structure. An attachment pole may be guyed to increase its stability; or
- (iv) is located within or camouflaged by an addition to an existing structure determined by the Planning and Zoning Director to be in character with the structure and the surrounding district; or
- (v) is a co-location that does not result in a substantial increase in the size of an existing Communication Tower; or

- (vi) is the replacement of equipment that does not result in a substantial increase in the size of an existing Communication Tower; or
- (vii) is the replacement of a wooden monopole with a metal monopole of the same height that does not exceed a maximum base diameter of thirty (30) inches and a maximum diameter at the top of eighteen (18) inches; or
- (viii) is the placement of a freestanding monopole forty (40) feet or less in height in the following zoning districts: Conservation C-1, Agricultural A-1, Service Enterprise SE-1, Business B-1, Business B-2, Limited Industrial M-1, and Industrial M-2.

*Existing structure:* For the purposes of this subsection 20-18, a lawfully constructed or established structure, but excluding (i) existing Communication Towers approved under this ordinance or by special use permit before the effective date of this subsection and (ii) flagpoles.

*Personal wireless services:* Commercial mobile services, unlicensed wireless services, common wireless exchange access services, and for the purposes of this chapter, unlicensed wireless broadband internet access.

*Substantial increase in the size of an existing Communication Tower:*

(i) The mounting of the proposed antenna on the tower would increase the existing height of the tower by more than 10%, or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater, except that the mounting of the proposed antenna may exceed the size limits set forth in this paragraph if necessary to avoid interference with existing antennas; or

(ii) The mounting of the proposed antenna would involve the installation of more than the standard number of new equipment cabinets for the technology involved, not to exceed four, or more than one new equipment shelter; or

(iii) The mounting of the proposed antenna would involve adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater, except that the mounting of the proposed antenna may exceed the size limits set forth in this paragraph if necessary to shelter the antenna from inclement weather or to connect the antenna to the tower via cable; or

(iv) The mounting of the proposed antenna would involve excavation outside the current tower site, defined as the current boundaries of the leased or owned property surrounding the tower and any access or utility easements currently related to the site.

*Unlicensed Wireless Service:* The offering of telecommunication services using duly authorized devices which do not require individual licenses from the Federal Communications Commission, but does not mean the provision of direct-to-home satellite services. This service is sometimes referred to “License-Exempt”. Users of the license-exempt bands do not have exclusive use of the spectrum and are subject to interference.

## 20-18-2 Design Standards.

1. *General Design.* The Class IV Facility shall be designed, installed, and maintained as follows: (i) guy wires shall not be permitted except with attachment poles; (ii) outdoor lighting for the Facility shall be permitted only during maintenance periods; (iii) any cabinet or shelter not located within the existing structure shall be screened from all lot lines either by terrain, existing structures, existing vegetation, or by added vegetation approved by the Planning and Zoning Director; (iv) in connection with an existing structure or monopole, a grounding rod, whose height shall not exceed two feet and whose width shall not exceed one inch in diameter at the base and tapering to a point, may be installed at the top of the structure and (v) a whip antenna less than six (6) inches in diameter may exceed the height of the existing structure or monopole.

2. *Antennas and associated equipment, existing structure exterior.* Equipment shall be attached to the exterior of an existing structure only as follows: (i) the total number of arrays of antennas attached to the existing structure shall not exceed three (3), and each antenna proposed to be attached under the pending application shall not exceed the size shown on the application, which size shall not exceed one thousand one hundred fifty two (1152) square inches; (ii) no antenna shall project from the structure beyond the minimum required by the mounting equipment, and in no case shall any point on the face of an antenna project more than twelve (12) inches from the existing structure; and (iii) each antenna and associated equipment shall be a color that matches the existing structure. For purposes of this section, all types of antennas and dishes regardless of their use shall be counted toward the limit of three arrays. These standards shall not apply to antennas and associated equipment that are located entirely within an existing structure.

3. *Antennas and associated equipment, attachment pole.* An attachment pole (i) shall not exceed three inches in diameter; (ii) shall be grayish-brown in color unless a different color is either approved or required by the Planning and Zoning Director; (iii) the antennas, supporting brackets, and all other equipment attached to the attachment pole shall be a color that closely matches that of the attachment pole; and (iv) the total number of antennas shall not exceed three (3), and each antenna proposed to be attached under the pending application shall not exceed the size shown on the application, which size shall not exceed one thousand one hundred fifty two (1152) square inches.

4. *Ground equipment shelter, fencing.* Any cabinet or shelter not located within an existing building shall be fenced only with the approval of the agent upon finding that the fence: (i) would protect the facility from trespass in areas of high volumes of vehicular or pedestrian traffic or, in the rural areas, to protect the facility from livestock or wildlife and (ii) would not be detrimental to the character of the area.

5. *Class IV Monopole.* A freestanding monopole, as defined in subsection viii of the Class IV Facility definition, (i) shall be constructed of either wood, metal, or concrete; (ii) shall not exceed a maximum base diameter of thirty (30) inches and a maximum diameter at the top of eighteen (18) inches; (iii) shall be grayish-brown in color unless a different color is either approved or required by the Planning and Zoning Director; (iv) the antennas, supporting brackets, and all other equipment attached to the monopole shall be a color that closely matches that of the monopole; (v) the total number of arrays of antennas attached to the monopole shall

not exceed three (3) and each antenna proposed to be attached under the pending application shall not exceed the size shown on the application, which size shall not exceed one thousand one hundred fifty two (1152) square inches. For purposes of this section, all types of antennas and dishes, regardless of their use, shall be counted toward the limit of three arrays.

### 20-18-3 Application and Approval Procedure.

A. No application is required for Class IV Facilities listed in subsections (i) and (ii) of the definition.

B. Class IV Facilities listed in subsections (iii) and (iv) of the definition require application to the Planning and Zoning Director containing the following information:

1. A completed application form, signed by the parcel owner, the parcel owner's agent or the contract purchaser, and the proposed facility's owner. If the owner's agent signs the application, he shall also submit written evidence of the existence and scope of the agency. If the contract purchaser signs the application, he shall also submit the owner's written consent to the application.

2. If antennas are proposed to be added to an existing structure, all existing antennas and other equipment on the structure, as well as all ground equipment, shall be identified by owner, type and size.

3. The design of the facility, including the specific type of support structure and the design, type, location, size, height and configuration of all existing and proposed antennas and other equipment. The method(s) by which the antennas will be attached to the mounting structure shall be depicted.

4. Identification of each paint color on the facility, by manufacturer color name and color number. A paint chip or sample may be requested for each color.

C. Class IV Facilities listed in subsections (v) through (viii) of the definition require application to the Planning and Zoning Director containing the following information:

1. The information required in the preceding subsection B.

2. A scaled plan depicting fall area: The minimum distance from the tower's base to the property line shall be: (i) wood poles-100% of tower height; (ii) metal monopole-110% of tower height; and (iii) lattice tower-25% of tower height. The fall area for a metal monopole and lattice tower may be modified by the Planning and Zoning Director upon written certification by a licensed professional engineer that the tower is designed with the number of proposed and future antennas to collapse within the boundary lines of the subject property.

3. All existing and proposed setbacks, parking, fencing, and landscaping.

4. The requirements in either or both of subsections 2 and 3 above may be waived by the Planning and Zoning Director if an appropriate approved plan is already on file with the County.

20-18-4 Fee Schedule for certain Class IV Facilities.

(a) Class IV Facilities listed in subsections (iii) and (iv) of the definition, each application: Twenty Dollars (\$20.00).

(b) Class IV Facilities listed in subsections (v) through (viii) of the definition, each application: One Hundred Dollars (\$100.00).

20-18-5 Compliance.

Any Class IV Facility regulated by this Section 20-18, and not otherwise in compliance with the other provisions of the tower ordinance, shall be registered and brought into compliance with this Section 20-18 within ninety (90) days of enactment.

20-18-6 Denial of application, appeal.

If the Planning and Zoning Director should deny an application, the denial shall be in writing, shall identify the requirements which were not satisfied and shall inform the applicant what must be done to satisfy each requirement. The applicant may appeal a denial to the Board of Supervisors. An appeal shall be in writing and be filed in the office of the clerk of the Board of Supervisors within ten (10) calendar days after the date of denial by the Planning and Zoning Director.

**BE IT FURTHER ORDAINED**, that this Ordinance is effective upon adoption.

Adopted: \_\_\_\_\_, 2013

Attest: \_\_\_\_\_, Clerk  
Nelson County Board of Supervisors

**NELSON COUNTY EMERGENCY SERVICES COUNCIL**

P.O. Box 336  
Lovington, Va. 22949

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6/21/13

County of Nelson  
Steve Carter, Administrator  
P.O. Box 336  
Lovington, Va. 22949

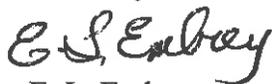
Dear Mr. Carter,

At the June meeting of the Nelson County Emergency Services Council, a vote was cast we unanimously support the Board of Supervisors funding three Mini Pumpers for three of the volunteer fire departments. The amount of funding discussed was a minimum of \$135000.00 and a maximum of \$150000.00. The bids on the three units all average between \$170000.00 and \$180000.00 depending on what equipment each department put on their truck. Three bids were received on the trucks and all of the bids were within the above price range.

If you or the Board of Supervisors has any questions, please give me a call.

As always, we appreciate the support we receive from you, and the Board of Supervisors.

Sincerely,



E. L. Embrey  
President, NCESC

CC: Board of Supervisors