

AGENDA
NELSON COUNTY BOARD OF SUPERVISORS
May 13, 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 – **R2014-26** FY13-14 Budget Amendment
 - B. Resolution – **R2014-27** Minutes for Approval
 - C. Resolution – **R2014-28** COR Refunds
 - D. Resolution – **R2014-29** Appointment of Region 2000 Service Authority Representatives
 - E. Resolution – **R2014-30** Virginia Cooperative Extension- Centennial Recognition Month

- III. Public Comments and Presentations**
 - A. Public Comments
 - B. Presentation – Nelson County Middle School Destination Imagination Program
 - C. VDOT Report

- IV. New Business/ Unfinished Business**
 - A. Proposed Nelson County DMV 2 GO Location, Nelson Memorial Library
 - B. Referral to Planning Commission – Zoning Ordinance Amendment, Agricultural Operations (**R2014-31**)
 - C. Rockfish Valley Area Plan - Proposed Scope of Work
 - D. Planning Commission Recommendation on Proposed Amendments Re: “two-family detached dwellings”
 - E. FY14-15 Budget Work Session
 - 1. Authorization for Public Hearing FY15 Budget (**R2014-32**)

- 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 – FY15-FY20 Secondary Six Year Plan (SSYP) and 2015 Construction Priority List**

Consideration of Virginia Department of Transportation FY15-FY20 Secondary Six Year Plan and 2015 construction priorities for the County. **(R2014-33)**
 - B. Public Hearing – Special Use Permit #2014-001 – Le Chic Picnic**

Consideration of a Special Use Permit application, submitted by Ms. Danielle Savard, seeking approval for the proposed placement and operation of a Restaurant pursuant to §4-1-34a of the Zoning Ordinance. The subject property is identified as Tax Map Parcel #12-A-79A, and is located at 27 Chapel Hollow Road in Afton. This is a 5.2-acre parcel zoned Agricultural (A-1), and is owned by Ms. Savard and Mr. Marcel McNicoll.
- IV. Other Business (As May Be Presented)**
- V. Adjournment**

**RESOLUTION R2014-26
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF FISCAL YEAR 2013-2014 BUDGET
NELSON COUNTY, VA
May 13, 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>
\$ 7,700.00	3-100-001901-0015	4-100-012130-5420
\$ 5,000.00	3-100-001899-0030	4-100-081020-7060
\$ 12,700.00		

II. Transfer of Funds (General Fund)

<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
\$ 7,000.00	4-100-999000-9901	4-100-012130-5425
\$ 1,320.00	4-100-999000-9901	4-100-021060-1003
\$ 102.00	4-100-999000-9901	4-100-021060-2001
\$ 178,972.00	4-100-999000-9901	4-100-033010-6001
\$ 1,298.00	4-100-999000-9901	4-100-091030-5610
\$ 100.00	4-100-999000-9901	4-100-091030-2001
\$ 188,792.00		

Adopted: May 13, 2014

Attest: _____, Clerk
Nelson County Board of Supervisors

EXPLANATION OF BUDGET AMENDMENT

- I. The **General Fund Appropriation** reflects an appropriation request by the Treasurer for payment of DMV stop fees in the amount of **\$7,700**. This request is offset by taxpayer reimbursement of the stop fee. Additionally, there is a request of **\$5,000** for expenditures relative to a Virginia Tourism Corp. Marketing grant (VA Cider Association).

- II. The **Transfer of Funds** includes a transfer from General Fund Contingency for **\$7,000** requested by the Treasurer for payment of credit card fees. There has been more than anticipated use of credit cards to pay taxes and fees. Additionally, a transfer is requested for additional part-time wages for the Circuit Court Clerk's office (**\$1,320** wages + **\$102** FICA). Also requested is a transfer for increased regional jail expense in the amount of **\$178,972**. The final request for transfer from General Fund Contingency is from the Sheriff and Commonwealth Attorney for additional funds to pay overtime wages for monitoring of court ordered community service for the remainder of the year (**\$1,298** wages + **\$100** FICA).

RESOLUTION R2014-27
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF MEETING MINUTES
(April 8, 2014, April 10, 2014, and April 15, 2014)

RESOLVED, by the Nelson County Board of Supervisors that the minutes of said Board's meetings conducted on **April 8, 2014, April 10, 2014, and April 15, 2014** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

Approved: May 13, 2014

Attest: _____, Clerk
Nelson County Board of Supervisors

April 8, 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
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 2:00 pm, with all Supervisors present to establish a quorum.

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

I. Proclamations

- A. Proclamation – **P2014-03** April is Child Abuse Prevention Month

Mr. Hale read aloud Proclamation **P2014-03** and then moved to approve **P2014-03** April is Child Abuse Prevention Month. Mr. Harvey seconded the motion and there being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following proclamation was adopted:

**PROCLAMATION P2014-03
NELSON COUNTY BOARD OF SUPERVISORS
APRIL IS CHILD ABUSE PREVENTION MONTH**

WHEREAS, preventing child abuse and neglect is a community problem that depends on involvement among people throughout the community; and

WHEREAS, child maltreatment occurs when people find themselves in stressful situations, without community resources, and don't know how to cope; and

WHEREAS, the majority of child abuse cases stem from situations and conditions that are preventable in an engaged and supportive community; and

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WHEREAS, all citizens should become involved in supporting families in raising their children in a safe, nurturing environment; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships created among families, social service agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community.

THEREFORE BE IT PROCLAIMED, that the Nelson County Board of Supervisors does hereby proclaim April as Child Abuse Prevention Month and calls upon all citizens, community agencies, faith groups, medical facilities, and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and neglect and strengthening the communities in which we live.

B. Proclamation – **P2014-04** April is Fair Housing Month

Mr. Bruguere read aloud Proclamation **P2014-04** and then moved to approve **P2014-04** April is Fair Housing Month. Mr. Saunders seconded the motion and there being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following proclamation was adopted:

PROCLAMATION P2014-04
NELSON COUNTY BOARD OF SUPERVISORS
APRIL -FAIR HOUSING MONTH 2014

WHEREAS, April is Fair Housing Month and marks the 46th anniversary of the passage of the federal Fair Housing Act (Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988), and

WHEREAS, the Fair Housing Act provides that no person shall be subjected to discrimination because of race, color, national origin, religion, sex, disability, or familial status in the rental, sale, financing or advertising of housing (and the Virginia Fair Housing Law also prohibits housing discrimination based on elderliness); and

WHEREAS, the Fair Housing Act supports equal housing opportunity throughout the United States; and

WHEREAS, fair housing creates healthy communities, and housing discrimination harms us all; and

WHEREAS, the Nelson County Board of Supervisors supports equal housing opportunity and seeks to affirmatively further fair housing not only during Fair Housing Month in April, but throughout the year;

NOW THEREFORE BE IT RESOLVED, the Nelson County Board of Supervisors does hereby proclaim the month of April to be Fair Housing Month.

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C. Proclamation – **P2014-05** April is National County Government Month

Ms. Brennan noted that this proclamation was to recognize April as National County Government Month with emphasis on Ready and Resilient Counties and how Counties prepare for and respond to natural disasters and emergencies.

Mr. Hale moved to approve **P2014-05** April is National County Government Month, Ready and Resilient Counties: Prepare. Respond, Thrive. Mr. Bruguiere seconded the motion and there being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following proclamation was adopted:

**PROCLAMATION P2014-05
NELSON COUNTY BOARD OF SUPERVISORS
APRIL IS NATIONAL COUNTY GOVERNMENT MONTH
READY AND RESILIENT COUNTIES: PREPARE. RESPOND. THRIVE**

WHEREAS, the nation’s 3,069 counties serving more than 300 million Americans provide essential services to create healthy, safe, vibrant and economically resilient communities; and

WHEREAS, counties build infrastructure, maintain roads and bridges, provide health care, administer justice, keep communities safe, run elections, manage solid waste, keep records and much more; and

WHEREAS, Nelson County and all counties take pride in their responsibility to protect and enhance the health, welfare and safety of its residents in sensible and cost-effective ways; and

WHEREAS, in order to remain healthy, vibrant, safe, and economically competitive, America’s counties must be able to anticipate and adapt to all types of change; and

WHEREAS, through National Association of Counties President Linda Langston’s Resilient Counties initiative, NACo is encouraging counties to focus on how they prepare and respond to natural disasters and emergencies or any situation that the counties may face, such as economic recovery or public health and safety challenges; and

WHEREAS, each year since 1991 the National Association of Counties has encouraged counties across the country to actively promote their own programs and services to the public they serve;

NOW, THEREFORE, BE IT RESOLVED, the Nelson County Board of Supervisors does hereby proclaim April 2014 as National County Government Month.

II. Consent Agenda

Mr. Hale noted that he would like to defer approval of the minutes until April 10, 2014 and the Board agreed by consensus to do so.

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Mr. Bruguiera asked for clarification regarding the FY14 budget transfer included in the FY14 budget amendment and Mr. Carter and Ms. McCann explained that the transfer was to allocate the approved salary adjustment from the one budget line to each of the departments.

Mr. Bruguiera then moved to approve the consent agenda without the minutes and Mr. Saunders seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following resolutions were adopted:

A. Resolution – **R2014-21** FY13-14 Budget Amendment

RESOLUTION R2014-21
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF FISCAL YEAR 2013-2014 BUDGET
NELSON COUNTY, VA
April 8, 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>
\$ 1,920.00	3-100-009999-0001	4-100-022010-5419
<u>\$ 13,500.00</u>	3-100-002404-0018	4-100-021010-1009
\$ 15,420.00		

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

A. **General Fund (FY14 Employee Salary/Benefit Adjustment)**

<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
\$ 6,389.00	4-100-091030-5616	4-100-012010-1001
<u>\$ 545.00</u>	4-100-091030-5616	4-100-012010-2008
\$ 6,934.00		
\$ 4,830.00	4-100-091030-5616	4-100-012090-1001
\$ 635.00	4-100-091030-5616	4-100-012090-2002
\$ 1,034.00	4-100-091030-5616	4-100-012090-2005
<u>\$ 10.00</u>	4-100-091030-5616	4-100-012090-2006
\$ 6,509.00		
\$ 4,982.00	4-100-091030-5616	4-100-012130-1001
<u>\$ 329.00</u>	4-100-091030-5616	4-100-012130-2002
\$ 5,311.00		

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\$ 4,382.00	4-100-091030-5616	4-100-012150-1001
\$ 309.00	4-100-091030-5616	4-100-012150-2001
\$ 577.00	4-100-091030-5616	4-100-012150-2002
<u>\$ 52.00</u>	4-100-091030-5616	4-100-012150-2006
\$ 5,320.00		
\$ 1,320.00	4-100-091030-5616	4-100-012180-1001
\$ 89.00	4-100-091030-5616	4-100-012180-2001
\$ 173.00	4-100-091030-5616	4-100-012180-2002
<u>\$ 4.00</u>	4-100-091030-5616	4-100-012180-2006
\$ 1,586.00		
\$ 1,441.00	4-100-091030-5616	4-100-013020-1001
\$ 189.00	4-100-091030-5616	4-100-013020-2002
<u>\$ 16.00</u>	4-100-091030-5616	4-100-013020-2006
\$ 1,646.00		
\$ 4,875.00	4-100-091030-5616	4-100-021060-1001
<u>\$ 808.00</u>	4-100-091030-5616	4-100-021060-2002
\$ 5,683.00		
\$ 8,598.00	4-100-091030-5616	4-100-022010-1001
<u>\$ 1,131.00</u>	4-100-091030-5616	4-100-022010-2002
\$ 9,729.00		
\$ 7,065.00	4-100-091030-5616	4-100-031020-1001
<u>\$ 1,273.00</u>	4-100-091030-5616	4-100-031020-1004
\$ 8,338.00		
\$ 5,607.00	4-100-091030-5616	4-100-032010-1001
\$ 1,431.00	4-100-091030-5616	4-100-032010-1002
\$ 786.00	4-100-091030-5616	4-100-032010-2001
\$ 738.00	4-100-091030-5616	4-100-032010-2002
<u>\$ 18.00</u>	4-100-091030-5616	4-100-032010-2006
\$ 8,580.00		
\$ 1,645.00	4-100-091030-5616	4-100-032030-1001
\$ 126.00	4-100-091030-5616	4-100-032030-2001
\$ 215.00	4-100-091030-5616	4-100-032030-2002
\$ 20.00	4-100-091030-5616	4-100-032030-2005
<u>\$ 19.00</u>	4-100-091030-5616	4-100-032030-2006
\$ 2,025.00		

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\$ 4,186.00	4-100-091030-5616	4-100-034010-1001
\$ 329.00	4-100-091030-5616	4-100-034010-2001
\$ 551.00	4-100-091030-5616	4-100-034010-2002
<u>\$ 50.00</u>	4-100-091030-5616	4-100-034010-2006
\$ 5,116.00		

\$ 1,989.00	4-100-091030-5616	4-100-042030-1001
\$ 5,700.00	4-100-091030-5616	4-100-042030-1003
\$ 2,082.00	4-100-091030-5616	4-100-042030-1005
\$ 364.00	4-100-091030-5616	4-100-042030-2001
\$ 521.00	4-100-091030-5616	4-100-042030-2002
<u>\$ 16.00</u>	4-100-091030-5616	4-100-042030-2006
\$ 10,672.00		

\$ 5,800.00	4-100-091030-5616	4-100-043020-1001
\$ 335.00	4-100-091030-5616	4-100-043020-2001
\$ 1,156.00	4-100-091030-5616	4-100-043020-2002
<u>\$ 127.00</u>	4-100-091030-5616	4-100-043020-2006
\$ 7,418.00		

\$ 2,672.00	4-100-091030-5616	4-100-071020-1001
\$ 352.00	4-100-091030-5616	4-100-071020-2002
<u>\$ 16.00</u>	4-100-091030-5616	4-100-071020-2006
\$ 3,040.00		

\$ 1,598.00	4-100-091030-5616	4-100-081010-1001
<u>\$ 1,780.00</u>	4-100-091030-5616	4-100-081010-2005
\$ 3,378.00		

\$ 3,082.00	4-100-091030-5616	4-100-081020-1001
\$ 841.00	4-100-091030-5616	4-100-081020-1003
\$ 299.00	4-100-091030-5616	4-100-081020-2001
\$ 406.00	4-100-091030-5616	4-100-081020-2002
<u>\$ 21.00</u>	4-100-091030-5616	4-100-081020-2006
\$ 4,649.00		

\$ 95,934.00 Total Employee Salary/Benefit Transfer

B. General Fund (Other Transfers from Contingency)

<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
\$ 8,501.00	4-100-999000-9905	4-100-012100-5401
\$ 2,693.00	4-100-999000-9905	4-100-021020-1003
<u>\$ 207.00</u>	4-100-999000-9905	4-100-021020-2001
<u>\$ 11,401.00</u>	Total Other Transfers from Contingency	

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Total Transfers **\$ 107,335.00**

B. Resolution – **R2014-22** Minutes for Approval
The Board deferred consideration of this resolution until April 10, 2014.

C. Resolution – **R2014-23** COR Refunds

RESOLUTION R2014-23
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.

<u>Amount</u>	<u>Category</u>	<u>Payee</u>
\$ 72.31	2013 PP Tax & Vehicle License Fee	Ellen M. Blumling 1644 Dudley Mountain Rd. Charlottesville, VA 22903
\$ 138.61	2013 Business PP Tax	Ike's LLC c/o Brenda Moon P.O. Box 165 Schuyler, VA 22969

III. Public Comments and Presentations

A. Public Comments

1. Karen Reifenberger, Piedmont Housing Alliance (PHA)

Ms. Reifenberger thanked the Board for honoring Fair Housing Month. She noted that PHA worked along with its partners to further fair housing and nondiscrimination. She noted that they would be hosting the following events in order to promote fair housing:

Fair & Accessible Housing Workshop for People with Disabilities & Advocates Wednesday, April 23, from 1 pm - 3 pm Independence Resource Center, 815 Cherry Avenue, Charlottesville, VA 22903: Learn about rights of people with disabilities under the fair housing laws: non-discrimination, reasonable accommodations, reasonable modifications, and requirements for accessible housing.

Equal Housing Opportunity: Reality or a Work in Progress? Presented by Piedmont Housing Alliance and Charlottesville Office of Human Rights Tuesday, April 29, from 6-7:30 pm Charlottesville City Council Chambers. This community forum will feature the screening of

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two new documentary films: "Seven Days," a film that artistically chronicles the events culminating in the passage of the federal Fair Housing Act in April 1968, and "A Matter of Place," a film connecting past struggles for fair housing to contemporary incidents of housing bias with present-day stories of people who faced housing discrimination. The forum will also include a panel of state and local experts sharing information about current equal housing opportunity rights and resources, and discussion of local actions to advocate, educate, and build community in our neighborhoods.

Ms. Reifenberger invited the Board and community to these events and she added that she would distribute posters to increase public awareness as well. In conclusion, she noted that she would be attending the Interagency Council in May.

2. Alan Jameson, CASA of Central Virginia

Mr. Jameson thanked the Board for adopting the proclamation April is Child Abuse Prevention Month. He noted that CASA trained volunteers for six (6) weeks to advocate for kids in court etc. He noted that they have been having an awareness garden in other localities and would like to ask if there was some area, possibly the library, where they could set up pinwheels to represent each of the eighteen (18) Nelson County children that have been abused or neglected. He added that this number had been provided to them by the Department of Social Services. He noted that they would also have a sign that provided additional information etc. He noted that Judge Farrar would like to do this on the 17th.

Mr. Hale then moved to approve the pinwheel display at the Nelson library on the 17th and Mr. Bruguiere seconded the motion. It was clarified that eighteen (18) was the number of known and reported child abuse and neglect cases with a finding made by the Department of Social Services.

There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion

B. Presentation- Virginia Department of Forestry (M. Warring)

Ms. Martha Warring of the Forestry Department addressed the Board and noted that following the department's reorganization, she served the Nelson, Amherst, and Campbell county region.

Ms. Warring then noted that the Department of Forestry was celebrating its 100th year in Virginia and that they had consolidated offices; moving to a work area concept and away from the traditional county concept. She reported that they now had laptops and smart phones which allowed them to be more mobile, which in turn allowed them to be out in the field more often. Ms. Warring then noted that the Nelson department had changes in personnel and they had moved the Nelson position to Campbell. She explained that the workload there was much larger than that of Nelson and Amherst counties combined. She added that the new system spread out people throughout the work area to cover it equitably. She noted that she takes care of the forestry management work in Nelson and added that

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they were growing the part time firefighter crew and now had three (3) qualified that could be utilized. Ms. Warring then reported that they had five (5) people covering three (3) counties and they were an experienced team with the newest person having five (5) years experience.

Ms. Warring then reported that since the beginning of January, they have had fifteen (15) new logging operations and annually had 75-100. She reported that they have had five (5) fires for a total of 157 acres lost, with the largest being at Peavine Mountain with a loss of 150 acres. She added that seven (7) acres were lost in the others.

Ms. Warring then noted that they were now in planting season and will have planted 469 acres of pines by the end of the following week. She noted that they have a planting project with the High School FFA; that has 25-40 kids who spend the day planting trees and learning about forestry. She added that the money was paid to FFA for this. She then reported that the State Forest in Cub Creek has been marked and they will have a timber sale within the next six (6) months. She noted that the primary objective of this was to improve the health of the forest by removing low quality trees and invasive species.

Ms. Warring concluded by noting the department's responsibilities had grown since its inception and they aimed to provide Virginia and Nelson County with the best service possible. She then invited the Board to contact her anytime if they had questions.

In response to questions from the Board, Ms. Warring noted that the bulldozer was housed in Nelson County; however the Hummer that was assigned to the County during a FEMA project years ago had reached the end of its useful life and had become hard to maintain. She noted that the Department was getting rid of all of these and would put them up for surplus sale. She added that they had a new brush truck engine housed in Amherst; however it would go wherever it was needed.

Mr. Saunders then noted to Ms. Warring that the County now owned a piece of property that they could discuss with her. He added that it had been suggested that the property be timbered and that the County might like to consult with her about it.

Ms. Brennan then inquired as to how the Chestnut project was coming along and Ms. Warring noted that it was going well with the population being 15/16 American Chestnut to Asian Chestnut. She added that it would take a long time to grow out through the generations. In response to a follow up question by Ms. Brennan, Ms. Warring advised that they would not be selling those trees.

C. VDOT Report

1. 2015-2020 Secondary Six Year Plan (SSYP) Authorization for Public Hearing (**R2014-18**)

Mr. Don Austin of VDOT distributed the draft SSYP and related road map. He discussed the following Rural Rustic priorities for the SSYP noting that their staff had gone through and added more routes and had revised the route # for Old Roberts Mountain Road as follows:

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**Secondary System
Nelson County
Construction Program
Estimated Allocations**

	FY15	FY16	FY17	FY18	FY19	FY20	Total
<i>CTB Formula</i>							
<i>Unpaved State</i>	\$135,494	\$253,502	\$370,544	\$375,571	\$403,851	\$390,806	\$1,929,768
<i>Formula</i>							
<i>Secondary State</i>	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<i>Secondary</i>							
<i>Unpaved Roads</i>	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<i>TeleFee</i>	\$46,166	\$46,166	\$46,166	\$46,166	\$46,166	\$46,166	\$276,996
<i>Residue Parcels</i>	\$0	\$0	\$0	\$0	\$0	\$0	\$0

**NELSON COUNTY
RURAL RUSTIC PRIORITY LIST - DRAFT 4/8/14**

PRIORITY	ROUTE	NAME	FROM	TO	LENGTH	TC-VPD	Notes
1	813	LODEBAR ESTATES	RTE 613	RTE 612 0	.40 Mi.	322	\$250,000
2	654	CEDAR CREEK RD	RTE 655	1.0 Mi. W. RTE 655	1.00 Mi.	120	\$100,000
3	640	WHEELERS COVE RD	RTE 623	RTE 620 0.70 Mi.		90	\$175,000
4	756	WRIGHTS LANE	RTE 623	DEAD END	0.90 Mi.	116	\$225,000
5	634	OLD ROBERTS RD	RTE 619	RTE 654	1.70 Mi.	110	\$425,000
6	721	GREENFIELD RD	RTE 626	0.50 Mi. N RTE 626	0.50 Mi.	51	\$125,000
7	814	CAMPBELL'S MT. RD.	0.99 Mi. N. RTE 56	1.99 Mi. N. RTE 56	1.00 Mi.	109	\$250,000
8	654	FALLING ROCK	1.0 M.I.E. RTE 657	RTE 661	1.90 Mi.	127	\$475,000
9	680	CUB CREEK RD	0.51 W RTE 699	1.90 Mi W RTE 699	1.39 Mi.	71	\$347,500
10	625	PERRY LANE	RTE 623	DEAD END	2.00 Mi.	118	\$500,000
11	653	WILSON RD	RTE 655	RTE 710	2.83 Mi.	60	\$707,500

Estimated cost /mile \$250,000

Six Year Plan Estimated Unpaved Road Allocation - \$1,929,768

Mr. Austin then noted that the CTB formula amount for unpaved roads available for the six years was \$1,929,768.

Mr. Saunders noted that he got called weekly regarding Cedar Creek Road. Mr. Austin then explained that they had two traffic counts for that road and the Route 655 end showed a higher count and that was why they chose to do that end first.

Mr. Austin then noted that Lodebar Estates had the highest traffic count in the whole county and he suggested that it be kept as the first priority. He added that Wheelers Cove Road, Wrights Lane, and Perry Lane had been added to the list. Mr. Austin then explained that some of the longer roads had been broken down into sections to be worked on. He noted that for instance, the recommended section of Campbell's mountain Road was from the Parkway down. He added that they were trying to do different portions around the county; however all of that road would be eligible.

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Mr. Austin then reiterated he wanted to plan the public hearing for May and he noted that they could complete the list down to Cub Creek Road in the next six (6) years based on the projected funding allocation of \$1.9 million. Mr. Austin then noted that Wilson Road was the last priority on the list, however with it being near Oak Ridge it may be a Board priority that could be moved up.

Mr. Saunders then inquired whether or not the high maintenance projects had any other pots of money to draw from and Mr. Austin noted that once VDOT completed the work on the higher maintenance roads, there would be more maintenance money to go towards other items. Mr. Austin then noted that Telefees have been used towards countywide items first and then the funds went towards other projects such as guardrail installation. He added that the Telefees money was non-federal money; however they could also use it for projects.

Ms. Brennan then inquired as to what VDOT did with old road signs and Mr. Austin noted that they were recycled but not through reuse.

Following discussion, Mr. Hale moved to approve resolution **R2014-18** Authorization for Public Hearing FY15-FY20 Secondary Six-Year Road Plan and Construction Priority List using the priority list provided by VDOT dated April 8, 2014.

Mr. Bruguiere seconded the motion and then inquired about the most recent traffic count for Carter Hill Road. Mr. Austin noted that it was around thirty (30) in 2008 and was too low to meet their threshold.

There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following resolution was adopted:

RESOLUTION R2014-18
NELSON COUNTY BOARD OF SUPERVISORS
AUTHORIZATION FOR PUBLIC HEARING
FY15-FY20 SECONDARY SIX-YEAR ROAD PLAN
AND CONSTRUCTION PRIORITY LIST

WHEREAS, The Virginia Department of Transportation and the Board of Supervisors of Nelson County, in accordance with Section 33.1-70.01 of the Code of Virginia, are required to conduct a public hearing to receive public comment on the proposed Secondary Six-Year Plan for Fiscal Years 2015 through 2020 in Nelson County and on the Secondary System Construction Budget for Fiscal Year 2015,

NOW THEREFORE BE IT RESOLVED, that a public hearing will be held for this purpose in the General District Courtroom of the Nelson County Courthouse, 84 Courthouse Square, Lovingston, Virginia at 7:00 pm on Tuesday, May 13, 2014.

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Supervisors then discussed the following VDOT issues:

Mr. Saunders inquired about barriers on Route 29 in Amherst County that have been there since December for no apparent reason. Mr. Austin noted that he thought these to be part of the message board project there and he would call him if not.

Mr. Bruguere noted that the signs were still up and the barrels had been there for months after completion of the work done on the Roseland Road culvert and paving. He added that the barrels were not blocking anything and were lying in the ditches. Mr. Austin noted he would check on this and they may be waiting for repaving there.

Mr. Austin then related that the pipe on Dickie Road was now open.

Mr. Hale noted that he supposed that the traffic counts done during the snow events would probably be redone. He then asked where the funding came from to replace the decking on the bridge on Route 617, Stagebridge Road. Mr. Austin noted that these funds came from separate bridge funds.

Mr. Harvey related that he would be getting permission from all involved to begin work on the Afton Mountain Overlook and he needed contact information for the Charlottesville Residency. Mr. Austin noted that he did not think doing this work would be a big issue. Mr. Harvey noted that the work needed to be done at the top of the overlook and the Board agreed that it would be great if you could see from there again. Supervisors noted that the historical marker there also needed to be moved.

Ms. Brennan thanked Mr. Austin for getting the flashing light going on Rt. 6. She then noted that there were bad drop-offs on Route 29 and Route 6 due to crumbling pavement.

She added that at Edgehill (Route 1020) heading west on Route 6 and turning into Edgehill, there was a side ditch that was full of mud and it was washing onto Route 6.

Ms. Brennan then inquired as to who did the mowing at the Nelson Wayside and Mr. Carter noted that the County did. She then requested that the milkweed be preserved for the butterflies. She then asked if VDOT owned to the river's edge at the wayside as she has seen large groups of kayakers setting in there and she would like to see an official boat landing there. Mr. Austin noted he would find out and report back.

Mr. Austin then inquired if the Board would like to see the preliminary plans for the turn lanes on Route 151, and it was decided that Mr. Austin would give these to Mr. Carter for distribution to the Board.

Mr. Austin then reported that work on the railroad crossings was being done and that CSX and Norfolk Southern would be closing affected roads during the day. He added that detour signs would be put up in the affected areas.

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IV. New Business/ Unfinished Business

- A. Consider Authorization for Application to VA-DHR for Cost Share Program Grant Funding for Rockfish Valley Foundation's Proposed Historic District Project.

Mr. Carter introduced this item and noted that staff received a request from the Rockfish Valley Foundation to get the Board's consent to submit an application to DHR for a cost share grant. He noted that the local Government had to be the applicant and the Foundation wanted to submit an application for the establishment of the South Rockfish Rural Historic District.

He noted that background information had been provided and that it was a \$32,500 application. He noted that \$16,000 would come from the State, \$15,000 would be an in kind match, and \$1,500 would come from other grant sources. Mr. Carter then noted that he had asked Mr. Agelasto how they would address the in kind match if it needed to be cash. Mr. Carter noted that there was some flexibility with DHR on the match. He then reiterated that the Foundation could not apply unless the County was the applicant.

Ms. Brennan inquired if this was the same historic district that they looked at establishing a few years ago and Mr. Carter noted it was; however they had not applied in 2009 and it was tabled. Mr. Carter noted that the County's financial obligation would be nil and that if the application was successful, the Foundation would be responsible for the project and the County would offer minimal help as needed.

Mr. Agelasto then addressed the Board and noted that the Foundation had been working on this project since 2009, they were down to a \$32,000 budget and he thought this may be high. He noted that DHR says that the local jurisdiction must match funds; however they also said they would accept any request that did not provide a match. He reiterated that they could not move forward until the Board of Supervisors endorsed the application.

Mr. Agelasto then noted that the Rockfish Valley Foundation has \$5,000 to put into the project and thought he could get \$28,000 from DHR. He then explained that the project came about through two graduate students who had a DHR professor who encouraged them to apply. He noted that if approved, the first step would be to call DHR to discuss the fact that they could not put up any cash money. He noted that they had four (4) registered historic properties and another ten (10) that would be eligible. He noted that once the district was established, these properties would be able to receive tax credits. Mr. Agelasto noted that he has met with various local groups to get their support.

Mr. Carter further explained that if they were successful, as with other districts, it would result in nominations to the state and federal agencies for historic recognition and then qualifying properties could apply for tax credits. He then noted that Mr. Agelasto had done all of the preliminary leg work in identifying properties etc. and that if so inclined, the Board could authorize the submittal of the application to DHR for the cost share grant to establish the Historic District. He reiterated that the application would have to be made by the County.

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Mr. Hale then moved that the Nelson County Board of Supervisors move forward with the application and Mr. Saunders seconded the motion.

Mr. Bruguire noted he did not think he was in favor of the project unless all properties participated 100%. He noted that the district designation would impact the landowners at some point and he thought the citizens needed to be on board and he was not sure if they were.

Mr. Agelasto then explained that there was a two (2) step process: getting the data and then establishing the district. He noted that they would have to get through step 1 to get to step 2 and that Mr. Bruguire's point applied to the second step.

Mr. Carter added that there would be informational meetings and properties would be able to be excluded if they did not want to participate. Mr. Hale added that the Board would be submitting the preliminary information form that would be a historic structure survey.

Mr. Carter noted that it would be a similar process to that of the James River Historic District and he noted he would need to follow up on its status.

Mr. Saunders then clarified that he seconded the motion in order to get the first step started.

Mr. Carter then suggested that they endorse the application given that the match would not be made by the County. He noted that if the match could not be made in-kind then he thought it should not go forward. He added that if the County committed and the match had to be cash, they could decline to proceed.

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

B. Consider Preliminary Engineering Report for Piney River Water System Expansion.

Mr. Carter noted that staff has had discussions with DEQ regarding the possibility of extending the county waterline to mitigate the ground water contamination from underground oil storage tanks in the Roseland area. He noted that a preliminary engineering report (PER) was previously done to show the cost to expand the system and then DEQ was noncommittal at that point. He noted that then last August/September DEQ noted there was potential for this to move forward and funding to do so; so they asked if the PER could be updated.

He noted that DEQ would like to look at the updated PER and see if it was financially feasible to do this. He added that when it was looked at in 2009, it was difficult because of the other items included that the Service Authority wanted to be done.

He further explained that the PER would be updated solely for the purpose of extending three segments of line. He noted that DEQ would pay \$5,100 and the County would pay

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\$2,400 of the cost of the PER. He then noted that there was the potential for DEQ to pay for it all. Mr. Carter then noted that they would also look at the need for the Service Authority to expand water treatment in Colleen and would look at another water source.

Mr. Carter then advised the Board that he thought it was worth re-examination; however he thought the cost estimates would look the same as in 2009. He added that he would be interested in looking at extending the waterline out to ninety (90) houses that were sewer only in that area. He noted that there had been no discussion with DEQ about the County assuming the cost of extending the waterline or incurring the debt to do so.

Mr. Carter then related that the County could ask DEQ to enter into an MOU to outline who would do what in relation to the project. He noted that the laterals off of the main water line would be up to the County since DEQ was only concerned with extending the water main to mitigate the UST sites. He added that people in that area may not even want water.

Mr. Carter noted that in Roseland, the funding to mitigate the UST contamination was close to being exhausted and DEQ now had funding from other projects that could be reallocated to this.

Mr. Harvey noted that the problem with extending the line was they would be putting in another dead end line. Mr. Carter agreed and noted that he had discussed with DEQ that certain outcomes did not work for the County.

Mr. Carter then recommended that the funding to update the PER be approved. He added that it would be helpful to look at Service Authority treatments and capacities as an outcome of this.

Ms. Brennan noted that she was in favor of updating the PER and Mr. Bruguiera moved to appropriate \$2,400 to update a PER for possible extension of water lines in the Piney River and Roseland areas.

Mr. Harvey seconded the motion and Mr. Bruguiera noted that the update to the PER should be allowed to go forward and he did not think picking up a few homes for water would be a burden on the Service Authority.

Mr. Carter advised that staff would bring back the outcome of the study etc. for the Board to discuss. Mr. Hale then clarified that the PER update would develop conceptual level options to increase the water treatment capacity which was included in the bulleted items presented.

There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

Mr. Harvey inquired as to the Service Authority being involved and Mr. Carter noted that he had spoken with George Miller to say the County was engaged with DEQ; however he would discuss it further with them.

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C. FY14-15 Budget Work Session

This item was considered as the last item of business prior to adjournment.

Ms. McCann noted that the expenditure spreadsheet had been updated for the salary transfer approved that day by the Board and she noted that the bottom line had not changed.

Ms. McCann then provided a contingency impact analysis for the advertised tax rates as follows:

Contingency Impact (12 cent RE Tax Increase & 55 cent PP Tax Increase)	
AS ADVERTISED	
FY14 Projected Contingency Carryover	\$ 1,164,401.00
Adjustment for 12 cent RE/55 Cent PP tax increase (1/2 yr)	\$ 115,020.00
	\$ 1,279,421.00
<u>FY15 Non-Recurring Contingency</u>	\$ 1,164,401.00
Items budgeted using Non-Recurring Contingency:	
Proval/GIS Server	\$ 15,000.00
Animal Control acoustic pads & kennel doors	\$ 6,800.00
Fire Truck & Ambulance (Gladstone)	\$ 330,000.00
Maintenance Equipment	\$ 82,000.00
E911 map books	\$ 7,000.00
Courthouse Planning	\$ 50,000.00
Animal Shelter Improvements	\$ 24,600.00
Broadband Network Improvements	\$ 60,500.00
Economic Development Analysis	\$ 20,000.00
Rt 151 Corridor Study	\$ 1,000.00
TRE membrane roof	\$ 58,221.00
GIS Tower Layer	\$ 10,000.00
Glass Recycling Containers	\$ 20,000.00
Reassessment Set Aside	\$ 100,000.00
	\$ 785,121.00

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FY15 Non-Recurring Contingency (as presented)	\$ 379,280.00
Required Reduction in Capital Expenditures	\$ -
Non-Recurring Contingency Revised	\$ 494,300.00
FY15 Recurring Contingency	\$ 912,048.00
Revenue Adjustment for 12 cent RE/55 cent PP tax increase	\$ 230,040.00
Balance in FY15 Recurring Contingency	\$ 1,142,088.00

Ms. McCann then provided pages from the County's previous years audits that showed the tax rates over the last 20 years.

Ms. McCann then noted the history of the Real Estate Tax Rate as follows:
1992: \$.67, 1993: \$.69, 1994-1996: \$.71, 1997-1999: \$.67, 2000-2007: \$.72, 2008-2011: \$.55, 2012-2013: \$.60

Ms. McCann then provided a draft Power Point presentation for the public hearing on Thursday for the Board's review.

Ms. McCann briefly noted that the Board of Equalization reductions in value did not amount to much in taxes – a decrease of approximately \$3,000 in revenues.

Mr. Hale suggested that the total values before the reassessment be shown as well as the new values in the Power Point and he also suggested that the amount of cents increase be noted after the proposed tax rate on page 3. Supervisors then briefly reviewed the Real Estate tax and Personal Property tax examples provided in the draft PowerPoint.

Mr. Saunders noted that he was in favor of increasing the Personal Property tax since not everyone owned real estate. Mr. Harvey noted that most rent was set to cover the real estate taxes on property; however he acknowledged that the Personal Property tax rate had not been increased since 1989.

Ms. Brennan agreed that the Board could justify an increase in the Personal Property tax especially when one looks at the rates of surrounding counties.

It was noted that mobile homes were taxed at the real estate rate even though they were classified as Personal Property.

Mr. Carter then recommended that the Board think about what they would do over the next four (4) years until the next reassessment; such as would they do tax increases in the next

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four (4) years or implement a gross receipts business tax to generate more revenue. Ms. Brennan indicated that the Board should revisit the admissions tax in the near future.

Ms. McCann then explained that she could not calculate the Personal Property Tax Relief percentage until they decided on the Personal Property Tax rate.

Mr. Hale noted that expenditures could be reduced; however he thought the Board would have to look at a potential large ticket item, the Courthouse renovation which would be costly. He noted that the restoration of the Courtroom and expansion of the Circuit Court Clerk's area would cost a couple of million dollars and that had not been factored into the budget yet. Mr. Carter noted that staff had looked at debt service numbers and for every million borrowed @ 4.5% for a 20 year term, the annual payment would be \$75,000.

Mr. Hale then noted that in looking at the School System requested increase, the largest portion of that was related to the salary increase. He then questioned what say the Board of Supervisors had in that. Ms. Brennan noted that the only power they had over how the money was spent was to change the way the money was appropriated. She added that it could be done by category to control it; however it would be micromanaging and she did not think it was a good idea.

Ms. McCann noted that page 30 of their budget summary gave a good break out of their mandatory increases. Mr. Bruguere noted that he thought the schools should be level funded and then they could make some cuts. Mr. Carter noted that the required local effort for the schools was at \$7 million and the County's School funding was at \$14 million.

Supervisors and staff briefly discussed school employee salaries and the salary scale and the consensus was that school employees and teachers etc. were well paid.

Mr. Carter then reiterated that it was the big picture items that needed to be decided and that was dependent on the tax rates. Ms. McCann then confirmed that she thought the Treasurer's report Ms. Brennan referred to showed all of the County's funds including the General Fund.

In conclusion, Mr. Carter noted that one of the larger increases in the County's budget was for the Regional Jail and the Board was required to fund this. He noted it was due to the decrease in prisoner population for Charlottesville and Albemarle and an increase for Nelson County.

V. Reports, Appointments, Directives, and Correspondence

A. Reports

1. County Administrator's Report

I. Courthouse/Government Center Project: Blair Construction will submit final closeout letter, inclusive of resolution of tunnel issue. Final project retainage is being held pending this subject.

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Mr. Carter reported that the County had gotten a letter from Blair asking for final payment of the retainage. He noted that the tunnel had not leaked after the last couple of rain events. He added that the warranty would be extended until 2016 and this was being reviewed by Mr. Payne.

II. Courthouse Project Phase II: Issuance of an RFP for AE services is pending. Staff has conferred with Division Superintendent Comer on relocation of the administrative office to the second floor area formerly occupied by the Commonwealth Attorney and will proceed with painting and carpeting this area for the Superintendent's use. Mr. Harvey has asked that Mr. Bruguere replace him on the Courthouse Committee.

Mr. Carter noted that he thought the Board should look at this next phase comprehensively. He added that they could discuss this during the budget work session as well as it would depend on funding availability. He noted that Dr. Comer, the new School Division Superintendent had asked that the office partition walls remain in the old Commonwealth's Attorney space.

Mr. Hale noted that they would not know how much AE services would cost until the RFP was in process. He added that he agreed the Board should look at the entire space; however he noted that a space needs study and renovation plan had already been done once and the new AE could use this information. He noted that the Board ought to have options such as: Restoration of the Circuit Courtroom and expansion of the Clerk's office. Ms. Brennan and Mr. Carter agreed with Mr. Hale that the space needs portion of the evaluation would not need to be redone and Mr. Carter indicated that staff planned to proceed with issuing an RFP for these services.

II. Jefferson Building: Staff will issue a solicitation for exterior renovation of the building by not later than 4-18.

III. Health Department Building Demolition: Site restoration is pending.

IV. Massies Mill School Demolition: Project contract expected to be completed by 4-4 (awaiting contractor signature and demolition plan for incorporation into agreement).

V. Lovington Health Care Center: An update to the initial feasibility report has been completed and is being reviewed by JABA and County staffs. Scheduling of a meeting to discuss the report, which focuses upon conversion of the Lovington Health Care Center to be primarily an Alzheimer's/Dementia Care facility, inclusive of assisted living accommodations (rather than primarily being an assisted living facility with memory care units), is pending.

Mr. Carter added that who would do this would be open for discussion. He noted that the County would possibly be partners with JABA and discussion on this would ensue. He noted that at this point, the feasibility of it was being reviewed and that the study looked at the County and surrounding areas as potential draws for patients. He noted that the Center was slated to close sometime in 2015; however this date may lapse as they had not started the

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new construction in Albemarle per Ms. Brennan. Mr. Carter noted that existing staff would be offered positions at the new facility.

VI. BR Tunnel and BR Railway Trail Projects: A) **BRRT** – Construction in progress with completion date of 5-15-14. B) **BRT** – Work to Re-bid Phase 1 is in progress.

VII. 2014 Gen. Reassessment: Board of Equalization met with Wampler-Eanes on 4-2 and schedule calls for completion of the Board's work on 4-3 with a report to the BOS thereafter.

Mr. Carter noted that the Board of Equalization letter had reported a net value reduction amount of \$424,030 and they had noted some concerns regarding valuations of some properties in the County and the unreliability of the GIS system. Mr. Carter added that he had not yet spoken to Timmons about these GIS concerns.

VIII. 2014 Lockn Festival: Local and State agencies met with the sponsors of the planned 2014 Lockn Festival and the owners of Oak Ridge Estate on March 27, 2014 to collectively provide statuses to the Festival sponsors and to the County with regard to the required approvals for conduct of the 2014 Festival. The meeting was very positive with regard to ensuing issuance of a Special Events Permit by Nelson County (Department of Planning and Zoning).

Mr. Carter noted that staff has been reiterating to the LOCKN Festival organizers that they need to report up on local revenues from 2013. He noted that staff had gotten a list of food vendors, the gross sales, and sales tax. He noted that the gross food sales were over \$500,000 and the County should have received its share of the Meals Tax. He added that the Lodging Tax of approximately \$14,000 had now been remitted back to the County. Mr. Carter noted that these figures showed revenues to the County from LOCKN 2013 approaching \$30,000 to \$40,000.

Mr. Carter noted that the LOCKN team has stated that they were trying to do a better job of working with local businesses on the Festival and that they had sufficient time to do a better job with that in 2014. Mr. Saunders noted that he was surprised at how helpful the Health Department was being at the kickoff meeting and Mr. Carter agreed that all of the agencies involved were helpful. Ms. Brennan added that the 2014 Master Plan she had received was very detailed and Mr. Carter supposed that they included this with their Events Permit application.

IX FY 14-15 Budget: In progress.

IX. Staff Reports: Provided within the April 8, 2014 Agenda

X. Other: Questions from the Board.

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2. Board Reports

Mr. Saunders had no Report.

Mr. Hale reported the following:

1. Attended lunch with David Blount and the new Director of the Planning District Commission. He noted that his start date was April 15th and they had high hopes for his success.

2. Noted that the Sturt heirs were planning to visit the County with their Attorney that Saturday at 11 am. He noted that this time was not final; however the Board was invited to attend. He noted that the Nature Foundation would give them a proposal on identifying ecosystems within the property.

3. Attended an AIA Historic Resources Group presentation given by Randy Vaughan, new Courthouse Architect that included a tour of the new Courthouse.

4. Reported that the Service Authority Board had lost a member since Mr. Harvey resigned his seat effective immediately. The Board agreed by consensus to advertise this vacancy.

Mr. Harvey reported that he attended the EMS Council meeting and things were going fine. He noted that they were getting the radio stuff squared away and had approved funding for the Gladstone Fire Dept. Mr. Harvey then reported that a DSS Board member had a heart attack and had been in the hospital.

Ms. Brennan reported that she attended the JABA Board meeting and the AIA meeting with Mr. Hale. She added that Mr. Hale had done a presentation on the Blue Ridge Tunnel at the library that was well received.

Mr. Saunders then commented that the Animal Control facility only had four (4) animals in the shelter and he noted the number of incoming and outgoing animals as reported by Animal Control Supervisor, Theresa Brooks. He added that he thought the monthly departmental reports were good and he then noted that the building permits were way down at 32 in March 2014 versus 94 in March 2013.

Mr. Carter then reported to the Board that John Adkins, one of the County's senior dispatchers was injured in a car accident the previous week and he was not sure when he would leave the hospital.

Ms. Brennan then reported on the death of Mr. Charley Wardlaw, husband of former High School Principal, Emma Wardlaw.

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B. Appointments

Ms. McGarry noted that the only appointment to consider was that of the JABA Advisory Council. She noted that there was one applicant for the seat that had been vacant for a very long time. She added that JABA had recommended Pastor Pamela Baldwin for the seat and Ms. Brennan noted that she thought she was an excellent candidate.

Mr. Hale then moved to appoint Pamela Baldwin to the JABA Advisory Council and Mr. Bruguere seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

C. Correspondence

1. Nelson County Chamber of Commerce

Mr. Carter referenced the letter received from the Nelson Chamber of Commerce expressing their concern about the economic decline of the commercial district of Lovingston and urging the Board to “adopt the recommendations from the 2006 Lovingston Master Plan and incorporate them into the County's Comprehensive Plan.”

Mr. Carter then noted that previously the Lovingston District did not qualify for slum and blight and was not eligible to receive rehabilitation funding. He noted that the property owners could avail themselves of historic tax credits to rehabilitate their properties and could confer with County staff on how to apply or go about this.

Ms. Brennan then noted that the Board may want to consider including the recommendations from the Lovingston Master plan in the Comprehensive Plan. Mr. Hale noted that he would follow up with the Lovingston Revitalization Committee on this.

Mr. Saunders then clarified that the group was trying to get in a position to get tax credits for restoring historic buildings and Mr. Carter reiterated that property owners in the Lovingston Historic District could apply for this now. He added that the District was in place and encompassed Lovingston and therefore if a property owner wanted to get tax credits they would be eligible. He added that if the Board wanted, the County could review the applicable CDBG grants again.

Ms. Brennan noted that she would like to see the report from the UVA Architecture students who recently evaluated Lovingston for their class.

Mr. Bruguere noted that he would like to see the Lovingston property owners more involved in rehabilitating their properties.

D. Directives

Mr. Hale, Mr. Bruguere, and Mr. Saunders had no Directives.

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Mr. Harvey inquired as to whether or not staff had discussed his concerns regarding farm buildings. Mr. Carter noted that he, Mr. Padalino, Mr. Thompson, and Mr. Payne were meeting on that issue the following day. Mr. Harvey then indicated that he wanted consistency on this issue. Mr. Carter then explained that a couple of the alcohol businesses in the County had put up new buildings and were given a farm use exemption; which meant that not much inspection occurred. He noted that staff would work through what the Zoning Ordinance and the USBC regarding this.

Ms. Brennan inquired on when the Board would get a report on the Revenue Recovery Program and Mr. Carter noted that staff had a draft prepared; however it needed more work.

Ms. Brennan inquired as to when the Board would receive the history of the tax rates and Mr. Carter noted that these would be presented during the budget work session.

Ms. Brennan then inquired as to whether or not the Board wanted to participate in Relay for Life and Supervisors noted that they would let Ms. Phillips know that each individual may participate.

Ms. Brennan then inquired as to whether or not the money for Drama Team rings had been disbursed and Mr. Carter noted that it was being disbursed with the April 8th checks.

VI. Adjourn and Reconvene for Evening Session

At 5:15 pm, Mr. Hale moved to adjourn and continue until 7:00 pm Thursday, April 10, 2014 in the General District Courtroom for the conduct of the Public Hearing on the 2014 tax rates and the evening session being cancelled. Mr. Harvey seconded the motion and there being no further discussion, Supervisors voted unanimously by voice vote to approve the motion and the meeting adjourned.

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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 D. Harvey, North District Supervisor
Thomas H. Bruguere, Jr. West District Supervisor
Constance Brennan, Central District Supervisor - Chair
Larry D. Saunders, South District Supervisor – Vice Chair
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.

I. Public Hearing on 2014 Tax Rates

Ms. McCann noted that the purpose of the public hearing was to receive public input on the proposed changes in the real property and personal property tax rates. She then presented the following PowerPoint:

- **2014 Real Property Values**
- Periodic reassessments are required by law and are to insure that each property is valued fairly and uniformly.
- Previous tax billings were based on the reassessment of values effective for tax year 2008.
- A reassessment of real property values was recently completed effective for tax year 2014.

Ms. McCann noted that a reassessment of real property values had been completed and would be effective in tax year 2014. She added that Nelson County was required by law to conduct periodic reassessments which insured property was valued fairly and uniformly.

- **Fair Market Value...**
- General reassessments of real estate are required by Virginia law to be made at 100% of fair market value.

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- The assessors completed a market study and sales analysis to establish fair market value of property based on 2012 & 2013 sales data.
- Market forces do not affect all properties in the same manner. All properties have not decreased at the same rate and some properties may have increased in value.

Ms. McCann noted that the reassessment must be based on 100% of Fair Market Value. She noted that the state imposed financial penalties for non-compliance with this provision of the law. She noted that the assessors conducted a market study and sales analysis in order to establish fair market value and that market forces did not affect all properties in the same manner. She added that although the trend was for properties to decline in value, some properties did increase in value.

**Real Property Values
2013 to 2014 Comparison**

Taxable Property Values	2013	2014	Change	%
Land	\$1,761,105,390	\$1,345,819,100	-\$415,286,290	-23.6%
Buildings & Improvements	\$1,888,124,520	\$1,625,351,000	-\$262,773,520	-13.9%
TOTAL VALUE	\$3,649,229,910	\$2,971,170,100	-\$678,059,810	-18.6%

Ms. McCann noted that the values established in the 2014 reassessment declined overall from values for tax year 2013 by 18.6%.

Examples...

General	2013	2013	2014	2014	Tax	%
Location	Value	Tax (0.60)	Value	Tax (0.72)	Change	Change
Wintergreen	\$214,000	\$1,284.00	\$117,000	\$842.40	-\$441.60	-34.4%
Nellysford	\$715,000	\$4,290.00	\$446,300	\$3,213.36	-\$1,076.64	-25.1%
Wingina	\$262,100	\$1,572.60	\$212,600	\$1,530.72	-\$41.88	-2.7%
Afton	\$344,600	\$2,067.60	\$287,100	\$2,067.12	-\$0.48	0.0%

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Lovington	\$116,200	\$697.20	\$101,600	\$731.52	\$34.32	4.9%
Roseland	\$184,400	\$1,106.40	\$163,300	\$1,175.76	\$69.36	6.3%
Shipman	\$47,400	\$284.40	\$52,000	\$374.40	\$90.00	31.6%
Faber	\$199,800	\$1,198.80	\$216,500	\$1,558.80	\$360.00	30.0%

Ms. McCann then referred to the tax examples provided above that show the tax payable in 2013 versus the tax payable in 2014 based on the new assessments using a tax rate of 72 cents per \$100 of assessed value. She noted that the next to the last column showed the decreases or increases in tax due and then the last column showed the percentage change. She added that some properties had significant decreases, others had very little change, and then some would have an increased tax bill.

■ **Higher Rate Necessary to Offset Decreased Assessment**

- The tax rate which would generate the same amount of real estate tax as last year is **\$0.74** per \$100 of assessed value (14 cent increase).
- The advertised real property tax rate of **\$0.72** (12 cent increase) will reduce annual tax revenue in FY15 by \$460,080.

Ms. McCann then noted that the tax rate that would generate the same amount of real estate tax as last year was originally thought to be 74 cents per \$100 of assessed value or a 14 cent increase above the current tax rate of 60 cents. She added that with additional land use figures from the Commissioner of Revenue, the equalizing rate was closer to .75 or a .15 cent increase. She noted that the advertised rate was 72 cents or a 12 cent increase. At this rate, annual tax revenue from real property tax would decrease by approximately \$460,000.

Examples...

Vehicle Value	\$900	\$10,000	\$15,000	\$25,000	\$30,000
Current Tax Rate \$ 2.95	\$26.55	\$295.00	\$442.50	\$737.50	\$885.00
Tax Relief 46%	\$26.55	\$135.70	\$203.55	\$271.40	\$271.40

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Tax Owed	\$0.00	\$159.30	\$238.95	\$466.10	\$613.60
Tax Rate \$3.50 (55 cent increase)	\$31.50	\$350.00	\$525.00	\$875.00	\$1,050.00
Tax Relief estimated 39%	\$31.50	\$136.50	\$204.75	\$273.00	\$273.00
Tax Owed	\$0.00	\$213.50	\$320.25	\$602.00	\$777.00
Increase over current	\$0.00	\$54.20	\$81.30	\$135.90	\$163.40

Ms. McCann noted that the above examples showed the tax impact for various vehicle values. She noted that the bottom line of the chart showed the tax increase and added that vehicles valued at less than \$1,000 receive 100% tax relief.

■ **Personal Property Tax Rate**

- Per \$100 assessed value
- **1989-2013 Rate:\$2.95**
- **Advertised 2014 Rate:\$3.50**
- The advertised rate of **\$3.50** is estimated to increase annual personal property tax revenue in FY15 by \$739,413.

Ms. McCann noted that the current rate per \$100 assessed value was set at \$2.95 in 1989 and the proposed rate was a 55 cent increase to a rate of \$3.50 per \$100 assessed value, an 18.6% tax increase. She noted that this change in the tax rate would generate an increase of approximately \$739,000 in personal property tax revenue in FY15, which mitigated the loss in real estate tax revenue resulting from a rate of 72 cents. She added that the personal property tax affected a broader base of the county’s population than the real property tax.

■ **Summary of FY15 Budgetary Impact**

- The advertised real property tax rate of **\$0.72** will **reduce** annual tax revenue in FY15 by **\$460,080**.
- The advertised personal property tax rate of **\$3.50** is estimated to increase annual tax revenue in FY15 by **\$739,413**.
- Together the advertised rate changes will generate a **net increase** of **\$279,333**.

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In summary, Ms. McCann noted that due to the lower 2014 assessed real property values, the tax rate would have to increase from 60 cents to 74 cents to generate the same amount of tax revenue as 2013. She noted that proposed was a real property tax rate of 72 cents per \$100 assessed value which resulted in a loss of revenue. She noted that this loss was mitigated by a proposed change in the personal property tax rate to \$3.50; which affected a broader segment of the population and the rate had not been changed since 1989. In conclusion she stated that together the proposed tax rate changes would provide additional revenue of approximately \$279,000.

There being no questions from the Board for Ms. McCann, Ms. Brennan opened the public hearing and the following persons were recognized:

1. Bo Delk, Roseland

Mr. Delk spoke against raising the real estate tax rate and asked the Board to not increase taxes any more than they had to. He noted that he had seen varying assessments between his commercial properties and did not think it was fair and equal.

2. Tom Allen, Arrington

Mr. Allen was indifferent to the proposed real estate tax increase stating that he had no problem with it. He did note that he had issue with how his vehicle was assessed noting that the fair market value of his vehicle considering the mileage was much lower than its assessed value. He asked the Board to look at how vehicles were valued if possible.

3. Leonard Thomas, Sr. Roseland

Mr. Thomas did not state a position on the proposed tax rates; but rather expressed concern over the establishment of the fair market value for real estate when some roads in the county were deplorable. He then questioned if each property in the County was evaluated individually and Ms. Brennan noted that they were and that roads may play a part in property assessments. Mr. Thomas then stated that he did not think the valuation on his property was fair and that if his property value was increasing, something should be done with the road to it.

4. Reverend Foster, Shipman

Reverend Foster spoke against increasing taxes and noted he was concerned about the elderly keeping their homes if they were increased. Mr. Foster then discussed his personal tax situation and that he did not understand how he had been accruing charges monthly on his three (3) vehicles. He then asked the Board to consider not raising the personal property tax rate and burdening citizens for the Board's convenience. Reverend Foster then lamented the fact that citizens did not come out to the meetings to have their voice heard because the sentiment was that the Board would do what they wanted regardless.

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Ms. Brennan then advised that the Board would indeed consider their comments, would have public work sessions and would not raise taxes any higher than they had to.

5. Carlton Ballowe, Faber

Mr. Ballowe was indifferent to the proposed real estate tax increase stating that he had no problem with equalizing the revenues. He then noted that he thought the Board was being frugal if they were only going to net \$279,333 in additional revenues. Mr. Ballowe then stated that he would like to see the Board save money and he suggested that the Board appoint a nonpartisan group to review the budget to look for ways to save money since the County did not have employees who were specifically charged with this. Mr. Ballowe also suggested that the Board should look at the School Board's budget first; noting that the cost per pupil was in the area of \$16,000 each and was the highest in Central Virginia. He added that there was money to be saved there.

6. Hanne Bach-Hansen, Roseland

Ms. Bach-Hansen did not specifically state her position on the proposed tax rates but rather expressed her confusion regarding the advertised rate being a 20% increase and the decline in real estate values being a 18% decrease and the resulting reduction in tax revenue. She noted that she thought the object was to even out the percentages. She then expressed concern over having to pay personal property taxes at all when taxes were paid upon purchasing a vehicle. She then questioned whether or not citizens could expect that the real estate tax rate would be reduced when the property values increased and stated that this should be a logical assumption.

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

Supervisors and staff then addressed the public speakers' concerns as follows:

Ms. McCann explained that the decline in the value percentage did not match up because of the agricultural land use program where those landowners were taxed on a reduced value. Ms. Brennan added that land use was a big issue and that it usually applied to large tracts of land and was to preserve the land. She added that it was also either agricultural or forested spaces.

Mr. Hale then noted that in 2008, when the last reassessment was done at the height of the real estate market and values increased substantially, the tax rate was reduced from .72 to .55. He added that the Board typically based the rates on assessed values to maintain the revenues needed. He noted for example, if values went down, the rate went up and vice versa. Ms. Brennan added that the County had certain expenses every year that went up and they had to equalize the tax rate. She noted that the Board would work very hard to look at the budget and would have to make some expenditure cuts this year. She noted that all departments were directed to maintain low costs and that the County did not have extra staff and they were working hard to be lean and yet provide services needed to protect the health and welfare of citizens. She noted that the

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personal property tax rate had been the same since 1989 and would still be very low relative to surrounding counties.

Ms. McCann then explained that vehicle values were valued by NADA and 90% of the NADA retail value was used. She confirmed that mileage was not considered in the valuation. Mr. Harvey added that mileage on every individual vehicle could not be taken into consideration and they followed NADA as a guideline. It was noted that the Commissioner of Revenue's office produces the vehicle valuations and that this was done using vehicle VIN numbers through DMV.

Ms. McCann then explained that the Personal Property Tax relief received from the state would decline with an increase in the tax rate since as the amount of the bill increased; the percentage of relief went down. She noted that the County had \$1.7 million in relief funds to be distributed every year and that along with the values was used to calculate the percentage of relief used. She added that raising the personal property tax hit a broader spectrum of the population.

Ms. Brennan then invited Mr. Ballowe to attend the upcoming budget work sessions. Mr. Harvey then noted that in the past, the Board has annually allocated around \$500,000 in new money to the schools and that the draft budget showed a zero increase.

Mr. Harvey then noted that every parcel in the County, approximately 16,000 was visited, pictures were taken, and information was collected to show that someone has been to every property. He added that roads did not affect property values. Mr. Hale noted that property owners may not see the assessors because they did not make appointments and did not go in houses. Mr. Harvey further explained that the assessors study each parcel and sales records for past years to determine property values. He noted that sales in the owners' area were used for that. Mr. Harvey then advised the public the County had a tax relief program for the elderly that was available and that the last thing the County wished to do was to sell someone's home.

Mr. Saunders noted that his property increased 12% and he would pay more in taxes; however the County needed money to operate with.

Mr. Bruguere advised Reverend Foster and Mr. Allen to visit the Commissioner of Revenue to discuss their vehicle assessments.

Ms. Brennan then advised that there would be a budget work session the following Tuesday and a copy of the school budget was available to the public. Mr. Hale noted that the school budget included a request for \$700,000 in new money. Ms. Brennan noted that the schools were doing well and had been good stewards of their funds. She added that they wanted to pay teachers well so that they would stay. She added that the Board would like to provide more for the public such as an athletic facility and parks etc. Mr. Harvey noted he would rather spend money on education; however this was tough with 75% of their budget being salaries. Ms. Brennan added that Nelson has not had to lay anyone off in the schools as other jurisdictions have.

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Mr. Saunders noted that he was proud of the county for its contribution to EMS and purchasing vehicles for these services. Mr. Harvey explained that the County had provided three (3) fire trucks the previous year and had established an order in which the squads would get a vehicle that they need. He added that for Rescue Squads, the County would be matching state grant contributions at approximately half of the cost of new ambulances. He noted that the Paid EMS system was working well and the paid crews were using ambulances on rotation from squads to run calls. He added that the County paid the squads for their use based on mileage to cover some of the cost of using the vehicles. Mr. Saunders reiterated that he was proud that the County had been able to do this.

Mr. Saunders then noted that all County departments were working well and citizens should be proud of County staff. He added that it had been eye opening to him as to what went on behind closed doors and he noted that money was being well spent.

In conclusion, Ms. Brennan noted that the Board would have a public hearing on the budget after it was finalized and that they would begin working through it after they decided the tax rates. She assured the public that they would go through where the funds were going in detail.

II. Resolution - R2014-22 Minutes for Approval (Deferred from April 8, 2014)

Mr. Hale moved to approve resolution **R2014-22** Approval of Meeting Minutes deferred from the previous meeting for the February 11, 2014, March 11, 2014, March 19, 2014, and March 24, 2014 meetings. Mr. Bruguere seconded the motion and there being no further discussion, Supervisors voted unanimously (5-0) to approve the motion and the following resolution was adopted:

RESOLUTION R2014-22 NELSON COUNTY BOARD OF SUPERVISORS APPROVAL OF MEETING MINUTES (February 11, 2014, March 11, 2014, March 19, 2014, and March 24, 2014)

RESOLVED, by the Nelson County Board of Supervisors that the minutes of said Board's meetings conducted on **February 11, 2014, March 11, 2014, March 19, 2014, and March 24, 2014** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

III. Other Business (As May Be Presented)

Ms. Brennan recognized Ms. Katherine Lacaze, reporter for the Nelson County Times, for recently winning some journalism awards.

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IV. Adjourn and Continue Until Tuesday, April 15, 2014 at 4:00 pm in the General District Courtroom.

At 8:00 pm, Mr. Hale moved to continue the meeting until Tuesday, April 15, 2014 at 4:00 pm in the General District Courtroom for a budget work session. Mr. Harvey seconded the meeting and there being no further discussion, Supervisors voted unanimously by voice vote to approve the motion and the meeting adjourned.

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Virginia:

AT A CONTINUED MEETING of the Nelson County Board of Supervisors at 4:00 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 D. Harvey, North District Supervisor
Thomas H. Bruguere, Jr. West District Supervisor
Constance Brennan, Central District Supervisor - Chair
Larry D. Saunders, South District Supervisor – Vice Chair
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 4:07 pm, with all Supervisors present to establish a quorum.

I. FY14-15 Budget Work Session

Ms. McCann noted that with the advertised tax rates of \$.72 for Real Estate and \$3.50 for Personal Property the FY15 non-recurring contingency balance was \$494,300 and the recurring contingency balance would be \$1,142,088.

Mr. Carter suggested that the Board could look at this, discuss it, and move forward. He added that currently the agencies and schools had been level funded and overall he did not think they would find much to cut from the departments. He noted that there were some Part Time positions in the budget and the salary increase, and otherwise there were capital items in the non-departmental department that utilized non-recurring funds.

Mr. Bruguere then clarified that the recurring contingency represented the current revenues over expenditures.

Mr. Hale then noted that he would like to work within a real estate increase of \$.10 and the proposed increase of \$.55 in the personal property tax rate. He added that the Board needed to settle on these rates so they would know what level of revenue they were working with. Ms. McCann noted that combination of rates would be equivalent to a \$.13 increase in total and would not equalize the revenues to current levels, and that an equivalent of \$.14 would be needed to do that.

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Mr. Hale then reiterated that the Board should not include a 3% increase in salaries. He noted that this was not a reflection on the work being done; however he felt strongly that this should not be included in the budget and Mr. Bruguere agreed.

Mr. Saunders inquired as to whether or not the Mobile Home Tax would also increase and Mr. Carter noted that it would and the draft resolution mistakenly did not reflect that it would be the same as the Real Estate tax rate. He added that mobile homes were classified as Personal Property but were taxed at the Real Estate tax rate.

Mr. Harvey noted that he thought the Board should go through the budget first and then decide on the revenue numbers and Ms. Brennan agreed. Mr. Harvey then noted that if the Board were to level fund the schools, there was no reason to go through their budget.

Mr. Saunders noted that he did not think it would be fair for school employees to get a raise if County staff was not going to get an increase. He added that there ought to be some way for the Board to stipulate this as he thought it should be equal and that the Board should have some control over their spending.

Staff noted that the Governor was recommending a 2% salary increase for teachers in his budget and this may also apply to Constitutional Officers. Ms. McCann noted that Constitutional Officers were paid over and above their State Compensation Board salaries; so it would be likely that their actual salaries would not increase.

Mr. Hale suggested that the Board say that they were strongly opposed to pay raises and that the schools should follow suit. Mr. Carter noted that the Board could approve the schools budget categorically or appropriate the funds every quarter. He added that he does not really recommend that; but rather the Board could send them a memo saying that there was an expectation of no salary increases.

Ms. Brennan noted that she supported the school system; however she was not sure she would approve of them giving a salary increase when the County employees were not getting one. She reiterated that she did not want to get into their budget process. Supervisors then discussed that the schools would spend any funds given to them on what they wanted. They then looked briefly at the schools discretionary funding request and Ms. Brennan noted that if all of these were not funded, it would eliminate close to \$600,000. Ms. Brennan then queried the Board regarding level funding the schools. Mr. Saunders noted that if they were given the funds, their staff would get a salary increase and the County's would not. Ms. Brennan and Mr. Harvey both indicated that they would like to talk with the School Board and that they should pick a date to have a joint meeting. Mr. Saunders and Mr. Hale indicated that they thought they should be level funded so that they would not have the means to provide the undesired salary increase. Mr. Harvey noted he had questions regarding their budget such as their unemployment insurance costs. Mr. Saunders agreed that an increase in their unemployment insurance of \$15,000 seemed inflated. Staff then explained that if a County employee was terminated, then the County contested the unemployment claim and usually won. Ms.

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McCann noted that the unemployment benefits were paid by a person's employers over the past several years and each employer paid a share of it.

Supervisors then began discussing the levels of tax rates to be considered and staff noted that in considering this, the Board should look forward to future years and whether or not they wanted to have tax increases in subsequent years. Mr. Carter noted that he did not think the State's biennial numbers would change much and Ms. McCann noted that the capital list would not affect the amount of operating funds retained.

Supervisors then considered that the courthouse project was looming and Mr. Harvey noted he would not recommend going from a \$.12 increase to a \$.10 increase. Mr. Hale agreed that they had expensive projects to fund down the road; however he reiterated he would not be in favor of a compensation increase and Mr. Harvey agreed.

Staff noted that a 1% salary increase was \$179,000 for schools and 1% was \$45,000 for the County. Mr. Carter noted that comparatively, the school staff was better paid than the County's for comparable positions.

Ms. McCann then noted the merit pay system used by the Service Authority to which Mr. Hale noted that they were a public utility dependent on revenues for services they provided and not by taxpayers. Ms. McCann noted that the Service Authority was being supplemented by the County and Mr. Carter added that if they raised their rates and then gave a salary increase it was the same thing. He noted that comparatively with other county agencies, the Schools personnel were more highly compensated.

Mr. Harvey stated that there would be a tax increase for the disadvantaged whose values did not change that much. Mr. Carter reiterated that if the Board looked at land use, they could lower tax rates. Mr. Harvey and Mr. Hale both noted that just because a person's land was in land use did not mean they had the ability to pay full value. Mr. Harvey noted for example, he would not be able to afford to pay the taxes on the whole value of his acreage. Mr. Bruguire then noted that in some counties in southwest Virginia, they were making people have a forestry management plan to be in land use or in a conservation district; however if they had open land, they did not have to have a plan.

Mr. Saunders then readdressed the subject of pay raises, and noted that he believed in providing raises for employees whenever possible. He added that he knew that the majority of County employees were underpaid for the work done; however they had taxpayers to answer to and they had been elected to be good stewards of their money.

Ms. Brennan then asked if Mr. Saunders wanted to reduce the school funding more and he suggested they be level funded with them noting the expectation that raises would not be given.

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Ms. McCann then reported that not including the mandatory VRS raise, that really was not a raise, over the past five (5) years; County employees had gotten a 4% raise while the CPI had increase 9% over the same five (5) year period.

Mr. Carter then suggested that the Board would have to work their way from how much revenue to keep or work their way back to the revenues needed from the expenditure side. He noted that if they kept \$.10 on the real estate tax and \$.50 on the personal property tax, they would have a small margin to work with. He then noted that if a primary focus was to pay for the work on the rest of the courthouse, the debt service would come into play and a loan of \$5 million would cost approximately \$375,000 annually.

Mr. Saunders then questioned whether or not the Board wanted to be so limited that they had to raise taxes the next year and he noted that he preferred not to do that.

Ms. McCann added that next year, the Board may not be able to level fund schools and she questioned whether or not they would be positioned well if they did a \$.10 increase in the real estate tax; when the County typically did not have a lot of growth in other revenues. Mr. Carter added that they could not count on values increasing with the next reassessment.

Mr. Carter noted that if the Board kept a \$.12 real estate tax increase and let the \$.55 increase in personal property tax go, then the new recurring revenue would be \$452,000 and the non-recurring would be \$149,000. He noted that the Board would still have some ability in FY15; however they would not have any ability after that.

Ms. McCann reported that the Board's tendency was to spend approximately \$100,000 of contingency funds per year. Mr. Bruguire noted that he would like to keep only around \$150,000 in contingency for things that came up.

Mr. Carter then advised that they would not have the funds to provide for the EMS vehicles if they did not give themselves more financial ability.

In response to questions, Ms. McCann noted that the Courthouse fund contained \$720,000; however after paying out for the Jefferson Building exterior, replacing the three doors on the courthouse, and doing some upgrades to the new School Superintendent's space, the balance would be around \$664,000. It was noted that the \$50,000 for the courthouse architectural and engineering study should come out of there as well. Mr. Carter added that they could leave this in the general fund and use existing courthouse funds for this cost.

Mr. Hale then queried the Board regarding doing a \$.55 increase in personal property tax rates and Mr. Carter noted that this was equivalent to a \$.03 cent increase in the real estate tax rate.

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Mr. Bruguere suggested that the Board implement a real estate tax increase now and possibly increase the personal property tax rates in future years. Mr. Saunders noted he thought that the personal property tax rate should be increased and he would rather do it in one year than raise more taxes in subsequent years. Mr. Hale noted that if they went with the proposed personal property tax rate, then it boiled down to the difference between the \$.10 and the \$.12 increase in the real estate tax. He added that this would not be making a commitment on how any extra funds would be spent.

Mr. Saunders noted he did not think a \$.55 increase in the personal property tax and a \$.12 increase in real estate tax was too far out of line and he reiterated that he thought they should level fund the schools and Ms. Brennan agreed.

Staff then recommended that the Board look through the departmental general fund expenditures and ask questions regarding larger changes. Supervisors then reviewed the following expenditures:

Reassessment:

Ms. Brennan questioned whether or not the County was setting too much money aside for reassessment at \$100,000 per year and Ms. McCann noted that these funds were set aside and invested until paid out. Staff added that the previous reassessment had cost around \$267,000.

Mr. Carter noted that the increases in the Finance Department was due to inclusion of a part time position, the Public Safety department included converting part time dispatchers to full time and the Treasurer had some increase in postage and credit card fees.

EMS Council:

Mr. Carter noted that the EMS Council request had been reduced by the amount for training and supplies and the volunteer stipend. Mr. Carter noted it was cut since the agencies could use four for life and fire fund money for these things. Mr. Harvey then noted that the squads were trying to cut costs by buying things in bulk such as fuzees etc. Staff then noted that \$7,500 of the requested amount was not part of the EMS Council budget and was submitted by Curtis Sheets and Ms. McCann noted that therefore only the funding for training and supplies had been cut from the EMS Council's request.

Ms. McCann then noted that Dr. Just wanted to do more training with the squads than in the past and Mr. Harvey noted that he thought that was his call since they operated under his license.

Mr. Harvey noted that he would like to add \$10,000 back to the EMS Council budget and \$5,000 back to Paid EMS for training. Supervisors agreed by consensus to add these funds back.

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Building Inspections:

Mr. Carter noted that the County will opt out of providing a local VSMP program and those expenses related to that had been removed from this department.

Animal Control:

Staff and Supervisors discussed this budget and Mr. Carter noted that staff had left in the acoustic pads and kennel doors that had been requested and that the requested Shelter improvements were recommended to be removed from the capital outlay budget. Supervisors agreed by consensus with this.

Motor Pool:

Staff noted that the Sheriff was expecting a large pool of asset forfeiture money and he had said he would buy vehicles with this. Ms. McCann then noted that there were no new vehicles in the motor pool budget and the remaining budgeted funds were for insurance, supplies, repairs, and fuel.

Recreation:

Mr. Carter noted that he would like to see a County football program; however the Recreation Department could not seem to field more than one team as it competed with soccer in the fall. Mr. Harvey noted that the County being geographically large contributed to this as well.

Refunds:

Ms. McCann noted that this line was where tax refunds such as those the Board approved for the Commissioner of Revenue came from and it was a wash.

Transfer for Piney River Debt & Operations:

Ms. McCann noted that the Service Authority was not charging the up-charges for their services related to the Piney River III system anymore.

Transfer to Broadband Fund (operations):

Ms. McCann noted that she had not yet worked up the revenue side of the Broadband budget and this number could get better when that budget was prepared. She noted that when the Board and staff discussed Revenues keeping pace with Expenditures, this counted the \$123,000 transfer from the General Fund. Mr. Carter added that this may be adjusted back since AT&T had paid their first lump sum amount of \$37,000 for the Rockfish tower and would soon be paying on Martin's Store. He noted that staff was also in talks with a regional provider about leasing dark fiber. Ms. McCann noted that

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there was funding for capital in the non-departmental section of the budget for Broadband that entailed funding for generators and alarms at the Rockfish and Martin's Store towers and paving at Martin's Store. She noted that \$7,500 was for the tower alarms and that \$4,500 had to do with alarms for public safety towers. She added that staff would like to incorporate these costs into the radio project in the current year. She then explained that these items were not included in the Broadband budget because the towers were owned by the County. Staff explained that the County had a contractual obligation that the towers could not be down but for so long so the generators were needed. Following brief discussion, Supervisors agreed that it was cleaner to keep these items in the General Fund budget rather than moving them to the Broadband budget.

Supervisors then turned their attention to establishing the 2014 tax rates.

A. Establishment of 2014 Tax Rates (**R2014-24**)

Mr. Hale moved to approve resolution **R2014-24**, Establishment of Tax Rates as follows: Real Property Tax: \$.71, Tangible Personal Property \$3.45, Machinery & Tools Tax \$1.25 and Mobile Home Tax \$.71.

He noted that the proposed real property tax would represent an 18% increase. Staff then noted that one penny of Real Estate tax rate was equivalent to \$230,000 and 18% on the Personal Property tax rate did not equate to 18% on the Real Estate tax rate.

Ms. McCann then noted that based on the book finalized by the Commissioner of Revenue, the equalized rate was closer to \$.15 to be whole on the Real Estate tax revenues.

Mr. Carter noted that this proposed rate would roughly reduce revenues by \$66,000 and the recurring revenue contingency would go to \$673,000. Mr. Harvey noted it would take about \$300,000 off the table.

There was no second and Mr. Hale inquired as to how the revenue generated from this proposal compared to the current revenue and Ms. McCann noted it would be \$161,000 less than the budget as presented using \$.14 as an equalized tax rate. She added it would not provide more revenue than what the County would receive in FY14.

There being no further discussion, Supervisors voted (2-3) by roll call vote to not approve the motion, with Mr. Hale and Mr. Bruguire voting yes and Ms. Brennan, Mr. Harvey, and Mr. Saunders voting No.

Mr. Harvey then moved to approve resolution **R2014-24** Establishment of Tax Rates as follows: Real Property Tax: \$.72, Tangible Personal Property \$3.45, Machinery & Tools Tax \$1.25 and Mobile Home Tax \$.72.

Ms. McCann noted that this combination would be close to generating the revenues of the advertised rates.

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Mr. Hale seconded the motion and there being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following resolution was adopted:

**RESOLUTION R2014-24
NELSON COUNTY BOARD OF SUPERVISORS
ESTABLISHMENT OF TAX RATES**

RESOLVED, by the Nelson County Board of Supervisors, pursuant to and in accordance with Section 58.1-3001 of the Code of Virginia, 1950, that the tax rate of levy applicable to all property subject to local taxation, inclusive of public service corporation property, shall remain as currently effective until otherwise re-established by said Board of Supervisors and is levied per \$100 of assessed value as follows:

Real Property Tax	\$0.72
Tangible Personal Property	\$3.45
Machinery & Tools Tax	\$1.25
Mobile Home Tax	\$0.72

B. Establishment of 2014 Personal Property Tax Relief (**R2014-25**)

Ms. McCann noted that at \$3.45 for Tangible Personal Property, a 39% Personal Property Tax Relief percentage would be a good bet.

Mr. Harvey then moved to approve resolution **R2014-25**, 2014 Personal Property Tax Relief using a relief percentage of 39% and Mr. Saunders seconded the motion.

There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following resolution was adopted:

**RESOLUTION R2014-25
NELSON COUNTY BOARD OF SUPERVISORS
2014 PERSONAL PROPERTY TAX RELIEF**

WHEREAS, the Personal Property Tax Relief Act of 1998, Va. Code § 58.1-3524 has been substantially modified by the enactment of Chapter 1 of the Acts of Assembly, 2004 Special Session I (Senate Bill 5005), and the provisions of Item 503 of Chapter 951 of the 2005 Acts of Assembly; and

WHEREAS, the Nelson County Board of Supervisors has adopted an Ordinance for Implementation of the Personal Property Tax Relief Act, Chapter 11, Article X, of the County Code of Nelson County, which specifies that the rate for allocation of relief among taxpayers be established annually by resolution as part of the adopted budget for the County.

April 15, 2014

NOW THEREFORE BE IT RESOLVED that the Nelson County Board of Supervisors does hereby authorize tax year 2014 personal property tax relief rates for qualifying vehicles as follows:

- Qualified vehicles with an assessed value of \$1,000 or less will be eligible for 100% tax relief;
- Qualified vehicles with an assessed value of \$1,001 to \$20,000 will be eligible for 39% tax relief;
- Qualified vehicles with an assessed value of \$20,001 or more shall be eligible to receive 39% tax relief only on the first \$20,000 of assessed value; and
- All other vehicles which do not meet the definition of “qualifying” (business use vehicle, farm use vehicle, motor homes, etc.) will not be eligible for any form of tax relief under this program.

BE IT FINALLY RESOLVED that the personal property tax relief rates for qualifying vehicles hereby established shall be effective January 1, 2014 through December 31, 2014.

C. FY14-15 General Fund Budget

The FY14-15 General Fund Budget discussion was included with discussion of the previous agenda items.

II. Other Business (As May Be Presented)

Supervisors and staff briefly discussed the implication of the state budget impasse, which was noted could affect the schools more so than the County.

III. Adjourn and Continue until _____, 2014 at _____ in the General District Courtroom of the Courthouse in Lovingston for the Conduct of an FY15 Budget Work Session.

Supervisors discussed dates for a continued meeting with Supervisors noting their desire to meet with the School Board. Ms. Brennan indicated that she would be out of town until May 3rd and the Board agreed by consensus to have staff try to schedule the School Board to meet with them at their continued meeting on May 6th.

At 6:00 pm, Mr. Hale moved to adjourn and continue the meeting until 4:00 pm on May 6th in the General District Courtroom for the conduct of an FY15 budget work session and possible joint meeting with the School Board. There was no second and Supervisors voted unanimously by voice vote to approve the motion and the meeting adjourned.

RESOLUTION R2014-28
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.

<u>Amount</u>	<u>Category</u>	<u>Payee</u>
\$ 340.20	Real Estate Tax	Sharon Ann Day 10531 Patrick Henry Hwy Roseland, VA 22967

Approved: May 13, 2014

Attest: _____, Clerk
Nelson County Board of Supervisors

COUNTY OF NELSON
JEAN W. PAYNE
COMMISSIONER OF REVENUE
P. O. Box 246
Lovingston, VA 22949

Telephone: 434-263-7070
Fax: 434-263-7074
email: jpayne@nelsoncounty.org

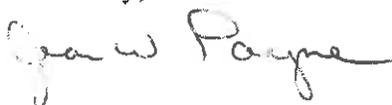
April 10, 2014

Constance Brennan, Chairman
Board of Supervisors
County of Nelson
Lovingston, Va. 22949

Dear Ms. Brennan:

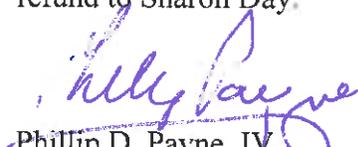
This is to request a refund in the amount of \$340.20 to Sharon Ann Day, 10531 Patrick Henry Hwy, Roseland, Va. 22967. This refund is necessary because Ms. Day paid on a building that was not on her property.

Sincerely,



Jean W. Payne
Commissioner of Revenue

The undersigned has reviewed the request of the Commissioner and consents to the refund to Sharon Day.



Phillip D. Payne, IV
County Attorney

RESOLUTION R2014-29
NELSON COUNTY BOARD OF SUPERVISORS
APPOINTMENT OF REGION 2000 SERVICES AUTHORITY
BOARD MEMBER AND ALTERNATE

WHEREAS, the Region 2000 Services Authority was created by the Boards of Supervisors of Campbell County and Nelson County and the City Councils of Lynchburg and Bedford in 2007 to provide regional solid waste disposal services to the four jurisdictions; and

WHEREAS, Appomattox County subsequently became a member of the Authority; and

WHEREAS, the Articles of Incorporation creating the Authority indicated that the initial members of the Authority Board be appointed for a term ending June 30, 2010, and that thereafter members would be appointed for four year terms.

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of Nelson County that Stephen A. Carter is hereby appointed as the member of the board of the Region 2000 Services Authority for a term beginning July 1, 2014 and expiring June 30, 2018 and that Candice McGarry is appointed as an alternate for the same term.

Adopted: May 13, 2014

Attest: _____, Clerk
Nelson County Board of Supervisors

APPOMATTOX COUNTY



COUNTY ADMINISTRATION OFFICE
(434) 352-2637
FAX: (434) 352-4214
www.AppomattoxCountyVa.gov

BOARD OF SUPERVISORS

P. O. Box 863
Appomattox, Virginia 24522

SUPERVISORS

APPOMATTOX RIVER DISTRICT
WILLIAM H. CRAFT

COURTHOUSE DISTRICT
SAMUEL E. CARTER

FALLING RIVER DISTRICT
THOMAS H. CONRAD

PINEY MOUNTAIN DISTRICT
JERRY N. SMALL

WRECK ISLAND DISTRICT
GARY W. TANNER

RESOLUTION

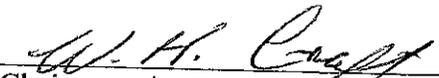
WHEREAS, the Region 2000 Services Authority was created by the Boards of Supervisors of Campbell County and Nelson County and the City Councils of Lynchburg and Bedford in 2007 to provide regional solid waste disposal services to the four jurisdictions; and

WHEREAS, Appomattox County subsequently became a member of the Authority; and

WHEREAS, the Articles of Incorporation creating the Authority indicated that the initial members of the Authority Board be appointed for a term ending June 30, 2010, and that thereafter members would be appointed for four year terms.

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of Appomattox County that Aileen T. Ferguson is hereby appointed as the member of the board of the Region 2000 Services Authority for a term beginning July 1, 2010 and expiring June 30, 2014 and that John K. Spencer is appointed as an alternate for the same term.

Adopted this 18th day of April, 2011.



Chairman, Appomattox County Board of Supervisors

COUNTY OF CAMPBELL



RESOLUTION

At the regular meeting of the Campbell County Board of Supervisors held on the 2nd day of May 2011 in the Board of Supervisors Meeting Room of the Haberer Building, Rustburg, Virginia:

On motion of Supervisor Falwell, it was resolved the Board of Supervisors adopts the following resolution:

WHEREAS, the Region 2000 Services Authority was created by the Boards of Supervisors of Campbell County and Nelson County and the City Councils of Lynchburg and Bedford in 2007 to provide regional solid waste disposal services to the four jurisdictions; and

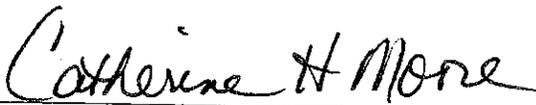
WHEREAS, Appomattox County subsequently became a member of the Authority; and

WHEREAS, the Articles of Incorporation creating the Authority indicated that the initial members of the Authority Board be appointed for a term ending June 30, 2010, and that thereafter members would be appointed for four year terms.

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of Campbell County that R. David Laurrell is hereby appointed as the member of the board of the Region 2000 Services Authority for a term beginning July 1, 2010 and expiring June 30, 2014 and that Clifton M. Tweedy is appointed as an alternate for the same term.

The vote was: Aye: Falwell, Goldsmith, Gunter, Pendleton, Puckett, Rosser, Shockley
Nay: None
Absent: None

A copy teste:


CATHERINE H. MOORE
CLERK TO THE BOARD OF SUPERVISORS

RESPECTING THE PAST, ATTENDING THE PRESENT, CONCENTRATING ON THE FUTURE



BOARD OF
SUPERVISORS

THOMAS D. HARVEY
North District

JOE DAN JOHNSON
South District

ALLEN M. HALE
East District

THOMAS H. BRUGUIERE, JR.
West District

CONSTANCE BRENNAN
Central District

STEPHEN A. CARTER
Administrator

CANDICE W. MCGARRY
Administrative Assistant/
Deputy Clerk

DEBRA K. McCANN
Director of Finance and
Human Resources

**RESOLUTION R2011-31
NELSON COUNTY BOARD OF SUPERVISORS
APPOINTMENT OF REGION 2000 SERVICES AUTHORITY
BOARD MEMBER AND ALTERNATE**

WHEREAS, the Region 2000 Services Authority was created by the Boards of Supervisors of Campbell County and Nelson County and the City Councils of Lynchburg and Bedford in 2007 to provide regional solid waste disposal services to the four jurisdictions; and

WHEREAS, Appomattox County subsequently became a member of the Authority; and

WHEREAS, the Articles of Incorporation creating the Authority indicated that the initial members of the Authority Board be appointed for a term ending June 30, 2010, and that thereafter members would be appointed for four year terms.

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of Nelson County that Stephen A. Carter is hereby appointed as the member of the board of the Region 2000 Services Authority for a term beginning July 1, 2010 and expiring June 30, 2014 and that Candice McGarry is appointed as an alternate for the same term.

Adopted: April 12, 2011

Attest: Stephen A. Carter, Clerk
Nelson County Board of Supervisors

RESOLUTION

#R-11-036

WHEREAS, the Region 2000 Services Authority was created by the Boards of Supervisors of Campbell County and Nelson County and the City Councils of Lynchburg and Bedford in 2007 to provide regional solid waste disposal services to the four jurisdictions; and

WHEREAS, Appomattox County subsequently became a member of the Authority; and

WHEREAS, the Articles of Incorporation creating the Authority indicated that the initial members of the Authority Board be appointed for a term ending June 30, 2010, and that thereafter members would be appointed for four year terms.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Lynchburg that City Manager L. Kimball Payne, III, is hereby appointed as the member of the board of the Region 2000 Services Authority for a term beginning July 1, 2010 and expiring June 30, 2014 and that Public Works Director David A. Owen is appointed as an alternate for the same term.

Adopted: April 26, 2011

Certified: Valentin P. Chab
Clerk of Council

059L

From: [Steve Carter](#)
To: [Candy McGarry](#)
Subject: FW: Region 2000
Date: Tuesday, April 22, 2014 12:36:37 PM
Attachments: [Region 2000 - Resolutions 1.PDF](#)

FYI.

SAC

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: Bill Hefty [<mailto:bill@heftywiley.com>]
Sent: Tuesday, April 22, 2014 10:51 AM
To: kpayne@lynchburgva.gov; 'David Laurrell'; Steve Carter; Aileen Ferguson
Cc: Gary Christie
Subject: FW: Region 2000

Here are the resolutions appointing you as members of the Region 2000 Services Authority in 2010 for four year terms. Just change the 2010 dates to 2014 and change the 2014 date to 2018, and have your governing bodies adopt. I assume the alternates are the same as in these resolutions. Please send me a copy of the certified resolution once it is adopted. I hope that all of you are willing to serve another four year term, which means you have to stick around at least through June 30, 2018. It's not that long.

From: Connie Juberget [<mailto:connie@heftywiley.com>]
Sent: Tuesday, April 22, 2014 10:32 AM
To: bill@heftywiley.com
Subject: Region 2000

Connie Juberget
Hefty & Wiley, P.C.
1001 E. Broad St., Suite 203
Richmond, VA 23219
804-780-3143 (phone)
804-225-8728 (fax)
connie@heftywiley.com
www.heftywiley.com

RESOLUTION R2014-30
NELSON COUNTY BOARD OF SUPERVISORS
MAY 2014- NATIONAL VIRGINIA COOPERATIVE EXTENSION
CENTENNIAL CELEBRATION MONTH

WHEREAS, Virginia Cooperative Extension of Nelson County is part of the nationwide Cooperative Extension System that is a partnership of federal, state and local governments and Virginia Tech and Virginia State University, the state's land-grant universities in Virginia; and

WHEREAS, The Smith-Lever Act of 1914 established the Cooperative Extension Service, utilizing faculty serving as Extension Agents, who along with local staff and community-based resources, extend University research and knowledge to local communities; and

WHEREAS, Virginia Cooperative Extension provides wide-ranging educational programs and information in the areas of agriculture, natural resources, family and consumer sciences, 4-H youth development, food, nutrition and health, along with related areas of economic and workforce development across Virginia; and

WHEREAS, Virginia Cooperative Extension programs in Family and Consumer Sciences; Agriculture and Natural Resources; 4-H Youth Development, and Community Viability, benefit families, schools and businesses in Nelson County;

NOW THEREFORE BE IT RESOLVED, By the Nelson County Board of Supervisors that May 2014 be designated as National Cooperative Extension Centennial Celebration Month in Nelson County and that residents are encouraged to take advantage of the programs and educational opportunities that Virginia Cooperative Extension offers to the community.

Adopted: May 13, 2014

Attest: _____, Clerk
Nelson County Board of Supervisors

Hey & thanks for scheduling us @ 2:00



SB

We are the **Dibrarians**, five students from Nelson County Middle School. One of our **Destination Imagination** group members lives in Nelson County, and attends Village School, in Charlottesville. Our **Destination Imagination** project benefited our local community by creating a book exchange in the Afton area of Nelson County.



Here we are at RVCC planning our book exchange. *THE DIBRARY* is located in the conference room and open every day

We felt our area of the county needed a place to find books. The Nelson Public Library is quite a distance away for everyday use. **The book exchange is located at Rockfish Valley Community Center and through our efforts has over 1000 books.**

We set up stations all over Nelson County collecting books through donations. We implemented each of these DI challenge requirements to create a solution that would help citizens of all ages living in our community. **Residents from all over Nelson County can enjoy reading and exchanging books at our DIBRARY. Come by and visit!**

Challenge Requirements:

- Use the creative process to identify and select at least one **real community need**.
- **Design and carry out a project** that addresses the real community need.

Inform your community about the project.

- Use a team-created Elevator Pitch to **enlist at least one Community Partner**. The team will create a **live Presentation that features the Project**.

Our Story: We won 2nd place at the regional DI tournament in February. Teams placing in 1st, 2nd, and 3rd advanced to the state DI tournament at Spotswood High School in Harrisonburg, Virginia. At this

tournament, our DIBRARIANS placed 2nd in our challenge and won the Destination Imagination Torch Bearer Award for Outstanding Community Service. Due to our success, we automatically advanced to GLOBALS! This is the ultimate opportunity.

Global Finals is the culminating event of every Destination Imagination season. In May, more than 1,300 teams from 45 states, 7 Canadian provinces and 13 countries gather to showcase their Challenge solutions. More than 16,000 people attend Global Finals to celebrate creativity and have fun. And we get to attend!!!! We will be there!

THE WORLD'S LARGEST CELEBRATION OF CREATIVITY



Our Request: For teams to compete at Globals, it takes a great deal of money. Registration fees alone, range from \$675.00 to \$740.00 per person. We are asking for your financial support to help our team raise \$5,000.00 needed to attend the Destination Imagination Global Competition.

We have worked so hard for the past nine months to put together the “D!BRARY” at the Rockfish Vailey Community Center and present our project to the tournament judges with a creative skit. Part of what we encounter at each of the DI tournaments -- regional, state, and now DI Globals – is solving Instant Challenges, which test our ability to work together as a team and creatively solve problems. These are skills that will benefit us each day at school and in our future careers.

We are very proud of what we have accomplished so far because our community service project will directly impact the residents of Nelson County for years to come. Our team appreciates any financial support you can provide.

There are many ways you can contribute: cash or check made out to Nelson County Destination Imagination Team or online at <http://www.gofundme.com/NelsonDITeam>.

We thank you for the opportunity to attend the next Nelson County Board of Supervisors meeting, May 12, 2014. We have planned a short presentation and look forward to meeting you.

Sincerely, your Destination Imagination Dibrarians,

Katie Coleman

Jaylen Purvis

Sinead Nardi-White

Chloe Hellerman

Jordan Maynard

Delaney Stone



[ABOUT US](#)

[WHAT WE DO](#)

[Home](#) [About Us](#) [Mission & History](#)

VISION, MISSION & HISTORY

Mission: To develop opportunities that inspire the global community of learners to utilize diverse approaches in applying 21st century skills and creativity.

The Destination Imagination program encourages teams of learners to have fun, take risks, focus and frame **challenges while incorporating STEM (science, technology, engineering, and mathematics), the arts and service learning**. Our participants learn patience, flexibility, persistence, ethics, respect for others and their ideas, and the collaborative problem solving process. Teams may showcase their solutions at a tournament.

History: Destination Imagination (DI) is a non-profit, volunteer-led, cause-driven organization. Our purpose is to inspire and equip students to become the next generation of innovators and leaders. Our organization was incorporated in 1982, when we took over the charter for OM Association, Inc. In 1999, our name was changed to Destination Imagination, Inc. Since then, our non-profit has impacted more than one million participants. Approximately 200,000 youth make friends and learn the creative process through our programs every year, and 38,000 volunteers support us!

All of our programs are Challenge-based, and they teach the creative process from imagination to innovation. Our goal is to help student teams learn to be creative in every aspect of their lives. Our Challenge program is our most popular offering. At the start of the season, teams choose one of seven Challenges. After weeks spent creating, developing and practicing their solutions, they go to a local tournament. Top-scoring teams advance to state or country tournaments. The top level of the tournament is our Global Finals—the world’s largest celebration of creativity. Our programs are developed annually to **ensure they are relevant and align to National Education Standards, STEM standards, ELA Common Core Standards and Mathematics Common Core Standards**. Every year, with the help of parent volunteers, educators, and subject matter experts, we design new and exciting Challenges for student teams to solve.

From: [Steve Carter](#)
To: [Candy McGarry](#)
Subject: FW: DMV 2 Go at Nelson Memorial Library
Date: Friday, April 18, 2014 9:11:02 AM

Candy,

Please see below re: a subject for the BOS' May agenda.

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: Layne, Andre (DMV) [mailto:andre.layne@dmv.virginia.gov]
Sent: Thursday, April 17, 2014 3:31 PM
To: Tanith Knight; Steve Carter
Cc: 'John Halliday'; Nelson County Information
Subject: RE: DMV 2 Go at Nelson Memorial Library

Steve,

Thank you for taking the time to talk to me today about providing DMV 2 Go services to Nelson County.

Just a little information that you can share with the board. DMV 2 Go is a full service DMV customer service center that provides services to your constituents at a time and place convenient to them. Just some of the services that we offer are: Renewing your Driver's License, Renewing your vehicle registration, titling a new vehicle. With recent partnerships with the Department of Game and Inland Fisheries and Virginia Department of Health, we are now able to process hunting and fishing licenses, as well as issuing Virginia birth certificates.

We ask that you have enough space to park a 42 foot mobile office, however the mobile office that would provide service to your area is just shy of 30 feet. This allows us to have the capability to send other mobile offices if something should happen to the regular mobile office providing service to you. Our normal hours of service are 9 a.m. to 4 p.m.. My suggested dates for us to start providing the service at the library are Wednesday, June 4, 2014 and Wednesday, October 1, 2014.

If you have any questions, please do not hesitate to contact me at (540) 315-6483 or via e-mail at Andre.Layne@dmv.virginia.gov.

I hope to hear from you soon.

Regards,
Andre

Andre Layne

Virginia DMV | Manager | DMV2Go-Mini-Mo |(540) 315-6483 | Andre.Layne@dmv.virginia.gov
www.dmvNOW.com
[Confidentiality Statement](#)

From: Tanith Knight [<mailto:tknight@jmrl.org>]
Sent: Thursday, April 17, 2014 3:08 PM
To: Layne, Andre (DMV)
Cc: 'John Halliday'; info@nelsoncounty.org; Carter, Stephen [DHCD-CLG] (DHCD)
Subject: RE: DMV 2 Go at Nelson Memorial Library

Hello Mr. Layne,

I have talked to several of the people involved and we are all fine with this. My only problem is that we would like to avoid Tuesdays as this is a busy day at the library. Since the County of Nelson owns this property the final decision will be theirs. The person to talk to would be our county administrator Steve Carter. His phone number is 434-263-7000 and his e-mail is scarter@nelsoncounty.org.

Tanith Knight
Branch Manager
Nelson Memorial Branch
Jefferson-Madison Regional Library

From: Layne, Andre (DMV) [<mailto:andre.layne@dmv.virginia.gov>]
Sent: Friday, April 11, 2014 10:01 AM
To: nelson@jmrl.org
Subject: DMV 2 Go at Nelson Memorial Library

Dear Ms. Knight,

I hope this email finds you well.

My name is Andre Layne, and I work with the Virginia Department of Motor Vehicles' (DMV) mobile office program called *DMV 2 Go*. DMV would like to schedule a visit to provide services at your location.

DMV 2 Go is a full service office on wheels that conducts any DMV transaction that come be done at a DMV office including applying or renewing driver's licenses and ID cards. One of the biggest advantages is that the DMV comes to you at a convenient

time and place instead of you going to the DMV.

DMV 2 Go has made successful visits to military bases, colleges and universities, libraries, government centers, festivals, and more. You can also visit the following link on DMV's website for more information:

http://www.dmv.virginia.gov/webdoc/citizen/dmv_2go.asp

Your location would be ideal to provide services to your community. Please let me know if you are interested in this opportunity or would like to schedule a call to discuss in detail how the DMV 2 Go may benefit you. If you have questions, please reply via email or call my direct office number, (540) 315-6483.

Thank you in advance for your time and consideration.

I look forward to hearing from you.

Thank you,
Andre

Andre Layne

Virginia DMV | Manager | DMV2Go-Mini-Mo |(540) 315-6483 | Andre.Layne@dmv.virginia.gov

| www.dmvNOW.com

[Confidentiality Statement](#)

MEMORANDUM

In re: ZONING, distillery, food processing, etc.

Date: April 24, 2014

State definitions and limitations:

Va. Code § 3.2-300:

"Agricultural operation" means any operation devoted to the bona fide production of crops, or animals, or fowl including the production of fruits and vegetables of all kinds; meat, dairy, and poultry products; nuts, tobacco, nursery, and floral products; and the production and harvest of products from silviculture activity.

"Production agriculture and silviculture" means the bona fide production or harvesting of agricultural or silvicultural products but shall not include the processing of agricultural or silvicultural products or the above ground application or storage of sewage sludge.

Va. Code § 3.2-301:

Right to farm; restrictive ordinances. — In order to limit the circumstances under which agricultural operations may be deemed to be a nuisance, especially when nonagricultural land uses are initiated near existing agricultural operations, no county shall adopt any ordinance that requires that a special exception or special use permit be obtained for any production agriculture or silviculture activity in an area that is zoned as an agricultural district or classification. Counties may adopt setback requirements, minimum area requirements, and other requirements that apply to land on which agriculture and silviculture activity is occurring within the locality that is zoned as an agricultural district or classification. No locality shall enact zoning ordinances that would unreasonably restrict or regulate farm structures or farming and forestry practices in an agricultural district or classification unless such restrictions bear a relationship to the health, safety, and general welfare of its citizens. This section shall become effective on April 1, 1995, and from and after that date all land zoned to an agricultural district or classification shall be in conformity with this section.

Va. Code § 35.1-1. Definitions:

9. "Restaurant" means any one of the following:

- a. Any place where food is prepared for service to the public on or off the premises, or any place where food is served. Examples of such places include but are not limited to lunchrooms, short order places, cafeterias, coffee shops, cafes, taverns, delicatessens, dining accommodations of public or private clubs, kitchen facilities of hospitals and nursing homes, dining accommodations of public and private schools and colleges, and kitchen areas of local correctional facilities subject to standards adopted under § 53.1-68. Excluded from the definition are places manufacturing packaged or canned foods which are distributed to grocery stores or other similar food retailers for sale to the public.

- b. Any place or operation which prepares or stores food for distribution to persons of the same business operation or of a related business operation for service to the public. Examples of such places or operations include but are not limited to operations preparing or storing food for catering services, push cart operations, hotdog stands, and other mobile points of service. Such mobile points of service are also deemed to be restaurants unless the point of service and of consumption is in a private residence.

§ [15.2-2288.6](#). *Agricultural operations; local regulation of certain activities.* (“SB 51” passed by General Assembly in 2014):

A. No locality shall regulate the carrying out of any of the following activities at an agricultural operation, as defined in § [3.2-300](#), unless there is a substantial impact on the health, safety, or general welfare of the public:

1. Agritourism activities as defined in § [3.2-6400](#);

2. The sale of agricultural or silvicultural products, or the sale of agricultural-related or silvicultural-related items incidental to the agricultural operation;

3. The preparation, processing, or sale of food products in compliance with subdivisions A 3, 4, and 5 of § [3.2-5130](#) [note: inspections to operate food establishments] or related state laws and regulations; or

4. Other activities or events that are usual and customary at Virginia agricultural operations.

Any local restriction placed on an activity listed in this subsection shall be reasonable and shall take into account the economic impact of the restriction on the agricultural operation and the agricultural nature of the activity.

B. No locality shall require a special exception, administrative permit not required by state law, or special use permit for any activity listed in subsection A on property that is zoned as an agricultural district or classification unless there is a substantial impact on the health, safety, or general welfare of the public.

C. Except regarding the sound generated by outdoor amplified music, no local ordinance regulating the sound generated by any activity listed in subsection A shall be more restrictive than the general noise ordinance of the locality. In permitting outdoor amplified music at an agricultural operation, the locality shall consider the effect on adjoining property owners and nearby residents.

D. The provisions of this section shall not affect any entity licensed in accordance with Chapter 2 (§ [4.1-200](#) et seq.) of Title 4.1. Nothing in this section shall be construed to affect the provisions of Chapter 3 (§ [3.2-300](#) et seq.) of Title 3.2, to alter the provisions of § [15.2-2288.3](#), or to restrict the authority of any locality under Title 58.1.

2. That the Virginia Department of Agriculture and Consumer Services shall continue the On-Farm Activities Working Group.

Comments:

Senate Bill 51, above, makes two things clear. One, sale of agricultural products and the sale or processing of food is permitted by-right on a bona fide farm (“agricultural operation”) *unless there is a substantial impact on the health, safety, or general welfare of the public.* Two, sale of agricultural products and the sale or processing of food is permitted by-right in A-1 “*unless there is a substantial impact on the health, safety, or general welfare of the public.*” This is no real change for how Nelson operates in A-1.

On the edges, however, two problems exist. First, alcohol, which has an obvious agricultural component, but which is not “food.” Two, the sale and processing of food which can “impact ... the health, safety, or general welfare of the public.”

Our present dilemma is that the Zoning Ordinance has no provision (i) for breweries, distilleries, cideries, etc. which have an agricultural component, and, (ii) does not address the off-farm food sale and processing Senate bill 51 now protects. In order to have the tools and resources necessary for doing a better job at interpreting these types of proposed uses, and in order to review and process these types of projects more consistently, we need to adopt some new language and new rules.

For purposes of the USDA agricultural census, a farm is any place from which \$1,000.00 or more of agricultural products were annually produced and sold, or normally sold. Below is the current County definition:

Agricultural: The tilling of the soil, the raising of crops, horticulture, and forestry, including the keeping of animals and fowl, and including any agricultural industry or business, such as fruit packing plants, dairies, or similar use associated with an active farming operation, unless otherwise specifically provided for in this ordinance.

The recommendation below is that the County simply use the state definition with an additional phrase from Senate Bill 51.

Amendment Recommendations:

Definitions:

Delete: *Agricultural*

Agricultural operation: any operation devoted to the bona fide production of crops, or animals, or fowl including the production of fruits and vegetables of all kinds; meat, dairy, and poultry products; nuts, tobacco, nursery, and floral products; and the production and harvest of products from silviculture activity. The preparation, processing, or sale of food products in compliance with subdivisions A 3, 4, and 5 of Virginia Code § [3.2-5130](#) or related state laws and regulations are accessory uses to an agricultural operation unless otherwise specifically provided for in this

ordinance. When used in this ordinance, the words *agricultural* or *agriculture* shall be construed to encompass the foregoing definition.

Agricultural Processing Facility: the preparation, processing, or sale of food products, or accumulation for shipment or sale of crops and animals, when more than 20% of such crops or animals are not produced in a co-located agricultural operation owned or controlled by the operator of the facility.

Agricultural Processing Facility, Major: an agricultural processing facility that, by virtue of its size, shipping requirements, noise, or other characteristics, will have a substantial impact on the health, safety, or general welfare of the public or adjoining landowners. A major agricultural processing facility is one that either (i) has more than 10,000 square feet of enclosed space or (ii) entails the preparation, processing, or sale of food products, or accumulation for shipment or sale of crops and animals, when more than 50% of such crops or animals are not produced in a co-located agricultural operation owned or controlled by the operator of the facility.

Brewery: a facility for the production of beer.

Distillery: a facility for the production of distilled spirits.

Micro-brewery: a brewery which is housed within and operated in connection with a restaurant. A micro-brewery is an accessory use to a restaurant. [note: "Restaurant" is currently a permissible use in the Agricultural (A-1) District which requires a Special Use Permit]

Restaurant: Any place where food is prepared for service to the public on or off the premises, or any place where food is served. Mobile points of service are also deemed to be restaurants, unless the point of service and of consumption is in a private residence. ~~Any building in which for compensation, food or beverages are dispensed for consumption on the premises, including among other establishments cafes, tea rooms, confectionery shops, or refreshment stands. Dancing by patrons shall be considered as entertainment accessory to a restaurant, provided the space made available for such dancing shall not be more than one-eighth of that part of the floor area available for dining. Provisions for dancing made available under this definition shall be subject to the permit requirements of Nelson County.~~

[note: "Restaurant" is currently a permissible use as follows:]

Permissible with Special Use Permit:	Agricultural (A-1), Business (B-2), Industrial (M-2)
Permissible By-Right:	Business (B-1), Service Enterprise (SE-1), Res. Plan. Comm. (RPC)

Agricultural (A-1):

Permitted by right

4-1-28 Agricultural Processing Facility, provided that (i) all components of the facility shall be located 250 feet or more from any boundary line or street, or located 125 feet or more from any boundary line or street if screened by fencing or vegetation, and (ii) no noise, unshielded lights, odors, dust, or other nuisance may be perceptible beyond the property upon which the facility is located

Special Use Permit

4-1-7a Agricultural Processing Facility, Major

4-1-45a Distillery

[note: "Restaurant" is currently provided as a permissible use requiring a Special Use Permit pursuant to § 4-1-34a]

Business (B-1):

Special Use Permit

8-1-11a Distillery

8-1-12a Brewery

Service Enterprise (SE-1):

Special Use Permit

8B-1-11a Distillery

8B-1-12a Brewery

Industrial (M-1):

Permitted by right

Distillery, when the use complies with Section 18-4

Brewery, when the use complies with Section 18-4

Agricultural Processing Facility, when the use complies with Section 18-4

Agricultural Processing Facility, Major, when the use complies with Section 18-4

Limited Industrial (M-2):

Permitted by right

Distillery

Brewery

Agricultural Processing Facility

Agricultural Processing Facility, Major

RESOLUTION R2014-31
NELSON COUNTY BOARD OF SUPERVISORS
REFERRAL OF AMENDMENT TO NELSON COUNTY ZONING ORDINANCE
TO NELSON COUNTY PLANNING COMMISSION
(AGRICULTURAL OPERATIONS)

WHEREAS, the Nelson County Board of Supervisors wishes to refer proposed amendments to Appendix A-Zoning (Nelson County Zoning Ordinance) of the Code of the County of Nelson, Virginia regarding land uses associated with Agricultural Operations;

NOW, THEREFORE, BE IT RESOLVED by the Nelson County Board of Supervisors, pursuant to the applicable provisions of Title 15.2 (Counties, Cities, and Towns) Chapter 22 (Planning, Subdivision of Land and Zoning) of the Code of Virginia, 1950 that the draft amendments attached be referred to the Nelson County Planning Commission for review and public hearing and subsequent report of the Commission's findings and recommendations to the Board, in accordance with Chapter 22 of the Code of Virginia.

BE IT FURTHER RESOLVED, that the Planning Commission is directed to complete its review and conduct of a public hearing and submit its recommendation(s) to the Board within _____ days; pursuant to §15.2-2285 (B).

Adopted: _____, 2014

Attest: _____, Clerk
Nelson County Board of Supervisors

ROCKFISH VALLEY AREA PLAN



(Draft) Scope of Work



Prepared April 25, 2014 by
Nelson County Dept. of Planning & Zoning
for Review and Comment

Table of Contents:

Based on preliminary conversations among County staff, this document provides a (draft) Scope of Work for a proposed public planning process focusing on the Rockfish Valley. This document is organized into the following elements:

- 1. Issue Introduction** “*What is this issue all about?*”
- 2. Issue Summary & Project Justification** “*Why is this project important and beneficial?*”
- 3. Project Intent & Purposes** “*Why has this project been proposed? What are the purposes for doing this?*”
- 4. Project Scope** “*What geographic area would this project encompass?*”
- 5. Deliverables & Outcomes** “*What would this project accomplish?*”
- 6. Participants & Stakeholders** “*Who would be involved in this project?*”
- 7. Timeframe & Sequencing** “*How would this process work – and when would it happen?*”
- 8. Budget & Resources** “*What resources would this project require?*”



Humpback Mountain in early spring from Route 6 Virginia Scenic Byway (Afton Mountain Road)

Introduction:

The Rockfish Valley is widely recognized as a special place – a highlight of Nelson County and all of Virginia. The Rockfish Valley’s sense of place, natural beauty, recreation resources, and tourism destinations and events combine to make the area a place that is cherished by many. Yet these qualities are also attracting an expanding number of visitors, as well as an increasing amount of interest and activity in new commercial development projects.

With regard to these characteristics, trends, and issues, there is an increasingly urgent need to ensure that the area is well-planned. It is imperative that the special qualities of the Rockfish Valley are identified, protected, and enhanced; and that the County establishes a

framework to ensure that future development patterns and characteristics are complimentary to, and harmonious with, the invaluable qualities of the Rockfish Valley.

The Comprehensive Plan is generally the best tool for addressing such issues. However, Nelson County’s Comp Plan was adopted in 2002, and it is outdated. The County does not currently have any up-to-date assessment or community development goals for this continuously changing, commercially successful area of the County.

As such, some kind of public planning process is presently needed, in order to establish an updated assessment reflective of

recent (and ongoing) change, growth, and development in the area; and to also develop up-to-date, fact-based, forward-thinking recommendations which anticipate future growth potential – and which also protect and enhance the area’s rural character, natural beauty, and special sense of place.

In 2013, VDOT completed the “Route 151 Corridor Study” which focused on transportation safety, traffic analysis, and mobility issues. This recent project provides a great opportunity to continue the public focus on this area, with an expanded scope of work that includes community development goals, economic development goals, and land use planning goals.

Issue Summary:

The Rockfish Valley is presently in need of a public planning process that establishes a thorough, strategic, asset-based community development framework, with an emphasis on accomplishing the following public benefits:

- to provide appropriate guidance and policies for current and future land uses;
- to ensure that private investments are well-coordinated and positioned for success;
- to maximize the efficient use of public resources and capital improvement projects;
and
- to identify, protect, and enhance the area's rich treasury of community assets.

Project Justification:

Responsibility:

- to avoid unplanned growth and undesirable change
- to identify future land use patterns that are desirable and appropriate
- to protect rural residential areas
- to maximize quality of life for area residents

Opportunity:

- to ensure continued economic vitality
- to help attract the desired types of growth
- to maximize Nelson County tourism "brand"
- to help guide development towards the most appropriate areas

Priority:

- the area's ongoing commercial growth – as well as anticipated future development pressures – create an urgent need for a proactive response

Stoney Creek watershed and Wintergreen Resort ski trails in late winter



Project Intent & Purposes:

A strategic planning process for the Rockfish Valley would provide the following:

- an inventory of the area's community assets;
- an accurate assessment of the area's current conditions and trends;
- an analysis of anticipated future opportunities, issues, and threats;
and
- asset-based development recommendations that best serve the area's families, businesses, and visitors by protecting and enhancing the Rockfish Valley's community assets, character, and sense of place.

A more descriptive summary of the important purposes for developing a Rockfish Valley Area Plan is provided on this page.

Purpose – Nelson County Mission Statement

- "It is the mission of the Board of Supervisors to maintain Nelson County as a beautiful, safe, healthy, and prosperous rural county;
- ...where citizens are involved in all aspects of their governance; and
- *...where the community is well planned to assure respect for and dedication to its traditions and resources, while continuing to improve its economic viability."*

Purpose – Economic Development

- Develop strategic recommendations that complement and strengthen the area's existing businesses and industries
- Develop strategic recommendations that help to attract new compatible commercial uses and activities
- Establish a practical framework to guide commercial investments and new developments to the most appropriate locations throughout the area

Purpose – Public Participation

- Ensure that public participation by a broad representation of stakeholders is a genuine part of the process, which will result in recommendations that reflect the values of the area's residents and businesses
- Develop an accurate understanding of the community's current interests and concerns
- Identify community concerns and desires regarding the future of the Rockfish Valley

Purpose – Comprehensive Plan

- Identify any elements of the existing 2002 Comp Plan to be updated, expanded, replaced, or otherwise revised
- Produce up-to-date, forward thinking recommendations that can be considered for adoption into the existing 2002 Comp Plan

Purpose – Community Development

- Develop strategic recommendations to protect the area's rural character, natural beauty, and special sense of place
- Develop strategic recommendations to protect rural residential areas from unplanned commercial development(s) and from other unharmonious land use changes

Purpose – Code of Virginia

- §15.2-2280: "protect and promote the public health, safety, and welfare"
- §15.2-2283: "facilitate the creation of a convenient, attractive, and harmonious community"
- §15.2-2284: The Zoning Ordinance and Zoning Map must reasonably consider the: "existing use and character; ... trends of growth or change; ... conservation of natural resources; ... [and] the encouragement of the most appropriate use of the land."

Purpose – Zoning Policy

- Identify strengths and weaknesses of how the current Zoning Ordinance tools and regulations affect this area
- Identify opportunities to update the A-1 Agricultural District policies and procedures for regulating agri-tourism and agri-business activities throughout this area
- Identify other pertinent opportunities to review the Zoning Ordinance and Zoning Map for appropriate amendments

Proposed Project Scope:

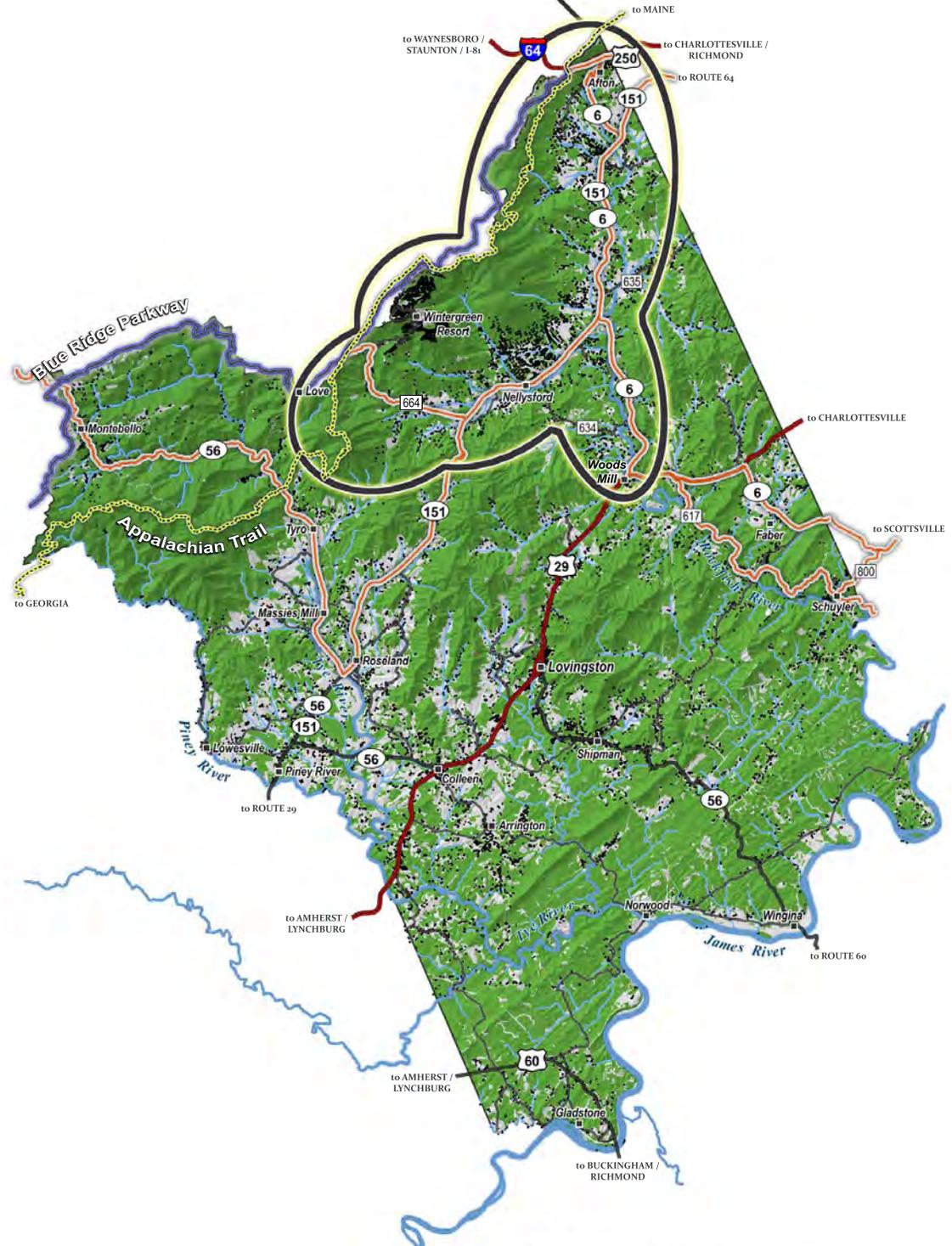
The Rockfish Valley Area Plan would address a relatively large area, expanding well beyond the Route 151 corridor. The proposed project scope roughly encompasses the entire Rockfish River watershed above Route 29 as a general geographic boundary.

Specifically, the proposed project scope would include much of the North District and Central Districts, including the area from Afton to Beech Grove and to Reids Gap; and also the area from the Martin's Store substation (at the Rockfish Valley Highway / River Road intersection) to Woods Mill (at the River Road / Route 29 intersection).

This scope provides the best opportunity for a consistent, coordinated evaluation of current (and future) issues that are common throughout the area. The majority of the project area is comprised of the Route 151 corridor and the Route 664 corridor, which share similar characteristics. They are both designated Scenic Byways passing through the heart of the Rockfish Valley; and both corridors experience the highest intensity of tourism activities and associated tourism and agri-business land uses.

The inclusion of Route 6 (to Woods Mill) will provide a broader analysis of the Rockfish Valley, and allow the Rockfish Valley Area Plan to have a logical nexus with Route 29 – another strategic corridor for Nelson County and a Corridor of Statewide Significance for the Commonwealth of Virginia.

Proposed Project Scope: Afton - Woods Mill - Reids Gap



Proposed Project Deliverables:

PHASE I: AREA ANALYSIS

Summary of Existing Plans:

A document providing a review, analysis, and synthesis of key recommendations from each previous study or plan pertaining to the proposed project scope

Asset Inventory:

A document that identifies and describes the Rockfish Valley's exceptional community assets, resources, attractions, and valuable characteristics

Area Assessment:

A report that provides an analysis of trends, issues, concerns, "threats," and opportunities... This will include an area-wide analysis focused on existing zoning patterns, land use patterns, future development scenarios, and favorable opportunities for commercial entrance sites

*Historic Dodd Cabin on
Route 664 Scenic Byway (Beech Grove Road)*



PHASE II: AREA PLANNING

Public Survey:

A public outreach process conducted in both an online format and a traditional format (provided by mail)...

This effort will solicit public perspective(s) on issues, concerns, "threats," and opportunities, which will influence and inform the project team's efforts, and be incorporated into the Area Plan documents

Vision Statement & Area Recommendations:

Materials that identify strategic goals and objectives for the area's economic development, physical development, environment, land use, and transportation/mobility issues

County Policy Review:

A detailed report that identifies specific recommendations for potential updates to the Comprehensive Plan and/or potential amendments to the Zoning Ordinance and Zoning Map, in order to best facilitate the public's desired outcomes for this area

Anticipated Project Outcomes:

- Board of Supervisors adoption of Area Plan (either as a stand-alone document or element of the Comprehensive Plan)
- Development of a clear, coordinated vision for facilitating positive economic development activity and inducing private investment (with an emphasis on attracting targeted industries into the most appropriate locations)
- Development of a clear vision and strategies for the protection and enhancement of the area's rural character, sense of place, and quality of life
- Identification of deficiencies with existing land use policies and patterns
- Identification of important opportunities to adaptively update the Zoning Ordinance and/or Zoning Map (including formal actions by the Governing Body to amend the Zoning Ordinance and/or amend the Zoning Map; with an emphasis on):
 - Specific, reasonable recommendations for updated zoning policies which respond to current development activities and which anticipate future growth potential; and
 - Specific land use policy recommendations for the Rte. 151 and Rte. 664 corridors, which are the fastest-changing, highest-profile portions of the Rockfish Valley

Proposed Project Team:

○ **Project Management & Administration:**

Tim Padalino – Project Manager

Primary Roles and Responsibilities:

- Coordinate and collaborate with TJPDC staff
- Communicate with Nelson County BOS
- Lead the design and delivery of public events and other participatory efforts
- Lead the production, management, and editing of all project deliverables
- Provide project oversight / quality control

Steve Carter and Maureen Kelley – Lead Project Support Team

Primary Roles and Responsibilities:

- Provide participation, assistance, and guidance for all aspects of project
- Coordinate, collaborate, and communicate with County Supervisors (SC)
- Coordinate, collaborate, and communicate with various project area stakeholders (MK)

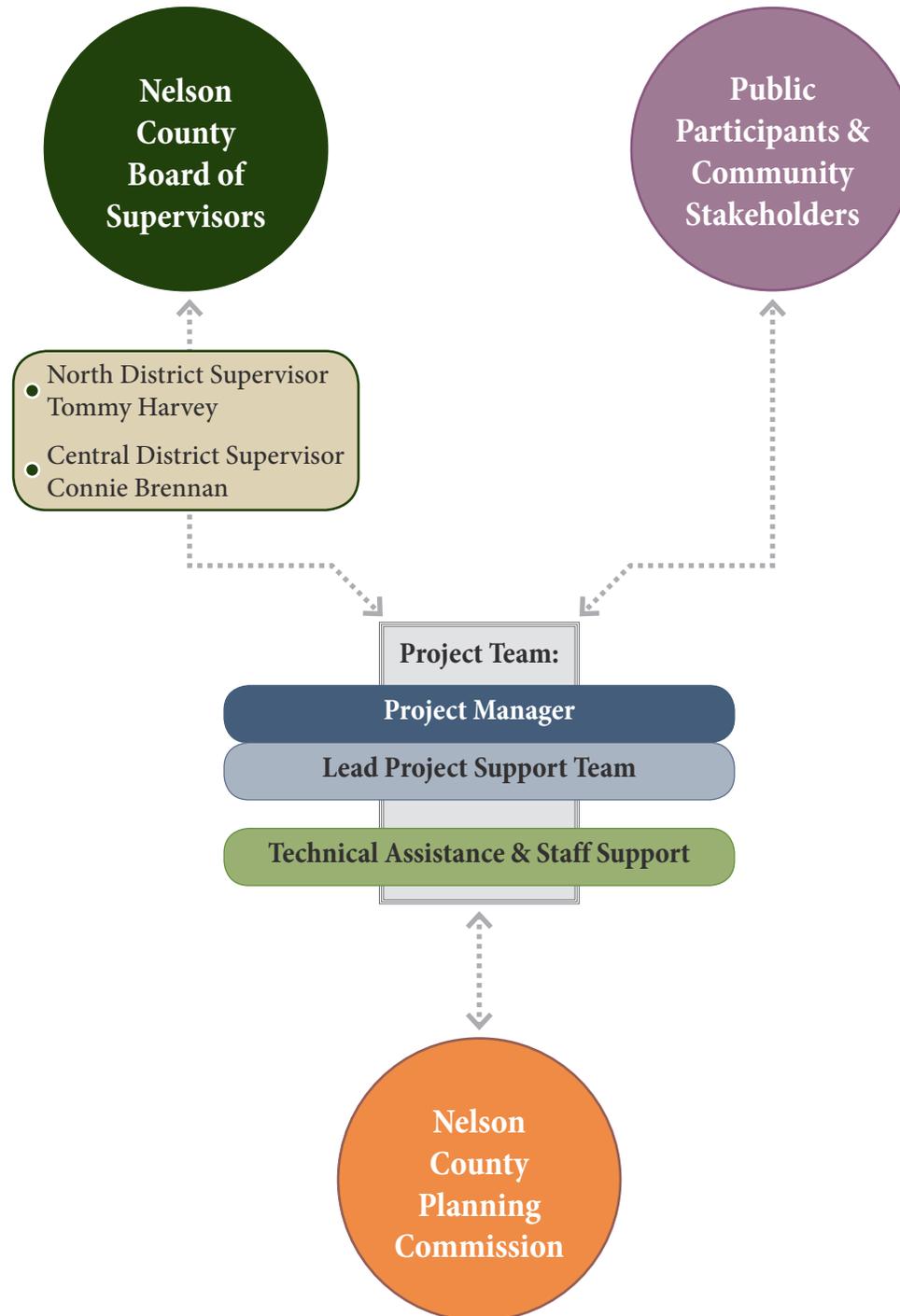
○ **Technical Assistance:**

TJPDC Staff – Project Team Tech. Assistance

Primary Roles and Responsibilities:

- Provide technical assistance with land use analysis and mapping
- Assist with the design and delivery of public events / outreach efforts
- Assist with public outreach and communications: online survey, website setup and management, etc.
- Provide additional assistance with other preparation, tasks, and deliverables (TBD)

Proposed Project Participants:



Proposed Sequence & Timeline:

Public Meeting

PREPARATION

2013

December 2013 - May 2014

- internal County preparation and process design, to include:
 - Board-approved final Scope of Work
 - Board-approved Project Team participants and roles
 - Board-approved project schedule, public meetings schedule, and project budget

PHASE I: AREA ANALYSIS

2014

(late) May

- conduct project kick-off meeting with project team members

June - July

- project team prepares Phase I (Area Analysis) presentation materials for initial “open house” public meeting

June - July

- conduct Phase I community survey(s) and compile public input

(late) July

- conduct initial public meeting (“open house” to present [draft] Phase I deliverables; present community survey responses; and conduct informal public engagement)

(early) August

- project team makes revisions to Phase I deliverables based on project team meetings and informal feedback from first “open house” public meeting

PHASE II: AREA PLANNING

August - September

- project team prepares Phase II (Area Planning) presentation materials for second public meeting

August - September

- conduct Phase II community survey(s) and compile public input

(middle) October

- conduct second public meeting (present [draft] Phase II deliverables; present community survey responses; and solicit public comments and questions)

October - November

- project team makes revisions to Phase II deliverables based on project team meetings, feedback from second public meeting, and any additional public comments

November - December

- project team prepares presentation materials for entire Area Plan for final public meeting

December

- conduct third and final public meeting (present entire Area Plan project; and solicit public comments)

2015

December - January 2015

- project team makes any necessary final revisions

January or February 2015

- finalize deliverables and present to BOS for consideration

Project Budget & Resources:

A primary requirement will be staff time, with the following time commitments anticipated for County staff:

- Tim Padalino: 12-16 hours weekly on average (*with additional time likely being required in advance of key deadlines, public meetings, and/or presentations*)
- Maureen Kelley: 4-8 hours weekly on average
- Steve Carter and/or Candy McGarry: 2-4 hours weekly (total) on average

Another primary consideration for County resources would be the establishment of a partnership with the Thomas Jefferson Planning District Commission (TJPDC) for staff support and technical assistance.

County staff have already initiated preliminary discussion with TJPDC staff about their potential role(s) in this project; and County staff will continue those discussions in greater detail to begin negotiating the terms of a possible partnership which would provide Nelson County with staff support and technical assistance on this project.

Other resources to consider include postage and office supplies to send information materials to area residents and businesses. This anticipated cost is currently unknown; and could be reduced significantly by timing this (possible) one-time mailing to be included in official County correspondence that would already need to be mailed out to the public (such as Commissioner of Revenue mailings).

Additional resources might include materials related to the proposed public meetings, although this would be minor (and would likely be accounted for in existing Department budget(s) for “Printing & Binding” 81010-3006 and/or “Office Supplies” 81010-5401).





May 7, 2014

To the Nelson County Board of Supervisors,

The Planning Commission received Mr. Carter's instruction that we consider an amendment pertaining to "two-family detached dwellings" as proposed by Mr. Krieger of the Community Development Foundation.

We discussed this proposal at length and concluded that while we support the goals of the Community Development Foundation the proposed amendment raised too many collateral concerns for us to recommend it. An amendment to the ordinance would impact the entire county, not just Foundation projects.

Primary concerns were increase in housing density in agricultural zones, difficulty in meeting septic and water requirements, and inability to enforce the intended limitations. This proposed amendment is designed for a specific user, not generally considered a good principal in zoning.

While Mr. Krieger has said that the Foundation would allow a maximum of 8 occupants per duplex, a private developer would not have any restrictions. It would be possible for plans for a duplex to propose only four bedrooms, but also include an office, a family room, etc., and there is no way to limit additional rooms or to know how those rooms will be used after it's built. Further, the Planning Commission does not want to establish a precedent in our ordinance for regulating the number of bedrooms and/or bathrooms in a dwelling unit.

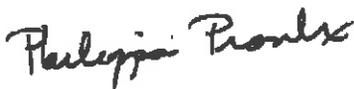
Increasing residential density in A-1 zones could create a great change in the character of an area. Much of our concern would be alleviated if this proposal was limited to the Community Development Foundation. At the Commission's request, Mr. Padalino discussed this possibility with Mr. Payne and made the following report:

"The Community Development Foundation can legally receive distinct relief from Zoning Ordinance regulations (which are not also afforded to other landowners/applicants) IF the purpose has a defensible nexus with "public health, safety, and/or welfare." If the County considers affordable housing as an important element of the broader public interest, the initial conclusion is that such an amendment would be legal and defensible (without having to create a "Housing Authority" which is potentially more complex and which has more authority than the current Community Development Foundation format/status)."

I discussed this approach with Mr. Krieger and it is my understanding that he felt this would address the needs of the Foundation.

The Planning Commission therefore requests that the Board of Supervisors direct Mr. Padalino and Mr. Payne to develop the mechanism by which the relief referenced above could be granted and not pursue the original proposed amendment.

Sincerely,



Philippa Proulx

Chair, Nelson County Planning Commission



To: Chair and Members, Nelson County Board of Supervisors; and
Mr. Stephen A. Carter, County Administrator

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

Date: May 5, 2014

Subject: Proposed Amendments to Zoning Ordinance pertaining to “two-family detached dwellings”

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”) as it pertains to provisions and regulations for “two-family detached dwellings,” or duplexes.

That BOS referral, provided by Mr. Steve Carter, Nelson County Administrator (a copy of which is provided with this report), asks the Planning Commission to, “consider this amendment and present it[s] recommendations to the Board as expeditiously as possible.” Subsequently, the Planning Commission conducted a review of these proposed amendments at their regularly scheduled meeting on February 26th. The following report provides a review of the proposed amendments, as well as a summary of the Commission’s Feb 26th discussion:

Existing Regulations and Provisions:

Article 2. Definitions.

- *Dwelling*: Any building which is designed for residential purposes (except apartment houses, boardinghouses, dormitories, hotels and motels.)
- *Dwelling unit*: A single unit providing complete independent living facilities for one (1) or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation.
- *Dwelling, two-family detached*: A building arranged or designed to contain two (2) dwelling units.

Article 4. Agricultural District (A-1), Section 2. “Lots Allowed and Area Regulations”

- §4-2-1a: The minimum lot area shall be two (2) acres (87,120 sq. ft) or more per dwelling unit. For family subdivision lots the minimum lot area shall be one (1) acre (43,560 sq. ft.) per dwelling unit.
 - *(Note): Based on the definitions in Article 2 and listed above, the correct interpretation of §4-2-1a currently requires 4 acres for a duplex (at 2 acres per dwelling unit).*

Proposed Text Amendment(s):

The proposed text amendments for your review and consideration include:

Article 4. Agricultural District (A-1), Section 2. "Lots Allowed and Area Regulations"

- §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 is welcome to consider these 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.*

In speaking with Mr. George Krieger, Director of Nelson County Community Development Foundation (NCCDF) and originator for these proposed amendments, he indicated that these proposed amendments would be very beneficial for NCCDF's efforts to provide rental housing to senior citizens and other low- to moderate-income residents who qualify for subsidized housing.

Additionally, because the proposed amendments would limit which duplexes are eligible for the 2-acre density requirement based on the number of bedrooms and bathrooms, it does not appear that the amendments would create issues with public health or sanitation. As Mr. Krieger has noted, a 4 bedroom, 2 bathroom duplex would represent comparable average daily water usage as a single family home of the same size. If the dwellings – whether they contain one unit or two units – contain the same (or similar) number of bedrooms and bathrooms, and thus have comparable average daily water usage and septic requirements, then it should be acceptable for a duplex to be subject to the same 2-acre area regulation as a single-family dwelling. The proposed amendments to §4-2-2 would provide further assurance that a 2-acre site would provide adequate area for septic systems, drainfields, and reserve drainfields by directly requiring Health Department approval.

Please reference the second and third pages of the referral memo, which contain materials submitted by Mr. Krieger and which contain supplemental information about why these proposed amendments are beneficial, and why he believes they are not problematic and not in conflict with Zoning Ordinance and Comp Plan policies.

Summary of Planning Commission Discussion at February 26th Meeting:

The Planning Commission received the staff report and presentation on this topic, and then subsequently discussed the proposed amendments. The following list identifies the concerns that were voiced by the Planning Commissioners at the February 26th Work Session:

- 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 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.

Staff noted that the concerns are valid and should be addressed by Mr. Krieger, presumably at the March 26th Planning Commission meeting. Commissioner Russell stated she would like to wait a month to be able to speak with Tom Eick. Chair Proulx then indicated that the Commission would continue their review of this issue at the March meeting, and clarified that the Commission is not ready for a Public Hearing to be advertised.

Summary of Planning Commission Discussion at March 26th Meeting:

The Planning Commission did not achieve a quorum for the March meeting. Accordingly, the meeting was cancelled and the agenda items were postponed until the April meeting.

Summary of Planning Commission Discussion at April 23rd Meeting:

The Planning Commission requested an update on the possibility of “narrowing” the proposed amendments so as to only apply to Nelson County Community Development Foundation projects.

County staff stated that this approach was understood to be legal, as it involves the County’s designated housing agency, and this has a strong nexus with the public purpose of improving the public health and/or welfare. In short, having “relaxed” rules for the Community Development Foundation appears to be an example of “permissible discriminatory treatment.” However, County staff also noted that if any such differential treatment is pursued, then the proposed amendments should have a brief introductory clause stating the public purpose.

The Commission then indicated they would continue to work on this issue, and pursue this alternative approach. County staff then urged the Commissioners to consider making a formal recommendation to the Board of Supervisors that identifies this alternative approach as their recommended action, despite not having all the details specified. Chair Proulx then agreed that making a formal recommendation as soon as possible was an important priority, and the Commission voted to recommend that the “permissible discriminatory treatment” alternative be pursued further by the Board of Supervisors, so as to accommodate the Nelson County Community Development Foundation without relaxing the minimum density requirements for all projects Countywide.

Chair Proulx indicated that she would submit the written formal recommendation for inclusion in the May meeting packet. County staff have not yet received that recommendation as of the date of this report, but did note that it would have to be submitted by May 8th for inclusion in the May 13th Board of Supervisors meeting packet.

Please note that this pending recommendation from the Planning Commission will not contain specific text amendments; but rather, it simply returns the issue to the County Supervisors to consider the PC's recommended (alternative) approach of "narrowing" the proposed text amendments to apply only to the Nelson County Community Development Foundation. Please also note that the Planning Commission did not conduct a public hearing, as their review of the referred amendments did not reach any level of clarity or specificity on the issue.

If you have any questions regarding this issue, or if you would like any assistance, please contact the Department of Planning & Zoning. Thank you for your review of this matter.

BOARD OF
SUPERVISORS

THOMAS D. HARVEY
North District

LARRY D. SAUNDERS
South District

ALLEN M. HALE
East District

THOMAS H. BRUGUIERE, JR.
West District

CONSTANCE BRENNAN
Central District



STEPHEN A. CARTER
Administrator

CANDICE W. McGARRY
Administrative Assistant/
Deputy Clerk

DEBRA K. McCANN
Director of Finance and
Human Resources

12 February, 2014

To: T. Padalino, Director, Department of Planning and Zoning
From: S. Carter SA
Re: Referral of Proposed Zoning Amendment to Planning Commission

Transmitted herewith is the "suggested text" to amend Section 4-2-1a of the local Zoning Ordinance to provide for the inclusion of "two-family detached dwellings" therein.

At their meeting on February 11, 2014 the Board of Supervisors resolved to formally refer this consideration to the Planning Commission in accordance with the applicable requirements of §15.2-2285 of the Code of Virginia and Section 16-1-2 of the County's Zoning Ordinance. The Board requested that the Commission consider this amendment and present its recommendation to the Board as expeditiously as possible.

With regard to the attachment's reference to Section 4-2-2 of the Zoning Ordinance, which would also be an amendment thereto, the Board of Supervisors did not discuss this change nor did the Board act to refer it to the Commission. However, the Commission may consider this change at its discretion.

Please advise should Planning Commission or your office require additional input on the subject(s) of this communication.

The Commission's and your assistance and cooperation are appreciated.

Cc: Board of Supervisors
C. McGarry

NELSON COUNTY ZONING ORDINANCE

ARTICLE 2. DEFINITIONS

Dwelling, single-family detached: A building arranged or designed to contain **one (1) dwelling** unit with not more than (5) lodgers or boarders.

Dwelling, two-family detached: A building arranged or designed to contain **two (2) dwelling units**.

ARTICLE 4. AGRICULTURAL DISTRICT A-1

4-1

Uses—Permitted by right.

4-1-1

Single-family detached dwellings.

4-1-2

Two-family detached dwellings.

4-2-1a

The minimum lot area shall be two (2) acres (87,120 square feet) or more ***per dwelling unit***. For family subdivision lots the minimum lot area shall be one (1) acre (43,560 square feet) per dwelling unit.

4-2-1b

For single-family dwelling units utilizing the Nelson County public sewage disposal system, the required area for such use shall be thirty thousand (30,000) square feet.

4-2-1c

For a two-family detached dwelling unit on a single lot utilizing the Nelson County public sewage disposal system, the required area for such use shall be thirty thousand (30,000) square feet.

4-2-2

For permitted uses utilizing individual sewage disposal systems, the required area for any such use shall be approved by the health official. The Administrator may require a greater area if considered necessary by the health official.

SUGGESTED TEXT CHANGE:

4-2-1a

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

Density Protection: 4-2-2 Health Department approval of individual septic systems based on bedroom size and average daily water usage

Negatives:

Will change the character of a neighborhood by creating greater density:

In a four-bedroom, two bath model, the maximum number of residents could be eight – two/bedroom. It is much more likely, and supported by rental evidence, that the tenant will be a single, or elderly couple, a single woman with children, a person with disabilities that may require in-home care at some time.

Will change rural character by introducing more rental housing into areas populated by homeowners:

The most common rental housing currently available is “scatter-site”, and the Code recognizes no distinction for rental, as opposed to “owned” property. There is no reason homeowner property cannot convert to rental property at any time in an A-1 zone (except when covenants and restrictions have been recorded).

Will prove a greater burden on water table, site development:

Referring to the first answer, evidence is this type of housing would require no more intensive use than single family units.

Will promote concentration of “low-income” families in “public housing”:

Demographically, more than 40% of Nelson residents are at or below 80% of the Area Median Income (LMI), so the predominant demand for rental housing will be from this group as homeownership becomes more difficult. The duplex concept would be less intensive than townhouse or garden apartment development, and more in character with A-1 zones. Duplex housing would not change the way a neighborhood looks.

Currently permitted subdivisions could now double the number of units per lot that could be built:

Only provided that those units meet Health Department requirements for lot size, which limits the number of bedrooms. The same arguments from above apply as to why this would not be a more intensive use of the property than originally permitted.

RESOLUTION R2014-32
NELSON COUNTY BOARD OF SUPERVISORS
AUTHORIZATION FOR PUBLIC HEARING FY-15 BUDGET

BE IT RESOLVED, that pursuant to §15.2-1427, §15.2-2503 and §15.2-2506 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 the proposed Fiscal Year 2014-15 Budget. The public hearing will be held at 7:00 PM on Thursday, May 29, 2014 in the General District Courtroom of the Nelson County Courthouse, 84 Courthouse Square, Lovingston, Virginia.

Adopted: _____, 2014

Attest: _____, Clerk
Nelson County Board of Supervisors

§ 15.2-2503. Time for preparation and approval of budget; contents.

All officers and heads of departments, offices, divisions, boards, commissions, and agencies of every locality shall, on or before the first day of April of each year, prepare and submit to the governing body an estimate of the amount of money needed during the ensuing fiscal year for his department, office, division, board, commission or agency. If such person does not submit an estimate in accordance with this section, the clerk of the governing body or other designated person or persons shall prepare and submit an estimate for that department, office, division, board, commission or agency.

The governing body shall prepare and approve a budget for informative and fiscal planning purposes only, containing a complete itemized and classified plan of all contemplated expenditures and all estimated revenues and borrowings for the locality for the ensuing fiscal year. The itemized contemplated expenditures shall include any discretionary funds to be designated by individual members of the governing body and the specific uses and funding allocation planned for those funds by the individual member; however, notwithstanding any provision of law to the contrary, general or special, an amendment to a locality's budget that changes the uses or allocation or both of such discretionary funds may be adopted by the governing body of the locality. The governing body shall approve the budget and fix a tax rate for the budget year no later than the date on which the fiscal year begins. The governing body shall annually publish the approved budget on the locality's website, if any, or shall otherwise make the approved budget available in hard copy as needed to citizens for inspection.

(Code 1950, § 15-575; 1959, Ex. Sess., c. 69; 1962, c. 623, § 15.1-160; 1976, c. 762; 1978, c. 551; 1997, c. [587](#); 2008, c. [353](#); 2013, c. [747](#).)

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§ 15.2-2506. Publication and notice; public hearing; adjournment; moneys not to be paid out until appropriated.

A brief synopsis of the budget which, except in the case of the school division budget, shall be for informative and fiscal planning purposes only, shall be published once in a newspaper having general circulation in the locality affected, and notice given of one or more public hearings, at least seven days prior to the date set for hearing, at which any citizen of the locality shall have the right to attend and state his views thereon. Any locality not having a newspaper of general circulation may in lieu of the foregoing notice provide for notice by written or printed handbills, posted at such places as it may direct. The hearing shall be held at least seven days prior to the approval of the budget as prescribed in § [15.2-2503](#). With respect to the school division budget, which shall include the estimated required local match, such hearing shall be held at least seven days prior to the approval of that budget as prescribed in § [22.1-93](#). The governing body may adjourn such hearing from time to time. The fact of such notice and hearing shall be entered of record in the minute book.

In no event, including school division budgets, shall such preparation, publication and approval be deemed to be an appropriation. No money shall be paid out or become available to be paid out for any contemplated expenditure unless and until there has first been made an annual, semiannual, quarterly or monthly appropriation for such contemplated expenditure by the governing body, except funds appropriated in a county having adopted the county executive form of government, outstanding grants may be carried over for one year without being reappropriated.

(Code 1950, § 15-577; 1956, Ex. Sess., c. 67; 1959, Ex. Sess., c. 69; 1962, c. 623, § 15.1-162; 1976, c. 762; 1978, cc. 126, 551; 1984, c. 485; 1997, c. [587](#); 2009, c. [280](#).)

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9 May, 2014

To: Board of Supervisors
From: S. Carter
Re: County Administrator's Report (May 13, 2014 Meeting)

I. Courthouse/Government Center Project: No change in status.

II. Courthouse Project Phase II: RFP issued with proposals due on May 28th. Update of office space for Division Superintendent Comer in process.

III. Jefferson Building: Two quotations received on May 8th for rework of the building exterior. The low quotation is being verified to enable the work to be contracted.

IV. Health Department Building Demolition: Completed.

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

VI. Lovingson Health Care Center: Board review/input is required per JABA's decision that it will not be the developer of a project to provide assisted living/memory care services.

VII. BR Tunnel and BR Railway Trail Projects: A) **BRRT** – Close out in process for completion date of 5-15-14. B) **BRT** – Work to Re-bid Phase 1 is in progress.

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

IX FY 14-15 Budget: Public hearing on 5-19 and approval scheduled for June 10th.

X. Broadband: Contracts completed with AT&T for Rockfish and Martin's Store Towers. Stewart Computer Services has installed equipment on Martin's Store Tower and indicated Massies Mill Tower is preferred next co-location. Rockfish Orchard Subdivision is moving towards network connectivity. Hightop Tower use contingent upon payments to the Nature Conservancy. FY 2014-15 Budget meeting and approval to be scheduled for June 2014.

XI. Radio Project: Working to maintain 6-30-14 project completion date but schedule may slip (see Information Services Department report).

XII. Staff Reports: Provided within the May 13, 2014 Agenda

XIII. Other: Questions from the Board.

May 13, 2014

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 Service Authority Board

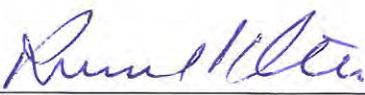
Please return form to:

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: Russell B. Otis

Signed Name:  Date: 5/6/2014

LOCAL BOARD OF BUILDING CODE APPEALS

<u>NAME & ADDRESS</u>	<u>TERM ENDING</u>
Clarence Craig, Jr. 3973 Williamstown Road Shipman, VA 22971 (434) 263-5858	JUNE 30, 2016
Kenneth H. Taylor 2415 Arrington Road Arrington, V A 22922 (434) 263-5564	JUNE 30, 2016
Steve Crandall 13804 Patrick Henry Highway Roseland, V A 22967 (434) 325-2125	JUNE 30, 2016
Robin Meyer (Architect) 15 Orchard Rd. Charlottesville, VA 22903 (434) 987-4112 rmeyer@nelsoncable.com	JUNE 30, 2014
Robert L. Yoder (Architect) 80 Tuckahoe LN Nellysford, VA 22958 (757) 675-1449 BobYoderArchitect@gmail.com	JUNE 30, 2014

LOCAL BOARD OF BUILDING CODE APPEALS

Establishment:

Established per Section 36-105, of the Code of Virginia, 1950 as amended and Section 119 of the Virginia Uniform Statewide Building Code effective March 1, 2011 and Ordinance O2011-05 adopted August 9, 2011

Term:

Four year terms except for the first three initial appointees' terms shall expire on June 30, 2012. The remaining two appointees' terms shall expire June 30, 2014. Members may be re-appointed without limitation. A member appointed to fill a vacancy shall serve the unexpired term of the member being replaced. At the request of the Board of Supervisors, a serving member may sit beyond the expiration of his term until such time as his successor may be appointed; however, the successor's term shall not be extended by such delay.

Composition:

Members of the LBBCA shall be selected by the Board of Supervisors on the basis of their ability to render fair and competent decisions regarding application of the USBC and shall to the extent possible, represent different occupational or professional fields relating to the construction industry. At least one member should be an experienced builder; at least one member should be a licensed architect or professional engineer, and at least one member should be an experienced property manager. Employees and officials of the locality shall not serve as members of the LBBCA.

Summary of Duties:

To rule on disagreements between the local enforcers of the Virginia Statewide Fire Prevention Code ("the SFPC") or the Virginia Uniform Statewide Building Code ("the USBC") and those persons being regulated under the codes. The power of the local board of appeals is to, when presented with an appeal, rule on the application of the SFPC or USBC by the enforcing agency or to rule on the enforcing agency's denial of a modification request. In exercising these powers, the local board of appeals may reverse or affirm, wholly or partly, or modify any decision under review as well as to determine whether an appeal is properly before them

Meetings:

The LBBCA shall meet at least once annually to assure a duly constituted board, appoint officers as necessary, and receive such training on the USBC as may be appropriate or necessary from staff of the locality. Members are compensated \$75 per meeting.



Nelson County Local Board of Building Code Appeals

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: Robin Meyer

Signed Name: Robin J. Meyer Date: 4.15.14



Nelson County Local Board of Building Code Appeals

Please return form to: County Administrator's Office
Attn: Candy McGarry - Appointments
P.O. Box 336
Lovington, VA 22949
Fax: (434) 263-7004 or cmegarry@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: ROBERT L. YOOPER

Signed Name:  Date: _____

NELSON COUNTY ECONOMIC DEVELOPMENT AUTHORITY

NAME, ADDRESS & PHONE

TERM

Mark B. Robinette
P.O. Box 135
Roseland, VA 22967
434-277-9251 (H)
mrobinette@co.bedford.va.us

July 1, 2011 -June 30, 2015
(Appointed 2-14-12)

John Bruguiera
8063 Rockfish Valley Hwy
Afton, VA 22920
434-277-5516 (W)
540-456-6778 (H)
THB@Ceva.net

July 1, 2011 -June 30, 2015

R. Carlton Ballowe
19218 Thomas Nelson Hwy
Faber, VA 22938
434-263-6285 (H)
434-996-7796 (W)
catbalu1@aol.com

July 1, 2012 –June 30, 2016
(Appointed 3-12-13)

Emily H. Pelton
1488 Afton Mountain Rd.
Afton, VA 22920
434-531-7754 (Cell)
540-456-8000 Ext.103 (W)
Emily@veritaswines.com

July 1, 2012 –June 30, 2016

Gregory J. Kelly
602 Wills Lane
Lovingsston, VA 22949
434-263-8336
gkelly@forcvec.com

July 1, 2013 – June 30, 2017

Natt A. Hall, Jr.
462 Horseshoe Mountain Rd.
Roseland, VA 22967
434-361-1780

July 1, 2010 – June 30, 2014

J. Alphonso Taylor
288 Village Rd.
Shipman, VA 22971
434-263-5894 (H)
434-263-6195 (W)

July 1, 2010 – June 30, 2014

Authority: **Established pursuant to the Code of Virginia §15.2-4903 et seq.**

Membership: Consists of seven (7) County Resident members

Term: 4 years, July – June (Staggered) with **no term limits.**

Summary of Duties: To administer the provisions of Virginia State Code §15.2-4905

Meetings: Meets on the 1st Thursday of each month. Members are compensated \$75 per meeting plus mileage.



Nelson County Economic Development Authority

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 Committee.

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

Printed Name: J. Alphonso Taylor

Signed Name: J. Alphonso Taylor Date: April 22, 2014



Nelson County Economic Development Authority

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 Committee.

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

Printed Name: Narr Hall

Signed Name: Narr Hall Date: 4/20/14

NELSON COUNTY LIBRARY ADVISORY COMMITTEE

NAME, ADDRESS & PHONE

TERM :4 Years, July-June

Ellen Bouton – **North District**
395 Goodwin Creek Trail
Afton, Va. 22920
(540) 456-6746

July 1, 2010 – June 30, 2014

Jane Strauss- **Central District**
112 River View Lane
Faber, VA 22938
(434) 263-8294
msjane@ntelos.net

July 1, 2011 - June 30, 2015

Nancy K. Kritzer- **East District**
5018 Stagebridge Rd.
Shipman, VA 22971

October 11, 2010 - June 30, 2014

Jean B. Holliday- **South District**
24 Kingswood Ln
Arrington, VA 22922
(434) 263-5266

June 30, 2013 – July 1, 2017

Audrey D. Evans – **West District**
1184 Dickie Rd.
Roseland, VA 22967
(434) 277-5814
bossmare@ceva.net

July 1, 2012 - June 30, 2016
(Appointed 2-12-13)

Membership: 5 Members by Election District.

Term(s) of Office: Regular Terms are 4 years July – June, with no term limits. Membership is voluntary.

Summary of Duties: To serve in an advisory capacity to the Jefferson Madison Regional Library Nelson member of the Board, the JMRL Librarian, and the Nelson Librarian.

Meetings: Monthly on the 3rd Monday from 4-6 PM at the Nelson Memorial Library. Members serve on a voluntary basis.



Nelson County Library Advisory Committee

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 Committee.

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

Printed Name: Ellen Bouton

Signed Name: Ellen H. Bouton Date: 28 April 2014

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 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 Social Services Board

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:

Pauline Page

Signed Name:

PAULINE PAGE

Date: *4-16-14*

THOMAS JEFFERSON AREA COMMUNITY CRIMINAL JUSTICE BOARD

NAME, ADDRESS & PHONE

TERM

Governing Body Representative

Annually Appointed

Connie Brennan connie@cstone.net
524 Buck Creek Lane
Faber, VA 22938
434-263-4690

January 1, 2014– December 31, 2014
(Annual BOS Resolution)

Citizen Representative

3 Years, 2 Consecutive Term Limit

James E. Hall jimhall171@gmail.com
194 Horseshoe Rd.
Arrington, VA 22922
434-263-6343

July 1, 2011 – June 30, 2014 (**Term 3**)

Authority: Established by the Code of Virginia §53.1-180 et seq. & §19.2-152 et seq.

Membership: Local membership is one (1) Governing Body Representative and one (1) Citizen Representative. Members serve on a volunteer basis.

Term(s) of Office: The Governing Body representative is annually appointed at the BOS annual organizational meeting; the Citizen Representative Term is 3 years with a **2 consecutive term limit unless no other person meets the criteria for the position.**

Summary of Duties: To enable participating localities to work together to develop community-based pretrial court services and post conviction alternatives to incarceration for misdemeanants and certain non-violent felons.

Meetings: Meetings are held 4 times a year usually on a Monday evening at 5:00 PM at the Albemarle County Office Building. Thomas Jefferson Area Community Criminal Justice Board, Thomas Jefferson Area Crisis Intervention Team (CIT), 750 Harris Street, Suite 207, Charlottesville, VA 22902, Office: (434) 296 - 2441 Ext: 117, FAX: (434) 979 – 4038 thomasvh@oar-jacc.org

Candy McGarry

From: Jim Hall <jimhall171@gmail.com>
Sent: Thursday, April 17, 2014 11:08 AM
To: Candy McGarry
Cc: 'Stephanie Garbo'
Subject: FW: CCJB Question
Attachments: Continued Service - TJ Community Criminal Justice Board James E. Hall.doc

Mrs. McGarry,

I did send an email inquiring about the reappointment to CCJB over a month ago. Apparently like other emails it went into the Never Never Land of Emails. I do appreciate the outline you have given Miss Garbo and myself concerning the appointment. As I have stated in the past I do want to continue to serve on the CCJB and await any other correspondence that you may send.

I do hope that the information you have provided will answer Miss Garbo's questions.

Thank You

Jim Hall, Colonel
Retired Police Chief
Nelson County Rep.
194 Horseshoe Road
Arrington, VA 22922
434-579-1139 (Cell)
434-263-6343 (Home)

From: Candy McGarry [mailto:CMcGarry@nelsoncounty.org]
Sent: Thursday, April 17, 2014 10:20 AM
To: jim hall
Cc: Stephanie Garbo
Subject: RE: CCJB Question
Importance: High

Hi Jim,

I have not received any correspondence from you regarding your CCJB appointment (are you thinking of the James River ASAP Board?); however it does expire 6/30/2014. This is the end of your third consecutive term and we were going with the following code language which allowed you continue beyond your 2 term limit (see attached letter dated June 21, 2011):

the Citizen Representative Term is 3 years with a 2 consecutive term limit *unless no other person meets the criteria for the position.*

We will advertise the seat and if no other person meets the criteria for the position, I am confident the BOS will make your reappointment at either their June 10th or July 8th meeting. We will keep you apprised of how the solicitation for candidates is going and do very much appreciate your service and willingness to continue to serve on the Board!

Please let me know if you have any other questions/concerns, thank you!

Best, Candy

Candy McGarry
Nelson County Administrator's Office
Administrative Asst./Deputy Clerk
ph: 434-263-7002
fax: 434-263-7004

From: jim hall [<mailto:jimhall171@gmail.com>]
Sent: Thursday, April 17, 2014 10:00 AM
To: Stephanie Garbo
Cc: Candy McGarry
Subject: Re: CCJB Question

I have contacted Mrs McGarry but have not heard back. By way of this email I am copying her. I am not sure when the Board of Supervisors will make the appointment. I have indicated to Mrs. McGarry that I am willing to continue to serve on the CCJB. I plan to be at the Executive Board meeting on May 5th at 4:30 pm.

Jim

On Apr 17, 2014 9:15 AM, "Stephanie Garbo" <sgarbo@oar-jacc.org> wrote:

Good Morning,

I am following up from our meeting in March about you potentially being reappointed to serve on the CCJB. I had that it was your first term that was ending on 6/30/14. You stated it was definitely not your first term and you would talk to the Nelson County BOS to determine if they would reappoint you or someone else.

Our next meeting is on 5/5 5:30-7, with the Executive Committee meeting at 4:30. The meeting will be at the Thomas Jefferson Planning District (407 E Water St. Charlottesville). I am working on finalizing the agenda.

Thank you for all of your assistance.

Stephanie Garbo, MA

Criminal Justice Coordinator

OAR-Jefferson Area Community Corrections

750 Harris St. Suite 207

Charlottesville, VA 22903

[434-296-2441](tel:434-296-2441) x117

Fax: [434-979-4038](tel:434-979-4038)

**PUBLIC HEARING NOTICE
NELSON COUNTY BOARD OF SUPERVISORS
2015-2020 SECONDARY SIX-YEAR ROAD PLAN
AND CONSTRUCTION PRIORITY LIST
FOR NELSON COUNTY**

The Virginia Department of Transportation and the Board of Supervisors of Nelson County, in accordance with Section 33.1-70.01 of the Code of Virginia, will conduct a joint public hearing in the General District Courtroom of the Nelson County Courthouse, 84 Courthouse Square, Lovingston, Virginia at 7:00 pm on Tuesday, May 13, 2014. The purpose of this public hearing is to receive public comment on the proposed Secondary Six-Year Plan for Fiscal Years 2015 through 2020 in Nelson County and on the Secondary System Construction Budget for Fiscal Year 2015.

All projects in the Secondary Six-Year Plan that are eligible for federal funds will be included in the Statewide Transportation Improvement Program (STIP) and are programmed based on Commonwealth Transportation Board (CTB) priorities. Total Telefee Funds are available for distribution in the amount of \$276,996 for FY15-FY20 and total State CTB Formula Unpaved Road Funds available are approximately \$1,929,768 for the six year plan period.

Copies of the proposed Plan and Budget may be reviewed online at <http://www.nelsoncounty-va.gov/>, at the Nelson County Administrator's Office located at 84 Courthouse Square, Lovingston, VA 22949, and at the Appomattox VDOT Residency Office located at 331 Ferguson St. Appomattox, VA 24522.

Persons requiring special assistance to attend and participate in this hearing should contact the Virginia Department of Transportation at (434) 947-2167 or the Nelson County Administrator's Office at (434) 263-7000.

By Authority of the Nelson County Board of Supervisors

**Secondary System
Nelson County
Construction Program
Estimated Allocations**

Fund	FY2016	FY2016	FY2017	FY2018	FY2019	FY2020	Total
CTB Formula - Unpaved State	\$135,284	\$253,102	\$370,544	\$375,571	\$403,851	\$380,806	\$1,929,768
Formula Secondary State	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Secondary Unpaved Roads	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TeleFee	\$46,166	\$46,166	\$46,166	\$46,166	\$46,166	\$46,166	\$278,998
Residue Parcels	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$135,284	\$299,268	\$416,710	\$421,737	\$450,017	\$426,972	\$2,206,764

Board Approval Date:

Residency Administrator

Date

County Administrator

Date

NELSON COUNTY
RURAL RUSTIC PRIORITY LIST - DRAFT 4/8/14

PRIORITY	ROUTE	NAME	FROM	TO	LENGTH	TC - VPD	NOTES
1	813	LODEBAR ESTATES	ROUTE 613	RTE 612	0.40 Mi.	322	\$250,000
2	654	CEDAR CREEK RD	RTE 655	1.0 Mi. W. RTE 655	1.00 Mi.	120	\$100,000
3	640	WHEELERS COVE RD	RTE 623	RTE 620	0.70 Mi.	90	high maint \$175,000
4	756	WRIGHTS LANE	RTE 623	DEAD END	0.90 Mi.	116	\$225,000
5	634	OLD ROBERTS RD	RTE 619	RTE 654	1.70 Mi.	110	\$425,000
6	721	GREENFIELD RD	RTE 626	0.50 Mi. N RTE 626	0.50 Mi.	51	high maint \$125,000
7	814	CAMPBELL'S MT. RD.	0.99 Mi. N. RTE 56	1.99 Mi. N. RTE 56	1.00 Mi.	109	high maint \$250,000
8	654	FALLING ROCK	1.0 M.I.E. RTE 657	RTE 661	1.90 Mi.	127	\$475,000
9	680	CUB CREEK RD	0.51 W RTE 699	1.90 Mi W RTE 699	1.39 Mi.	71	high maint \$347,500
10	625	PERRY LANE	ROUTE 623	DEAD END	2.00 Mi.	118	\$500,000
11	653	WILSON RD	RTE 655	RTE 710	2.83 Mi.	60	\$707,500

Estimated cost /mile \$250,000

Six Year Plan Estimated Unpaved Road Allocation - \$1,929,768

RESOLUTION R2014-33
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF FY15-FY20 SECONDARY SIX-YEAR ROAD PLAN
AND FY15 CONSTRUCTION PRIORITY LIST

WHEREAS, Sections 33.1-23.1 and 33.1-23.4 of the 1950 Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan, and

WHEREAS, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2014/15 through 2019/20) as well as the Construction Priority List (2014/15) on May 13, 2014 after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List, and

WHEREAS, Don Austin, Virginia Department of Transportation, appeared before the Board and recommended approval of the Six-Year Plan for Secondary Roads (2014/15 through 2019/20) and the Construction Priority List (2014/15) for Nelson County,

NOW THEREFORE BE IT RESOLVED, that since said Plan appears to be in the best interests of the Secondary Road System in Nelson County and of the citizens residing on the Secondary System, said Secondary Six-Year Plan (2014/15 through 2019/20) and Construction Priority List (2014/15) are hereby approved, as amended as applicable at the public hearing.

Adopted: _____, 2014

Attest: _____, Clerk
Nelson County Board of Supervisors

§ 33.1-70.01. Annual meeting with county officers; six-year plan for secondary highways; certain reimbursements required.

The governing body of each county in the secondary system may, jointly with the representatives of the Department of Transportation as designated by the Commissioner of Highways, prepare a six-year plan for the improvements to the secondary highway system in that county. Each such six-year plan shall be based upon the best estimate of funds to be available to the county for expenditure in the six-year period on the secondary highway system. Each such plan shall list the proposed improvements, together with an estimated cost of each project so listed. Following the preparation of the plan, the board of supervisors or other governing body shall conduct a public hearing after publishing notice in a newspaper published in or having general circulation in the county once a week for two successive weeks, and posting notice of the proposed hearing at the front door of the courthouse of such county 10 days before such meeting. At the public hearings, which shall be conducted jointly by the board of supervisors and the representative of the Department of Transportation, the entire six-year plan shall be discussed with the citizens of the county and their views considered. Following such discussion, the governing body, together with the representative of the Department of Transportation, shall finalize and officially adopt the six-year plan which shall then be considered the official plan of the county.

At least once in each calendar year representatives of the Department of Transportation in charge of the secondary system of highways in each county, or some representative of the Department designated by the Commissioner of Highways, shall meet with the governing body of each county in a regular or special meeting of such governing body for the purpose of preparing a budget for the expenditure of improvement funds for the next fiscal year. The representative of the Department of Transportation shall furnish the governing body with an updated estimate of funds and the board and the representative of the Department of Transportation shall jointly prepare the list of projects to be carried out in that fiscal year taken from the six-year plan by order of priority, and following generally the policies of the Commonwealth Transportation Board in regard to the statewide secondary highway system improvements. Such list of priorities shall then be presented at a public hearing duly advertised in accordance with the procedure hereinbefore outlined, and comments of citizens shall be obtained and considered. Following this public hearing, the board, with the concurrence of the representative of the Department of Transportation, shall adopt, as official, a priority program for the ensuing year, and the Department of Transportation shall include such listed projects in its secondary highways budget for the county for that year.

At least once every two years, following the adoption of the original six-year plan, the governing body of each county, together with the representative of the Department of Transportation, shall update the six-year plan of such county by adding to it and extending it as necessary so as to maintain it as a plan encompassing six years. Whenever additional funds for secondary highway purposes become available, the governing body may request a revision in such six-year plan in order that such plan be amended to provide for the expenditure of such additional funds. Such additions and extensions to each six-year plan shall be prepared in the same manner and following the same procedures as outlined herein for its initial preparation. Where the governing body and the representative of the Department of Transportation fail to agree upon a priority program, the governing body may appeal to the Commissioner of Highways. The Commissioner shall consider all proposed priorities and render a decision establishing a priority program based upon a consideration by the Commissioner of the welfare and safety of county citizens. Such decision shall be binding.

Nothing in this section shall preclude a governing body, with the concurrence of the representative of the Department of Transportation, from combining the public hearing required for revision of a six-year plan with the public hearing required for review of the list of priorities, provided that notice of such combined hearing is published in accordance with procedures provided in this section.

All such six-year plans shall consider all existing highways in the secondary highway system, including those in the towns located in the county that are maintained as a part of the state secondary highway system, and shall be made a public document.

If any county cancels any highway construction or improvement project included in its six-year plan after the location and design for the project has been approved, such county shall reimburse the Department of Transportation the net amount of all funds expended by the Department of Transportation for planning, engineering, right-of-way acquisition, demolition, relocation, and construction between the date on which project development was initiated and the date of cancellation. To the extent that funds from secondary road allocations pursuant to § [33.1-23.4](#) have been expended to pay for a highway construction or improvement project, all revenues generated from a reimbursement by the county shall be deposited into that same county's secondary allocation. The Commissioner of Highways may waive all or any portion of such reimbursement at its discretion.

The provisions of this section shall not apply in instances where less than 100 percent of the right-of-way is available for donation for unpaved road improvements.

For purposes of this section, "cancellation" means complete elimination of a highway construction or improvement project from the six-year plan.

(Code 1950, § [33.1-70](#); 1970, c. 322; 1977, c. 578; 1979, c. 64; 1981, c. 240; 1993, c. 802; 2001, cc. [105](#), [130](#); 2005, c. [645](#); 2011, cc. [434](#), [493](#).)

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**LEGAL NOTICE
NELSON COUNTY BOARD OF SUPERVISORS
NOTICE OF PUBLIC HEARING**

In accordance with Volume 3A, Title 15.2, Counties, Cities and Towns, of the Code of Virginia, 1950, as amended, the Nelson County Board of Supervisors hereby gives notice that a Public Hearing will be held at **7:00 p.m., Tuesday, May 13, 2014** in the **General District Courtroom** on the third floor of the Nelson County Courthouse located at 84 Courthouse Square, Lovingston, Virginia. The purpose of the public hearing is to receive public input on the following:

Special Use Permit #2014-001 – Le Chic Picnic

Consideration of a Special Use Permit application, submitted by Ms. Danielle Savard, seeking approval for the proposed placement and operation of a Restaurant pursuant to §4-1-34a of the Zoning Ordinance. The subject property is identified as Tax Map Parcel #12-A-79A, and is located at 27 Chapel Hollow Road in Afton. This is a 5.2-acre parcel zoned Agricultural (A-1), and is owned by Ms. Savard and Mr. Marcel McNicoll.

BY AUTHORITY OF THE NELSON COUNTY BOARD OF SUPERVISORS



To: Nelson County Board of Supervisors

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

Date: May 6, 2014

Subject: Staff Report for Special Use Permit #2014-001 Application (Le Chic Picnic)

Site Address / Location: 27 Chapel Hollow Road / Afton / North District

Tax Map Parcel: #12-A-79A

Parcel Size: 5.22 acres

Zoning: Agriculture (A-1)

Request: Special Use Permit #2014-001 / pursuant to Article 4, Section 1-34a ("Restaurant")

Application Overview

The Department of Planning & Zoning received an application on March 14th from Ms. Danielle Savard, seeking approval for Special Use Permit #2014-001, to operate a restaurant at 27 Chapel Hollow Road. The applicant is a co-owner of the property; the other co-owner, Mr. Marcel McNicoll, has also signed the affidavit (item #5) on the application.

The property is located on the southwest corner of the intersection of Chapel Hollow Road (Rte. 709) and Rockfish Valley Highway (Rte. 151), with approximately 400' of frontage along Rte. 151. The 5.22-acre property is zoned Agricultural (A-1) and currently has multiple uses: as a residence; for a "boardinghouse" or "tourist home" with a total of 3 rooms; and for the Flying Fox Winery and tasting room. Please see the attached maps (pages 4 and 5).

Review of Requested Uses

Specifically, the applicant has stated that she wishes to operate a commercial kitchen for the preparation and sale of take-out meals or "picnics-to-go." The application states that Le Chic Picnic would be operated seasonally from March through November, to coincide with the heaviest agritourism visitation to Afton and Nelson County. The application also states that the kitchen would be open from Thursday to Monday, from 11:00am to 7:00pm. The applicant has stated those hours would be early enough in the day to accommodate the sale of "picnics-to-go" to people who may be on their way to various agritourism and/or recreation destinations for the afternoon; as well as being late enough to accommodate the sale of "dinners-to-go" for people who may be on their way home in the evening.

The kitchen equipment would be installed within a pre-fabricated trailer, which is approximately twenty-eight (28) feet in length, and which would be located on-site. The applicant noted that this method of having a stand-alone kitchen (in the form of a trailer) delivered and installed on-site was selected because the existing farmhouse, dating from the mid-19th century, would not have been able to accommodate the renovations and/or additions associated with the installation of a commercial kitchen, without compromising the structure's historical integrity and qualities.

The applicant has stated that the kitchen trailer would remain on the same spot on the premises virtually year-round, in a semi-permanent manner. The applicant has stated that she will likely have the kitchen trailer towed to a festival (or other similar special event) a small number of times each year; but except for infrequent attendance at such events, the kitchen would remain in place. Please note that the proposed location of the kitchen trailer would be largely screened from the public right-of-way on Rte. 151 by an existing stand of evergreen trees.

For more information, please reference the minor site plan; as well as the attached photos of the trailer, kitchen equipment, and the property as it currently exists (page 6, with captions on page 3).

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 expressed concern over the initial proposed location of the kitchen trailer. The original site plan showed the restaurant being located where the entrance driveway meets the existing parking lot. Out of concerns for mobility (traffic flow) and safety, Mr. Kessler recommended the location be modified. The applicant and her consultant, Mr. Massie Saunders, agreed to designate a different location for the restaurant – at the end of the parking lot nearest the farmhouse / tourist home. Please see the minor site plan for the location of the “proposed kitchen.”

Additionally, VDOT has requested additional information about the existing and anticipated traffic volumes. Specifically, Mr. Kessler has noted the following: “ITE Traffic generation figures are needed for both the existing use and proposed use to determine if modification to the commercial entrance surface is needed at this time.” That report was submitted to VDOT on Thursday, April 10th; and Mr. Kessler then requested that the report be resubmitted with two revisions. At the time of this report, no further information or update is available regarding the revised ITE trip generation report or any associated review comment(s) from VDOT.

VDH: Mr. Tom Eick of the Health Department was not in attendance, and has not provided comments at the time of this report.

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 “minimal” disturbance of the ground, County staff believe there should be no 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 state that, “the Uniform Statewide Building Code (USBC) requires permits and inspections for all trade-regulated work activities.” He also stated that, “the DMV-licensed tow trailer is to be kept mobile and not permanently placed. Active DMV vehicle license tags are to remain on the mobile unit while it is open to the public for customer service and conducting business activity.”

Mr. Thompson added that, “if the unit is placed permanently or connected permanently to any site utilities, the unit must obtain a USBC-required Certificate of Use for operation as a commercial kitchen. Site utilities include any of the following: water, sewer, gas, or electric.” Mr. Thompson further stated that, “the unit may be affixed to a site and placed in use after obtaining a Certificate of Occupancy from the Authority Having Jurisdiction,” if the construction is verified as having been “properly performed and completed” pursuant to USBC requirements.

Nelson County Planning Commission: Mrs. Linda Russell questioned Ms. Savard and Mr. Saunders, who confirmed the following: a small new sign plate for Le Chic Picnic will be included on the existing business sign located along Rte. 151; existing outdoor lamps in the parking area will continue to be used; and the parking area currently contains 17 or 18 spaces. Section 12-7-6a of the Zoning Ordinance requires a minimum of 15 spaces for “drive-in restaurants.”

Summary

In summary, County staff agree with the applicant’s assertion that the proposed use would, “compliment the services offered by the Flying Fox and Le Bleu Ridge B&B,” and that the characteristics of the neighborhood and the district would not be negatively affected if the requested use is permitted.

With specific regard to nearby land uses in the A-1 District, the Rockfish River Elementary School is located across Chapel Hollow Road; a commercial landscape business (Windridge Landscaping) is located directly across Rockfish Valley Highway; and there is a similar take-away restaurant (Paulie’s Pig Out) located approximately one-quarter mile north on Rte. 151. Additionally, the subject property is located within a broader corridor of numerous agritourism destinations, and the proposed use seems to be consistent with the various small-scale agri-business and commercial operations and uses taking place along the Rte. 151 corridor.

With those considerations in mind, County staff recommend that the Planning Commission consider recommending approval for Special Use Permit #2014-001.

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.

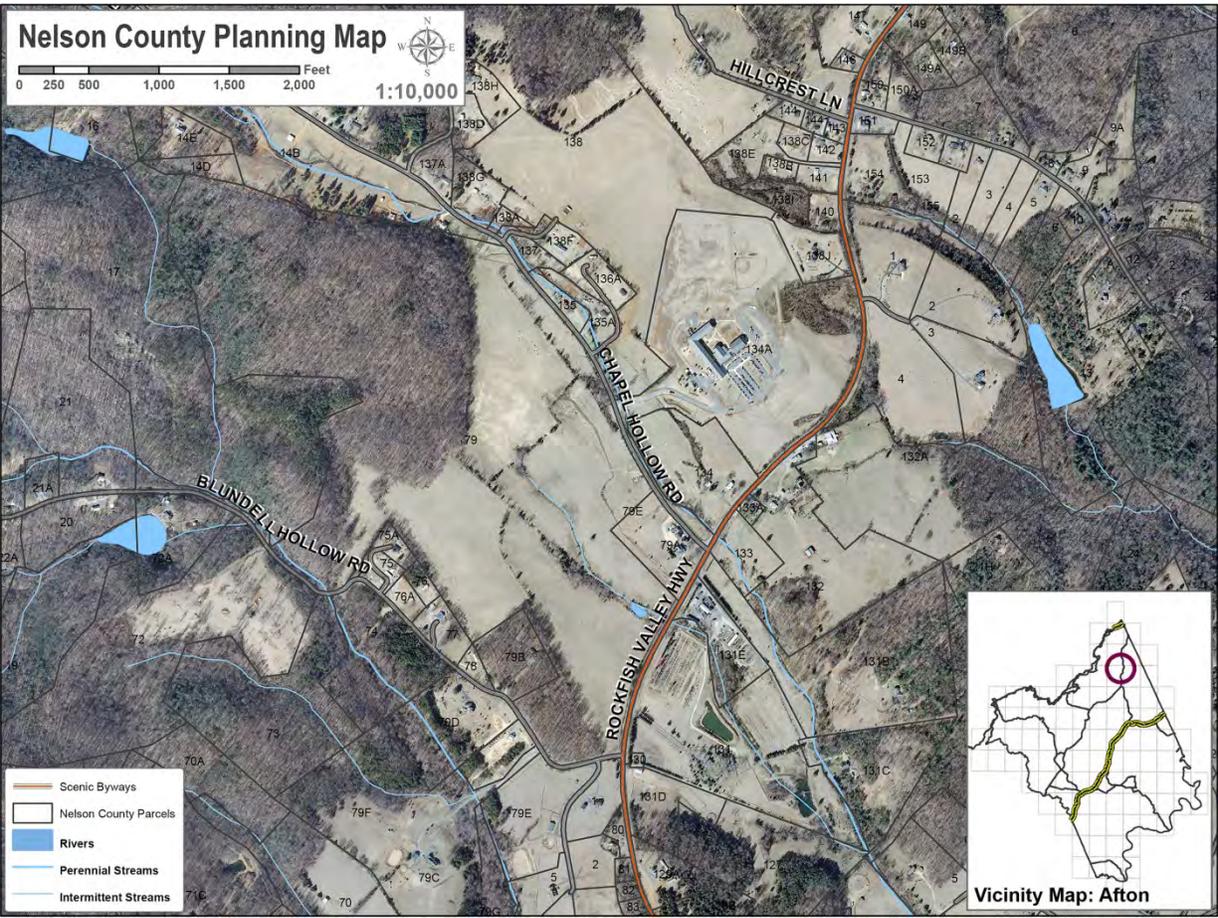
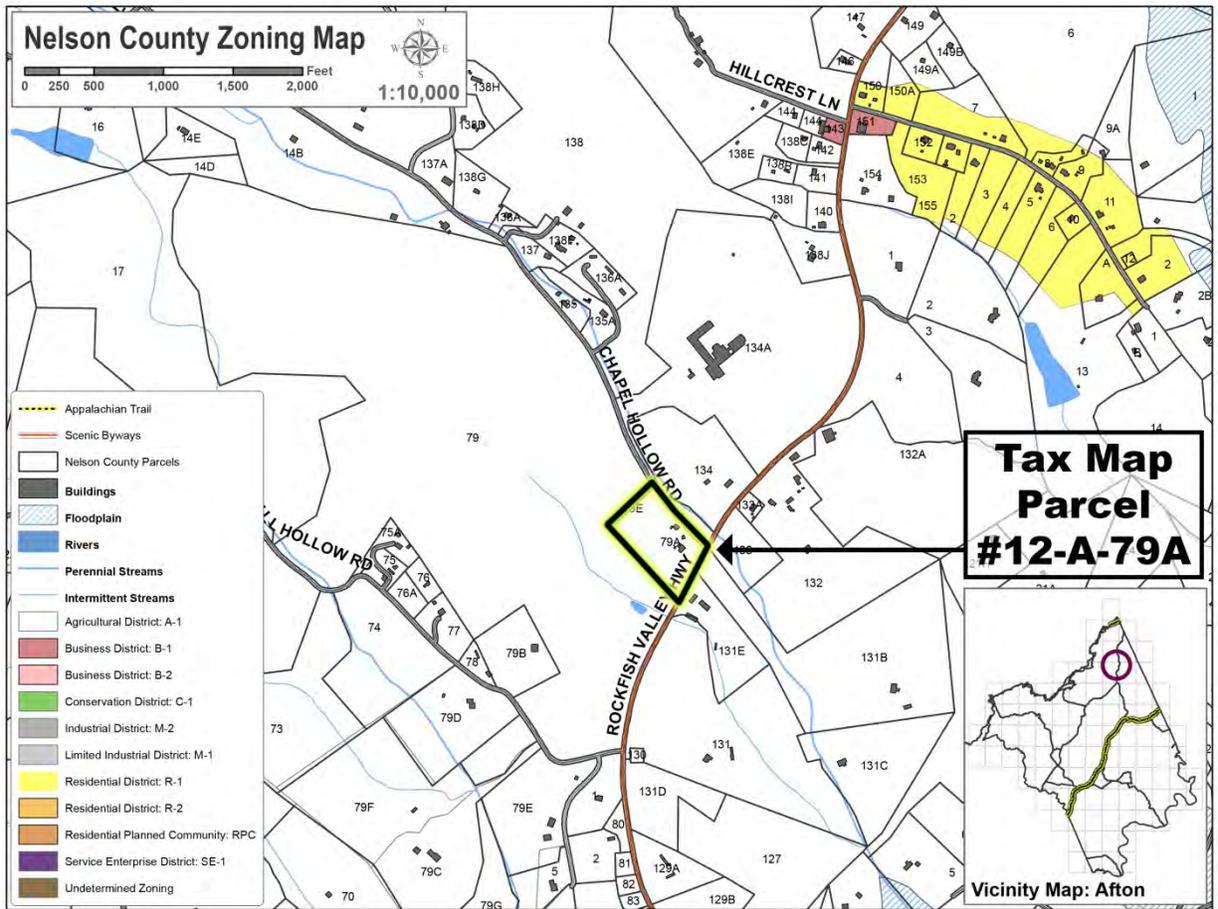
Planning Commission Recommendation: Commissioner Russell made a recommendation that the Planning Commission approve the Special Use Permit application #2014-001 for Le Chic Picnic at 27 Chapel Hollow Road in Afton for placement of a twenty-eight foot (28’) mobile commercial kitchen during the months from March through November; on days Thursday through Monday, with hours from 11:00 in the morning to 7:00 at night as per the Minor Site Plan by Saunders Surveys, which was revised April 14, 2014; subject to Health Department approval; all other approvals seem to be in order. A second was offered by Commissioner Harman; the vote was 3-0 to approve the recommendation.

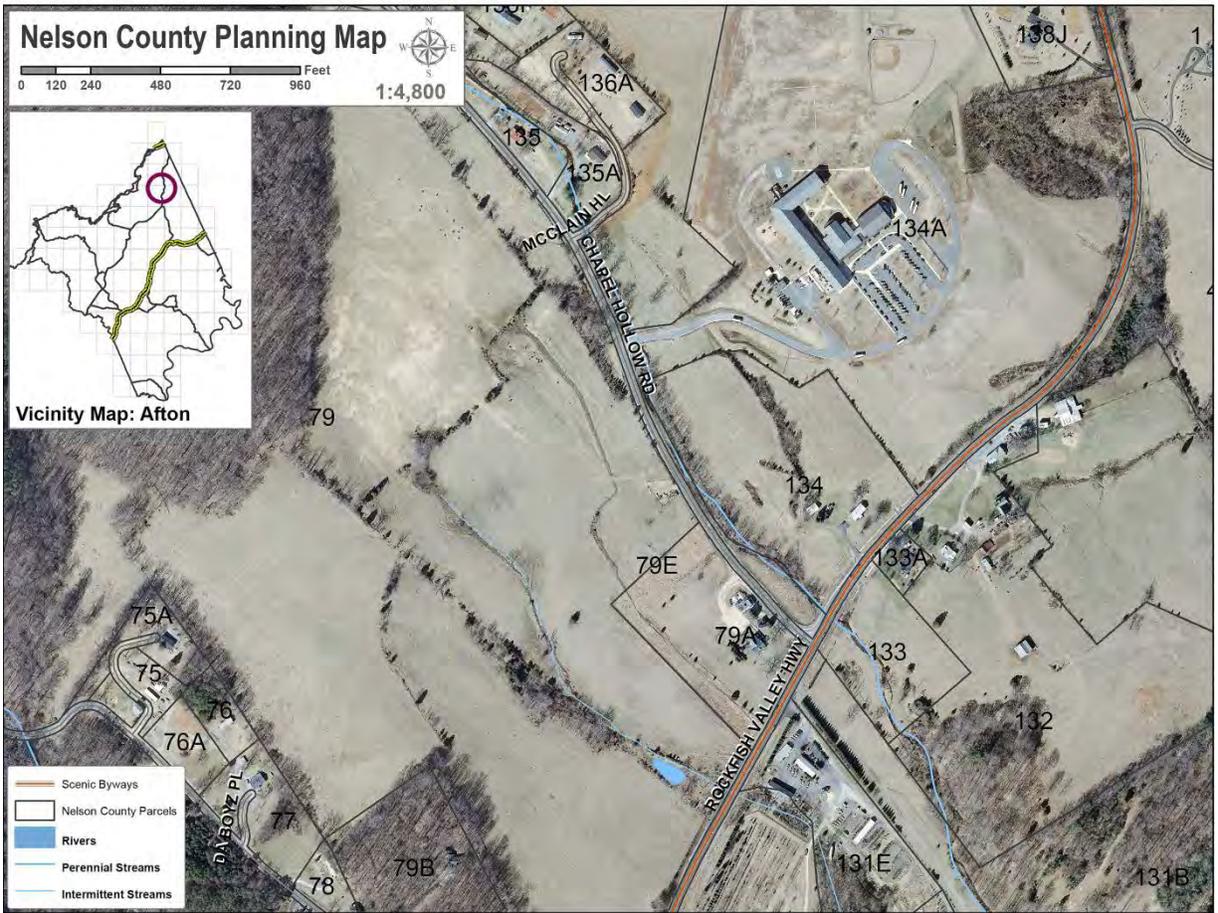
Captions for Photographs on Page 6:

Top: This panoramic photo shows the existing entrance off Chapel Hollow Road (left); the entrance driveway (center foreground); and the parking lot (right).

Middle: This panoramic photo shows the Flying Fox Winery tasting room (right); a portion of the parking lot (center foreground); and the driveway looking back towards the entrance onto Chapel Hollow Road. Please note that the applicant initially proposed for the kitchen trailer to be located along the outer curve of the driveway (left portion of this photo); but has since revised their site plan to propose that the kitchen trailer be located off the back corner of the opposite end of the parking area.

Bottom: These two photos show the interior of the restaurant, including the commercial equipment which has recently been installed. The left photo shows the side of the trailer which has the windows for serving customers; and the right photo shows the side of the trailer containing much of the cooking equipment and sinks.







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):

- | | |
|-------------------------------------------------------------|------------------------------------------------------------|
| <input type="checkbox"/> Rezoning from _____ to _____ | <input type="checkbox"/> Subdivision – Regular Preliminary |
| <input checked="" type="checkbox"/> Special Use Permit | <input type="checkbox"/> Subdivision – Regular Final |
| <input type="checkbox"/> Site Plan – Preliminary (Optional) | <input type="checkbox"/> Site Plan - Minor |
| <input type="checkbox"/> Site Plan – Final | <input type="checkbox"/> Site Plan - Major |
| <input type="checkbox"/> Amend text of Zoning Ordinance | <input type="checkbox"/> Other - _____ |

Pursuant to Article 4, Section 1-34-A of the Nelson County Zoning Ordinance.
Pursuant to Section _____, Subsection _____ of the Nelson County Subdivision Ordinance.

Reason(s) for request: This request is for the addition of a retail store, which will sell take out meals. The operation will be seasonal from March to end of November, and will be opened from 11 am to 7 pm from Thursday to Monday. This operation will have between 2 and 3 employees beside the owner.

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: Danielle Savard
Address: 27 Chapel Hollow Road, Afton, VA 22920
Tel. No.: 434-361-1213 Cell No. 301-792-8662 E-mail addr. danielle@lechicpicnic.com
Relationship (if applicable): _____

Applicant Property Owner Name: Marcel McNicoll
Address: 27 Chapel Hollow Road, Afton, VA 22920
Tel. No.: 434-361-1213 Cell No. 301-385-8201 E-mail addr. marcelmcnicoll@gmail.com
Relationship (if applicable): Husband

Applicant Property Owner Name: _____
Address: _____
Tel. No.: _____ Cell No. _____ E-mail addr. _____
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.: Afton, Route 709, 27 Chapel Hollow Road, Rockfish District, Nelson County, Virginia
Magisterial District: 03

Official tax map number: 12 A 79A

b. Acreage of property: 5.22 acres

c. Present use: Three guestrooms Bed and Breakfast, residence, rental to the Flying Fox wine tasting room

d. Present zoning classification: Agricultural District A-1

e. Zoning classification of surrounding properties: Agricultural

(Continued on reverse.)

4. **Names of Adjacent Property Owners:** Henry T Page III, Richard G. Page

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: *Janielle Savard*
Signature: *[Signature]*
Signature: _____
Signature: _____

6. **Additional information:** i-ii: The addition of a take-out meals store is in sync with the Comprehensive Plan's in regard of tourism. Our project brings diversity to the local economy and adds three new jobs. Our building choice of a prefabricated kitchen respects the resources and will not disturb the land. We believe in a local economy and we will buy our ingredients from local farms. iii-iv: The property is surrounded by a pasture farm, the 151. and Chapel Hollow Road in Afton. The addition of a place offering meals to go will complement the services offered by the Flying Fox and Le Bleu Ridge B&B, and the neighborhood will stay the same.

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.

*****TO BE COMPLETED BY PLANNING & ZONING OFFICE*****

Completed application and fee (\$ 300.00) received on 3-14-2014
Hearing Notice published on 3-4-2014 and 4-10-2014
Planning Commission action: Date of Hearing: 4-23-2014
Recommendation: _____

Board of Supervisor action: Date of Hearing: _____
Date of Decision: _____
Action: _____