

**Virginia:**

AT A REGULAR MEETING of the Nelson County Board of Supervisors at 2:00 p.m. in the General District Courtroom located on the third floor of the Nelson County Courthouse, in Lovingston, Virginia.

Present: Jesse N. Rutherford, East District Supervisor –Chair  
J. David Parr, West District Supervisor – Vice Chair  
Thomas D. Harvey, North District Supervisor  
Ernie Q. Reed, Central District Supervisor  
Robert G. “Skip” Barton, South District Supervisor  
Candice W. McGarry, County Administrator  
Amanda B. Spivey, Administrative Assistant/Deputy Clerk  
Linda K. Staton, Director of Finance and Human Resources  
Jackie C. Britt, Registrar

**I. CALL TO ORDER**

Mr. Rutherford called the meeting to order at 2:00 p.m. with five (5) Supervisors present to establish a quorum.

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

**II. PUBLIC COMMENTS**

*Mike Walters, Lovingston, VA*

Mr. Walters commented that he was present again to bring up the degrading and hazardous conditions of state maintained portion of Old Ridge Road, Woods Mill Lane and Bridge 12617 connecting those roads to Route 29. He pointed out that those roads had no outlet and Wood Ridge Farm Brewery at end of the state maintained portion of the road. He noted that 28 homes used the access and the road did not support two-way traffic comfortably. He reiterated that the road was degrading. He pointed out that oversize vehicles entering from Route 29 have blocked traffic when attempting to make the 180-degree turn from Route 29. He noted concerns that if an emergency were to occur and the road were blocked, there would be no way in or out. He noted that the bridge was possibly constructed in the 1960’s. He reported that the bridge barely supported two-way traffic and vehicles turning from Route 29 northbound has to nearly stop to make turn. He cited a daily traffic count of 164 vehicles from 2014, noting that was before Wood Ridge opened. He asked the Board for a road survey to be conducted and consideration of resurfacing and possibly re-engineering the road.

*Eric Bowen, Animal Science Extension Agent for Amherst and Nelson Counties*

Mr. Bowen announced that Ms. Erin Harris had been selected to be the Unit Coordinator for the Nelson Cooperative Extension office. He noted that Ms. Harris had been serving in the Nelson office as the 4-H agent and he had been splitting time between Amherst and Nelson as the Unit Coordinator for both counties.

*Erin Harris, 4-H Agent and Unit Coordinator for Nelson*

Ms. Harris stated that she was excited to continue her role as the 4-H agent for Virginia Cooperative Extension in Nelson and additionally excited to take on the role of Unit Coordinator.

*Rev. James Rose, Wingina, VA*

Rev. Rose commented that he was present on the Gladstone Senior Center's behalf. He reported that they had started at the Depot and moved to Gladstone Fire and Rescue. He commented that the group started with eight members and now they had over 35 people. Rev. Rose thanked the Board for their support. He indicated that he had come to ask the Board about JAUNT trips. He commented that the group used to have four trips per year and now they were not getting any trip. He asked the Board to help the Gladstone Senior Group get the four trips per year back. He commented that if Lovingston and Rockfish were getting their trips, that Gladstone should also be able to have trips. He noted that they were working hard and had been increasing membership. He asked for Gladstone to have the same treatment as other the other senior groups.

*Will Flory, Assistant Commonwealth Attorney for Nelson County Commonwealth's Attorney's office*

Mr. Flory indicated that he was present to thank the Board in advance, noting that the memorandum of agreement for Drug Court was on the Consent Agenda for the meeting that day. He commented that the agreement was the touchstone piece for the Drug Court operations to commence, starting with the hiring of

a coordinator. He thanked the Board in advance for their approval of the agreement and their continued support of the drug court.

Mr. Philip Purvis chose not to speak under Public Comments. There were no others wishing to speak and Mr. Rutherford closed Public Comments.

**III. CONSENT AGENDA**

Mr. Parr moved to approve the Consent Agenda as presented and Mr. Reed seconded the motion. There being no further discussion, Supervisors approved the motion by vote of acclamation and the following resolutions were adopted:

A. Resolution – **R2023-04** Minutes for Approval

**RESOLUTION R2023-04  
NELSON COUNTY BOARD OF SUPERVISORS  
APPROVAL OF MINUTES  
(October 24, 2022 and October 25, 2022)**

**RESOLVED**, by the Nelson County Board of Supervisors that the minutes of said Board meetings conducted on **October 24, 2022 and October 25, 2022** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

B. Resolution – **R2023-05** Budget Amendment

**RESOLUTION R2023-05  
NELSON COUNTY BOARD OF SUPERVISORS  
AMENDMENT OF FISCAL YEAR 2022-2023 BUDGET  
February 14, 2023**

<b>I. Transfer of Funds (General Fund Non-Recurring Contingency)</b>		
<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
\$ 185,449.68	4-100-999000-9905	4-100-091030-5616
<b>II. Transfer of Funds (Employee Benefits &amp; Departmental)</b>		
<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
\$ 20,729.00	4-100-091030-5616	4-100-012010-1001
\$ 2,672.00	4-100-091030-5616	4-100-012010-2001
\$ 3,842.00	4-100-012010-2002	4-100-012010-2001
\$ 271.00	4-100-012010-2006	4-100-012010-2001
\$ 5,621.00	4-100-012010-2008	4-100-012010-2001
<u>\$ 56.00</u>	4-100-012010-2009	4-100-012010-2001
<b>\$ 33,191.00</b>		
\$ 8,904.00	4-100-091030-5616	4-100-012090-1001
\$ 585.00	4-100-091030-5616	4-100-012090-2001
\$ 118.00	4-100-091030-5616	4-100-012090-2006
<u>\$ 62.00</u>	4-100-091030-5616	4-100-012090-2009
<b>\$ 9,669.00</b>		
\$ 9,708.00	4-100-091030-5616	4-100-012130-1001
\$ 743.00	4-100-091030-5616	4-100-012130-2001
\$ 900.00	4-100-091030-5616	4-100-012130-2005
\$ 130.00	4-100-091030-5616	4-100-012130-2006
<u>\$ 19.00</u>	4-100-091030-5616	4-100-012130-2009
<b>\$ 11,500.00</b>		
\$ 19,374.00	4-100-012150-1001	4-100-091030-5616
\$ 1,300.00	4-100-012150-2001	4-100-012150-2005
\$ 3,510.00	4-100-012150-2002	4-100-012150-2005
\$ 4,089.00	4-100-012150-2002	4-100-012150-2013
\$ 236.00	4-100-012150-2002	4-100-012150-2009
<u>\$ 117.00</u>	4-100-012150-2006	4-100-012150-2009
<b>\$ 28,626.00</b>		

<b>II. Transfer of Funds (Employee Benefits &amp; Departmental)</b>		
<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
\$ 5,767.00	4-100-091030-5616	4-100-012180-1001
\$ 441.00	4-100-091030-5616	4-100-012180-2001
\$ 77.00	4-100-091030-5616	4-100-012180-2006
\$ 31.00	4-100-091030-5616	4-100-012180-2009
<b>\$ 6,316.00</b>		
\$ 4,515.00	4-100-013020-1001	4-100-013020-2002
\$ 75.00	4-100-013020-1001	4-100-013020-2006
\$ 23.00	4-100-013020-1001	4-100-013020-2009
<b>\$ 4,613.00</b>		
\$ 2,431.00	4-100-091030-5616	4-100-021010-1001
\$ 186.00	4-100-091030-5616	4-100-021010-2001
\$ 30.00	4-100-091030-5616	4-100-021010-2006
\$ 28.00	4-100-091030-5616	4-100-021010-2009
<b>\$ 2,675.00</b>		
\$ 19,897.00	4-100-091030-5616	4-100-021060-1001
\$ 1,522.00	4-100-091030-5616	4-100-021060-2001
\$ 147.00	4-100-091030-5616	4-100-021060-2002
\$ 12,696.00	4-100-091030-5616	4-100-021060-2005
\$ 266.00	4-100-091030-5616	4-100-021060-2006
\$ 140.00	4-100-091030-5616	4-100-021060-2009
\$ 4,562.00	4-100-091030-5616	4-100-021060-2013
<b>\$ 39,230.00</b>		
\$ 7,432.00	4-100-022010-1003	4-100-022010-1001
\$ 34,759.00	4-100-091030-5616	4-100-022010-1001
\$ 4,578.00	4-100-091030-5616	4-100-022010-2002
\$ 8,364.00	4-100-091030-5616	4-100-022010-2005
\$ 265.00	4-100-091030-5616	4-100-022010-2006
\$ 245.00	4-100-091030-5616	4-100-022010-2009
\$ 66.00	4-100-091030-5616	4-100-022010-2013
<b>\$ 55,709.00</b>		
\$ 23,242.00	4-100-091030-5616	4-100-032010-1001
\$ 3,874.00	4-100-091030-5616	4-100-032010-2001
\$ 1,752.00	4-100-091030-5616	4-100-032010-2002
\$ 312.00	4-100-091030-5616	4-100-032010-2006
\$ 153.00	4-100-091030-5616	4-100-032010-2009
<b>\$ 29,333.00</b>		
\$ 3,932.00	4-100-091030-5616	4-100-032030-1001
\$ 300.00	4-100-091030-5616	4-100-032030-2001
\$ 53.00	4-100-091030-5616	4-100-032030-2006
<b>\$ 4,285.00</b>		

<b>II. Transfer of Funds (Employee Benefits &amp; Departmental)</b>		
<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
\$ 10,606.00	4-100-091030-5616	4-100-034010-1001
\$ 7,663.00	4-100-091030-5616	4-100-035010-1001
\$ 1,490.00	4-100-091030-5616	4-100-035010-2001
\$ 645.00	4-100-091030-5616	4-100-035010-2006
\$ 50.00	4-100-091030-5616	4-100-035010-2009
<b>\$ 20,454.00</b>		
\$ 13,534.00	4-100-091030-5616	4-100-042030-1001
\$ 60,692.00	4-100-091030-5616	4-100-042030-1003
\$ 1,666.00	4-100-091030-5616	4-100-042030-2001
\$ 3,275.00	4-100-091030-5616	4-100-042030-2002
\$ 224.00	4-100-091030-5616	4-100-042030-2006
\$ 6,459.00	4-100-091030-5616	4-100-042030-2013
<b>\$ 85,850.00</b>		
\$ 18,900.00	4-100-091030-5616	4-100-043020-1001
\$ 1,828.00	4-100-091030-5616	4-100-043020-2001
\$ 4,663.00	4-100-091030-5616	4-100-043020-2002
\$ 3,000.00	4-100-043020-2006	4-100-043020-2002
\$ 700.00	4-100-091030-5616	4-100-043020-2005
\$ 82.00	4-100-091030-5616	4-100-043020-2009
\$ 600.00	4-100-091030-5616	4-100-043020-2013
<b>\$ 29,773.00</b>		
\$ 5,346.00	4-100-091030-5616	4-100-071020-1001
\$ 1,800.00	4-100-071020-2002	4-100-071020-1001
\$ 1,376.00	4-100-091030-5616	4-100-071020-2001
\$ 95.00	4-100-091030-5616	4-100-071020-2006
<b>\$ 8,617.00</b>		
\$ 5,749.00	4-100-091030-5616	4-100-081010-1001
\$ 1,330.00	4-100-091030-5616	4-100-081010-2001
\$ 77.00	4-100-091030-5616	4-100-081010-2006
\$ 71.00	4-100-091030-5616	4-100-081010-2009
<b>\$ 7,227.00</b>		
\$ 6,607.00	4-100-091030-5616	4-100-081020-1001
\$ 2,325.00	4-100-091030-5616	4-100-081020-2001
\$ 88.00	4-100-091030-5616	4-100-081020-2006
<b>\$ 9,020.00</b>		
<b>\$ 386,088.00</b>	<b>Total</b>	

C. Resolution – R2023-06 Drug Court Memorandum of Understanding

**RESOLUTION R2023-06  
NELSON COUNTY BOARD OF SUPERVISORS  
AUTHORIZATION OF A MEMORANDUM OF AGREEMENT REGARDING THE  
IMPLEMENTATION AND ADMINISTRATION OF THE NELSON COUNTY DRUG COURT**

**WHEREAS**, the Nelson County Drug Court was approved by the Virginia Supreme Court’s Drug Treatment Court Advisory Committee in May of 2022; and,

**WHEREAS**, the Nelson County Drug Court was awarded a Bureau of Justice Assistance (BJA) Grant through the Drug Court Discretionary Grant Program CFDA 16.585 in the amount of \$699,640 on September 28, 2022; and,

**WHEREAS**, the parties agree that the Drug Court, as approved by the Supreme Court and funded by the BJA grant should be implemented and begin to accept applicants pursuant to the Nelson County Drug Court Manual as soon as possible; and,

**WHEREAS**, in furtherance of the implementation of the Drug Court, the parties wish for Offender Aid and Restoration of Charlottesville-Albemarle, Inc. (OAR) to administer the staffing of the drug court, namely, the Coordinator position and managing that employee, and provide additional staffing, technical

assistance, and other services, as needed; and,

**WHEREAS**, in furtherance of the implementation of the Drug Court, the parties wish for the County to serve as the Fiscal Agent for the Drug Court and the Drug Court Coordinator; and provide various other services, including facilities, technical assistance, and other services, as needed;

**NOW THEREFORE BE IT RESOLVED**, by the Nelson County Board of Supervisors that said Board hereby authorizes the County Administrator to execute the Memorandum of Agreement by and between Nelson County; the Nelson County Commonwealth Attorney's Office; and Offender Aid and Restoration of Charlottesville-Albemarle, Inc. (OAR).

D. Resolution – **R2023-07** AFID Grant Memorandum of Agreement

**RESOLUTION R2023-07**  
**NELSON COUNTY BOARD OF SUPERVISORS**  
**AUTHORIZATION TO SIGN MEMORANDUM OF AGREEMENT WITH VIRGINIA**  
**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES FOR AFID GRANT**

**WHEREAS**, Nelson County provided grant assistance to Silver Creek and Seamans' Orchards by applying on their behalf for the Governor's Agriculture and Forestry Industries Development Fund (AFID) Infrastructure Grant Program in November 2022 to help purchase a Cider Sure 5500 UV Machine to help triple the production of apple cider from locally grown apples; and,

**WHEREAS**, said grant was awarded by the Commonwealth in December 2022 in the amount of \$25,000; and,

**WHEREAS**, the County needs to enter into a Memorandum of Agreement to accept the grant award;

**NOW THEREFORE BE IT RESOLVED**, the Nelson County Board of Supervisors does hereby authorize the County Administrator to enter into a Memorandum of Agreement with the Virginia Department of Agriculture and Consumer Services in order to accept the AFID grant for Silver Creek and Seamans' Orchards.

**IV. PRESENTATIONS**  
A. VDOT Report

Mr. Robert Brown of VDOT was present to provide the following report:

Mr. Brown reported that pipe replacements had been taking place throughout the County. He noted that two pipes had been replaced on Pharsalia, one pipe was replaced on Riverside Road, and they were currently working on a pipe replacement on Old Roseland Road.

Mr. Brown reported that VDOT was working on Rural Rustic Projects. He reminded the Board that they would be making updates to the Six Year Plan soon. He noted that five routes were prioritized last year, which would be sufficient to add another year to the Six Year Plan. He pointed out that they probably would not get to those five in the year. He asked the Board to send any additional roads to be considered when they revise the plan and hold the public hearing. He pointed out that there was more than enough on the current list that was already prioritized.

Mr. Brown then reported that VDOT's Staunton District wanted to do a truck restriction on Route 814 (Love Road) in Augusta County which came into Nelson County. Mr. Brown noted that the Staunton District was asking for concurrence or letter of support from the Board to have truck restriction on the 814 portion in Nelson. Mr. Brown reported that VDOT's Lynchburg District did not have any issues with the restriction and noted that it should not have any impact on Nelson. He asked if the Board desired to provide a letter of support for the restriction. The Board was in consensus to provide a letter of support for the truck restriction on Route 814.

Supervisors then discussed the following VDOT issues:

Mr. Barton:

Mr. Barton had no VDOT issues to discuss.

Mr. Harvey:

Mr. Harvey had no VDOT issues to discuss.

Mr. Reed:

Mr. Reed had no VDOT issues to discuss.

Mr. Parr:

Mr. Parr asked to add section of road up from Rhue Hollow to the Six Year Plan. Mr. Brown noted that they would add it.

Mr. Rutherford:

Mr. Rutherford indicated that he would send a list via email regarding roads to be paved.

B. Route 151 Corridor Study – Rick Youngblood, VDOT

Mr. Rick Youngblood present to discuss the Route 151 Corridor study. He reported that a stakeholder kickoff meeting was held with VDOT and County representatives to discuss the schedule. He noted that they were about three months behind due to data collection issues and they wanted to make sure they were ready before going to the general public. He explained that they were in the process of developing an online survey to catch input from those travelling through the area, not just those living in the area.

Mr. Youngblood indicated that the last study done on the 151 Corridor was in 2013. He noted that it was ideal to be conducting another study as the shelf life of a study is about ten years. He pointed out that they had some success through Highway Safety Improvement Program and Smart Scale in getting many projects completed to improve the corridor. He noted that there was still more work to be done. He reported that a field visit had been conducted. He explained that the study was a safety and operations analysis, pointing out that it was not a land use study. He noted that it would look at safety operations through the corridor, identify geometric issues that may be relevant, and determine what the corridor may look like in the future from a No-Build to Build analysis. He further explained that the study area was approximately 14 miles long, running from Afton Mountain Road to 2.5 miles south of Beech Grove Road. Mr. Youngblood reported that they would be evaluating seven intersections total that were considered high accident frequency areas. He commented that they were aware that other intersections had come up, as he had received communication from several citizens.

Mr. Youngblood highlighted the study scope which included: evaluating the operational and safety characteristics of the Route 151 corridor; improving accessibility, operations, and safety for all modes of transportation; and improving multi-modal accessibility within the Nellysford community. He explained that in 2013, they had evaluated multi-modal accessibility in Nellysford as well as economic viability within the corridor. He noted that most people who traveled the corridor knew what the issues were. He briefly reviewed some of the general corridor observations to include rolling terrain, short shoulders, crossover accidents, road departures, and there were no bike or pedestrian facilities throughout the corridor. He pointed out that improvement recommendations would be expensive, noting that bike and pedestrian facilities were expensive and high maintenance. Mr. Youngblood also noted that they were seeing clusters of development and development throughout the corridor. He noted that traffic varied throughout the year.

Mr. Youngblood reported that VDOT was creating a website with all of the information for the general public to review. He noted that VDOT recognized there were issues throughout the corridor. He reported that the Tanbark intersection was an active Smart Scale application that the County had submitted over the last three years and the fix for that was \$4 million. He pointed out that at some point, the application would compete well and improvements would be made. He noted that the roundabout at Route 6 and 151 had been fully funded. Mr. Youngblood indicated that they would see other project alternatives as a result of the study. He noted that this would be a discussion point for the community meetings, so they could educate the public on what the alternatives may be.

Mr. Youngblood reported that they had a breakdown of field visits throughout the corridor and data on where accidents have been occurring and what type of accidents. He noted that they had removed the COVID years to make sure that the evaluation was correct. He explained that density maps were available with the study, which had not been available in the 2013 study. He reported that density maps showed the relative frequency of crashes along the corridor, noting that there were higher concentrations of accidents in certain areas. Mr. Youngblood explained that PSI stood for “potential for safety improvements”, noting that those areas were high crash intersections. He reported that the Tanbark intersection ranked 80th in the district, noting that the Lynchburg district encompassed ten counties and two cities. Mr. Youngblood noted that accidents happened throughout the corridor and they would be looking at the entire corridor with special attention on the high PSI locations.

Mr. Rutherford asked how many fatalities had occurred in the area. Mr. Youngblood noted that there had been a few fatalities, but he was not sure if they were at the intersections or along the corridors themselves.

He noted that for data collection, they had looked morning and afternoon peak hours to capture school traffic at each intersection. Mr. Youngblood reported that in 2013, traffic growth was around 3% and in the current study, traffic growth had leveled off some. He indicated that they were looking at an applied 1% growth over the corridor. He noted that there could be certain areas of the corridor that they would apply a higher growth.

Mr. Youngblood reported on key takeaways from the study so far. He commented that in terms of safety, there were multiple intersections and segments in need of safety enhancement, and noted that speed could be a barrier for bike and pedestrian issues. He stated that he would probably get some argument from citizens, but in terms of the corridor, the intersection operations were typically good, with the exception of River Road. He pointed out that the corridor operated pretty smoothly, noting that weekends and summer made that a little more difficult. He reported that they had traffic data from all four seasons to help identify some of the problems. He indicated that recommendations would come from the data.

Mr. Youngblood discussed next steps. He noted that they would be putting out a public survey and hold two public in-person meetings. He indicated that VDOT was working with County Administration to determine meeting locations. He reported that they would evaluate a range of potential concepts relative to multi-modal improvements and intersection reconfigurations. He reported that concepts would be shown using GIS and they would provide planning-level cost estimates. He noted that they would conduct the second public outreach toward the end of the study and then based on stakeholder input, they would produce the final report.

Mr. Reed thanked Mr. Youngblood for presentation. He asked what additional data they could look forward to having in the final report. Mr. Youngblood explained that from the data, they would have the average daily traffic, the volumes through the corridor, along with the freight movements and the size of freight moving through the corridor, and pedestrian uses. He noted that they would apply the information to the analysis to get feedback as to what alternatives would work. Mr. Youngblood indicated that during the public information session, they would hear other concerns outside of the work being done. He hoped that the study would help the Board with their Comprehensive Plan update, but reiterated that the study did not look at providing specific land use information on what should or should not be done. He noted that the study would evaluate safety issues and the capacities along the corridor. Mr. Reed asked if the data provided would be updated in the final plan. Mr. Youngblood noted that the collected data would be used for the analysis during the entire study. He indicated that they had a year's worth of data for the analysis.

Mr. Reed asked about prioritizing multi-modal transportation in the roundabout design at River Road. Mr. Youngblood noted they would look at the design to see what adjustments could be made from a bike and pedestrian standpoint. He pointed out that they had been able to make design changes at the Afton Mountain intersection to add bike lanes through the intersection. He indicated that they were not seeing a lot of pedestrians in the Route 6 and 151 area. Mr. Youngblood noted that bikes could work with the slow traffic speeds in the roundabout. Mr. Reed wanted to make sure that any improvements made would be able to continue throughout so that there would not be any choke points. Mr. Youngblood agreed that they would want the infrastructure improvements to tie in.

Mr. Barton noted vehicle counts and development of the area. He asked if they would be able to calculate the amount of development that would be possible. He felt they were close and it was difficult to have more development in the area. Mr. Youngblood noted that as part of the daily traffic volumes and seasonal traffic, they could possibly make a determination from a capacity standpoint. He noted that there were particular chokeholds in corridor during those times. He noted that improvements could affect the entire corridor. Mr. Youngblood noted that the study would not to define future growth, rather it would try to correct issues there with the future in mind, based on the data collected.

Mr. Barton asked if VDOT would ever make a recommendation not to develop a particular area. Mr. Youngblood noted that VDOT would not do that as it was the County's job to determine that. He noted that the hope was that the data would support the Board, Planning Commission and County Administration in their decisions. He indicated that VDOT had access to consultants who could help with ordinance development.

The Board had no other questions for Mr. Youngblood.

### C. Compensation Study Results – MAG, Inc.

Ms. Staton introduced the compensation study project. Mr. Steve Foster of Management Advisory Group, Inc. (MAG Inc.) was present to provide a presentation to the Board on the results of the compensation study. Mr. Foster thanked all of the County employees who participated in the questionnaires, noting it required a lot of time and effort on their part, and their responses provided valuable information to the study. He explained the process of the compensation/classification study, noting that they looked at all of the positions in the County to make comparisons and then classified jobs together with similar responsibilities. He indicated that when evaluating compensation, MAG compared Nelson County to other localities in the area.

Mr. Foster reported that they were able to identify recruitment and retention concerns with the market study. He explained that the questionnaire used was a job profile questionnaire which was an online tool to learn about the roles and responsibilities of each job.

Mr. Foster showed a flow chart which outlined the steps to comparing Nelson County internally, as well as externally with the local market. He explained that they started the process by speaking with Human Resources and the Department Heads, going through the questionnaire process and conducting a market survey. He explained that using the information from the survey, they developed proposed salary schedules, determined the salary adjustment calculations and the organization cost calculations. He noted that they also determined the implementation options and costing. He showed the list of 14 targeted municipalities which included: Albemarle County, Augusta County, Amherst County, Appomattox County, Bedford County, Buckingham County, Campbell County, Fluvanna County, Greene County, Lynchburg, Orange County, Powhatan County, Staunton and Waynesboro. Mr. Foster explained that there were two categories of targeted municipalities/employers, competitors and peers. He noted that the peers were not necessarily close by, but they were similar in size and structure. He also noted that the targeted municipalities provided a good gauge for the market.

Mr. Foster reported on the results of the survey. He noted that there was about a 13 percent lag at the minimum and midpoint ranges. He pointed out that they needed to catch those up so the County was more competitive in hiring people as well as retaining people. Mr. Foster reported that the Social Services minimums of the ranges were way behind, but the middle and maximum ranges were not behind since there was such a wide range in salary ranges. He pointed out that during the salary study, they found that the Animal Control Officer position, Building Inspectors position and most director positions were further behind the market.

Mr. Barton asked MAG compared Nelson with other localities. Mr. Foster explained that they took the figures from each locality and averaged them come up with a figure to make a comparison to. Mr. Barton did not feel that the data provided a good comparison, noting that Nelson was comparable to Appomattox and Buckingham but not Albemarle. Mr. Foster noted they removed outliers that were not relevant and then determine the average. Mr. Barton did not feel that the numbers would be as high if the comparisons were closer. Mr. Foster noted that the list of locality comparisons was agreed upon by Human Resources. Ms. McGarry noted that Albemarle was included as they are a competing County for employees as they were in close proximity to Nelson.

Mr. Foster reviewed the proposed Compensation and Classification System Design. He reported that they had created a unified plan for all County position titles. He noted that there were 67 job titles with open ranges with a minimum, midpoint and maximum. He indicated that there were 34 grades within the pay range and all of the range widths were adjusted to 50 percent. He explained that whatever the minimum was, the maximum would be 50% of that with the midpoint in the middle. Mr. Foster noted that for Social Services, they had 10 job titles with open ranges with a minimum, midpoint and maximum. He explained that there were 29 grade levels for Social Services and the range widths were brought down to the 50 percent range.

Mr. Foster provided a breakdown in costs and reviewed a three step process to implement salary adjustments. He noted that they would start with an across the board increase of 5 percent and then they would make sure that everyone was at the new minimums. He indicated that the adjustment to minimums would affect 59 employees in the County and would cost about \$190,000. Mr. Rutherford asked if the number included fringe benefits. Ms. McGarry noted that benefits were not included and that would be about 21 percent. Mr. Foster reported that the last step was an employee equity adjustment to make sure there was no compression within the pay scale with employees who had been in their position for a while versus people coming into a position at the new minimums. He reported that the total annualized adjustments would cost about \$625,800, which was an 11.22 percent change in total payroll for included positions.



## Estimated Annualized Costs for County

128 Positions in 67 Titles	Annualized Costs
Five percent (5%) applied first (124)	\$ 271,775
Adjustment to Minimums (59)	\$ 189,838
Employee Equity Adjustments (85)	\$ 164,190
Total Annualized Adjustments	\$ 625,803
Changes in Total Payroll for Included Positions	11.22%

Mr. Foster reviewed the estimated annualized costs for Social Services, noting they had a total of 22 positions with 10 job titles. He noted that they would do a 5 percent across the board increase and then make an adjustment to the minimums, followed by equity adjustments that would encompass seven employees. Mr. Foster reported that the total annualized adjustments for Social Services was \$68,322, which was a 7.48 percent change in total payroll for the included positions.

## Estimated Annualized Costs for DSS

22 Positions in 10 Titles	Annualized Costs
Five percent (5%) applied first (21)	\$ 44,284
Adjustment to Minimums (4)	\$ 3,996
Employee Equity Adjustments (7)	\$ 20,243
Total Annualized Adjustments	\$ 68,322
Changes in Total Payroll for Included Positions	7.48%

Mr. Foster indicated that MAG provided recommendations in their report on compensation policies, which would include things like: reclassification of a job, promotion criteria, lateral transfers, demotions, temporary assignments, hiring practices and addressing employees who max out at the top of their pay scale.

Mr. Foster indicated that MAG had provided a fair and equitable plan to maintain internal relationships for job positions. He felt that Nelson County would be more competitive with the suggested starting salaries. He reiterated the total annualized cost to implement the study which would be \$625,803 for County positions and \$68,322 for Social Services positions.

Mr. Rutherford asked to review scenarios. He noted that as an example, the adjustment to minimums for the County listed at \$189,838 would cost more like \$240,000 to \$250,000 in new costs. Mr. Foster indicated that was correct. He noted that in their comparisons, they only looked at salary data for each locality.

Mr. Barton asked where adjustments would put the County in the rankings. Mr. Foster noted they would not be leading the pack, but they would be in the middle. Mr. Barton noted there were issues with hiring everywhere. He indicated that everyone else would also be their increasing salaries. Mr. Foster noted they had accounted for market increases in their recommendations.

Mr. Rutherford noted some of the issues would be dependent on the State Compensation Board. He asked if there were any updates from the State on the proposed 7 percent salary increases for Social Services and other agencies. Ms. McGarry noted they had not gotten any updates but she indicated that both the House and Senate within the General Assembly were recommending 7 percent. Mr. Rutherford asked about the cost of a 5 percent increase for County staff. Ms. McGarry noted it had not been calculated yet but it may be close to MAG's provided \$271,775 estimate. Mr. Rutherford reviewed the estimated costs again, noting the increase was significant. Ms. McGarry noted that the last compensation study was completed in 2016 and it was implemented in 2017. She indicated that the pay scales had not been adjusted since then, so they had not kept up with the market during that time period. Mr. Foster recommended having a pay study done every three to five years. Ms. McGarry noted staff was considering the need to review the pay scales on an annual basis so they could keep up with the market moving forward and not have such a significant increase at one time.

Mr. Reed noted that the Thomas Jefferson Planning District Commission (TJPDC) had discussed salary studies and the fact that many other localities were also looking at pay studies. Mr. Foster noted that MAG was working in Virginia a lot currently. Mr. Reed noted that TJPDC would likely be looking at what MAG and Nelson came up with. Ms. McGarry thanked Ms. Staton and her staff, as well as all employees, for their participation in the study.

Mr. Barton noted that the point was the County had fallen behind. Mr. Foster noted the proposed plan would help get them get back on the right track.

The Board had no other questions for Mr. Foster and Mr. Rutherford thanked him for his time.

#### D. Debt Capacity Update – Davenport

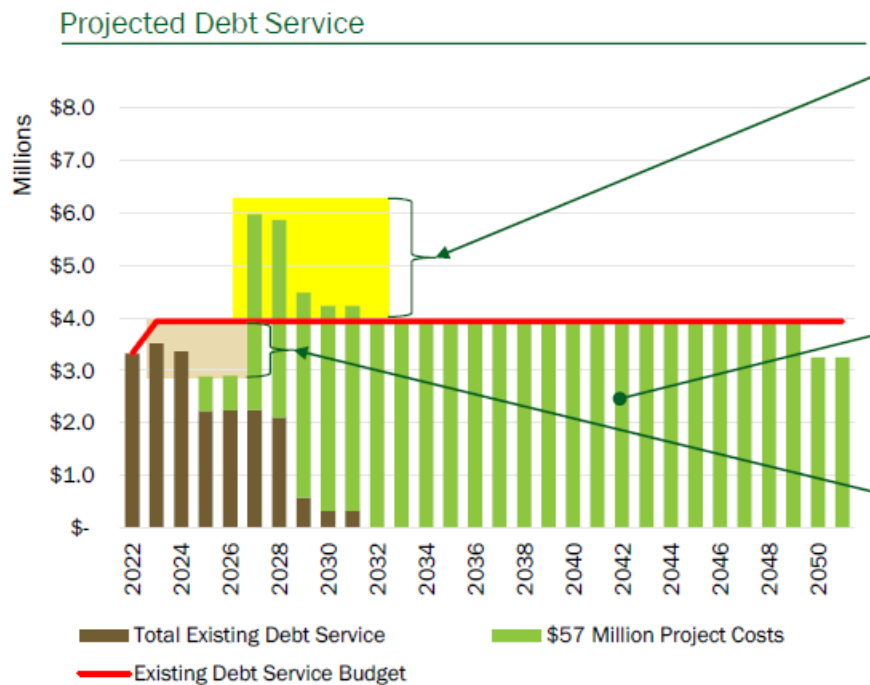
Mr. Ben Wilson of Davenport and Company was present to update the Board on the County's debt capacity and affordability, and how large projects would fit into the overall budget. He noted that this information was previously shared in December 2021 and March 2022.

He indicated that they wanted to revisit the information as they were approaching the FY24 budget to make sure everything was still on track. He explained that the analysis was intended to provide the Board with an understanding of the preliminary cash flow and affordability impact of implementing up to \$75 million of capital projects over the next 3 to 5 years. He noted that it was broken into two segments, a \$57 million portion and an incremental \$18 million on top of that. He pointed out that the dollar amounts were not assigned to a specific project yet. Mr. Wilson explained that the interest rates have increased compared to the previous year's analysis, so they had added a little bit of cushion and extended the maturity of the debt.

Project	Amount
1 Land Purchase	\$2,600,000 <sup>(1)</sup>
2 Capital Facilities Project	\$5,250,000
3 DSS Building	\$3,750,000
4 Schools/Rec. Center	\$45,400,000
<b>5 Subtotal</b>	<b>\$57,000,000</b>
6 Additional Projects	\$18,000,000
<b>7 Total</b>	<b>\$75,000,000</b>

Mr. Wilson showed the list of projects previously discussed, noting that the projects and dollar amounts could move around to get to a similar end point. He pointed out that the Capital Facilities Project and Social Services (DSS) building had been pushed out and borrowing would likely not happen until later in the calendar year 2023 or 2024. He explained that the term increased from a 20 to 25 year term to a 25 to 30 year term. He also noted that they had increased the interest rates from a 4 to 5 percent range to around 5 percent with a little bit of cushion on those projects just in case they had to be done on a taxable basis.

Mr. Wilson then discussed the \$57 million incremental funding, noting it had some key assumptions. He explained that the County had already implemented a piece of the plan by setting the FY23 budget for debt service at \$3,933,000. He noted that the County had also set aside \$2.3 million in the debt service reserve. He explained that they were basically using fund balance to prevent the need to come up with a lot of new revenues over the next 5 to 7 years. Mr. Wilson pointed out that the annual recurring debt service to fund \$57 million in project costs would be \$3.9 million, which was just about the same amount budgeted for debt service. He indicated that the County already had debt service on the books that they would be paying off for the next 8 to 10 years. He reiterated that the County could fund the \$57 million because they were budgeting the \$3,933,000 and had set aside \$2.3 million. He explained that over the next few years, the payments they would be making on the County’s current debt service was a little less than the \$3.9 million so they would be able to set aside more funds to be used to pay debt service in the years when it would be a lot higher.

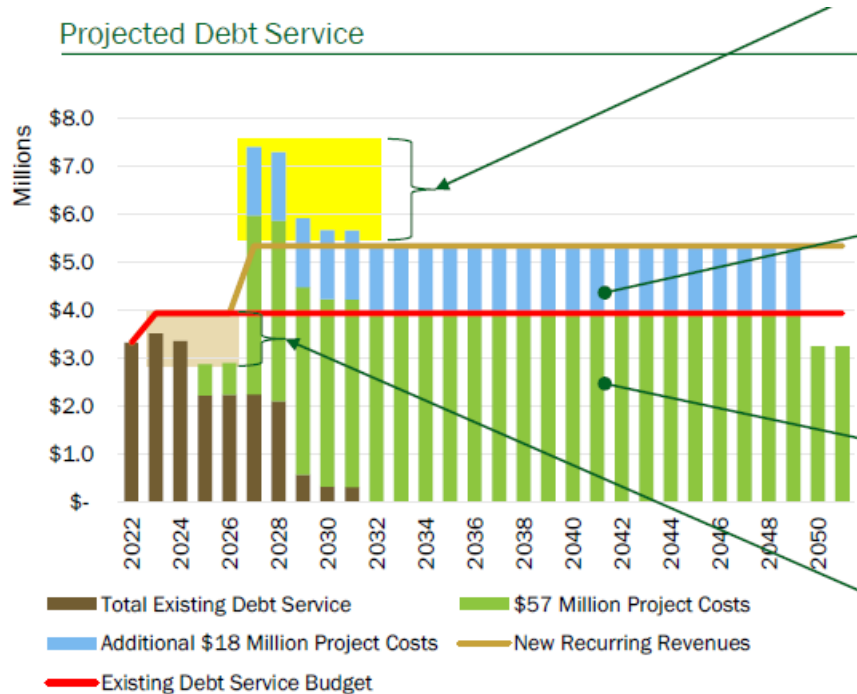


Mr. Wilson explained that the brown bars on the graph showed the County’s existing debt service. He reiterated that the debt had already been issued and they knew what the payments would be. He explained that the debt stepped down until 2031. He noted that as the existing debt stepped down, it gave the County the opportunity to fund more projects if budget was kept at a similar level. He pointed out that the red line on the graph was the budget for debt service. He showed that the peak debt in the yellow box would be covered by the debt service reserve and set asides represented by the brown box on the graph. He explained as the existing debt came off, the County would return to the budgeted debt service level of \$39 million. He pointed out that the County would be able to fund the \$57 million based on the current budget, the \$2.3

million already set aside and the assumption that the County would set aside a little more over the next few years to cover the peaks.

Mr. Wilson reviewed the revised analysis which supported the data in the graph presented. Mr. Reed asked about the current debts being paid off and making sure that the savings would fold back into the reserve. He asked what would happen if the extra money was not set aside. Mr. Wilson noted that they would have to come up with that \$3.9 million to fund the \$57 million.

Mr. Wilson then showed an incremental \$18 million option. He noted that would require an extra \$1.4 million per year which they were projecting to come into play around 2026 and the debt service would start the following year. He noted that the key assumptions were the same as in the \$57 million scenario and explained that the budget for debt service would remain at \$3,933,000 and assumes keeping the \$2.3 million set aside for the projects.



Mr. Wilson then showed the graph at \$57 million in light green with the incremental \$18 million in light blue added on top. He explained that there was still a peak in Fiscal years 2027 through 2031 that would need to be covered by the \$2.3 million already set aside plus whatever additional dollars could be set aside in the next few years. He indicated that that gold line on the graph would be the debt service plus the additional \$1.4 million. He showed the revised analysis for the \$75 million project level.

Mr. Wilson explained that Davenport regularly looked at their clients’ debt ratios. He explained that when the County borrows money, rating agencies use the debt versus assessed value of taxable property ratio to measure an issuer’s capacity to support existing and additional debt. He noted that they would first look at the County’s debt capacity which was the debt versus the assessed value of taxable property. He pointed out that Nelson’s current debt capacity ratio for 2023 was 0.5 percent, which was very low and a good ratio. He explained that going with \$75 million in projects would be closer to a 2.8 percent ratio, which was still a reasonable range. He noted that no agency would be concerned with that ratio of debt. Mr. Wilson suggested that the County consider formal adoption of Financial Policy guidelines that establish a 3.5 to 4.0 percent policy target range.

Mr. Wilson then reported that the debt service versus expenditures ratio was also important because it measured how much of the annual budget was being used to pay off debt. He reported that the County was currently at 6.6 percent and Nelson with projects at \$75 million would bring the ratio to 10.9 percent. He indicated that the ratio would come back down right after 2027 which was the peak of the debt. Mr. Wilson recommended a policy guideline that established a 10 to 12 percent target range which would be a “Strong” rating. He noted that the 10 to 12 percent policy would be viewed favorably by creditors. He explained that the policies could be revisited and explained that a lot of times the policies did not change was the County was doing, it just showed lenders and the State that the County was staying on top of these things.

Mr. Wilson reviewed the next steps. He reported that Davenport could make adjustments to the analysis based on input from the Board and staff. He suggested that the Board consider looking at some financial policies for the debt and fund balance, noting that Davenport could draft policies for review. He noted that Davenport would continue to work with County staff and the Board of Supervisors to implement the capital plan.

Mr. Barton noted that the analysis from last few years had been consistent. Mr. Wilson noted that they were, and they had only made adjustments to the structure of the debt because of interest rates. He pointed out that interest rates could more favorable when the County goes to borrow money, but they were being conservative due to the uncertainty of the market. Mr. Barton asked if they would then make decisions and then piecemeal. Mr. Wilson noted that they would not be borrowing a lump sum for several projects at once. He explained that Davenport would work with the County moving forward as they made decisions on projects like the DSS building and make adjustments.

The Board had no further questions for Mr. Wilson.

#### E. Central Virginia Regional Housing Partnership

Mr. Rutherford introduced Ned Gallaway, Chair, and Keith Smith, Vice Chair, of the Central Virginia Regional Housing Partnership Committee. Mr. Gallaway noted that he was also on the Albemarle County Board of Supervisors and the current Chair of the Thomas Jefferson Planning District Commission (TJPDC). He noted that Mr. Smith was also a 12-year member of the TJPDC, representing Fluvanna County. Mr. Gallaway also introduced Ian Baxter, Housing Planner at the TJPDC, and Christine Jacobs, Executive Director of the TJPDC. Mr. Gallaway noted that they planned to talk about the Regional Housing Partnership and what they do.

Mr. Gallaway explained that the Regional Housing Partnership was created because housing affordability was an issue regionally, and they wanted to bring people together to solve housing problems. He noted that the partnership brought to together the public sector, non-profits, the private sector and the people served. He reported that the TJPDC formalized the partnership together. He noted that the membership was made up of at least one elected official from the member jurisdictions with an alternate, along with an additional representative from each jurisdiction. He indicated that they held quarterly meetings with the entire partnership and the Executive committee held monthly meetings to drive the work of the Partnership. He showed the membership composition, the mission and vision of the Regional Housing Partnership.

Mr. Gallaway commented that all jurisdictions were dealing with housing prices and affordability issues within their boundaries. He commented that the Regional Housing Partnership was not there to tell localities what to do about housing issues, rather they served as a resource to the member jurisdictions to help them solve their housing policy objectives. He reported that they were in the middle of a strategic planning update and what had come out of that was a Data Committee and a Communications Committee. He indicated that Mr. Smith was the Chair of the Data Committee and Ms. Clair was the Chair of the Communications Committee. He explained that the Data Committee gathered information to help the jurisdictions with their affordable housing issues, and the Communications Committee determined how to push the information out as well as how to receive requests back in.

Mr. Gallaway noted that the strategic plan would help to determine whether they had the right people at the table. He reported that they had just hired a consultant to help with the membership of the partnership. He thanked the Board for their contributions to the TJPDC as well as their direct contribution to the Regional Housing Partnership to help them continue their efforts.

Mr. Smith noted that he would be discussing Nelson County data on single family detached homes. He noted that he had separated Wintergreen data, as it could skew things. He reported that Nelson County was one of the only jurisdictions with condos. Mr. Smith reported that in 2022, sales had decreased about 21 percent from the prior year. He also noted that the 2022 median sales price in Nelson was \$401,000. He reported that in a search from January 1, 2023 to present, the median sales price was \$400,000 for single family detached homes, excluding Wintergreen. He noted that there were currently 22 homes available for sale and the median list price was \$722,000. He reported that there were currently six homes for sale in Nelson County for under \$289,000, and the next list price jumped up to \$495,000. Ms. McGarry asked if data accounted for the land sold with the house. He noted it was the total sale.

Mr. Smith then reported on sales at Wintergreen only noting that single family detached homes had dropped 43 percent in 2022. He noted that while sales volume had decreased, the sales prices had increased. He commented that Wintergreen was unique as it had condos. Mr. Smith noted that in 2017, a condo could be purchased for \$119,000, and they were currently selling for \$253,000.

Mr. Smith explained that the Regional Housing Partnership was there to help with housing affordability. He noted that the Data Committee would provide a lot of information on the partnership website, but they wanted to explain what the market was doing. Mr. Smith noted that Mr. Rutherford had commented that the Nelson County Public School teachers could not afford to live in Nelson County. Mr. Smith reported that he was the chair of the Piedmont Community Land Trust. He explained that in order to buy at 60 to 80 percent area median income (AMI), sales prices could not go over \$215,000. He pointed out that there were not too many \$215,000 homes in Nelson County.

Mr. Baxter thanked Nelson County for its \$1,000 contribution to the Coming Back Home Housing Summit, noting it was very much appreciated and they were looking forward to the event. He indicated that Mr. Rutherford was going to be a panelist. He reported that the event would take place on March 24th at the Omni in Charlottesville. He noted that tickets were \$45 each, which included parking, breakfast, lunch, coffee and a bunch of great sessions.

Mr. Baxter explained that one of their strategies was to have regional housing events to serve as a venue for regional collaboration over affordable housing. He noted that they were hoping to have a housing data dashboard to provide similar data as was provided by Mr. Smith; but to also include information and statistics about rental housing and homelessness, a grant library to help developers and non-profit housing providers find funding that would be able to fund affordable housing, and an affordable housing toolkit that would have case studies and information about similar jurisdictions as the planning district to possibly guide housing policy. Mr. Baxter also noted that there was a tool developed by a company called Hand in Northern Virginia that was basically a slider that has people and their occupation, as the slider was moved from left to right (left being less in housing cost, and increasing costs as moving to the right) to show when people become housing insecure (paying more than 30 percent of their income for housing). He noted that they were trying to show how difficult it was for certain occupations to live in the places they work. Mr. Rutherford asked Mr. Baxter to email the link to the tool so that the Board could look at it.

Mr. Barton noted that problem was daunting as it had to do with income, housing availability and construction. He respected the Regional Housing Partnership for trying to address the issue. He asked where they were beginning to address the problem and where there was possibility for action. Mr. Smith noted it worked by bringing everyone together to have a discussion, explaining that the local government was the public sector, the non-profits were land trusts, the private sector encompassed builders and developers, and then there were the people they served. He provided an example where Albemarle County gave the land trust \$625,000 and the Albemarle Board of Supervisors helped with the approval process. Mr. Smith explained that he made a deal with Stanley Martin Homes to build 23 affordable houses in Albemarle County at \$215,000 each, which put teachers, police, firefighters and people making 65 percent AMI in permanent affordable housing within one year. He noted that it required all four groups (public sector, non-profits, private sector, and the people served) working together to make it happen.

Mr. Rutherford noted that some of the discussion about processes and procedures exist in preserving affordable housing. He pointed out that some of the methods were seen in communities such as Montreal Village, where the land was acquired and houses were built for a specific group to be able to afford. He noted that land trusts were another piece. He noted that 23 homes were a great number but the current housing deficit was in the thousands. He commented that they needed to look at the issue together as a region because a housing issue in Albemarle would become Nelson's issue as well. He stated that 1,600 people lived and worked in Nelson, while 4,800 lived in Nelson and drove out of the County to work. He then noted that it was very interesting that 2,000 people drove into Nelson to work Nelson County jobs. He pointed out that many teachers and deputies lived outside of Nelson and were driving in to work every day. He asked whether it could be a wage issue, but noted that most likely, the same group would prefer to have a better lifestyle in a different county even if their wages were increased. He noted that the median house price was \$400,000 and the demographics to afford that number were making real money.

Mr. Gallaway referenced a presentation at the Regional Housing Partnership that talked about people making \$20 to \$22 per hour having trouble affording rental units. He pointed out that Albemarle shared some of the same issues as they also had rural areas, but they also had urban areas. He noted that the partnership was about not dictating or setting policy, rather it was about providing tools and information to help localities make those decisions.

Mr. Barton noted that they all agreed that housing was a huge issue. He asked why, as a society, had they not been able to address it. Mr. Gallaway asked if you build your way out or subsidize your way out of the problem. He noted that it was going to take a partnership with the four groups participating. He also indicated that localities may have to invest in solving the problem and that was a budget item. He noted that it would also take some housing policies and subsidizing to bring the housing units online.

Mr. Smith noted that it was a national problem and he was on a few national cohorts working on the issue. He also reiterated that it would take all four groups working together.

Mr. Barton noted that they needed to think about the cause of the problem. He asked why they had an issue where people could not afford to live where they worked.

Mr. Gallaway noted that in his opinion, fiber internet had allowed people to come to Nelson to live and work in their homes. He pointed out that during the pandemic, there was a lot of demand and short supply for homes with great internet, and that drove prices up. He noted that the Central Virginia region was a place where people wanted to come to. He explained that people saw stable government, a high quality of life and education, with amenities nearby and convenient access to airports. Mr. Gallaway pointed out that Nelson County had beautiful homes and land with fiber internet which allowed people to be able to work

from home. He stated that the desire to live in Nelson was driving up the housing costs. He explained that Albemarle was trying to define developer incentives to get to the housing targets desired for affordability. He noted Albemarle was budgeting money into a housing fund to pay to help builders be able to provide the housing units that the County was looking for. He noted that Nelson could look at incentives to help developers with costs like waiving tap fees for water and sewer.

Mr. Reed thanked Mr. Gallaway, Mr. Smith, Mr. Baxter and Ms. Jacobs for bringing great information to the meeting. He noted that the debt capacity could help provide for the community in other ways and they could look at housing as an option to invest in the community. Mr. Smith commended Mr. Gallaway and his Board for work they had done to build the 23 houses in Albemarle. He pointed out that the 23 new homes and the \$615,000 of investment turned into \$8 million worth of property. He noted that 25 percent of new construction costs went to red tape and Albemarle was able to streamline the red tape process to make it all happen.

Mr. Gallaway appreciated Mr. Barton's comments and questions. He noted that is what they were all trying to figure out together and they could learn from each other's successes. He stated that affordable housing was not a political party issue, it was about getting to work to help people reside in their jurisdiction. Mr. Gallaway reminded the Board that the Housing Conference was March 24<sup>th</sup> and Mr. Rutherford would be providing a presentation.

The Board took a brief recess.

**V. NEW & UNFINISHED BUSINESS**

**A. Hazard Mitigation Plan Adoption (R2023-08)**

Ian Baxter was present to ask the Board to adopt the 2023 Regional Hazard Mitigation Plan. He explained that the purpose of the plan was to prepare for natural disasters and reduce loss of life, property damage and disruption of commerce. He noted that the plan assessed risks from Natural Hazards. He explained that as an incentive, FEMA (Federal Emergency Management Agency) required Natural Hazard Mitigation Plans as a pre-condition for eligibility to receive certain mitigation grant program funds and grants. He indicated that Virginia Department of Emergency Management (VDEM) encouraged regional plans, so it made sense to have the Planning District member jurisdictions to have a regional plan. He also indicated that VDEM maintained a Statewide Hazard Mitigation Plan.

Mr. Baxter reviewed grant eligibility with or without an approved and adopted Hazard Mitigation Plan.

FEMA Assistance Program	Required for a State/Tribal Applicant?	Required for a Tribal/Local Sub-Applicant?
<a href="#">Individual Assistance (IA)</a>	No	No
<a href="#">Public Assistance (PA)</a> Categories A and B (e.g., debris removal, emergency protective measures)	No	No
<a href="#">Public Assistance (PA)</a> Categories C through G (e.g., repairs to damaged infrastructure, publicly owned buildings)	Yes	No
<a href="#">Fire Mitigation Assistance Grants (FMAG)</a>	Yes	No
<a href="#">Hazard Mitigation Grant Program (HMGP)</a> planning grant	Yes+	No
<a href="#">Hazard Mitigation Grant Program (HMGP)</a> project grant	Yes+	Yes++
<a href="#">Building Resilient Infrastructure and Communities (BRIC)</a> planning grant	No	No
<a href="#">Building Resilient Infrastructure and Communities (BRIC)</a> project grant	Yes*	Yes**

He primarily focused on the Hazard Mitigation Grant Program (HMGP) and the Building Resilient Infrastructure and Communities (BRIC). He explained that the HMGP could be used to fund projects on either public or private property. He provided a few examples of the types of projects: acquiring and

relocating structures from hazard-prone areas, and constructing certain types of minor and localized flood control projects. He noted that this would be an opportunity for the County to engage in hazard mitigation and prevention work with a 75 percent federal match, instead of the County covering the entire cost of the project alone.

He explained that BRIC grants were similar but could be expanded to cover Wildfire and Wind Retrofit Projects, Nature-Based Infrastructure Projects and Flood Protection Projects, as well as Technical Assistance Projects. He noted that the grant could help pay for studies for plans involving a specific problem area around a specific natural hazard in the County. Mr. Baxter also indicated that there was a 75 percent federal match for the BRIC grants. He reiterated that plan adoption was a pre-condition for federal funding.

Mr. Baxter reviewed the Natural Hazard Mitigation Plan Document setup. He explained that the plan provided an overview of the region, general information about potential hazards in the planning district, the historic record of hazard events, and the probability of future events. He noted that it also assessed how vulnerable the region was to hazards and how capable they were in mitigating natural hazards. He then noted that as part of the mitigation strategy, goals, objectives and action items were selected to mitigate hazards identified in the region.

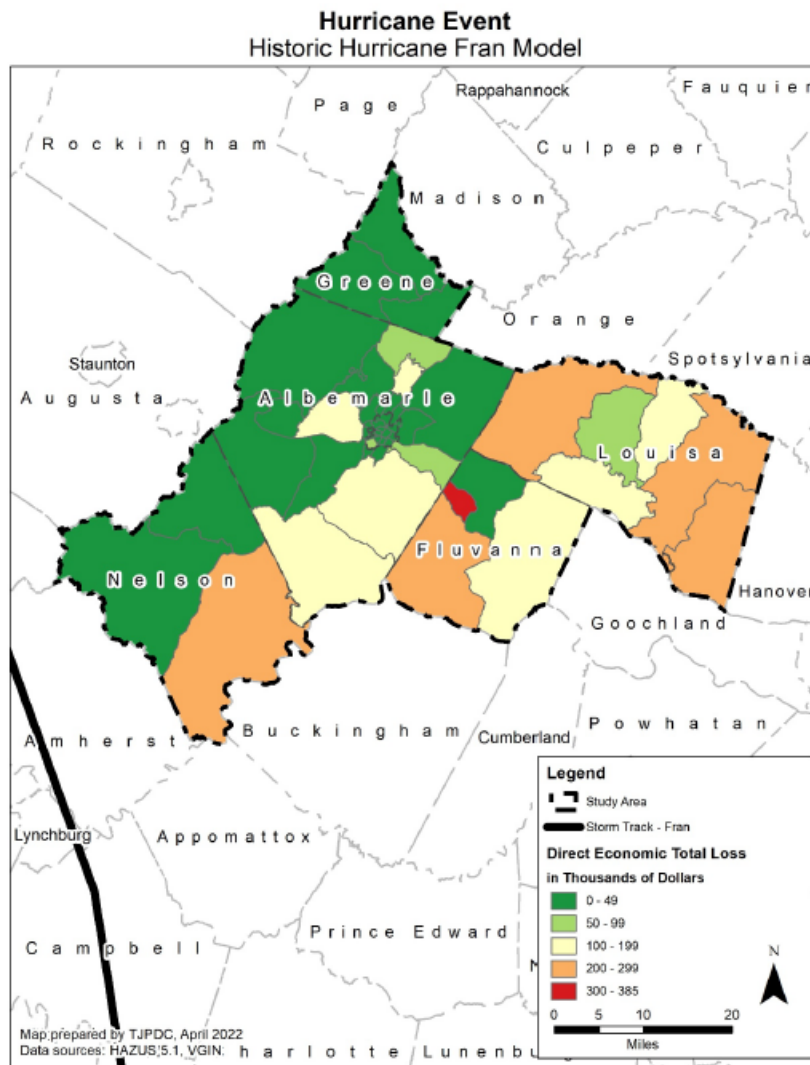
Mr. Baxter then explained the Hazard Identification and Risk Assessment (HIRA) as a matrix that presents natural hazards in order of relative risk. He reported that they had a working group made up of emergency management personnel from all six localities within the planning district, as well as state experts. He showed the HIRA chart noting that the top three hazards remained the same from the 2018 plan, which were: 1) hurricane/high wind/windstorms, 2) flooding, 3) winter storms/weather. He also noted the addition of Communicable Disease/Pandemic after the COVID pandemic, which was requested by FEMA to be included as a natural hazard.

EVENT	PROBABILITY	HUMAN IMPACT	PROPERTY IMPACT	BUSINESS IMPACT	RISK
	<i>Likelihood this will occur</i>	<i>Possibility of death or injury</i>	<i>Physical losses and damages</i>	<i>Interruption of services</i>	<i>Relative threat*</i>
SCORE	0 = N/A 1 = Low 2 = Moderate 3 = High	0 = N/A 1 = Low 2 = Moderate 3 = High	0 = N/A 1 = Low 2 = Moderate 3 = High	0 = N/A 1 = Low 2 = Moderate 3 = High	0 - 100%
Hurricane/high wind/windstorms	3	2	2	2	74%
Flooding	3	1	2	2	65%
Winter storms/weather	3	1	1	2	56%
Communicable Disease/Pandemic	2	2	1	2	30%
Lightning	2	1	1	1	22%
Wildfire	2	1	1	1	22%
Drought / Extreme Heat	2	1	1	1	22%
Dam Failure	1	2	2	2	22%
Tornado	2	1	1	1	22%
Earthquake	1	1	2	2	19%
Landslide	1	1	1	1	11%
<b>AVERAGE SCORE</b>	<b>1.88</b>	<b>1.37</b>	<b>1.5</b>	<b>1.58</b>	<b>33%</b>

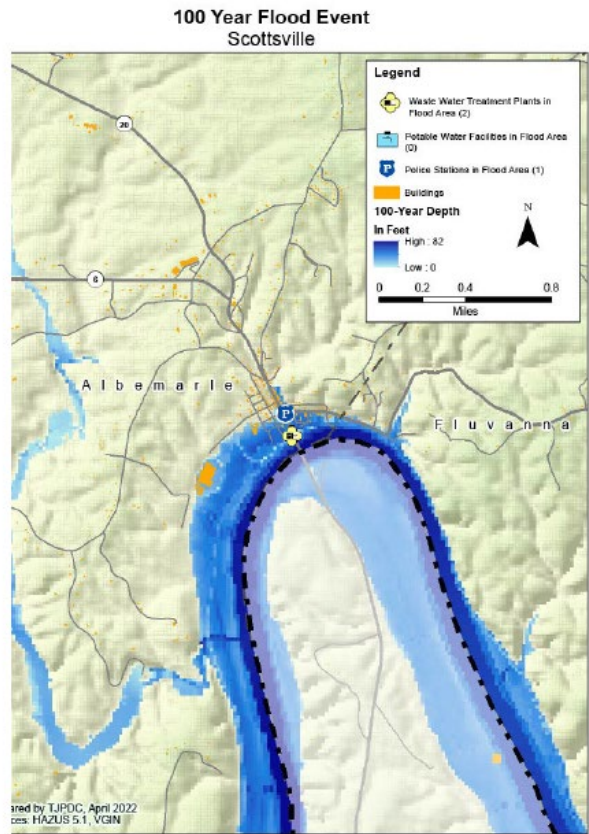
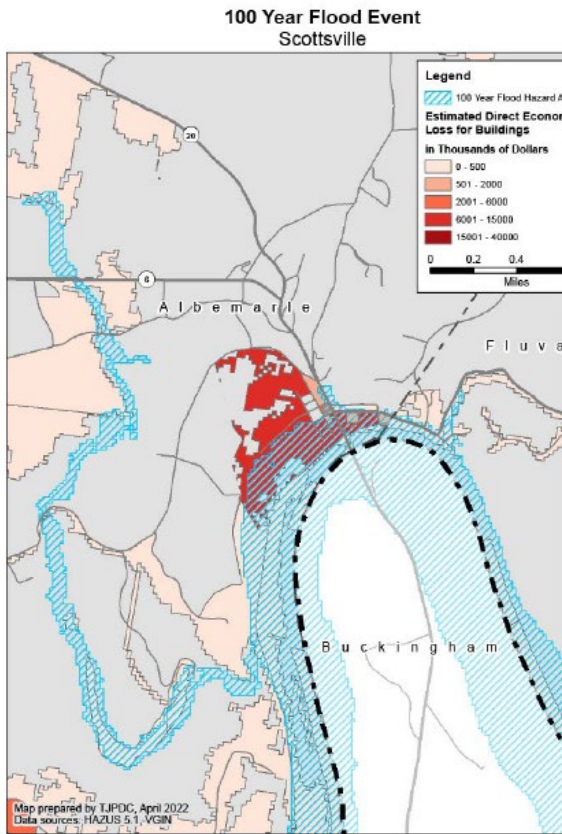
He noted that the data used was primarily from State and Federal sources, and some local as well. He explained that the vulnerability assessment was basically quantifying how hazardous natural events could be. He reported that a tool called HAZUS, which was proprietary software that FEMA maintained, helped to understand risks based on locations.



Mr. Baxter presented the Modeled Hurricane Losses, which was modeled from Hurricane Fran in 1996. He noted that the eye did not travel through the planning district but the effects of it were felt throughout. He noted that the model showed direct economic losses across the district in the thousands of dollars. He reminded the Board that hurricanes, high wind and windstorms were the number one weather event for the area.



He noted that the plan was full of similar maps and also showed a map of Scottsville for the Modeled Flood Losses – 100 Year Event. He explained that it mapped flooding damage and estimated economic loss in the thousands of dollars. He noted that a 100-year event was an event that happened once every 100 years.



Mr. Baxter discussed the Mitigation Action items, noting that the Mitigation Action items would state what the action items were, who was responsible for it, how it would be paid for, and how high of a priority it was. Mr. Baxter reported that he had worked with Russell Gibson and John Adkins, as well as Nelson County Administration to determine the Mitigation Action items to be accomplished over the next five years.

The Board had no questions for Mr. Baxter.

Mr. Reed moved to adopt **Resolution R2023-08** and Mr. Parr seconded the motion. There being no further discussion, Supervisors approved the motion by vote of acclamation and the following resolution was adopted:

**RESOLUTION R2023-08  
NELSON COUNTY BOARD OF SUPERVISORS  
ADOPTION OF THE REGIONAL NATURAL HAZARD MITIGATION PLAN**

**WHEREAS**, the Disaster Mitigation Act of 2000, as amended, requires that local governments develop, adopt and update natural hazard mitigation plans in order to receive certain federal assistance; and,

**WHEREAS**, the Thomas Jefferson Planning District’s Regional Natural Hazard Mitigation Plan has been prepared in accordance with FEMA requirements at 44C.F.R. 201.6; and,

**WHEREAS**, The County of Nelson has been involved in the preparation of the Regional Natural Hazard Mitigation Plan, with Russell Gibson and John Adkins representing the County on the Working Group and working with TJPDC staff to identify mitigation actions for inclusion in the plan, and,

**WHEREAS**, the Virginia Department of Emergency Management (VDEM) and the Federal Emergency Management Agency (FEMA) have approved the plan with no changes recommended; and,

**WHEREAS**, hazard mitigation is essential to protect life and property by reducing the potential for future damages and economic losses resulting from natural disasters;

**NOW THEREFORE BE IT RESOLVED**, the Nelson County Board of Supervisors does hereby adopt the 2023 Regional Natural Hazard Mitigation Plan as presented.

**B. Waynesboro RAISE Grant Support (R2023-09)**

Ms. McGarry reported that the Board had a resolution to provide support for the City of Waynesboro’s application for the U.S. Department of Transportation’s RAISE grant funds. She indicated that the County supported the application as a co-applicant in 2018. She explained that the funds would help the City of

Waynesboro to construct a trail that would connect from the Western Trailhead of the Blue Ridge Tunnel Trail into the City of Waynesboro. She indicated that there was no monetary commitment by Nelson County for the project, only moral support and serving as a co-applicant on Waynesboro's application.

Mr. Harvey moved to approve **Resolution R2023-09** and Mr. Barton seconded the motion. There being no further discussion, Supervisors approved the motion by vote of acclamation and the following resolution was adopted:

**RESOLUTION R2023-09**  
**NELSON COUNTY BOARD OF SUPERVISORS**  
**SUPPORT FOR NELSON COUNTY AND THE CITY OF WAYNESBORO'S APPLICATION**  
**FOR THE U.S. DEPARTMENT OF TRANSPORTATION RAISE GRANT FUNDS**

**WHEREAS**, Nelson County completed the Blue Ridge Tunnel Trail project in November 2020; and,

**WHEREAS**, the completion of the Blue Ridge Tunnel Trail project has provided a unique regional attraction with historic, educational, and economic benefits, as well as a safe trail for hikers, joggers, and bicyclists; and,

**WHEREAS**, the Blue Ridge Tunnel Trail extends into Augusta County and is in close proximity to the City of Waynesboro; and,

**WHEREAS**, the City of Waynesboro proposes to construct a trail to connect the Waynesboro city limits to the Blue Ridge Tunnel Trail; and,

**WHEREAS**, in February 2023, the City of Waynesboro intends to request funding for the proposed trail project through the U.S. Department of Transportation's RAISE Grant Program (formerly known as the BUILD Grant Program) and has suggested that Nelson County could serve as a co-applicant in order to improve the chance of receiving funding through the U.S. Department of Transportation; and,

**WHEREAS**, Nelson County did serve as a co-applicant in 2018 for the City of Waynesboro's application to the formerly known BUILD Grant Program; and,

**WHEREAS**, Nelson County is not required to provide a local match in funds, and will not incur any associated costs;

**NOW THEREFORE BE IT RESOLVED**, by the Nelson County Board of Supervisors that said Board supports the City of Waynesboro's application to the Virginia Department of Transportation for RAISE Program grant funds, for a trail to connect the Waynesboro city limits to the Blue Ridge Tunnel Trail, and hereby authorizes the County Administrator to execute all documents necessary to show Nelson County as a co-applicant.

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

A. Reports

1. County Administrator's Report

Ms. McGarry reported the following:

- A. **Comprehensive Plan:** The project website is [www.Nelson2042.com](http://www.Nelson2042.com). The 2<sup>nd</sup> of four scheduled joint work sessions of the Board of Supervisors and Planning Commission was held on January 18, 2023; where draft content regarding Natural & Historic Resources and Community Facilities and Infrastructure was reviewed. An intermediate focus group work session with stakeholders on next areas of consideration of Housing and Economy will be held on February 16<sup>th</sup> at 2pm with the next joint meeting with the Planning Commission being on March 15, 2023.
- B. **Community Business Launch Program:** The County is using state and federal grant funds to implement a Community Business Launch program to support business growth in vacant spaces in the village of Lovingson. This is a free business training program designed to provide a base of business fundamentals to individuals looking to start or expand a business in Lovingson. Following the completion of the eight-week program, selected individuals will be invited to compete for 2 awards of \$15,000 each and 2 awards of \$5,000 each in startup grants. Free weekly classes start April 4, 2023 and end on June 6, 2023 and will be facilitated by the [Central Virginia Small Business Development Center](#) (CVSBDC) to help aspiring entrepreneurs build their business plan. Classes will be held at the Nelson Center in Lovingson. As of February 13<sup>th</sup>, five (5) applications have been received.
- C. **County Website Redesign:** The navigation framework for the website has been designed and reviewed by staff and the Board, with input provided. Loudon County's and Fairfax City's websites

were used as the basis for this framework and work continues on its overall development. The current website is continuing to function with the ability to accommodate the implementation of fillable forms online.

- D. Tax Research and Payment Portal:** Thanks to the efforts of Treasurer Angi Hicks and County IT staff, the online portal for research and payment of Real Estate and Personal Property taxes is now live at [www.paynelsoncountyva.us](http://www.paynelsoncountyva.us) . Links to the website are posted on the County's main webpage and other areas as appropriate.
- E. Firefly Broadband:** Firefly provided the attached update on county-wide fiber connection. Generally, they report that "The project to make gigabit speed broadband available at every location in Nelson County is almost complete. The fiber network should be in place and operating within the next four to eight weeks except for the outlying areas near Afton and Love. 98% of Nelsonians will have access at that point. With the 1400 remaining locations on the preregistration list, we will likely run into mid-year completing the final connections."
- F. Piney River Wastewater Pump Station Repairs:** Last week, the Board was apprised of a significant pipe failure at the Piney River wastewater pump station and the repair plan. Thanks to the coordination of Paul Truslow, Amanda Spivey, and Jeff Brantley of the Service Authority, the repair plan began last Thursday with mobilization and trenching and two crews began installation on 2/13. Costs of these repairs are approximately \$29,000 plus the cost of the pump and haul of wastewater from the pump station to the Black Creek wastewater treatment plant and are to be determined. The pump station is expected to be functional again in the next few days.
- G. Former Larkin Property Development:** The County is under contract with Architectural Partners for master planning with next steps being to schedule an initial meeting to review results of the County's recreational needs survey and discuss and determine the areas of focus for the Master Plan.

Ms. McGarry asked for guidance from the Board on when they would like to hold a meeting with Architectural Partners. She noted that she wanted to be mindful of the Board's schedules and suggested possibly coordinating the meeting to take place during a budget work session, or sooner, if the Board preferred. Mr. Reed indicated that he wanted to meet prior to the budget work sessions. Ms. McGarry suggested looking to hold a meeting prior to the March 14<sup>th</sup> Board meeting. The Board was in agreement to work towards meeting prior to March 14<sup>th</sup>.

- H. Regional Library Agreement Review:** Every five (5) years the members of the Regional Library are tasked with reviewing the regional agreement. The paramount consideration is keeping or not the out of area (OA) fee and its impact on member library costs; which primarily impacts Charlottesville and Albemarle. This analysis was provided by JMRL Executive Director Plunkett late last week for the committee's review and discussion. Any proposed amendment to the agreement will need approval by each of the Member governing bodies.
- I. Gladstone Depot TAP Grant:** Staff is working with Jay Brown of the Lynchburg District VDOT office and Friends of Gladstone Depot to schedule a meeting to discuss the Project and the draft TAP Agreement. The TAP agreement will then be presented for consideration by the Board.
- J. Opioid Abatement Funds:** A meeting has been scheduled for next week with Region Ten to discuss the potential for an application to the State Opioid Abatement Authority. Additionally, the County may opt to participate in another multi-state opioid settlement with Teva, Allergan, Walmart, CVS, and Walgreens. This would be accomplished through the adoption of an authorizing resolution that will be presented to the Board at the March regular meeting in order to meet the April 18<sup>th</sup> deadline for submission of participation forms.
- K. New Office Building:** No change from January's report. Staff and PMA is proceeding with the Board's Directive from the November Meeting.
- L. Short-Term Rentals:** The Commissioner and County staff have participated in three demos with vendors that provide STR tracking services. Staff is now in the process of checking references from current users in order to provide a recommendation regarding the procurement of such services. The approximate cost of this basic service (Address identification and compliance/rental monitoring) from 2 of the vendors is \$25,000 to \$35,000 with both offering additional services that can be added on. These companies utilize programs that "scrub" the internet for STR listings and provide dashboards of related data. The Commissioner's office is receiving payments from third party collectors such as VRBO and Airbnb with FY23 collections on track to exceed budget.
- M. FY22 Audit:** The final Audit report should be received anytime with Robinson, Farmer, Cox Associates being scheduled to report to the Board in March.

**N. FY24 Budget:** Supervisors have been provided the Agency notebooks at tonight's meeting. A draft budget calendar is attached with budget introduction proposed for the March Board meeting with work sessions to follow.

**O. Renaissance Ridge Housing Development: No change from January's report:** Steve Driver of Terra Engineering provided an update to the Planning Department on the status of the Renaissance Ridge Development. The storm water management plan is currently in review with DEQ. They are having an environmental study done which will be sent to the Army Corps for review within the next few weeks. They are getting close to VDOT approval. They are applying for a letter of map amendment to FEMA to update the flood zone and are required to submit a Joint Permit Application with the Virginia Marine Resources Commission. There still has not been an official submission to the County.

**P. Staff Reports:** Department and office reports for February have been provided.

Ms. McGarry reported that County staff would be meeting with the judges to discuss the proposed parking space solution the following day.

Mr. Barton asked how the website design was coming along. Ms. McGarry reported that it was going well. She noted that staff had just looked at a mock-up page for what the main page would look like and how to navigate from the main page to two additional pages. She reported that it looked good. She indicated that she was not sure how long it would take to get up and running, but anticipated that the Board would have an update prior to it going live.

## 2. Board Reports

### Mr. Barton:

Mr. Barton reported that he had attended the Jail Authority and they had mainly discussed the renovation project. He felt that the County was well served by the jail. Mr. Rutherford agreed that the jail did a good job.

### Mr. Harvey:

Mr. Harvey had no report.

### Mr. Reed:

Mr. Reed reported that he attended the TJPDC on February 2<sup>nd</sup> and they had a preliminary presentation on Housing. He noted that the American Rescue Plan funds from HUD were distributed through the TJPDC to the counties equally, regardless of size and population. He reported that \$347,000 went to each county. He explained that Nelson's funds went to Nelson County Community Development Foundation so they could create four housing units for seniors at the greatest risk of housing instability.

Mr. Reed reported that he attended a Sentara Healthcare presentation at the Heritage Center in mid-January. He also noted that a pharmacy was coming back to Nellysford through UVA Health Services. He reported that he attended two School Board meetings where the draft school budget was presented, and he noted there were no speakers present for the public hearing. Mr. Reed reported that the Nelson County Service Authority had a clean audit for sixth year in a row. He indicated that the Service Authority Board had expressed interest in creating water master plan for the County. He reported that the Schuyler Wastewater System was on track to be completed by late spring/early summer. He commented that they were waiting on a generator system so they would be ready to go live in the fall.

Mr. Reed also reported that the Nelson Community Wellness Alliance had two meetings. He noted that they were moving forward with implementing their federal healthcare grant and intended to create health and childcare services at the Heritage Center. He noted that they would be working on their service center and creating job opportunities in the County.

Mr. Reed noted that he attended the Virginia Department of Environmental Equality meeting to hear a presentation on the Black Creek and Hat Creek Total Minimum Daily Load (TMDL). He commented that both creeks had been identified as having pollution stressors. He noted that there were many people from the public in attendance. He noted that there were no regulatory programs connected to the issue, it was all voluntary. He noted that they were hoping incentives could be put in place for landowners who helped remedy the issues. He indicated that there would be an advisory committee that he would be sitting on.

Mr. Reed also reported that he attended a JABA Board meeting attending, but there was nothing of note.

Mr. Parr:

Mr. Parr reported that the Director of Social Services, Ms. Angela Rose, was retiring in May and the position would be advertised soon. He noted that the Social Services Board hoped to begin interviews in March to allow the new director to have a four-week overlap in time to work with Ms. Rose before her departure.

Mr. Rutherford:

Mr. Rutherford reported that he had been busy with the Regional Housing Partnership and preparing for the housing conference. He noted that he and staff would meet the next day to work out the parking situation. He also noted that they had received a report from Firefly, he asked if a call had taken place between Mr. Wood and Broadband Chair Mr. Strong. Ms. McGarry indicated that the report had been provided by Firefly and they offered to schedule a call to answer any questions. She noted that a conference call was not requested. Mr. Rutherford asked if the Board of Supervisors had any comments to add or questions. Mr. Parr stated his frustration and disappointment that they were not further along. Mr. Parr commented that he was appreciative of the work that had been done, noting that they were much further along than they would have been without the County's support of the project.

B. Appointments

James River Alcohol Safety Action Program:

Mr. Parr moved to appoint James Hall to the James River Alcohol Safety Action Program. Mr. Harvey seconded the motion. There being no further discussion, Supervisors approved the motion by vote of acclamation.

Nelson County Economic Development Authority:

Ms. Spivey reported that they were advertising the vacancy on the EDA and were currently receiving applications. She noted that they would likely make an appointment at next month's meeting.

C. Correspondence

The Board had no correspondence.

D. Directives

Mr. Rutherford noted that he would wait until the evening session for his directive.

Mr. Barton noted concerns and calls from elderly people in the community in regards to Walgreens closing. He noted that they were worried the price of their prescriptions would increase considerably. He commented that Blue Ridge may not have the ability to negotiate costs as well as Walgreens, so prescriptions may cost more there. He was glad to hear that UVA was opening the pharmacy in Nellysford but noted that people would be driving further to fill prescriptions at a reasonable cost. He asked if there was anything that the County could do to help. Mr. Rutherford suggested sending an inquiry to Blue Ridge Medical in regards to their hours of operation and how they may be able to assist.

Mr. Barton also mentioned the fence-in law, noting there was no means of enforcement. He stated that he did not want to further burden farmers, but wanted to know if it was possible to give Animal Control officers the power to deal with livestock owners not fencing in their animals. Mr. Rutherford noted that he had the same inquiries in Schuyler. Mr. Parr also noted issues with roaming cattle in Massies Mill. Mr. Parr suggested working with Animal Control to see what is needed to help with the problem. He noted that they needed to add teeth to what authority they already had. He pointed out that they would also need to determine who would assist in getting the animals up, where the animals could be boarded while the owner was located, any time restrictions, and associated fees. He pointed out that were chronic offenders and there were great farmers, and the great farmers were tired of the offenders soiling the reputation of the farmers. He noted that if the offenders know they may incur fees for loose livestock, it might be cheaper to fix and maintain their fences. He suggested that Amherst may have policies in place that may be helpful when considering local policies. Mr. Barton noted that cows do get out from time to time. Mr. Parr agreed and noted that was where discretion came into play. He pointed out that in a small community, Animal Control knew the responsible farmers and the repeat offenders. Mr. Rutherford asked that staff work with the County Attorney on drafting policies.

Mr. Parr also brought up the subject of housing, noting that the Regional Housing Partnership's presentation focused on new construction. He pointed out that there were many houses in the County sitting vacant that might need to be updated to be available to rent. He suggested considering incentive options to encourage owners to update the existing housing stock as well as stipulations that could prevent the homes from

becoming short term rentals. Mr. Rutherford suggested they could take it even further, particularly in the Piney River area where the County owned the water and sewer, they could potentially waive connection fees. Mr. Parr noted that he would like to see the current housing stock updated, rather than just putting in a new housing development. He noted that he was not against new homes, he just wanted to consider another option. Mr. Rutherford suggested talking about the subject further at their next meeting.

Mr. Rutherford briefly noted that the community center in Schuyler had tree issue and needed help with the cost of removal. He indicated that he would bring copies of the bill to the evening session. Mr. Harvey suggested negotiating the cost. Mr. Rutherford suggested meeting them halfway on the cost.

**VII. CLOSED SESSION PURSUANT TO §2.2-3711 (A)(3) & (A)(7)**

Mr. Reed moved that the Nelson County Board of Supervisors convene in closed session to discuss the following as permitted by Virginia Code Sections 2.2-3711:

(A)(3): Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; and,

(A)(7): Consultation with legal counsel and briefings by staff members pertaining to actual litigation, where such consultation or briefing in an open meeting would adversely affect the negotiating or litigating posture of the public body – Litigation pertaining to the Region 2000 Services Authority.

Mr. Parr seconded the motion and there being no further discussion, Supervisors voted (4-1) by roll call vote to approve the motion, with Mr. Harvey voting no.

Supervisors conducted the closed session and upon its conclusion, Mr. Reed moved to reconvene in public session. Mr. Parr seconded the motion and there being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

Upon reconvening in public session, Mr. Reed moved that pursuant to the requirements of Chapter 37, Virginia Freedom of Information Act and Section 2.2-3712 of the Code of Virginia, that the Nelson County Board of Supervisors certify that to the best of each member’s knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body. Mr. Parr seconded the motion and there being no further discussion, Supervisors voted unanimously (5-0) to approve the motion.

**VIII. ADJOURN AND CONTINUE – EVENING SESSION AT 7PM**

At 5:34 p.m., Mr. Reed made a motion to adjourn and reconvene at 7:00 p.m. and Mr. Parr seconded the motion. There being no further discussion, Supervisors approved the motion by vote of acclamation.

**EVENING SESSION  
7:00 P.M. – NELSON COUNTY COURTHOUSE**

**I. CALL TO ORDER**

Mr. Rutherford called the evening session to order at 7:00 p.m. with four (4) Supervisors present to establish a quorum with Mr. Harvey being absent.

**II. PUBLIC COMMENTS**

*M. L. Moore, Amherst, VA*

Ms. Moore asked the Board to reconsider the County’s fence-in ordinance that was enacted in December 2019, noting that at the time, enforcement provisions had been considered but rejected. She commented that she had been a farmer with horses and cattle most of her life and understood that it required good fences, consistent maintenance and constant oversight to keep animals in. She noted that she was sure that most farmers handled their loose cattle and addressed fencing issues and any damages promptly. She pointed out that there were also some livestock owners who either could not or would not deal with loose livestock or fencing issues and refused to take responsibility for any damages. She noted that animals on the loose often led to damaged property and provided potential for accidents with cars. She indicated that the Nelson Knows group often discusses frequent issues with loose livestock. She asked the Board to add language to the existing ordinance to allow Animal Control to fine repeat offenders. She suggested a pass on the first offense, a \$250 fine on the second offense, and then double the fine for every time after that. She also suggested that language should be added to provide for reimbursement to the County for expenses

incurred from dealing with loose livestock. She predicted that there would be a large decrease in livestock at large and subsequent complaints. Ms. Moore stated that an enforcement provision would not affect responsible livestock owners. She suggested speaking with Animal Control for input on the changes needed. She pointed out that Animal Control needed a tool to deal with unacceptable situations. She closed by stating that a fence-in law without teeth was a fence-out law.

*Paige McCusker Arrington, VA*

Ms. McCusker commented that she was present to discuss the importance of enforcing fencing ordinance 2019-02. She stated that proper fencing was a critical component of keeping the community safe. She noted that there were a growing number of residents disregarding fencing requirements, whether through ignorance or disregard for the law. She pointed out that it not only put residents' safety at risk, it affected property values in the community. Ms. McCusker reported that she had a neighbor who did not maintain any fencing for their horses. She noted that the horses had destroyed her yard, plants, and outdoor decorations. She also noted that the horses had eaten her chicken feed and horse feed until she had fencing installed at her property. She pointed out the dangers of having large animals loose in the road and around other people. Ms. McCusker noted that the neighbor also had aggressive dogs that came under the fence onto her property. She indicated that Animal Control had been called regarding animal welfare issues but nothing had been done. She asked the Board to work to improve the ordinance to maintain the safety and wellbeing of the community.

*Mark Franklin, Roseland, VA*

Mr. Franklin commented that a basic role of the Board of Supervisors was to create revenue for the County. He stated that the Board of Supervisors and County Administration created a tourism based economy in Nelson. He stated that the transient occupancy tax should be raised as it was proposed over a year ago, to create tax revenue to benefit the County. He asked what had been done in the last year to ensure that the transient occupancy tax revenues were all being collected. He felt that the School Board could have gotten an extra million dollars or more, and recreation could have been better funded. He stated that the County was leaving uncollected revenues on the table and wasting tax dollars on tourism marketing. He stated that the Board must do better for the community and stop wasting tax dollars.

There were no other persons wishing to speak and public comments were closed.

### III. PUBLIC HEARINGS

#### A. Ordinance O2022-07 - Amendment to Chapter 2, Administration, Article 2, Board of Supervisors, Sec. 2-28 Precincts and Polling Places

The purpose of this amendment is to change the Central Absentee Voter Precinct location from the Nelson Memorial Library located at 8521 Thomas Nelson Highway in Lovingston to the Registrar's Office at 571 Front Street in Lovingston.

Ms. McGarry reported that the purpose of the public hearing was to change the Central Absentee voter precinct from the Nelson Memorial Library to the Registrar's Office. She explained that the request for the change in location was made by Ms. Britt. She noted that they felt the location change would best serve Ms. Britt's purposes with it being located at her office rather than the Library. Ms. McGarry asked the Board to consider approval of **Ordinance O2022-07**.

Mr. Rutherford opened public hearing. There being no persons wishing to speak, the public hearing was closed.

Mr. Barton asked what the purpose of changing the precinct was for. Ms. Britt noted that Central Absentee was a separate precinct. She noted that they have a lot of equipment that they have to move and set up for the precinct, along with ballots. She explained that it was much easier and safer for it to be contained within her office.

Mr. Barton moved to approve **Ordinance O2022-07** and Mr. Parr seconded the motion. There being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion and the following ordinance was adopted:

**ORDINANCE O2022-07**  
**NELSON COUNTY BOARD OF SUPERVISORS**  
**AMENDMENT OF THE CODE OF NELSON COUNTY**  
**CHAPTER 2, ADMINISTRATION, ARTICLE II BOARD OF SUPERVISORS**  
**SEC. 2-28 PRECINCTS AND POLLING PLACES**



*Amend*

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

*Central Absentee Voter Precinct:*

*Polling place:* ~~Nelson Memorial Library, 8521 Thomas Nelson Highway, Lovington, VA 22949-0321~~  
**Registrar's Office, 571 Front Street, Lovington, Virginia**

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

**IV. OTHER BUSINESS (AS PRESENTED)**

Mr. Rutherford commented that he had received a request from Jennifer Roberts to see if they Board may be able to contribute funds to help with tree removal costs at the Schuyler Museum. He noted that they had gotten a quote for \$6,500. Mr. Rutherford suggested meeting half way and contributing \$3,250. Mr. Parr noted that he had no issue with it. He pointed out that the Board had done a lot for Fleetwood and the Heritage Center over the last few years.

Mr. Barton moved to fund the Schuyler Museum \$3,250. Mr. Parr seconded the motion. There being no further discussion, Supervisors voted unanimously (4-0) to approve the motion.

**V. ADJOURN AND CONTINUE TO FEBRUARY 21, 2023 AT 4PM FOR A JOINT MEETING BETWEEN THE NELSON COUNTY BOARD OF SUPERVISORS AND THE AMHERST COUNTY BOARD OF SUPERVISORS.**

At 7:15 p.m., Mr. Parr made a motion to adjourn and continue to February 21, 2023 at 4:00 p.m. for a joint meeting between the Nelson County Board of Supervisors and the Amherst County Board of Supervisors. Mr. Barton seconded the motion. There being no further discussion, Supervisors approved the motion by vote of acclamation and the meeting adjourned.