

BOARD OF
SUPERVISORS

THOMAS D. HARVEY
North District

ERNIE Q. REED
Central District

JESSE N. RUTHERFORD
East District

ROBERT G. BARTON, JR.
South District

J. DAVID PARR
West District



CANDICE W. MCGARRY
County Administrator

AMANDA B. SPIVEY
Administrative Assistant/
Deputy Clerk

LINDA K. STATON
Director of Finance and
Human Resources

AGENDA
NELSON COUNTY BOARD OF SUPERVISORS
OCTOBER 10, 2023
THE REGULAR MEETING CONVENES AT 2:00 P.M. IN THE
GENERAL DISTRICT COURTROOM AT THE COURTHOUSE IN LOVINGSTON

- I. CALL TO ORDER**
 - A. Moment of Silence
 - B. Pledge of Allegiance

- II. PUBLIC COMMENTS**

- III. CONSENT AGENDA**
 - A. Resolution – **R2023-63** Minutes for Approval
 - B. Resolution – **R2023-64** Budget Amendment

- IV. PROCLAMATION – OCTOBER IS DOMESTIC VIOLENCE AWARENESS MONTH (P2023-03)**

- V. PRESENTATIONS**
 - A. VDOT Report

- VI. NEW & UNFINISHED BUSINESS**
 - A. Special Use Permit #1005 – Campground (Deferred from September Meeting)
 - B. Ambulance Funding Request – Rockfish Valley Volunteer Fire and Rescue

- VII. REPORTS, APPOINTMENTS, DIRECTIVES AND CORRESPONDENCE**
 - A. Reports
 - 1. County Administrator’s Report
 - 2. Board Reports
 - B. Appointments
 - C. Correspondence
 - D. Directives

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

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

- I. CALL TO ORDER**
- II. PUBLIC COMMENTS**
- III. PUBLIC HEARINGS**

A. Special Use Permit #998 – Vacation House

Consideration of a Special Use Permit application requesting County approval to allow a Vacation House on property zoned R-1 Residential. The subject property is located at Tax Map Parcel #21-7-2A at 2617 Rockfish Valley Hwy in Nellysford. The subject property is 1.027 acres and is owned by Gretchen Rush and Glenda MacNeil.

B. Correction of FY24 Budget Adoption and Appropriation Resolutions (R2023-40C) and (R2023-41C)

Consideration of proposed resolutions correcting the originally approved FY24 Budget Adoption (R2023-40) and Appropriation (R2023-41) Resolutions, to include the \$2,111,079 budgeted within the General Fund to be transferred to the VPA (Department of Social Services) Fund. The General Fund total, including the VPA Fund transfer amount, is \$50,222,334 making the FY24 total appropriations for all funds \$95,163,565.

C. Amendment of FY2023-2024 Budget – Supplemental Appropriation of School Construction Assistance Program Grant Funds (R2023-65)

Consideration of a proposed FY2023-2024 Budget Amendment that provides for a supplemental appropriation of School Construction Assistance Program Grant Funds, as requested by the School Division. The request is in the amount of \$2,451,703 which exceeds the statutory limit of one percent of the total expenditures shown in the currently adopted budget that can be approved without first holding a public hearing.

- IV. OTHER BUSINESS (AS PRESENTED)**
- V. ADJOURNMENT**



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RESOLUTION R2023-63
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF MINUTES
(April 18, 2023 and April 20, 2023)

RESOLVED, by the Nelson County Board of Supervisors that the minutes of said Board meetings conducted on **April 18, 2023 and April 20, 2023** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

Approved: October 10, 2023

Attest: _____, Clerk
Nelson County Board of Supervisors

April 18, 2023

Virginia:

AT A CONTINUED MEETING of the Nelson County Board of Supervisors at 1:00 p.m. in the Former Board of Supervisors Room located on the fourth 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
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

Absent: Thomas D. Harvey, North District Supervisor

I. CALL TO ORDER

Mr. Rutherford called the continued meeting to order at 1:03 p.m. with four (4) Supervisors present to establish a quorum and Mr. Harvey being absent.

II. FY24 BUDGET WORK SESSION

- A. General Fund Budget Status
- B. General Fund Revenues and Expenditures (As Needed)
- C. School Funding

Ms. McGarry provided an update on the current status of the budget with the changes that had been made to the Contingencies. She reported that the subtotal of changes made to the General Fund Budget as of April 4, 2023, was adding back in \$322,455 in expenditures, which left a contingency balance of \$805,437. She provided a list of the changes made to the Contingencies for review.

Changes to Contingencies

Introduced Budget Recurring Contingency	\$	1,127,892
Made New Registrar Position Full Year	\$	(46,357)
Added Sheriff's Evidence Position	\$	(51,053)
Added BI/PZ Shared Admin Position	\$	(50,824)
Added AC Shelter Manager Position	\$	(61,741)
Added Parks & Rec PT Position	\$	(23,791)
Added PZ Junkyard Cleanup Grant	\$	(5,000)
Increased Employee Benefits (HINS)	\$	(34,404)
Added PVCC Requested Increase	\$	(405)
Added Foothills Child Advocay Requested Increase	\$	(1,000)
Added JABA Requested Increase	\$	(5,075)
Added JAUNT Requested Increase - Level Service	\$	(36,647)
Added MACAA Requested Increase	\$	(4,590)
Added OAR Requested Increase	\$	(932)
Added Shelter for Help Requested Increase	\$	(426)
Added TJPDC Requested Increase	\$	(210)
		<hr/>
Subtotal of Changes	\$	(322,455)
Balance as of 4/04/23	\$	805,437

Ms. McGarry reported a staff change to the Personal Property Tax revenue. She noted that staff had received a new edit book from the Commissioner of Revenue which added \$380,783 to the Contingency balance. She reported that as of April 17, 2023, there was \$1,186,220 in the Recurring Contingency.

Ms. McGarry then reported that the Introduced Budget had a Non-Recurring Contingency of \$375,212. She explained that they had a staff change due to the Personal Property Tax change, which added \$174,708 to the Carryover for the current year. She also noted that they had added in the change to the cost of the radio upgrade, which had been \$1,250,000 and increased to \$1,400,000 (\$150,000 change). She pointed out that the radio expense would remain in the FY24 budget as they would still receive the discount as long as the purchase order was signed by June 30th. She noted they would not actually pay for the radios until FY24. She noted that with those staff changes, the Non-Recurring Contingency balance was \$399,920 as of April 17, 2023.

Ms. McGarry reviewed other changes not affecting Contingency Balances. She explained that the decline in Debt Service from FY23 to FY24 would go back into the Debt Service Reserve per the Debt Capacity strategy. She noted that it would go into the Fund balance, they would then bring it back from the Fund Balance to then be added to the FY24 Transfer to Debt Service.

Ms. McGarry noted that as of that day, they had a balanced budget of \$50,167,334. She reiterated that Non-recurring contingency was \$399,920 while Recurring contingency was \$1,186,220 and the Capital Outlay total was \$2,641,454. Mr. Rutherford reiterated that \$1.1 million was the new recurring contingency.

April 18, 2023

Ms. McGarry reviewed the options that could increase Recurring Revenue. She noted that the Board could revisit/reduce operating expenditures by revisiting the additions on the Changes to Contingencies sheet; or they revisit other departmental/agency expenditures.

Ms. McGarry indicated that the Board could revisit/reduce the Debt Service Transfer of \$610,000 for FY24 only and resume in FY25. She reported that staff had spoken to Davenport about the strategy, and explained that it would reduce the \$57 million in available borrowing capacity in years 2023-2026 by about \$3.8 million for a capacity within that timeframe of \$53.2 million. She noted that the \$3.8 million in borrowing capacity would be forgone due to not transferring the \$610,000 in FY24, but would be available in 2027. She indicated that if the full \$57 million in available borrowing was utilized in years 2023-2026, a one-time contribution of approximately \$250,000 would need to be set aside for the reserve by FY2031.

Ms. McGarry noted another option to increase Recurring Revenue would be increasing the Transient Occupancy Tax Rate of 5 percent. She indicated that a public hearing was optional. She reported that every one percent increase in rate yielded \$360,000 if the rate was effective July 1st for a full fiscal year. She noted that a pro-rated amount would be generated if a rate increase was effective after July 1, 2023.

Ms. McGarry indicated that the Board could consider increasing the Revenue Recovery Transport Rates to either 130 percent or 150 percent above the current Medicare fee schedule rates. She noted that the County's billing company recommends going to the 150 percent rate. She indicated that the rates were on a calendar year basis and could be adjusted anytime during the year. Ms. McGarry reported that the billing company provided revenue estimated based on the County's transport history. She noted that they had estimated \$21,000 to \$28,000 in additional revenue for a full fiscal year at the 130 percent rate. She then noted that the 150 percent rate was estimated to generate \$39,000 to \$52,000 in additional revenue for a full fiscal year. She pointed out that a pro-rated amount would be generated if a rate increase was effective after July 1, 2023.

Mr. Barton asked about revenue recovery transport rates. Ms. McGarry explained that the County had Revenue Recovery Transport rates for ambulance transport. She noted that the rates were based on a percentage of the Medicare allowable rate for transports. She indicated that organizations typically charged rates that were 130 percent of that rate, or 150 percent of that rate to generate a little more revenue. Ms. Staton noted that they had some flexibility in what the rate charges were. She explained that whenever a transport occurred, the insurance was billed first, and then any remaining balance became the responsibility of the patient. Ms. Staton had a process for waivers for those who were unable to pay. Mr. Reed asked what the current billing rates were. Ms. McGarry noted that she would need to check, but thought they were at least at 100 percent. Mr. Parr noted that in his experience, an ambulance ride was about \$1,200 before insurance and his portion, after insurance had paid, was about \$484 at the current rates.

Lastly, Ms. McGarry noted that assumption of the Nelson County Broadband Authority (NCBA) operations in December 2023 would provide a net income of \$55,500 for 6 months (estimated \$111,000 for a full year).

Ms. McGarry noted she had provided the Board details on the public hearing that was held on the proposed Transient Occupancy Tax (TOT) in 2022. She indicated that Mr. Payne had advised that another public hearing would not be required by statute but may be preferable. Mr. Rutherford indicated that he would not want to do a rate increase without a hearing. Mr. Reed noted that a public hearing had been held on the TOT at the full range.

Ms. McGarry reported that staff had provided some salary scenarios could have an effect on the recurring contingency. She noted that they could review the scenarios if the Board wished to do so.

Salary Scenarios and Effect on Recurring Contingency

	*5.5% Salary Adjustment	5% Salary Adj. + Step & County Adj. to Min.	7% + Step Schools & 5% County + Adj. to Min.	7% Salary Adj. + step & County Adj. to Min.
Updated Contingency as of 4-18-23	\$ 1,186,220	\$ 1,186,220	\$ 1,186,220	\$ 1,186,220
County Net Salary Adjustment from Budgeted 7%	\$ 99,042	\$ (98,368)	\$ (98,368)	\$ (557,653)
Adjusted Contingency	\$ 1,285,262	\$ 1,087,852	\$ 1,087,852	\$ 628,567
School Funding				
Initial School Request w/ 7% + step	\$ 1,582,639	\$ 1,582,639	\$ 1,582,639	\$ 1,582,639
Net Reduction in Request	\$ (339,489)	\$ (339,489)	\$ -	\$ -
New Funding Amount	\$ 1,243,150	\$ 1,243,150	\$ 1,582,639	\$ 1,582,639
Unallocated Funding Balance	\$ 42,112	\$ (155,298)	\$ (494,787)	\$ (954,072)

* Schools Step Increase = .5%

Mr. Reed and Mr. Rutherford asked for a walk-through on the salary scenarios.

Ms. McGarry explained that the first column showed a 5.5 percent salary adjustment for both School and County employees. She noted that the half percent comes from the fact that the School’s step increase was equal to a half percent. She noted the updated contingency (as of 4/18/23) at \$1,186,220. She explained that the County net salary adjustment from the budgeted 7 percent down to a 5.5 percent salary adjustment would provide \$99,042 back for an Adjusted Contingency at \$1,285,262. She noted that the initial school request of \$1,582,639 for 7 percent plus a step would be reduced by \$339,489 and make their new funding amount \$1,243,150. She indicated that if they compared the new funding amount to the adjusted contingency, they would have \$42,112 left in contingency. Mr. Rutherford asked if that took into consideration the compensation study that was done. Ms. McGarry noted that it did not and it was just a flat 5.5 percent. Mr. Rutherford asked if they went to 5 percent, whether they would know the difference to get to the minimum pay range.

Ms. McGarry indicated that the next column had the 5 percent salary adjustment plus a step and County adjustment to the minimums. Mr. Reed asked what the County adjustment meant. Ms. McGarry explained that they had a new salary scale from the consultants. She noted that the adjustment would move anyone who was not already at the minimum in the pay band for their position, to that minimum of the new pay band. Mr. Reed asked if both the County and School positions would get the adjustment. Ms. McGarry explained that the County did not control the School’s salary scales, so the School positions would receive a 5 percent salary adjustment plus a step, and County positions would receive a 5 percent salary adjustment while also moving County staff to the minimums. Ms. Staton commented that the move to the minimums was only if the 5 percent adjustment did not already put them there. Ms. McGarry noted there would be an additional cost of \$98,368 on the County’s side to adjust people to the minimums if needed. She noted that would provide an adjusted contingency of \$1,087,852. She pointed out that the School funding scenario was the same since it was essentially the same as the first column, noting that their funding amount would be \$1,243,150. She noted that comparing the School funding to the adjusted contingency of \$1,087,852, they would be short \$155,298. Mr. Rutherford noted that they were short on contingency before even evaluating the other options. Ms. McGarry noted that they had looked at 7 percent plus a step for the Schools and 5 percent for County plus the adjustment to minimums. She noted that the picture was worse as they looked to the right side of the salary scenarios. She indicated that she could run through those scenarios if the Board wished to do so.

Mr. Rutherford noted that School funding was the big thing that they needed to discuss. He noted they had \$1.1 million in Recurring Contingency with the adjustment to personal property tax revenues. He didn't think the EMS Revenue Recovery rates were worth discussing at the moment. He thought that the Broadband revenues could be something to consider. Mr. Reed indicated that he was interested in a TOT

increase. He wanted to make sure that they made it possible for the Schools to provide 7 percent for their employees as they had budgeted for County staff to have a 7 percent increase. He noted they did not necessarily know what the cost breakdown may be. Ms. McGarry referred to Budget Summary sheet from Schools to see what the 7 percent and step costs were.

Budget Summary

Expected Decrease in State Revenue	-1,100,387	
Expected Decrease in Federal Revenue	-64,417	
Expected Decrease in Other Revenue	-6,644	
Total Expected Decrease in Non-Local Revenue		-1,171,448

Recommendations of Increases to Expenditures:

1) Compensation Adjustments:		
A) Salary Increases (7% + Step for all employee groups)	1,411,088	
Social Security	81,835	
VRS	215,517	
RHCC	16,904	
Group Life Insurance	26,488	
Workers Compensation	5,301	
Subtotal 7% COLA + Step		1,757,133
C) Para-Pro Stipend for Instructional Assistants	50,518	
Social Security	3,865	
VRS	8,396	
RHCC	611	
Group Life Insurance	677	
Workers Compensation	147	
Disability Program	429	
Subtotal ParaPro Stipend		\$64,643
Total Salary Adjustments		\$1,821,776

2) New Positions		
ISS Position at NMS	36,082	
AP at Elementary Level	110,560	
Subtotal New Positions		\$146,642
3) Fringe Benefits		
Group Health Insurance – 4.5% Rate Hike	\$167,676	
Workers Compensation – Experience Mod Increase	34,123	
Subtotal – Discretionary Insurance		\$201,799
4) Heating & Utilities	120,005	
Communication	26,921	
Subtotal – Utilities/Communication		146,926
5) Weight Room Equipment		27,000
6) Purchased Services – Nursing programs		22,777
Major Increases to Expenditures		\$2,366,920

Mr. Barton asked about the decrease in state revenues of \$1.1 million. Ms. McGarry noted it was likely construction funding of about \$1.2 million that was received in FY23, that would not be received in FY24. Mr. Rutherford asked if there had been a change in the composite index. Ms. McGarry noted it was the same as the number was calculated on a biennium (every two years) basis. She indicated that according to the Department of Education calculation tool, \$568,921 from the State would help offset the costs. She noted that the State would provide 7 percent for their SOQ (Standards of Quality) positions. She indicated that the local portion of the salary increase would be \$1,188,212. Ms. McGarry noted that funding for the ParaPro stipend was included for assistants. She indicated that the Schools had included a few new positions: an ISS (in-school suspension) position at Nelson Middle School and reinstating the assistant principal position at the elementary school level. She noted that the Schools had also shown the increases in health insurance and workers compensation costs, the increases to heating and utilities and communication, the cost for weight room equipment that they wanted to purchase, and funds to go toward the school nurse program. Ms. Staton noted that the school nurse program funds would be in addition to the \$164,000 already obligated.

The Board reviewed the recommended decreases to expenditures.

Recommendation of Decreases to Expenditures:

Capital Equipment Repair/Replace/Addition	-1,488,650	
Employee \$1,000 Bonus	-341,347	
Lower Participation in Health Ins Program	-31,969	
Unemployment, Tuition, Sick Leave, Travel	-5,906	
Misc. Savings (salary differentials, reduced bus routes etc)	-68,541	
Athletic Equipment (hurdles, chairs)	-11,638	
Textbook Fund Required Local Match	-7,678	
Major Reductions to Expenditures:		-\$1,955,729
Request for County Funding		\$1,582,639
(\$1,171,448 less revenue plus \$2,366,920 increase to expenses minus \$1,955,729 reduction in expenses = \$1,582,639)		

Mr. Rutherford asked if the Schools annually budgeted \$1.4 million for Capital Equipment and Repairs. Ms. McGarry noted that she was not sure. Mr. Rutherford and Mr. Reed noted that may be a good question for the joint meeting with the School Board. Mr. Barton asked about the reduction of \$341,347 for Employee \$1,000 Bonuses. Ms. McGarry thought it was the bonus that was provided in FY23 that would not be provided in FY24.

Mr. Reed commented that since they did not propose and increase to the real estate tax, the obvious number to get money to the schools as requested would be the \$1.8 million increase to Transient Occupancy Tax if they went to a 10 percent tax rate. Mr. Rutherford noted that they would not have to increase to the full 10 percent to get the funding requested. Mr. Reed suggested that they could make other adjustments in other places and possibly not need to go the full 10 percent TOT. He noted that he was interested in exploring options.

Mr. Rutherford asked for clarification from Mr. Reed on what he wanted to do and whether he wanted to fully fund the schools by increasing the TOT. Mr. Reed noted that basically, he did, but he was amenable to all of the options that Ms. McGarry provided. He also noted that the Debt Service transfer option was a route to go. Mr. Reed was not sure if the transport recovery rate was a way to go as it looked like it would affect people on an individual basis. Mr. Rutherford noted that they had soft billing and the transport cost was not something they could rely on. Mr. Reed commented that the Broadband Authority revenue was a real number. He noted that he was willing to look at all of the options because he felt that the basic school staff increases were worth doing. He also felt that the 7 percent plus step was what should be done in order to have parity across all County employees. Mr. Rutherford confirmed that Mr. Reed was at \$1,582,639 for the additional school funding. Mr. Rutherford noted that they currently had \$1.186 million. Ms. McGarry suggested there needed to be a minimum of \$500,000 in recurring contingency. Mr. Parr supported reallocating the recurring contingency down to \$500,000. He was not opposed to looking at debt service reduction, but he did not like it. He asked about the NCBA absorption and what that would mean, noting that number was pretty easy to grasp. He noted that his position had not changed on the TOT, he still did not want to change the TOT rate. He noted that he might consider 6 percent. Mr. Reed, Mr. Rutherford, and Mr. Parr were in agreement that holding a public hearing would be best if they were

considering raising the TOT. Mr. Parr noted that he was not comfortable using all of the recurring contingency.

Mr. Barton asked for the current contingency number. Ms. McGarry reported that the Recurring Contingency was \$1,186,220. Mr. Rutherford noted that did not reflect absorbing the NCBA or changing the \$610,000 set aside for Debt Service. Ms. McGarry confirmed that was with no changes. Mr. Barton noted that the prior year they had \$1 million in Recurring Contingency. Ms. McGarry indicated that was correct. She explained that they typically retained about \$1 million after a reassessment year to bridge the gap in any rate increases. Mr. Parr asked how much of that \$1 million in contingency would be allocated to be used. Ms. McGarry reported that they would probably use all of the contingency. She anticipated that a lot would be for the Comprehensive Services Act expenditures they were expecting in FY23. Mr. Barton asked what amount Ms. McGarry would recommend to have in contingency. Ms. McGarry noted that \$500,000 to \$750,000 would be okay for an in between assessment year.

The Board discussed funding options for the schools. Mr. Parr commented that they were short about \$682,000. Mr. Reed suggested increasing the TOT by 2 percent, which would bring it to 7 percent. Ms. McGarry noted the increase would provide about \$720,000 in additional revenue. Mr. Barton spoke in favor of increasing the TOT and noted that people visiting Nelson County were using services provided by the County. He commented that the tax was not paid by the residents. He was confident that people would not even notice the increase and commented that it would provide a way to fully fund the schools. He felt that the new school administration had made a great effort to provide a bare bones budget. Mr. Reed noted the benefit of not taxing the County residents directly to be able to fund the schools, and not having to increase the real estate tax rate.

Mr. Parr asked if the reduction in the Transfer to Debt Service had to be \$610,000. Ms. McGarry and Mr. Rutherford noted that it could be a lesser amount. Mr. Parr noted that he was willing to discuss the TOT but he was not at all for increasing it to 10 percent. He commented that he preferred to leave the rate alone, noting there was some local impact. He asked what it would look like to have a 1 percent increase to the TOT, pull in the NCBA, and adjust the debt service some to make up the difference. Mr. Reed noted that if Mr. Parr made the motion, he would buy it. Mr. Parr noted he was not prepared to make a decision that day, particularly with the TOT. He indicated that he could totally support a 6 percent TOT rate, adjusting Broadband, making some changes to Debt Service, and not revisiting the budget items they had cut, and allowing the schools to be fully funded.

Mr. Rutherford suggested that any change to the TOT would be a January 1st start to allow people time to prepare. He pointed out that a lot of the surrounding counties were looking at a 5 percent or 6 percent salary increase. He felt that a 5 percent County pay raise and move to the minimums would have more benefit and less impact on the budget. He thought that 5 percent was still a good number on the County side. He felt it would be great if the Schools could mirror a 5 percent with the County.

Mr. Parr asked if the taxes were included at the time of booking an Airbnb, or whether that was something that was added in with the miscellaneous fees later. Mr. Rutherford indicated that the taxes were shown just prior to booking. Mr. Reed noted that the rates were seen without taxes but then the taxes and fees were shown just before final booking.

Mr. Parr asked if any of the salary scenarios were included in the current budget. Ms. McGarry noted that a 7 percent increase across the board was what was in the budget currently. She reported that if the Schools had a 5 percent increase instead of 7 percent, there would be a net reduction of \$339,489 from their initial request. Mr. Rutherford was in support of considering the 5 percent plus a step for the Schools and 5 percent with adjustment to the minimums for County employees. He noted it would still be a huge benefit to employees. He commented that if they chose to increase the TOT, they could allow people enough time

to prepare before it became effective and it could be utilized in the following budget year. Mr. Barton asked which of the scenarios was proposed by the Schools. Ms. McGarry indicated that the Schools were proposing a 7 percent increase plus a step. Mr. Barton asked which salary scenarios Ms. McGarry was proposing. Ms. McGarry noted that she was proposing them all, but she thought that the first two options were the most palatable from a financial standpoint. Mr. Rutherford commented that if they could get the Schools to 5 percent, they could make up the difference in cost by utilizing the \$610,000 from the Transfer to Debt Service, adding in the NCBA \$100,000 revenue, and then they would have the \$500,000 in recurring revenue needed. Ms. McGarry reminded the Board that if a TOT increase was effective in January, they would only have revenue from half of the year, along with half a year from Broadband.

Mr. Barton suggested a 2 percent increase in the TOT. He noted that many people had rentals and did not even live in Nelson. He felt the TOT was a no brainer, noting they would be taxing people who did not live in the County.

Ms. McGarry clarified that if the Board chose Scenario 2 with the 5 percent increase and adjustment to the minimums, utilized \$610,000 from Debt Service Reserve Transfer, and kept \$500,000 for contingency, it looked like they were \$102,228 shy of meeting the adjusted school request of \$1,243,150. She noted that if they were looking at the NCBA money and things, that would help cover it, but they would not start receiving those funds until December. Mr. Rutherford noted that they could do the 5 percent number and adjustment to the minimums, and they would still have an opportunity to adjust the TOT at any time to put into the recurring debt contingency. Mr. Barton commented that he still thought the initial proposal to increase the TOT to 10 percent was a good idea and he would go along with a 2 percent increase. Mr. Reed commented that a 2 percent increase would be the same as a 1 percent over the entire year, since they only had half of a year if the increase was implemented on January 1st. Mr. Rutherford also noted that the revenues were economically driven also, noting it could depend on whether they had snow, as well as other factors. Ms. McGarry noted that it also assumed that revenues remained constant. Mr. Reed commented that the attractiveness of Nelson County to visitors would remain constant.

Mr. Parr commented that he was still at 1 percent on the TOT if they were to increase it. He noted that he had come into the meeting saying that he was not interested in changing it. He indicated that he could go to a 6 percent TOT. He asked if they were to go to the 6 percent TOT, what that would do to the \$102,000 shortage on the adjusted school request. Ms. McGarry noted if they went to 6 percent, that would be \$180,000 in revenue for the full year. Mr. Parr commented that did not include the NCBA revenue, which would be another \$55,000. Mr. Parr noted they had the ability to balance with a 6 percent TOT, noting he thought they had four yesses.

Mr. Barton advocated for a 10 percent TOT rate, noting he did not understand the reluctance to increase. He noted that the children and workers of Nelson County could benefit from it.

Ms. McGarry asked whether the Board wanted to build a TOT increase into the budget, when they had not held the public hearing and made a decision on it. She noted they were working on advertising the budget and needed to work with certain timelines. The Board was in agreement to build a 1 percent TOT increase in the budget. Mr. Rutherford asked if they could get a motion to have a public hearing on the 1 percent increase to the TOT. Mr. Barton preferred to make a motion for 2 percent. Mr. Rutherford commented that they could do 1 percent or 2 percent, noting they could change the rate up or down following the public hearing.

Authorization for Public Hearing on TOT

Mr. Barton moved to authorize a public hearing to increase the TOT rate by 2 percent. Mr. Reed seconded the motion. Supervisors approved the motion (3-1) by roll call vote to approve the motion, with Mr. Parr

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voting no. Ms. McGarry confirmed that would be a public hearing for a 2 percent increase in the TOT rate, going from 5 percent to 7 percent.

Mr. Rutherford then asked for the Board to provide guidance to Ms. McGarry on the budget portion. He noted that he was still leaning toward the second salary scenario. Mr. Parr agreed on the second scenario, along with the \$610,000 from Debt Service, and keeping \$500,000 in Recurring Contingency. He noted that he was also in favor of including the \$55,500 from Broadband. He asked whether there were any downsides to assuming or not assuming the NCBA operations in December 2023. Mr. Rutherford noted that he did not see any reason why they should not include those revenues. Mr. Parr reiterated his suggested to go with the second salary scenario of 5 percent, along with reallocating the \$610,000 Transfer to Debt Service, keeping \$500,000 in Recurring Contingency and the \$55,500 from Broadband. Ms. McGarry noted there were some procedural items that would need to take place for the dissolution of the Broadband Authority. She indicated that staff was working to report on the process to the NCBA at their June meeting. Mr. Parr noted there was about a \$47,000 difference in the funding amounts. Ms. McGarry suggested that they could review some of the revenue estimates.

Mr. Parr made a motion to select salary option #2 (5 percent salary adjustment plus a step and County adjustment to the minimum), reallocate the \$610,000 Transfer to Debt Service, keep \$500,000 in Recurring Contingency, and assume Broadband operations effective December 2023. There was no second. Ms. McGarry suggested that if they were not ready to decide on school funding or any other items, they could advertise the school budget as level funded and then continue working on making a decision. She noted they would have from the public hearing until adoption to decide. She noted it was not a great option. Mr. Parr did not support that idea.

Mr. Reed noted that they would be having a joint meeting with the School Board. He noted that if they had proposed advertising level funding the schools, he would not feel very good going into that meeting. Ms. McGarry understood, noting that it was a suggestion if they wanted to have more time. Mr. Reed noted that whatever they decided that day, would go to public hearing and they could still change numbers. He commented that if they went into the meeting, looking at fully funding the schools, he felt that it would make for a very positive meeting with the School Board and allow them to work together to determine how to accomplish it realistically. Mr. Reed wanted to revisit the option of the salary scenario of 7 percent salary adjustment and step for the Schools and 7 percent County staff with adjustment to the minimums.

Mr. Rutherford and Mr. Parr were still at 5 percent. Mr. Parr liked that salary scenario option #2 had 5 percent plus a step for the schools to keep the scale. Mr. Barton wanted to do more for the people of Nelson County and the children. Mr. Reed said wanted to see a public hearing based on a fully funded school budget. He commented that he wanted to hear what the public had to say about the County finding a way to balance a budget that fully funded the Schools. He wanted to see what the public thought about a 7 percent increase across the board for the School and County staff. He commented that there was no better place to invest than in the people of the County. He noted that he would be open to discussing with School Board, opportunities that may present themselves that could change that. He commented that if people thought they were giving away too much money with a fully funded school budget and a fully funding County budget (in terms of staffing), he wanted to hear about it.

Mr. Reed moved to advertise a budget public hearing for a 7 percent salary adjustment and a step for the Schools and 7 percent salary increase for County employees and no adjustment to the minimums, which included \$610,000 retained from Transfer to Debt Service, keeping \$500,000 in Recurring Contingency, included fully funding the Schools request of \$1,582,639 and a \$360,000 which was a half year of TOT revenue at the 2 percent rate increase. He noted this would provide the public an opportunity to comment on a 2 percent TOT increase and a fully funded school budget, along with the methodology to pay for both. Ms. McGarry summarized the motion and noted that they would have a balance of \$73,581. Mr. Reed

noted that could go into recurring contingency. Mr. Barton seconded the motion. There being no further discussion, Supervisors voted (2-2) by roll call vote, with Mr. Rutherford and Mr. Parr voting no and the motion failed.

Mr. Barton asked why Mr. Parr and Mr. Rutherford voted no. Mr. Rutherford commented that 5 percent was a fiscally responsible number that did a good equitable thing for both the County and the Schools. He noted that the number could change between then and the public hearing, but he felt that 5 percent got them close to what they were asking for. Mr. Parr commented that he felt the 5 percent salary adjustment plus a step and also getting all County employees to the minimum was a good place for the County economically. He noted they were making concessions with the debt capacity that they had previously agreed upon. Mr. Parr thought that fully funding one department while making adjustments and cuts to others was not fair. He commented that he was not opposed to fully funding schools if all other departments were fully funded. He noted that they could discuss a fully funded budget and revisit any items that were cut and add them back in if they wanted to consider a fully funding budget.

Mr. Rutherford noted they could reconsider Ms. McGarry's suggested of advertising the budget with the school budget not yet determined, but it did have the impression of level funding the School budget. He commented that was not necessarily something they would be advocating for. He asked what the next motion would be.

Mr. Reed asked if they should look at 6 percent plus a step since it was half way between 5 percent and 7 percent. The Board discussed options on how to proceed. Mr. Barton wanted to see 7 and a half percent. Mr. Reed noted that when it came time to talk about what they were actually going to do for the budget, he would be willing to look at options that would be less than 7 percent. Mr. Rutherford noted that he was still at 5 percent. Mr. Parr commented that he was still at 5 percent also. He explained that his concern what had happened the previous year. He did not want to send a message of a higher number as they had the previous year and it did not happen. He preferred to send a message of where things were. He did not want to send a message of higher and then have to cut it.

Mr. Reed asked what was needed to announce the public hearing. Ms. McGarry explained that the advertisement for the budget public hearing needed to get to the newspaper by Friday of that week so that they would meet the notice periods required by state law. Mr. Rutherford revisited the option that they could go to public hearing without the school budget determined. Ms. McGarry noted that created its own issue in regards to public perception. She commented that she had never advertised an unbalanced budget, noting she thought that state code required the budget to be balanced.

Mr. Barton asked if what was needed was something to advertise. Ms. McGarry confirmed that she needed to know what to advertise and noted that the Board could make changes any time after the public hearing until budget adoption. Mr. Barton asked if they could come up with a compromise. Mr. Reed commented that he thought they would have to wait on the compromise until after meeting with the School Board and the public hearing. Mr. Rutherford asked about the required wait time from public hearing to adoption. Ms. McGarry noted they had to wait seven (7) days. Mr. Rutherford commented that they would have time since they planned to adopt the budget at the June meeting. Ms. McGarry confirmed, noting that the public hearing would take place on May 9th and the June meeting was on June 13th. Mr. Rutherford commented that they had the ability to vote on the TOT the same night of the public hearing, or anytime thereafter.

The Board discussed budget options. Mr. Rutherford felt that a 5 percent increase in salary was matching a lot of what they were seeing in the market with surrounding counties. He also thought the adjustment to minimums for the County and the step increase for the Schools helped with a lot of issues. Mr. Reed noted that they had not really looked at the compensation study. Ms. McGarry noted that the increase would take care of two pieces, the 5 percent and the adjustment to the minimums. She explained that the last piece had

to do with putting people within their pay band according to experience and longevity in their positions. She felt there was still some more vetting to be done with the results, but they could continue to work on that for the public hearing.

Mr. Parr made a motion to advertise a public hearing at the 5 percent salary adjustment plus step, and County adjustment to minimums, with the \$610,000 Debt Capacity reallocated, retaining \$500,000 in Recurring Contingency, and assuming the Broadband Authority. Mr. Rutherford asked if that was the same as Mr. Parr's original motion and Mr. Parr confirmed that it was. Mr. Reed seconded the motion. There being no further discussion, Supervisors voted (3-1) by roll call vote to approve the motion, with Mr. Barton voting no.

The Board took a brief recess.

D. Other Fund Budgets

Ms. Staton reviewed the other fund budgets. She explained that the audited proprietary funds within the General Fund included the Piney River Water and Sewer Fund and the Broadband Authority Fund. She noted that the Broadband Authority Fund was not going to be presented or discussed within the current discussion that day.

Piney River Water and Sewer Fund:

Ms. Staton explained that the Piney River Water and Sewer Fund was for the County owned portion of the water and sewer system in Piney River, which the Nelson County Service Authority operated for the County. She noted that the system was typically self-sufficient and FY24 did not require support from the General Fund for operations. She reported that the FY24 Piney River Water and Sewer Fund budget was balanced at \$194,908. She noted that the FY24 budget was a decrease of (\$23,634) or -10.81 percent from the FY23 amended budget. Ms. Staton explained that the decrease was primary due to there being no capital expenditures planned for FY24 since Pump Station repairs had been completed in FY23. She reported that as of April 14, 2023, the system served 203 sewer customers and 103 water customers with 100 customers being sewer only and 105 having both water and sewer. Mr. Rutherford noted the inability to shut off sewer for non-payment by law and he then asked what the outstanding accounts receivable amount was. Ms. Staton was not sure but she noted that in previous years, it had not been outrageous. She pointed out that the Piney River rates were much cheaper than the Service Authority rates. She indicated that it had been quite some time since there had been a rate increase, and even so, they were still able to cover expenses. She noted that staff recommended future consideration of increasing the water and sewer rates to provide for greater contingency funding for maintenance and repairs. She pointed out that grinder pump costs were increasing.

Ms. Staton explained the County's collection policy in regards to delinquent accounts. She reported that accounts were considered delinquent when they were 90 or more days overdue and had a balance of \$300 or more. She noted that delinquent account holders were then sent notices and given 10 business days to return full payment to avoid legal action. She noted that accounts remaining 90 days in arrears with no payment plan established, would then be turned over to the Treasurer for collection procedures. She then reported that accounts considered uncollectible by the Treasurer would have a lien filed with the Circuit Court Clerk against the property to include various fees up to 20 percent of the delinquent charges.

Ms. Staton noted that FY24 expenditures were proposed to be \$194,908 with a Contingency Reserve of \$1,799. She reported that notable proposed changes in FY24 included: an increase in Nelson County Service Authority work order charges for customer service calls, grinder pump replacements and \$18,000

in maintenance and repairs for annual maintenance of the granulated carbon media for the GAC system installed in FY21. She noted that the GAC system was implemented as part of a corrective action required by DEQ. She reported that no new capital improvements were currently proposed for FY24.

Ms. Staton reported that the FY24 Revenues were proposed to be \$194,908, utilizing a Year Ending Balance of \$19,908 which was attributed to carry-over funds from FY23. She noted that the fees for water/sewer service were anticipated to increase by \$5,703 due to the addition of new customers. Ms. Staton explained that the transfer from the General Fund in FY23 was for the replacement of grinder pumps within the system throughout the year as well as for emergency repairs in the main pump station that were not anticipated or built into the original budget and were not required for FY24. She noted that the Piney River Water and Sewer System continued to be self-supporting and no transfer from the General Fund for operations was needed at that time.

Mr. Reed asked about the Piney River Water and Sewer Rates being less than the Nelson County Service Authority. He commented that the Service Authority thought that the rates would be more in line with each other in the future, and noted that the County had not taken any steps to increase their rates. He asked if it was appropriate to discuss the rates when they worked on the budget. Ms. McGarry indicated that they would need to determine whether a public hearing may or may not be required for rate increases. Mr. Barton noted that people in Gladstone commented that they were paying a considerable amount more for their service. Ms. Staton indicated that Gladstone customers were on the Service Authority's system.

Ms. Staton reported that other assigned funds within the General Fund included: Debt Service Fund, Capital Fund, School Textbook Fund, and the School Cafeteria Fund.

Debt Service Fund:

Ms. Staton noted that the Debt Service Reserve was inclusive of the \$610,000 that the Board was discussing. She pointed out that not including the \$610,000 would affect the reserve budget. She explained that the funds for the reserve were made up of an anticipated \$159,916 in declining debt service from FY23, \$3,016,034 carried over in Fund balance. Ms. McGarry noted that they would reduce the Debt Service Reserve by the \$610,000 as well as the Transfer from Fund amount. Ms. Staton explained that the County paid the principal and interest for the School and County related debts out of the Debt Service fund. She indicated that a corresponding transfer from the General Fund to the Debt Service Fund was made at the beginning of each Fiscal Year in order to facilitate the debt service payments. She reported that the total School and County debt service payments for FY24 would be \$3,165,368 and the total debt balances at the beginning of FY24 would be \$13,711,000. She noted that the Total Debt Service payments for FY24 were a decrease of (\$159,916) or -4.8 percent, which she reiterated that amount could roll into the Debt Service Fund. Ms. Staton reported that the FY24 Debt Service Fund contained a proposed reserve of \$3,785,950 which was established to increase the County's debt capacity in FY23-26 in order to potentially finance some capital projects.

Ms. Staton reported that the FY24 payments for the County debt totaled \$1,192,511, which was a decrease of (\$115,480) or -8.83 percent from FY23. She noted that the net decrease was associated with final principal and interest payments being made in FY23 on the 2012 State mandated radio narrow-banding project loan, increases in principal payments on all other debt offset by varying interest payments on all debt according to amortized debt payment schedules. She reported that County debt balances at the beginning of FY24 were \$8,535,000 and consisted of debt for the 2013 and 2015 additions/renovations for the Judicial/Sheriff/Courts wing and the Circuit Court/Administration areas, the 2018 Library Expansion project, and the Larkin property purchase at \$2,600,000.

Ms. Staton then reported that the FY24 payments for School debt totaled \$1,972,858, which was a net decrease of (\$6,354) or -0.003 percent due to a slight increase in principal payments being greater than the

decrease in interest payments. She noted that in FY21, the County refinanced the 2012 VPSA debt for the same term, but at a lower interest rate such that the overall savings for the next seven (7) years was \$185,368; which was approximately \$26,000 to \$27,000 per year through June 2028. Ms. Staton indicated that the School debt balances at the beginning of FY24 were \$5,176,000 and consisted of two financings for the Nelson Middle School construction and High School renovation projects. She noted that the final principal and interest payments on the aforementioned 2012 VPSA debt totaling \$1,138,305 would be processed in July 2023 (FY24).

Ms. Staton noted that as the Board had made decision regarding the \$610,000 from debt service, staff would make the necessary adjustments following the meeting.

Capital Fund:

Ms. Staton explained that the Capital Fund was created to segregate larger capital projects from the General Fund. She noted that it currently provided a holding place for capital reserves of \$705,251. She indicated that \$300,500 of those funds were set aside by the Board of Supervisors for remediating the building envelope at Tye River Elementary School if needed, and the remaining \$404,751 was unallocated. Ms. Staton explained that the Capital Fund as it currently existed had not been by accounting standards an assigned balance within the General Fund, and therefore were not considered when calculating unassigned General Fund Balance. She noted that if the fund was not appropriated in FY24, the funds would become unassigned within the General Fund Balance.

School Textbook Fund:

Ms. Staton reported that Shannon Irvin, Assistant Superintendent, had requested an appropriation of the FY24 School Textbook Fund in the amount of \$595,000 which was inclusive of \$409,723 in Textbook Fund balance as of April 12, 2023, \$75,991 in State Funds, and \$108,812 in local match. She noted that the FY24 School Textbook Fund was balanced at \$595,000, which was an increase of \$104,833 from FY23 or 21.4 percent. She explained that expenditures were anticipated to be \$595,000 in School Textbook Payments with Revenues being primarily a supplement from School Operations of \$184,803, anticipated FY23 Carryover Funds of \$409,723, a small amount of interest earnings at \$30, and used book sales of \$444.

Mr. Barton noted that he would love to know how much of the cost was for textbooks and how much was for computers. Ms. Staton was not sure but she noted that the Schools had requested for \$500,000 to be put in the Instructional line and \$95,000 to be put in the technology line.

Cafeteria Fund:

Ms. Staton indicated that Shannon Irvin had requested an appropriation of the Cafeteria Fund balance of \$299,280. She noted that this fund was proposed to be appropriated pending any adjustments as requested with \$299,280 in Food Services Equipment expenditures and anticipated FY23 Carry-Over fund revenues of \$299,280. She indicated that these funds had not been spent in FY23 and would all roll over into FY24.

The Board had no questions.

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III. OTHER BUSINESS (AS MAY BE PRESENTED)

IV. ADJOURNMENT (CONTINUE TO APRIL __, 2023 AT ____ FOR A BUDGET WORK SESSION)

At 3:18 p.m., Mr. Parr moved to adjourn and continue the meeting to April 20, 2023 at 6:00 p.m. Mr. Reed seconded the motion and there being no further discussion, Supervisors approved the motion by vote of acclamation and the meeting adjourned.

DRAFT

April 20, 2023

Virginia:

AT A CONTINUED MEETING of the Nelson County Board of Supervisors at 6:00 p.m. in the Former Board of Supervisors Room located on the fourth floor of the Nelson County Courthouse in Lovingston, Virginia.

Present: Board of Supervisors
Jesse N. Rutherford, East District Supervisor - Chair
J. David Parr, West District Supervisor– Vice Chair
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

School Board
Shannon Powell, West District - Chair
Ceaser Perkins, South District – Vice Chair
Margaret Clair, Central District Trustee
Janet Turner-Giles, North District Trustee
George Cheape, East District Trustee
Dr. Amanda Hester, Superintendent of Nelson County Public Schools
Shannon Irvin, Assistant Superintendent for Administration
Tammy Ponton, Administrative Assistant to Superintendent

Absent: Thomas D. Harvey, North District Supervisor

I. CALL TO ORDER

Mr. Rutherford and Ms. Powell called the joint Board of Supervisors and School Board meeting to order at 6:01 p.m. with three (3) Supervisors and four (4) School Board members present to establish a quorum. Mr. Parr and Mr. Perkins arrived shortly after and Mr. Harvey was absent.

II. BOARDS’ DISCUSSION

- A. Updates and Comments – School Board Members
- B. Updates and Comments – Board of Supervisors

Ms. Powell welcomed everyone and thanked them for being present at the meeting. She explained that the purpose of the meeting was for the two Boards to discuss their collaborative projects as well as the budget. She invited everyone to visit the coffee shop between the joint meeting and the regular School Board meeting. She noted that the coffee shop was put on by one of their school groups as part of a work-based learning project.

Mr. Rutherford noted that they were excited to update the School Board on where things were at. Ms. Powell indicated that the School Board was interested in getting some updates from the Board on the budget, uses of the Larkin property that may impact the schools, and recreation fields. Dr. Hester also noted they would like any updates on facility use for the 4th of July.

Mr. Rutherford reported that the Board had a budget meeting earlier in the week. He noted that they were very proud of County staff, as there had been some staffing changes over the past year but they were able to get the budget accomplished. He noted they were not done yet as they would have the public hearing on

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the budget in May with the intent to adopt the budget in June. He indicated that there was a chance that they would be seeking a revenue enhancement for the Transient Occupancy Tax. He reported that the Board did not choose to make any increases to the Real Estate, Personal Property, or Machinery and Tools tax rates. He noted that in County staff's work on the budget, they tried to model their request after the School's request. He commented that the State had not decided on a 7 percent salary increase yet. He reported that they were currently looking at a 5 percent salary adjustment for County and movement to the minimums, with 5 percent salary adjustment and a step for schools to stay along same lines. He noted that things could change between the public hearing in May and budget adoption in June. He indicated that there had been some discussions on capital improvements. He suggested that the rest of the Board have a chance to speak on the budget before discussing capital improvements.

Mr. Reed commented that Mr. Harvey was not present for the budget work session earlier that week. He reported that the Board was pretty much split on 5 percent or 7 percent, but they needed to have something to advertise for the public hearing. He also noted that they were having a public hearing on a 2 percent increase to the Transient Occupancy Tax (TOT) rate. He commented that if they were to accept a 2 percent increase to the TOT, it would provide the ability to go to a 7 percent salary increase for County staff and provide the same opportunity for the Schools. He noted that he would love to have seen a public hearing on a fully funded school budget to gain public comments from the public. He felt that might be an opportunity for the Board to consider what the fifth vote would have looked like, had Mr. Harvey been present at the budget work session. He was optimistic that there was an opportunity to work with the potential 2 percent TOT increase.

Mr. Parr did not have anything to add at the moment.

Mr. Barton commented that the proposed tax increase related to being able to fully fund the school budget and raise salaries by 7 percent. He noted that the County was not a business, but a lot of what was done, was run like a business. He indicated that Ms. McGarry kept an eye on everything so they would operate in an efficient way. Mr. Barton referenced an article regarding ways that businesses were cutting labor costs by eliminating benefits. He stated that Nelson County had clearly been positive to its employees and it had benefitted the County greatly. He did not feel that 5 percent or 7 percent covered the inflation over the last few years, but noted that it was more to show appreciation for the work done by the employees. He reiterated Mr. Reed's comment that the proposed TOT increase of 2 percent would enable the County to fully fund the School budget and have 7 percent salary increases. He commented that the people visiting would pay the Transient Occupancy Tax, not the people of Nelson County. He pointed out that there was a cost to maintaining the beauty of Nelson County. He felt that it was perfectly fair for those visiting to pay some of that cost.

Ms. Clair commented that she was at the budget meeting. She thought that the Board had a great conversation. She was complimentary of the work that went into the County budget by staff. She noted that some sacrifices were made and she could tell that they focused on what was important to the School Board.

Mr. Cheape thanked both Boards for all of their hard work and appreciated the consideration for what their employees and students needed.

Ms. Turner-Giles stated that the most precious resource that both the Schools and County had were their employees. She noted that whatever could be done to continue to support them, was much appreciated.

Ms. Powell commented that this was her fourth budget cycle. She was very appreciative of the collaboration, work and positivity through the process. She noted that they were not in the business of telling the Board how to drive revenues. She commented that the School Board would always be in support

of anything that provided more revenue to the schools. She expressed appreciation to the Board for their continued support and noted that they would appreciate any additional funds that could be given. She indicated that if the Board of Supervisors stayed at 5 percent and a step, they would be appreciative of that. Ms. Powell indicated that the School Board was interested in updates on the Larkin property.

Mr. Barton noted there had been a lot more cooperation between both Boards than previously. He commented that he felt the School Board had made an effort to have a realistic budget for the next fiscal year.

Ms. Powell asked where things stood with the Larkin property and any impacts that development may have on the Schools and facilities around the Schools. She wanted to ensure there was open communication to plan for the future. Mr. Rutherford reported that since the purchase of the Larkin property, the County had been working with consultants to determine what would be feasible on the site. He noted that the Board had been working on a priority list, with recreation being at the top of the list. He indicated that they were not sure what that would look like yet in terms of fields or facilities. He noted they were not yet in a position to make any decisions. He reported that there were other issues relating to infrastructure. He noted that water and sewer capacities were the next hurdles. He indicated that they would need to work with the Service Authority to see if there was any potential to have something that would utilize a lot of water. He noted that as with any capital project, debt service would come along with it. Mr. Rutherford noted the Board's recent letter of support for the high school renovation grant, and he indicated that the Board needed to be prepared to support that project which was estimated to cost around \$20 million.

Ms. McGarry reported that the consultants were working to determine the best sites for the Board priorities on the Larkin property. Mr. Rutherford suggested that they may be ready to have more specific conversations on the property in late summer. Mr. Reed pointed out that when dealing with capital projects, things took a long time. He reported that every site diagram he had seen so far, had athletic fields. He noted that the timeframe would be really hard to predict, especially with the water situation, and not just for the Larkin property but Lovington and Arrington as well.

Mr. Barton noted they wanted to properly plan for the future and not place something in an area that would be better suited for something else later on. Ms. Powell noted that was the challenge as it was not just a five-year plan. Mr. Rutherford noted it was more like 30 years and with the water and sewer situation, it made it very cost intensive. Mr. Barton commented that the recreation portion could be done sooner.

Ms. Powell asked what the Board had gauged as the largest priorities based on recreation feedback from surveys and stakeholder meetings. She asked whether it was fields or facilities. Mr. Barton noted that people wanted fields, but they also wanted a place to swim. He commented that it would be great to have a place for people to bring their children, grandchildren, and neighborhood kids. He described his vision of a park with a swimming area in the middle, surrounded by the mountains.

Ms. Powell asked about potential field infrastructure, and whether the Board was taking into account the school infrastructure and fields. Mr. Rutherford noted that the Board had created a sports committee board which included some County staff and School staff, but they were not sure what that collaboration would look like yet. Dr. Hester noted that the pool and outdoor fields were the most consistent needs mentioned in each of the prior discussions. Ms. Clair asked if some flat general purpose fields could be put in for the time being. She noted that if something were to be put there later like apartments, there would be no infrastructure to remove. Mr. Reed commented that would be a question they would ask once they were able to see what the consultants came up with. Mr. Rutherford noted topography was nice on the property. Mr. Barton also noted that the views were very nice. Mr. Rutherford and Mr. Reed both commented that Nelson County High School student Matthew Drumheller was very helpful in providing tours of the Larkin property.

April 20, 2023

Mr. Rutherford reiterated that as far as timeline and where things would go on the site, the Board was unsure. He noted they would hear back from consultants on site plan options and then they would also need to consider the infrastructure needs.

Ms. Powell discussed the subject of facilities use and Fourth of July. She asked for the Board to keep the School Board in the loop regarding the use of school facilities. She noted that the School Board wanted to be present and partner as much as possible. Mr. Rutherford reported that the Fourth of July event was conceptual and nothing was planned yet. Ms. Powell updated her School Board to note that there had been some discussions about having the use of school fields for Fourth of July activities. Mr. Rutherford noted that he and the Lovingston Volunteer Fire Department had discussed having fireworks following the Fourth of July parade in Lovingston. He commented that one idea was to have that at the high school but they were not sure yet. He noted he was hoping to have more discussion in May on the subject.

Dr. Hester noted the positive working relationship through the budget and appreciated the ability to talk with Ms. McGarry about anything. She noted that they wanted to be able to support community events. She also noted that she had some good conversations with school families who wanted to be more involved in the community, as well as community members wanting to be more involved in the schools. Dr. Hester noted that there were some things like the roofing project that they may need to navigate around with any community events. She wanted to make sure a process was in place to reserve spaces and avoid obstacles or scheduling conflicts.

Ms. Powell suggested bringing back Nelson County Day.

There were no other questions from the School Board for the Board of Supervisors.

Mr. Reed commented that it was great to have everyone at the table with a good feeling about what was going on.

Mr. Parr agreed with Ms. Clair. He felt that the Board work session on Tuesday was productive and things were moving in a positive direction.

Mr. Rutherford commended the staff for the success of the budget, noting they were adjusting well to their new roles.

Mr. Barton felt that Ms. McGarry had created a situation that allowed people to do things to make Nelson better. He noted that education was about possibilities, which was why he felt they should fully fund the budget. He thought it was important to maintain the momentum they had going, noting the more people were involved, the better off they would be.

Mr. Rutherford hoped to have more conversations to discuss future plans. He also suggested that more 1x1 and 2x2 meetings in the future would be good. He noted they were in the process of Comprehensive Plan updates. He indicated that the decisions they made in the next two years would set a lot of timelines for the next 25 years.

Ms. Powell reiterated the School Board's appreciation for the time and commitment that both Boards have put into their working relationship. She noted that the School Board appreciated the Board's continued investment in the schools. She invited the Board to join in and visit one of the program's they supported through school funding. She explained that Ms. Sarah Viar's class had a coffee shop set up for service as part of a work based learning project. She invited the Board to visit A Little Something Special Coffee

Shop which was setup down the hall for service that evening. She noted that the School Board had to return to the meeting room at 7 p.m. for their regular meeting.

III. OTHER BUSINESS (AS PRESENTED)

Mr. Parr commented that the Director of the Department of Social Services, Ms. Angela Rose, was retiring after 42 years. He noted that he was currently serving on the Social Services Board. He reported that the Social Services Board was making a request that the Board of Supervisors make a contribution toward her retirement celebration. Mr. Parr asked the Board of Supervisors to approve a donation toward the retirement celebration for Angela Rose. Mr. Parr moved to allocate \$1,000 toward Ms. Rose's retirement celebration and Mr. Barton seconded the motion. There being no further discussion, Supervisors unanimously approved the motion (4-0) by roll call vote.

IV. ADJOURNMENT

At 6:44 p.m., Mr. Reed moved to adjourn the Board of Supervisors meeting and Mr. Parr seconded the motion. There being no further discussion, Supervisors approved the motion by vote of acclamation and the meeting adjourned.

Ms. Turner-Giles moved to adjourn the School Board meeting and Mr. Cheape seconded the motion. There being no further discussion, School Board members approved the motion unanimously and the meeting adjourned.



BOARD OF SUPERVISORS

THOMAS D. HARVEY
North District

ERNIE Q. REED
Central District

JESSE N. RUTHERFORD
East District

ROBERT G. BARTON, JR.
South District

J. DAVID PARR
West District

CANDICE W. MCGARRY
County Administrator

AMANDA B. SPIVEY
Administrative Assistant/
Deputy Clerk

LINDA K. STATON
Director of Finance and
Human Resources

**RESOLUTION R2023-64
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF FISCAL YEAR 2023-2024 BUDGET
October 10, 2023**

I. Appropriation of Funds (General Fund)

<u>Amount</u>	<u>Revenue Account (-)</u>	<u>Expenditure Account (+)</u>
\$ 1,600.00	3-100-009999-0001	4-100-021020-7001
\$ 24,161.00	3-100-009999-0001	4-100-022010-5419
\$ 5,705.00	3-100-001899-0041	4-100-022010-5419
\$ 1,283.63	3-100-001899-0040	4-100-031020-5419
\$115,172.65	3-100-009999-0001	4-100-031020-5419
\$ 583.10	3-100-002404-0001	4-100-031020-5419
\$ 5,641.97	3-100-009999-0001	4-100-031020-3036
\$ 3,070.98	3-100-009999-0001	4-100-031020-3037
\$ 35,000.00	3-100-002404-0047	4-100-032010-1005
\$192,218.33		

II. Transfer of Funds (Departmental Requests)

<u>Amount</u>	<u>Revenue Account (-)</u>	<u>Expenditure Account (+)</u>
\$ 100.00	4-100-021050-3004	4-100-021050-7002
\$ 1,000.00	4-100-021050-5504	4-100-021050-7002
\$ 350.00	4-100-021050-5801	4-100-021050-7002
\$ 1,600.00	4-100-021060-3006	4-100-021060-7007
\$ 3,050.00		

III. Transfer of Funds (General Fund Non-Recurring Contingency)

<u>Amount</u>	<u>Revenue Account (-)</u>	<u>Expenditure Account (+)</u>
\$ 11,000.00	4-100-999000-9905	4-100-091030-5644
\$ 21,389.00	4-100-999000-9905	4-100-091030-5686
\$ 32,389.00		

Adopted: _____

Attest: _____, Clerk
Nelson County Board of Supervisors

EXPLANATION OF BUDGET AMENDMENT:

- I. **Appropriations are the addition of unbudgeted funds received or held by the County for use within the current fiscal year budget. These funds increase the budget bottom line.**
The **General Fund Appropriations of \$192,218.33** reflect requests of (1) **\$1,600.00** reappropriation request of FY23 unused General District Court funds to cover cost of video docketing system in FY24; (2) **\$24,161.00** reappropriation request for Commonwealth Attorney's FY23 unused Department of Criminal Justice Services (DCJS) asset forfeiture funds for use in FY24; (3) **\$5,705** appropriation request of Commonwealth Attorney's non-DCJS asset forfeiture funds received in FY24 for sale of vehicle; (4) **\$1,283.63** appropriation of FY24 Sheriff's non-DCJS asset forfeiture funds received; (5) **\$115,172.65** reappropriation of FY23 unexpended Sheriff's DCJS asset forfeiture funds for use in FY24; (6) **\$583.10** appropriation request for Sheriff's FY24 DCJS asset forfeiture funds received; (7) **\$5,641.97** reappropriate unused FY23 Sheriff's DMV Selective Enforcement Alcohol Grant funds for use in FY24; (8) **\$3,070.98** reappropriate unused FY23 Sheriff's DMV Selective Enforcement Police Traffic Services Grant funds for use in FY24; (9) **\$35,000.00** requested to appropriate Public Safety Answering Point (PSAP) Staffing Recognition Grant funds for 9-1-1 Dispatch Center personnel (recipients to be paid in two installments: half in November 2023, half in March 2024). *The total appropriation request for this period is below the 1% of expenditure budget limit of \$720,619.49 for October.*

- II. **Transfers represent funds that are already appropriated in the budget but are moved from one account line item to another. Transfers do not affect the bottom line of the budget. Transfers within individual Departmental Budgets in the amount of \$3,050.00** are requested as follows: (1) **\$100.00**, (2) **\$1,000.00**, and (3) **\$350.00** requested by Juvenile and Domestic (J & D) Court to accommodate the FY24 cost of court video docketing system; (4) **\$1,600.00** is requested by the Clerk of Circuit Court for FY24 cost of video docketing system.

- III. **Transfers represent funds that are already appropriated in the budget but are moved from one budget line item to another. Transfers do not affect the bottom line of the budget. Transfers from General Fund Non-Recurring Contingency in the amount of \$32,389.00** are requested as follows: (1) **\$11,000.00** is requested to cover the additional FY24 appropriation approved by the Board in September to increase meals funding to Gladstone Senior Center for FY24 from \$2,250.00 per quarter to \$5,000.00 per quarter; (2) **\$21,389.00** is requested to cover the FY24 Nelson County Local Match required for the Safe Streets and Roads for All (SS4A) Grant received by Thomas Jefferson Planning District Commission (TJPDC) from the U.S. Department of Transportation (USDOT) and approved by the Nelson County Board of Supervisors on September 13, 2022 with local match not to exceed \$30,000.00. *Following approval of these expenditures, the balance of Non-Recurring Contingency would be \$321,399.61.*

Linda Staton

From: Ashley M. Johnson <amjohnson@vacourts.gov>
Sent: Monday, September 25, 2023 2:16 PM
To: Linda Staton
Subject: Funding Request

Nelson County Board of Supervisors,

I'm writing to request unexpended funds from FY23 line 21020-3012 (attorney fees) be reappropriated to FY24 line 21020-7001 (machinery & equipment). I am requesting a total amount of \$1,600.00 for the purchase of a video docketing system.

Sincerely,

Ashley M. Johnson
Clerk
Nelson County General District Court
PO Box 514
Lovingsston, Virginia 22949
Phone: 434-263-7040
Direct Line: 434-263-7042
Fax: 434-263-7033

FUND # -100 GENERAL FUND EXPENDITURES

	FY/2020 EXPENSE	FY/2021 EXPENSE	FY/2022 EXPENSE	ADOPTED FY/2023 BUDGET	AMENDED FY/2023 BUDGET	1003/06 ACTUAL	DEPT REQUEST FY/2024	ADMIN RECOMMENDS FY/2024	ADDED FY/2024 BUDGET
REGISTRATION									
013020-5201 Postal Services	1,082	1,113	1,021	1,500	1,500	957	1,000	1,000	1,000
013020-5203 Telecommunications	4,622	1,006	916	1,000	1,000	1,001	1,000	1,000	1,000
013020-5401 Office Supplies	2,335	2,912	2,299	2,000	2,200	1,960	2,000	2,000	2,000
013020-5501 Travel (Mileage)	399	545	473	600	600	420	600	600	600
013020-5503 Travel (Subsistence & Lodging)	329	545	688	500	500	1,033	500	500	500
013020-5504 Travel (Conventions & Exhibits)	1,666	2,470	1,384	1,900	1,900	2,896	1,900	1,900	1,900
013020-5801 Dues & Assoc. Memberships	600	825	525	600	600	595	600	600	600
--TOTAL DEPARTMENT--	136,172	148,507	169,917	189,895	190,195	176,024	267,360	267,360	267,360

BOARD OF ELECTIONS

021000	206,552	277,337	229,136	245,773	279,599	263,103	333,623	333,623	333,623
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COURTS

CIRCUIT COURT

021010-1001 Salaries & Wages	34,103	37,665	44,724	44,525	47,056	46,949	46,856	46,856	46,856
021010-1009 Comp. of Jurors & Witnesses	10,198	6,265	7,605	15,000	15,000	6,695	15,000	15,000	15,000
021010-2001 FICA	2,585	2,867	3,421	3,414	3,600	3,531	3,600	3,600	3,600
021010-2005 Hospital/Medical Plans	6,720	6,745	8,364	8,364	8,364	8,440	8,364	8,364	8,364
021010-2006 Group Insurance	437	458	598	598	628	628	628	628	628
021010-2009 Hybrid Disability VUDP	240	284	370	370	398	398	398	398	398
021010-2011 Workers Compensation	3,103	476	1,107	1,107	1,107	899	1,107	1,107	1,107
021010-3016 VRS Retirement Hybrid Plan		4,114	5,280	5,373	5,373	5,373	5,373	5,373	5,373
021010-5201 Contracted Services		242	107	300	300	193	300	300	300
021010-5401 Postage		586	661	650	650	625	650	650	650
021010-5413 Office Supplies		147	147	650	650	625	650	650	650
021010-5420 Record Books		1,518	1,510	2,015	2,500	2,500	2,500	2,500	2,500
021010-5420 Law Library		273	167	38	400	400	400	400	400
021010-5504 Travel (Convention & Exhibit)		273	167	38	400	400	400	400	400
021010-7002 Furniture & Fixtures		59,763	61,454	73,776	82,701	85,376	85,176	85,176	85,176
--TOTAL DEPARTMENT--									
021020									
GENERAL DISTRICT COURT									
021020-1003 Part-Time Salaries									
021020-2001 FICA									
021020-3004 Repairs and Maintenance	215	115	422	450	450	202	450	450	450
021020-3012 Attorney Fees	1,515	1,355	4,614	4,000	4,000	1,129	4,000	4,000	4,000
021020-5203 Telecommunications	24	24	10	100	100	198	100	50	50
021020-5401 Office Supplies	93	406	421	200	200	198	400	400	400
021020-5801 Dues & Assoc. Memberships	50	100		80	80	50	80	80	80
021020-7001 Machinery & Equipment	2,189	4,220	2,391	1,829	1,829	1,878	1,829	1,829	1,829
--TOTAL DEPARTMENT--	4,086	6,220	7,858	6,659	6,659	3,472	6,859	6,809	6,809
MANAGER RATE									
021030									
021030-3004 Repairs and Maintenance									
021030-5203 Telecommunications									
021030-5401 Office Supplies									

#3,180.00 (Unused FY23)

+1,600.00 Appropriation of FY23 funds unused in FY23

Linda Staton

From: Heather Stevens <hstevens@vacourts.gov>
Sent: Monday, September 25, 2023 11:09 AM
To: Linda Staton
Subject: Budget

Ms. Staton,

The courts are working together to install the Video Docketing System for each court. This system is designed to display the court's dockets on monitors located in the courthouse outside each individual courtroom. The display would reflect cases being heard in that individual courtroom that day.

In order to accomplish this purchase, I am requesting the transfer of funds as follows:

\$100 from account 3004 to account 7002
\$1000 from account 5504 to account 7002
\$350 from account 5801 to account 7002

This will be a total transfer of \$1450 into account 7002 which currently has a balance of \$600.

Thank you so much for your assistance in making this possible

Sincerely,
Heather Stevens

Heather Stevens, Clerk of Court
Nelson JDR Court
PO Box 7
84 Courthouse Square
Lovingston, Va 22949
434-263-7030

The information contained in this email and any attachments may be confidential and protected by privilege. Access to this email by anyone other than the intended recipient is unauthorized. If you are not the intended recipient (or his/her authorized agent responsible for delivering this information to the intended recipient), please notify the sender by reply email and immediately delete this email and any attachments without reading, copying, saving, or forwarding it to others.

No representation is made that this email and any attachments are free of viruses. Virus scanning is recommended and is the responsibility of the recipient.

--DETAIL--
9/01/2023 - 9/30/2023

--DETAIL--

FUND #-100 General Fund Expenditures

MAJOR ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	ENCUMBRANCE AMOUNT	UNENCUMBERED BALANCE	REMAIN.
21050	***** J & D DISTRICT COURT *****							
3004	Repairs and Maintenance	100.00	100.00	.00	.00	.00	100.00	100.00
5201	Postal Services	110.00	110.00	.00	.00	.00	110.00	106.00
5203	Telecommunications	100.00	100.00	10.73	17.97	.00	82.03	82.03
5401	Office Supplies	200.00	200.00	.00	.00	.00	200.00	100.00
5504	Travel (Convention & Education)	1,000.00	1,000.00	.00	.00	.00	1,000.00	100.00
5801	Dues & Assoc. Memberships	400.00	400.00	.00	.00	.00	400.00	100.00
7001	Machinery & Equipment	2,274.00	2,274.00	279.00	279.00	.00	1,995.00	87.73
7002	Furniture & Fixtures	600.00	600.00	.00	.00	.00	600.00	100.00
	J & D DISTRICT COURT	4,784.00	4,784.00	289.73	296.97	.00	4,487.03	93.79
	COURTS	4,784.00	4,784.00	289.73	296.97	.00	4,487.03	93.79
	-- FUND TOTAL --	4,784.00	4,784.00	289.73	296.97	.00	4,487.03	93.79

<100.00>
<1,000.00>
<1,350.00>
+1,450.00
 *For video docketing system.

--DETAIL--

NELSON COUNTY
EXPENDITURE SUMMARY
7/01/2023 - 9/30/2023

--DETAIL--

MAJOR ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	ENCUMBRANCE AMOUNT	UNENCUMBERED BALANCE	REMAIN.
21060	***LARRY J. JIP-CIT COMP***							
3002	Professional Services	3,950.00	3,950.00	.00	.00	.00	3,950.00	100.00
3004	Repair and Maintenance	200.00	200.00	.00	.00	.00	200.00	100.00
3005	Maintenance Service Contracts	16,415.00	16,415.00	.00	.00	.00	16,415.00	100.00
3006	Printing & Binding	1,600.00	1,600.00	.00	.00	.00	1,600.00	100.00
3012	Attorney Fees	750.00	750.00	.00	.00	.00	750.00	100.00
3161	Library of VA CCRP 2022FY-105	.00	31,184.00	.00	31,184.00	.00	.00	.00
3163	Library of VA CCRP 2023FY-037	18,529.00	18,529.00	.00	.00	.00	18,529.00	100.00
5201	Postal Services	4,000.00	4,000.00	.00	109.17	.00	3,890.83	97.27
5203	Telecommunications	50.00	50.00	27.89	33.23	.00	16.77	33.54
5401	Office Supplies	4,000.00	4,000.00	743.18	1,257.60	.00	2,742.40	68.56
5504	Travel (Conventions & Education)	200.00	200.00	252.66	252.66	.00	52.66	26.33
7007	Computer Equipment	500.00	500.00	289.70	434.55	.00	65.45	13.09
	CLERK OF CIRCUIT COURT	50,194.00	81,378.00	32,497.43	33,271.21	.00	48,106.79	59.11
	COURTS	50,194.00	81,378.00	32,497.43	33,271.21	.00	48,106.79	59.11
	--FUND TOTAL--	50,194.00	81,378.00	32,497.43	33,271.21	.00	48,106.79	59.11

<1,600>

+1,600 *For video docking system.

-use current FY24 appropriated budget to cover additional cost.



Forfeited Asset Sharing Program (FASP) Annual Certification Report and Sharing Agreement
 This Report must be submitted by September 30, 2023 For Fiscal Year 2023 ending on June 30, 2023

Name of Agency:	Nelson County Commonwealth's Attorney		
Contact Person:	Daniel Rutherford	Email:	drutherford@nelsoncounty.org
Mailing Address:	PO Box 447	Lovingsston	VA 22949
	<i>(Street)</i>	<i>(City)</i>	<i>(Zip Code)</i>
Phone #:	434-263-7010	Federal ID #:	54-6001441
		Fax #:	434-263-7013

Summary of Asset Forfeiture Fund Activity

	Funds
1. Beginning Asset Forfeiture Fund Balance <i>Must agree to prior FY Annual Report's Ending Balance in line 10</i>	1 \$16,734.90
2. State Asset Forfeiture Funds Received from DCJS <i>Must agree to total on Disbursal Amount Report</i>	2 \$7,689.60
3. State Asset Forfeiture Funds Received from DCJS as the Fiscal agent for a Task Force	3 \$0.00
4. Other Income (Transfers from other agencies) <i>Attach itemized list</i>	4 \$0.00
5. Other Income (Auction Proceeds after one year, Forfeiture Proceeds under \$500.00, etc.) <i>Attach itemized list</i>	5 \$0.00
6. Interest Income Accrued <i>Attach documentation</i>	6 \$0.00
7. Adjustment to Income that was not reported on a prior fiscal year Certification Report <i>Attach explanation</i>	7 \$0.00
8. Total Asset Forfeiture Funds (total of lines 1-7) <i>THIS ROW AUTO CALCULATES BY FORMULA</i>	8 \$24,424.50
9. State Forfeiture Funds Spent (totals line L) <i>DO NOT POPULATE - THIS ROW AUTO CALCULATES BY FORMULA</i>	9 \$263.50
10. Asset Forfeiture Fund Balance. (This amount must be in agreement with the balance of the locality's Treasurer's accounts at the end of the fiscal year.) <i>This row auto calculates by formula.</i>	10 \$24,161.00

Summary of Monies Spent: Keep invoices for your records and for audit purposes; do not send to DCJS .

a. Total spent on salaries and contracted services (for details, see instructions) <i>Attach itemized list</i>	a. \$0.00
b. Total spent on informants and "buy money" <i>Attach itemized list</i>	b. \$0.00
c. Total spent on travel and training <i>Attach itemized list</i>	c. \$0.00
d. Total spent on communications, computers, and electronic surveillance equipment <i>Attach itemized list</i>	d. \$0.00
e. Total spent on firearms, weapons, body armor and protective equipment <i>Attach itemized list</i>	e. \$0.00
f. Total spent on matching grants <i>Attach itemized list</i>	f. \$0.00
g. Total spent on contributions to community-based organizations or expenditures to strengthen relationships <i>Attach itemized list and</i>	g. \$0.00
h. Total spent on buildings and improvements <i>Attach itemized list</i>	h. \$0.00
i. Total spent on other law enforcement expenses <i>Attach itemized list</i>	i. \$263.50
j. Total transfers to other law enforcement agencies <i>Attach list of of recipients</i>	j. \$0.00
k. Adjustment to Monies Spent that was not reported on a prior fiscal year Annual Certification Report <i>Attach memo</i>	k. \$0.00
l. Total of Monies Spent (totals equal line a-k) <i>DO NOT POPULATE - THIS ROW AUTO CALCULATES BY FORMULA</i>	l. \$263.50

Supplemental Information

1. Total forfeited amounts sent to the State Literary Fund	1 \$0.00
2. Total forfeited amounts received from the Federal Equitable Sharing Program <i>See instructions for details</i>	2 \$0.00

Certification

The undersigned certifies that the information on this report is an accurate account of funds received and spent by the law enforcement agency during this reporting period. The undersigned certifies that all monies received have been deposited and accounted for consistent with applicable state laws, FASP regulations, and court orders, and that all property transferred and all proceeds have been used to promote law enforcement and have not supplanted existing funds.

Daniel L. Rutherford	10/2/2023	Candace McGarry	10/2/2023
<i>Name (Print or Type Above)</i>	<i>Date</i>	<i>Name (Print or Type Above)</i>	<i>Date</i>
<i>Law Enforcement Agency Head Title</i>	Commonwealth's Attorney	<i>Governing Body Head-Title</i>	County Administrator
<i>Signature</i>		<i>Signature</i>	
Angela F. Hicks	10/2/2023		
<i>Name (Print or Type Above)</i>	<i>Date</i>	<i>Optional Name (Print or Type Above)</i>	<i>Date</i>
	Treasurer		
<i>Signature</i>		<i>Signature</i>	

ENLISTED AUCTIONS

Enlisted Auctions
P.O. Box 476
Staerts Draft, VA 24477
(540) 337-3446

FARM BANK

5465

68-441/514
CHECK AMOUNT

06/16/2023

PAY TO THE ORDER OF Nelson County Commonwealth's Attorney

five thousand seven hundred five and 00/100

\$ 5,705.00

DOLLARS

Void after 90 days

Nelson County Commonwealth's Attorney
84 Courthouse Square
Lovingston, Va 22949

MEMO
Equipment and Vehicle
Consignment Sale- June
2023

Ann E. K.
AUTORIZED SIGNATURE

Enlisted Auctions

5465

7/6/23

* Local Asset Forfeiture funds
from sale of asset forfeiture vehicle

TR code: FALDCC

5705.00

3-100-1899-0041
4-100-22010-5419

Linda Staton

From: Angela F Hicks
Sent: Monday, September 18, 2023 9:10 AM
To: Jennifer Thomas
Cc: Linda Staton
Subject: Funds received from State Police

Hi Jennifer!
I'm hoping you can shed some light on the funds received below from the Dept of State Police. Does the Description ring any bells? Thanks! Angi

Deposit Date: 09/19/2023

Trace Number: [REDACTED]

Agy No	Amount	CDS Offset Amount	TOP Offset Amount	Invoice Number	Invoice Date	Customer Number	Voucher Number	Description
156	1,283.63	0.00	0.00	19-3069	07/13/2023		5001436	[REDACTED] CASE 1

Tot 156: 1,283.63

Angela F Hicks, MGT
Nelson County Treasurer
84 Courthouse Sq
PO Box 100
Lovington VA 22949
(P) 434-263-7060
(F) 434-263-7064

*#1,283.63 → Sheriff's seizures, task force asset forfeiture.
(Non-DCS)
TR Code: FALDCS
3-100-1899-0040
4-100-31020-5419 (u)*



Forfeited Asset Sharing Program (FASP) Annual Certification Report and Sharing Agreement
This Report must be submitted by September 30, 2023 For Fiscal Year 2023 ending on June 30, 2023

Name of Agency:	NELSON COUNTY SHERIFF'S OFFICE		
Contact Person:	JEREMY TABLER	Email:	JTABLER@NELSONCOUNTY.ORG
Mailing Address:	PO BOX 38	LOVINGSTON	VA 22949
	(Street)	(City)	(Zip Code)
Phone #:	434-263-7066	Federal ID #:	54-9001441
		Fax #:	434-263-7056

Summary of Asset Forfeiture Fund Activity

	Funds
1. Beginning Asset Forfeiture Fund Balance <i>Must agree to prior FY Annual Report's Ending Balance in line 10</i>	1 \$105,943.26
2. State Asset Forfeiture Funds Received from DCJS <i>Must agree to total on Disbursal Amount Report</i>	2 \$30,407.08
3. State Asset Forfeiture Funds Received from DCJS as the Fiscal agent for a Task Force	3 \$0.00
4. Other Income (Transfers from other agencies) <i>Attach Itemized list</i>	4 \$1,095.54
5. Other Income (Auction Proceeds after one year, Forfeiture Proceeds under \$500.00, etc.) <i>Attach itemized list</i>	5 \$0.00
6. Interest income Accrued <i>Attach documentation</i>	6 \$0.00
7. Adjustment to income that was not reported on a prior fiscal year Certification Report <i>Attach explanation</i>	7 \$0.00
8. Total Asset Forfeiture Funds (total of lines 1-7) THIS ROW AUTO CALCULATES BY FORMULA	8 \$137,445.88
9. State Forfeiture Funds Spent (totals line 1.) DO NOT POPULATE - THIS ROW AUTO CALCULATES BY FORMULA	9 \$22,273.23
10. Asset Forfeiture Fund Balance <i>(This amount must be in agreement with the balance of the locality's Treasurer's accounts at the end of the fiscal year.) This row auto calculates by formula.</i>	10 \$115,172.65

Summary of Monies Spent: Keep invoices for your records and for audit purposes; do not send to DCJS.

a. Total spent on salaries and contracted services (for details, see instructions) <i>Attach Itemized list</i>	a. \$0.00
b. Total spent on informants and "buy money" <i>Attach Itemized list</i>	b. \$0.00
c. Total spent on travel and training <i>Attach Itemized list</i>	c. \$0.00
d. Total spent on communications, computers, and electronic surveillance equipment <i>Attach itemized list</i>	d. \$1,549.72
e. Total spent on firearms, weapons, body armor and protective equipment <i>Attach Itemized list</i>	e. \$0.00
f. Total spent on matching grants <i>Attach Itemized list</i>	f. \$0.00
g. Total spent on contributions to community-based organizations or expenditures to strengthen relationships <i>Attach itemized list and memo</i>	g. \$0.00
h. Total spent on buildings and improvements <i>Attach Itemized list</i>	h. \$5,771.04
i. Total spent on other law enforcement expenses <i>Attach Itemized list</i>	i. \$14,952.47
j. Total transfers to other law enforcement agencies <i>Attach list of recipients</i>	j. \$0.00
k. Adjustment to Monies Spent that was not reported on a prior fiscal year Annual Certification Report <i>Attach memo</i>	k. \$0.00
l. Total of Monies Spent (totals equal line a-k) DO NOT POPULATE - THIS ROW AUTO CALCULATES BY FORMULA	l. \$22,273.23

Supplemental Information

1. Total forfeited amounts sent to the State Literary Fund	1 \$0.00
2. Total forfeited amounts received from the Federal Equitable Sharing Program <i>See instructions for details</i>	2 \$0.00

Certification

The undersigned certifies that the information on this report is an accurate account of funds received and spent by the law enforcement agency during this reporting period. The undersigned certifies that all monies received have been deposited and accounted for consistent with applicable state laws, FASP regulations, and court orders, and that all property transferred and all proceeds have been used to promote law enforcement and have not supplanted existing funds.

David W. Hill		Candace McGary	
Name (Print or Type Above)	Date	Name (Print or Type Above)	Date
	9/25/2023		9/22/2023
Signature	Sheriff	Signature	County Administrator
Angela Hicks			
Name (Print or Type Above)	Date	Optional Name (Print or Type Above)	Date
	9/22/2023		
Signature	Treasurer	Signature	Title

Department of Criminal Justice Services
1100 Bank Street - 12th Floor
Richmond, VA 23219



Asset Forfeiture Proceeds

Disbursements for: Nelson County Sheriff's Office
For: 9/25/2023 through 9/25/2023

Date to Finance	DCJS Seizure No	Asset Description	Value	Disbursal Amt	Voucher No
9/25/2023	21-FS09902	U.S. Currency	\$3,063.00	\$583.10	14310
Agency Total:				\$583.10	

Expenses: \$147.50 To be paid to attorney.

3-100-002404-0001 } FD RG
4-100-031022-5419 }

Company No: 223 Account Number: 4100 310203036 Period: Time: 1715
 Date: 10/04/23 DMV#ENF AL-2023-53140-23140-20.607
 Budget Amount \$11,350.00 Year To Date \$5,708.03 Encumbrances \$.00 Balance \$5,641.97

DMV - Enforcement Alcohol Grant

Date	Source	Reference	Number	PO#	Amount	Period	Description
10312022	PR	1	20221031		\$285.43	202210	-PAYROLL ENTRY-
11302022	PR	1	20221130		\$841.26	202211	-PAYROLL ENTRY-
01312023	PR	1	20230131		\$999.20	202301	-PAYROLL ENTRY-
03312023	PR	1	20230331		\$606.70	202303	-PAYROLL ENTRY-
04282023	PR	1	20230428		\$1,441.03	202304	-PAYROLL ENTRY-
05312023	PR	1	20230531		\$606.62	202305	-PAYROLL ENTRY-
06302023	PR	1	20230630		\$927.79	202306	-PAYROLL ENTRY-
*****					\$5,708.03		

***** Encumbrance-
 ***** A/P Holding File-
 ***** P/R Holding File-
 ***** U/T Holding File-
 ***** A/R Holding File-
 ***** G/L Holding File-
 ***** S/S Holding File-
 ***** INV Holding File-

 11072022 BS 1 0000388 \$11,350.00 202211 FY23 SHRF DMV ALCHL GRANT04632
 ***** Budget Amount- \$11,350.00

< 5,708.03 >
5,641.97 * FY23 YE Balance on 6/30/23

Company No: 223 Account Number: 4100 310203037
 Date: 10/04/23 DMV#EPT-2023-53143-23143 20.600
 Budget Amount: \$10,122.00 Year To Date: \$7,051.02 Encumbrances: \$0.00
 Period: Time: 1715
 Balance: \$3,070.98

DMV - Police Traffic Services Grant

Date	Source	Reference	Number	PO#	Amount	Period	Description
11302022	PR	1	20221130		\$1,365.86	202211	-PAYROLL ENTRY-
12122022	AP	1	8720		\$2,622.00	202212	KUSTOM SIGNALS, INC. BH- 02744
01312023	PR	1	20230131		\$285.49	202301	-PAYROLL ENTRY-
02282023	PR	1	20230228		\$214.06	202302	-PAYROLL ENTRY-
03312023	PR	1	20230331		\$785.16	202303	-PAYROLL ENTRY-
04282023	PR	1	20230428		\$980.73	202304	-PAYROLL ENTRY-
05312023	PR	1	20230531		\$512.24	202305	-PAYROLL ENTRY-
06302023	PR	1	20230630		\$285.48	202306	-PAYROLL ENTRY-
*****					\$7,051.02		

***** Encumbrance-
 ***** A/P Holding File-
 ***** P/R Holding File-
 ***** U/T Holding File-
 ***** A/R Holding File-
 ***** G/L Holding File-
 ***** S/S Holding File-
 ***** INV Holding File-
 11072022 BS 1 0000388
 ***** Budget Amount-
 \$10,122.00 202211 FY23 SHRP DMV POLICE TRAF04632
 \$10,122.00

< 7,051.02 >
3,070.98 * FY23- YE Balance on 6/30/23

Shawn Talmadge
Chairman
VDEM

Hon Kevin W. Hall
Sheriff
Vice Chairman
City of Covington

Sharon Lawrence
Treasurer
Comptroller



Virginia 9-1-1 Services Board

Dorothy Spears-Dean, Ph.D.
Deputy State Coordinator
VDEM
(804) 840-7260

Mary Binford
PSC Coordinator
VDEM
(804) 536-8177

September 28, 2023

Dear Nelson PSAP:

I am pleased to advise you that the Virginia 9-1-1 Services Board has approved your FY24 Staffing Recognition grant request on 9/14/2023. You have been awarded the following grant:

Grant ID: FY24-STAFF-070
Award Amount: \$35,000.00
Award Period Start: 9/14/2023
Award Period End: 6/30/2024

Payment will be made on a reimbursement basis only for allowable costs. All funding requests must be submitted on the PSAP Grant Funding Reimbursement Form and submitted to psapgrants@vdem.virginia.gov. All supporting documentation required by the grant guidelines should be attached to the form when it is submitted.

If you need to review the grant guidelines or need copies of grant reimbursement forms, you can visit the Public Safety Communications Division website which is located at <https://psc.vdem.virginia.gov/>.

All grant funds for this award must be expended by 6/30/2024.

If you have any questions, please do not hesitate to contact me or your NGS Outreach Manager. Questions can also be directed to the PSAP Grants mailbox: psapgrants@vdem.virginia.gov.

Congratulations on your grant award!

Sincerely,

A handwritten signature in cursive script that reads "Mary Binford".

Mary Binford
Public Safety Communications Coordinator



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County Administrator

AMANDA B. SPIVEY
Administrative Assistant/
Deputy Clerk

LINDA K. STATON
Director of Finance and
Human Resources

September 12, 2023

To: L. Staton, Director, Finance and HR
From: A. Spivey, Administrative Assistant/Deputy Clerk
Re: Board decision

Please be advised of the Board of Supervisors decision in session on September 12, 2023 of the following funding request:

1. Gladstone Senior Group: The Board approved an increase in funding to the Gladstone Senior Group. They opted to increase the group's quarterly funding to \$5,000. The Board did not specify where the funds should come from within the budget. Please also advise should additional information on this subject be required.

Cc: File - County Administration

Transfer:
NR - 999000 - 9905 (-) } \$11,000.00
Exp - 91030 - 5644 (+) }

Original Appropriation = \$9,000.00
Additional Appropriation = \$11,000.00
FY24 Total Budget = \$20,000.00



September 18, 2023

Candy McGarry
County Administrator
P.O. Box 336
Lovingston, VA 22949

Dear Candy,

As you are aware, the Thomas Jefferson Planning District Commission (TJPDC) was awarded a U.S. Department of Transportation (USDOT) Safe Streets and Roads for All (SS4A) grant earlier this year to develop a Comprehensive Safety Action Plan. We would like to thank you for your support of this project and your commitment to provide a portion of the required local match.

To date, the TJPDC has entered into contract with the USDOT for the grant as well as with the Virginia Department of Transportation (VDOT) to provide comprehensive safety data and analysis. Additionally, we coordinated with representatives from all localities to select a consultant team to lead this initiative, and we are pleased to now be under contract with Kimley-Horn and Avid Core to undertake this important work.

At this time, we are ready to kick off the project and are seeking local match support funding from each of our member jurisdictions so that we can begin to draw down federal funds. The TJPDC requests \$21,389 from Nelson County to cover its share of the local match. Attached, please find a table detailing the full project revenues and expenses. Additionally, attached is an invoice packet to include a copy of Nelson County's match commitment letter and a copy of the TJPDC's Notice to Proceed (incorporating a copy of the consultant's contract and scope of work) for your records.

We appreciate your support and are looking forward to working with you on this initiative.

Sincerely,

Christine Jacobs, Executive Director
Thomas Jefferson Planning District Commission

(Vendor #281)



INVOICE FOR PAYMENT

TO OWNER:

Candy McGarry
Nelson County
P.O. Box 336
Lovingston, VA 22949

PROJECT:

Safe Streets and Roads for All Comprehensive
Safety Action Plan

FROM CONTRACTOR:

Thomas Jefferson Planning District Commission
401 E. Water Street
Charlottesville, VA 22902
EIN: 54-0927925
Phone: 434.979.7310

APPLICATION FOR PAYMENT

FOR THE PERIOD OF: September 1, 2023 to October 31, 2025

Application is made for payment as shown below, in connection with the Contract.

- 1 ORIGINAL CONTRACT SUM \$ 21,389.00
- 2 TOTAL OF ALL CHANGE ORDERS TO DATE _____
- NUMBER OF CHANGE ORDERS = _____
- 3 CONTRACT SUM TO DATE (Line 1 Plus Line 2) \$ 21,389.00
- 4 LOCAL MATCH (If Applicable) _____
- 5 TOTAL CONTRACT FOR REIMBURSEMENT (Line 3 Minus Line 4) \$ 21,389.00
- 6 TOTAL COMPLETED TO DATE (From Previous Invoices) _____
- 7 CURRENT PAYMENT DUE (Does not include previously unpaid or outstanding invoices) \$ 21,389.00
- 8 BALANCE TO FINISH (Line 5 Minus Line 6 and Line 7) \$ 0.00

OFFICE USE:	
Invoice Number	172-0923-01 (Nelson)
Invoice Date	September 21, 2023
Contract Date	September 8, 2023
Project Coding	172
Amount	\$ 21,389.00
Project Coding	
Amount	
Project Coding	
Amount	
Preparer Initial: CS	Date: Sep 21, 2023
Director Initial: JMS	Date: Sep 21, 2023
COO Initial: RES	Sender Signature: CS
	Date: Sep 21, 2023

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Principal certifies that to the best of the Principal's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Thomas Jefferson Planning District Commission is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED:

\$ 21,389.00

(Attached is an explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

BY PRINCIPAL:

Christine Jacobs

Christine Jacobs, Executive Director

Sep 21, 2023

91030-5686

\$ 21,389.00

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DAVID PARK
West District



CANDICE W. MCGARRY
County Administrator

SCOTT E. SPIVEY
Administrative Assistant
Deputy Clerk

LONDA STANLEY
Director of Finance and
Physical Resources

September 14, 2022

Christine Jacobs, TJPDC Executive Director
Thomas Jefferson Planning District Commission
401 East Water Street
Charlottesville, VA 22902-1505

RE: Application for a Safe Streets and Roads for All Comprehensive Safety Action Plan Grant

Dear Christine,

Nelson County is pleased to express full support of the Thomas Jefferson Planning District Commission's grant proposal to develop a multi-jurisdictional Comprehensive Safety Action Plan in response to the U.S. Department of Transportation's FY 2022 Notice of Funding Opportunity for the Safe Streets and Roads for All (SS4A) Discretionary Grant Opportunity (DOT-SS4A-FY22-01). A Comprehensive Safety Action Plan will provide an important framework for targeting infrastructure investments where they can be most effective in achieving the essential goal of eliminating fatalities and serious injury crashes. Collaboration across multiple jurisdictions, agencies, and the broader public will support the development of innovative solutions to address critical safety concerns.

We are encouraged that this multi-jurisdictional approach will benefit Nelson County by streamlining the data collection and analysis at a regional level, while also customizing a locality-specific Comprehensive Safety Action Plan based on the particular needs and interests of our locality.

Nelson County will participate in this project as part of an oversight committee charged with development and implementation of the plan and through the support of robust stakeholder and public engagement with a specific emphasis on ensuring the representation of underserved communities. Additionally, Nelson County agrees to commit a local match through cash contributions not to exceed \$30,000 to support the project. I affirm that the match is available, unrestricted, and non-federal.

The Planning District Commission is well-positioned to ensure the successful completion of the Comprehensive Safety Action Plan, if awarded, based on their leadership in regional transportation planning as demonstrated by their administration of the Metropolitan Planning Organization and the Regional Rural Transportation Program; a long history of successful regional cooperation in other program areas including housing, economic development, and rural broadband; and experience administering federal grant programs. Therefore, this initiative has the full support of Nelson County, and I look forward to engaging with our regional partners on this important opportunity.

Sincerely,

A handwritten signature in black ink that reads "Candice W. McGarry". The signature is written in a cursive style and is positioned above the printed name.

Candice W. McGarry, County Administrator

September 13, 2022

conference space, classrooms, offices, kitchen, cannery and meat processing areas. He noted that the plan was basically the Olde Dominion Ag Center, it had just been changed up a little.

Mr. Smith discussed the cost analysis. He noted that the site costs were close to half of project costs. He noted that they put the land costs in at \$1.2 million based on some public data, while it was assessed at \$900,000. He explained that the site preparation included quite a bit of grading, roadways, on-site improvements, utility improvements like piping and electrical, fire protection, and landscaping. He provided a \$28 million site project estimate.

Mr. Smith reported that the structure costs were broken down into smaller amounts within the full report. He explained that they would be using pre-engineered metal buildings and some masonry block. He described the style of the cabins as more of a residential design that might be seen at a state park. He noted that Architectural Partners had designed some of state park cabins so they knew what those costs were and plugged them into the report. He also reported that the alternate option for cowboy/RV camping at the fairgrounds was also included in the project costs. He provided an estimated total of about \$54 million for the project.

He showed a breakdown of the cost analysis noting that Hurt & Proffitt used their model software to get cost estimates. He explained that Architectural Partners used historical data and some contractor pricing to get their numbers. Mr. Smith pointed out that water on the site was a big question. He explained that the preliminary study did not include well drilling to determine how many gallons per minute they could get. He noted that Hurt & Proffitt did speak to a well driller in the area who felt that there would be water on site. Mr. Smith indicated that there were currently two wells on site.

Mr. Smith noted there would be a holding tank on site and they would need 27,000 gallons per day to serve the entire site. He felt that three wells would probably provide what was needed. Mr. Smith reported that a proposal was provide to drill wells and test existing wells. He recommended to have the well testing as a contingency on land prior to purchase. He then showed photos of the land features on site noting, they tried to work around existing structures and historic features. He noted the existing cell tower on site in southeastern portion of site.

Mr. Smith showed an aerial view of the site entry and noted it was limited because of sight lines. He pointed out that the site had high visibility along Route 29 for the complex. Mr. Smith then showed the Board some elevations shown for the proposed buildings on the site.

There were no questions from the Board.

V. NEW & UNFINISHED BUSINESS (AS PRESENTED)

A. Change in November Regular BOS Meeting Date (R2022-55)

Mr. Rutherford noted that the Board needed to pick a new date to meet as Mr. Barton noted a scheduling conflict with the proposed date of November 10th. Mr. Rutherford suggested November 7th as the new meeting date. Mr. Parr moved to amend the November meeting date to November 7, 2022 and Mr. Reed seconded the motion. There being no further discussion, Supervisors approved the motion without objection and the following resolution was adopted:

**RESOLUTION R2022-55
NELSON COUNTY BOARD OF SUPERVISORS
RESCHEDULING OF NOVEMBER 2022 REGULAR MEETING**

WHEREAS, the Nelson County Board of Supervisors hereby establishes that an alternate date for the Board's regular monthly meeting on November 8, 2022 is necessary due to the Election Day holiday;

NOW THEREFORE BE IT RESOLVED, by the Nelson County Board of Supervisors pursuant to §15.2-1416 (Regular meetings) of the Code of Virginia that the regular meeting of the Board on **Tuesday, November 8, 2022** be and hereby is rescheduled to **Monday, November 7, 2022**.

B. Safe Streets and Roads for All Grant Program

Ms. Sandy Shackelford of the Thomas Jefferson Planning District (TJPCD) was present to discuss the Safe Streets and Roads for All Grant Program (SS4A). She provided some background information on the program explaining that it was established by the Bipartisan Infrastructure Law and provided \$5 to \$6 billion to be available over the next five years. She further elaborated that amount would be about \$1 billion annually over the next five years. She noted the program had a goal of preventing roadway deaths and serious injuries. Ms. Shackelford explained that there were two types of grants eligible for funding through

the program: a planning grant to develop a comprehensive safety action plan, and the second type of grant program was for implementation of strategies or components identified in qualifying safety action plans. She reported that in order to be eligible to implementation funding, a localities or regions first had to have a qualifying Comprehensive Safety Action Plan in place.

Ms. Shackelford noted that there were eight required components for a Comprehensive Safety Action Plan to conform to eligibility requirements. She reviewed the components:

- Leadership commitment from government entity to reduce roadway deaths and injuries
- Establishment of an Oversight group to develop, implement, and monitor the plan
- Comprehensive safety data collection and analysis

She noted that they were working with VDOT to complete the analysis, regardless of whether they were successful in securing the grant. She noted they would be starting the data collection and analysis.

- Robust public and stakeholder engagement
- Inclusive and representative process in the plan development
- Evaluation of processes and policies
- Comprehensive identification and prioritization of projects and strategies
- Ongoing monitoring and reporting to help understand the safety impacts

Ms. Shackelford reported to that Board that no one in the region had a Comprehensive Safety Action Plan in place, so the TJPDC was working on a multi-jurisdictional application for anyone interested in participating. She noted that four localities had already committed.

Ms. Shackelford explained the benefits of having a Comprehensive Safety Action Plan in place. She noted that they would gain a better understanding of crash locations and contributing factors, including identification of systemic or recurring factors. She explained that the plan considered safety for all users, whether it be roadway, bike and pedestrian, or transit. She also pointed out that it considered safety on all roadways regardless of road ownership, so implementation funding could be available for improvements on private roads as well, if there was cooperation from the owners of the roads.

Ms. Shackelford noted that there would also be an opportunity to build relationships among stakeholders. She explained that by having a regional approach to the safety action plan, it would allow more engagement with regional and state partners like VDOT, the Virginia Department of Health, local law enforcement and emergency services, the local Planning and Zoning Office, and others to make sure everyone had a voice.

Ms. Shackelford noted they would be developing multi-faceted strategies to reduce or eliminate roadway fatalities and serious injuries. She explained that this would go beyond just infrastructure improvements but also looking at enforcement strategies and reviewing processes and policies. She also reiterated that it would help the County be more aware of projects that may be identified for funding beyond Smart Scale, like the Safe Streets for All Discretionary Grant program for implementation, Transportation Alternatives Program, Revenue Sharing or the Highway Safety Improvement Program.

Ms. Shackelford reiterated that the Thomas Jefferson Planning District would be submitting a multijurisdictional application with four localities already committed to participating in the application. She noted they were present today to gauge interest and they would also be meeting with Greene County. She explained that the TJPDC would prepare and submit the application and include Nelson if so decided. She noted that the TJPDC would bear the administrative responsibility for the project. She reported that there would be a regional approach to data collection and analysis supported by VDOT which would help identify larger trends. She pointed out that there would be cross-jurisdictional information sharing so all jurisdictions would be going through the process together and be able learn from each other and share ideas. She noted there would be substantive engagement with state and regional partners. She indicated that the TJPDC would support the ongoing monitoring and reporting functions. She noted that they would do this as part of their existing program funding, outside of funding requested from the grant. She explained that the County would benefit by having a safety action plan specific to Nelson. She noted that there would be engagement specifically targeted in Nelson County to make sure that the strategies are prioritized for what is needed locally.

Ms. Shackelford reported that the grant application due on September 15th so she needed a determination on interest in participating that evening. She explained that it was an 80/20 grant, so it was 80% federal funding with a 20% local non-federal match. She indicated that they were close to having a final scope of work and cost estimate from a consultant, so they knew that Nelson County's portion would not to exceed \$30,000. Ms. Shackelford indicated she was happy to answer questions and reiterated that if the Board was interested in participating, they would need to take that evening and commit a local match not to exceed \$30,000.

Mr. Barton asked for clarification on the \$30,000 amount, whether that was a contribution or the total

amount they could anticipate getting. Ms. Shackelford noted it looked like the final grant amount was going to be \$1.1 million for the region as a whole and Nelson County would be receiving a specific safety action plan. Ms. Shackelford noted that Nelson County's share to contribute would be \$30,000 and the County would be getting a specific Comprehensive Safety Action Plan, public engagement specific to Nelson County, along with public pop up meetings where the TJPDC would go into the Nelson community.

Ms. McGarry noted that Ms. Shackelford did provide a draft letter of support that the Board could authorize her as County Administrator to submit the letter of support for the draft program, including commitment of the local match not to exceed \$30,000. Mr. Reed made a motion authorizing Ms. McGarry to sign the letter of support to reflect the County's commitment of the Safe Streets for All Discretionary Grant Program. Mr. Parr seconded the motion. There being no further discussion, Supervisors approved the motion by vote of acclamation.

C. Emergency Services Council Interest Free Loan Request

Ms. McGarry presented a letter from the Emergency Services Council which indicated that the Council had unanimously approved an emergency loan request from the Lovingson Volunteer Fire Department in the amount of \$40,000 at their August 16, 2022 meeting. She reported that the money would be used to purchase a 2005 HME Fire Engine. She indicated that the department had a current loan from the interest free loan account and noted that they wished to add this emergency request be added to the approximately \$47,000 of the current loan. She noted this would bring the total loan amount to \$87,000.

Ms. McGarry explained that the department was making the request due to the poor mechanical condition of the current 1995 Engine that they must replace. She noted that the department had submitted some financials along with a few details on the truck. She stated that there would be an eight-year term on the \$40,000. She explained that the newer truck would replace the 1995 Engine, noting that the 1995 Engine would be sold for salvage price. She noted that the 1995 Engine needed major repairs which could not be justified due to the age of the unit. She noted that Lovingson would make the resource available Countywide. Ms. McGarry informed the Board that the EMS loan fund had a current available balance of \$646,786.

Mr. Rutherford thought that the need was there. Mr. Barton asked Ms. McGarry's opinion. She stated that she thought it was a reasonable request and would recommend approval. Mr. Harvey said they did not typically buy used trucks, noting it was hard to improve the fleet when buying used trucks. He wanted to see what the alternatives were. Ms. McGarry noted that the request was an emergency request due to the poor mechanical condition of the 1995 Engine. She thought they were in a bind and needed to do something immediately. Mr. Parr agreed that this was an emergency fix, rather than waiting until their next turn in the rotation for a new truck. He reminded the Board that the approval by the Emergency Services Council was unanimous. Ms. McGarry noted that she was unsure of the lead times in ordering fire trucks, but the lead times for ordering ambulances were lengthy. Mr. Parr indicated that the lead times for fire trucks were about the same and could be two to three years out. Mr. Rutherford suggested approval of the emergency loan and suggested that Mr. Parr mention the goal of having a newer fleet at the next EMS Council meeting. Mr. Reed asked if the 2005 Engine was available, noting it would have been good to have someone from Lovingson there at the meeting. Mr. Parr did not know where it was from but he knew that Lovingson had someone go test drive the truck and check it out.

Mr. Parr moved to approve the emergency loan request. Mr. Barton seconded the motion. There being no further discussion, Supervisors voted to approve the motion (4-1) by roll call vote, with Mr. Harvey voting no.

D. Proposed Amendment to K-9 At Large Ordinance (R2022-56)

Animal Control Supervisor Kevin Wright was present to speak to the Board to discuss the proposed amendment to the K-9 at Large ordinance. Mr. Rutherford noted they were there to discuss the K-9 at Large ordinance that had been put into place a few years ago. He noted after putting the ordinance into place, they were still dealing with repeat offenders. He noted they needed to discuss mechanisms going forward to help strengthen the ordinance.

Officer Wright reported that the K-9 at large ordinance needed to be streamlined to eliminate some of the pitfalls that they have in the courtroom. He explained that they had 111 written warnings (Strike 1), and then out of those written warnings, 21 civil penalties (Strike 2) were issued, which he noted those folks were in violation within a matter of days. He explained that a lot of that was when the ordinance was initially put to work, so there were a lot of people unaware of it. He noted that once folks were aware, the numbers dropped. Mr. Wright reported that there had been only five Strike 3's issued (class 1 misdemeanor) and only three had been to court.



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LINDA K. STATON
Director of Finance and
Human Resources

PROCLAMATION P2023-03
NELSON COUNTY BOARD OF SUPERVISORS
OCTOBER IS DOMESTIC VIOLENCE AWARENESS MONTH

WHEREAS, the problems of domestic violence are not confined to any group or groups of people but cross all economic, racial and societal barriers, and are supported by societal indifference; and

WHEREAS, the crime of domestic violence violates an individual's privacy, dignity, security, and humanity, due to systematic use of physical, emotional, sexual, psychological and economic control and/or abuse, with the impact of this crime being wide-ranging; and

WHEREAS, no one person, organization, agency or community can eliminate domestic violence on their own—we must work together to educate our entire population about what can be done to prevent such violence, support victims/survivors and their families, and increase support for agencies providing services to those community members; and

WHEREAS, the Shelter for Help in Emergency and the Nelson County Victim/Witness Program have led the way in the County of Nelson in addressing domestic violence by providing 24-hour hot line services to victims/survivors and their families, offering support and information, and empowering survivors to chart their own course for healing; and

WHEREAS, the Shelter for Help in Emergency commemorates its 44th year of providing unparalleled services to women, children and men who have been victimized by domestic violence; and

WHEREAS, the Nelson County Victim/Witness Program currently provides victim advocates and a support group for those seeking relief from domestic violence in Nelson County;

NOW THEREFORE, BE IT RESOLVED, in recognition of the important work being done by the Shelter for Help in Emergency and the Nelson County Victim/Witness Program, the Nelson County Board of Supervisors do hereby proclaim the month of October 2023 as DOMESTIC VIOLENCE AWARENESS MONTH, and urge all citizens to actively participate in the elimination of personal and institutional violence against women, children and men.

Adopted: October 10, 2023

Attest: _____, Clerk

Nelson County Board of Supervisors

Nelson County Board of Supervisors

To: Board of Supervisors
From: Dylan M. Bishop, Director of Planning & Zoning *DMB*
Date: September 12, 2023
Re: SUP #1005 – Campground (one site) in A-1 – 2601 Falling Rock Drive

BACKGROUND: This is a request for a Special Use Permit to allow a one site campground use on property zoned A-1 Agriculture.

Public Hearings Scheduled: P/C – August 23; Board – September 12

Location / Election District: 2601 Falling Rock Drive / South District

Tax Map Number(s) / Total Acreage: 86-A-36B / 2.0 acres +/- total

Applicant/Owner Contact Information: Luke & Caitlin Hoge, 824 Lyndhurst Road, Waynesboro, VA 22980, 703-489-7436 / 516-508-8978, lucasryanhoge@gmail.com / caitfoley7454@gmail.com

Comments: This property contains an existing single-family dwelling that is utilized as a by-right vacation house, or short-term rental. The narrative provided by the applicants indicates that they own a camper that they are requesting to utilize as a short-term rental while their family lives in the existing dwelling.

DISCUSSION:

Land Use / Floodplain: This area is residential and agricultural in nature. Zoning in the vicinity is A-1 Agriculture. There are no floodplains located on this property.

Access / Traffic / Parking: This property is accessed by an existing entrance on Falling Rock Drive. VDOT had no comments.

Utilities: The house is served by existing utilities. The owner has been in contact with the Health Department – a licensed soil evaluator will be required to permit a cleanout to hook the camper to.

Comprehensive Plan: This property is located in an area designated Rural and Farming on the Future Land Use Map, which “would promote agricultural uses and compatible open space uses but discourage large scale residential development and commercial development that would conflict with agricultural uses. The Rural and Farming District would permit small scale industrial and service uses that complement agriculture. Protection of usable farmland should be encouraged.

Clustering of any new development in areas of a site without prime or productive soils will enhance the protection of prime or productive soils for future agricultural uses.”

At their meeting on August 23, 2023 the Planning Commission voted (6-0) to recommend approval of SUP #1005 with the following conditions:

- 1. There shall be no more than one site, and the unit shall be provided by the property owner.**
- 2. The location of the site shall meet property setbacks.**

RECOMMENDATION: The approval of special use permits should be based on the following factors:

1. The use shall not tend to change the character and established pattern of development of the area or community in which it proposed to locate.
2. The use shall be in harmony with the uses permitted by right in the zoning district and shall not affect adversely the use of neighboring property.
3. The proposed use shall be adequately served by essential public or private water and sewer facilities.
4. The proposed use shall not result in the destruction, loss or damage or any feature determined to be of significant ecological, scenic or historical importance.

Attachments:

- Application
- Narrative
- Site Plan
- Zoning



PERMIT APPLICATION: Nelson County Department of Planning & Zoning

TO THE ZONING ADMINISTRATOR: Special Use Permit # 1005
application type application number

1. The undersigned hereby petitions the Planning Commission and/or Board of Supervisors for approval of the following (check appropriate box):

- Special Use Permit
- Rezoning from _____ to _____
- Conditional Rezoning from _____ to _____
- Other: _____
- Subdivision
- Site Plan – Minor
- Site Plan – Major

Reason(s) for request:
Permit to rent a camper on our property at 2601 Falling Rock Dr. in Arrington.

(Please use reverse or attach additional sheet if more space is needed.)

2. Applicant(s) and Property Owner(s):
(Please provide names of applicants and property owners and indicate applicable title; if applicant is not the property owner, please show relationship, i.e. lessee, contract purchaser, etc.)

Applicant Property Owner Name: Luke Hoge

Mailing Address: 824 Lyndhurst Rd Waynesboro VA 22980

Telephone #: 7034897436 Email Address: lucasryanhoge@gmail.com

Relationship (if applicable): _____

Applicant Property Owner Name: Caitlin Hoge

Mailing Address: 824 Lyndhurst Rd Waynesboro Virginia 22980

Telephone #: 5165088978 Email Address: caitfoley7454@gmail.com

Relationship (if applicable): _____

(Please attach additional sheet if more space is needed for applicant(s) / property owner(s) info.)

3. Location and Characteristics of Subject Property:

a. Address of Property (specific location, route numbers, street names, voting district, etc.):

2801 Falling Rock Dr. Arrington VA 22922

b. Official tax map number: 88 A 368

c. Acreage of property: 2

d. Present use: Single family home and short term rental

e. Present zoning classification: A1 AGRICULTURAL

f. Zoning classification of surrounding properties: A1 AGRICULTURAL

4. Affidavit: The undersigned applicant(s) and/or property owner(s) certifies that this application and the foregoing answers, statements, and other information herewith submitted are, in all respects, true and correct to the best of their knowledge and belief. Also, the applicant(s) and/or property owner(s) gives permission for members of the Planning Commission, Board of Supervisors, and County Staff to visit and view the subject property.

Signature:  Printed Name: Luke Hoge

Signature:  Printed Name: Caitlin Hoge

(Please attach additional sheet if more space is needed for applicant(s) / property owner(s) signatures.)

5. Additional information: *(Please attach separate sheet for additional details, explanations, etc.)*

6. Please note: In the event of cancellation or postponement at your request after the initial newspaper advertisement for this application, an additional fee will apply for re-advertisement (determined by the actual cost of the ad). This fee will not apply in cases of Planning Commission or Board of Supervisors deferment.

-----**TO BE COMPLETED BY PLANNING & ZONING STAFF**-----

Pursuant to Article _____, Section _____ of the Nelson County Zoning Ordinance.
Pursuant to Section _____, Subsection _____ of the Nelson County Subdivision Ordinance.

- Completed application and fee (\$ _____) received on _____
- Hearing Notice published on _____
- Planning Commission action: Date of Meeting / Hearing: _____
Recommendation: _____
- Board of Supervisors action: Date of Hearing: _____ Date of Decision: _____
Action: _____

Nelson County Planning & Zoning Department

(Mailing Address) P.O. Box 558, Lovingston, Virginia 22949 | *(Physical Address)* 80 Front Street, Lovingston, Virginia 22949
(Telephone Number) 434 263-7090 or Toll Free 888 662-9400, selections 4 & 1 | *(Fax Number)* 434 263-7086
<http://www.nelsoncounty-va.gov/departments/planning-zoning/>

Emily Hjulstrom

From: Luke Hoge <lucasryanhoge@gmail.com>
Sent: Tuesday, August 1, 2023 3:19 PM
To: Emily Hjulstrom *
Cc: Dylan Bishop; caitlin foley
Subject: Re: SUP Application

Sure Emily!

We own a fifth wheel camper that we would like to rent out occasionally to help us cover the mortgage on the house, as well as the payment on the camper, while we live there with our 2 Toddlers and 1 on the way.

We planned to add a cleanout to the existing septic, and use the hose bib for water. The camper has its own filtration and hot water heater. We will also put a 50a electric post to plug into.

The owners are Lucas and Caitlin Hoge. I will send you the first page of the deed as soon as I get home.

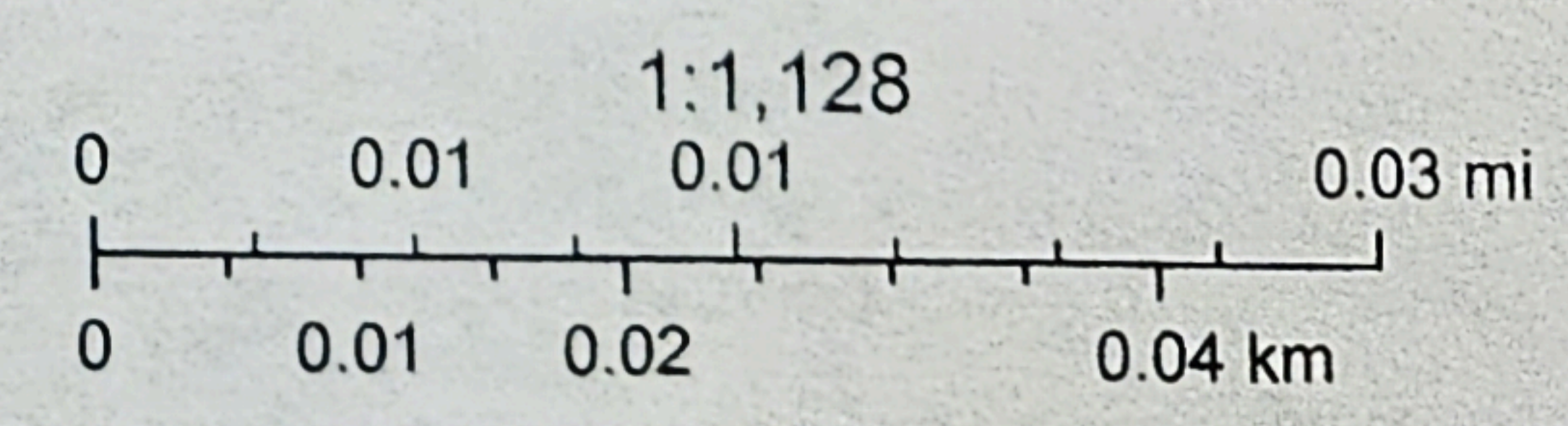
Thanks again!
Luke



July 18, 2023

Planning and Zoning Director X _____
 VP of transportation X _____
 VP of Health X _____
 Nelson County Service Authority X _____

2 Acres



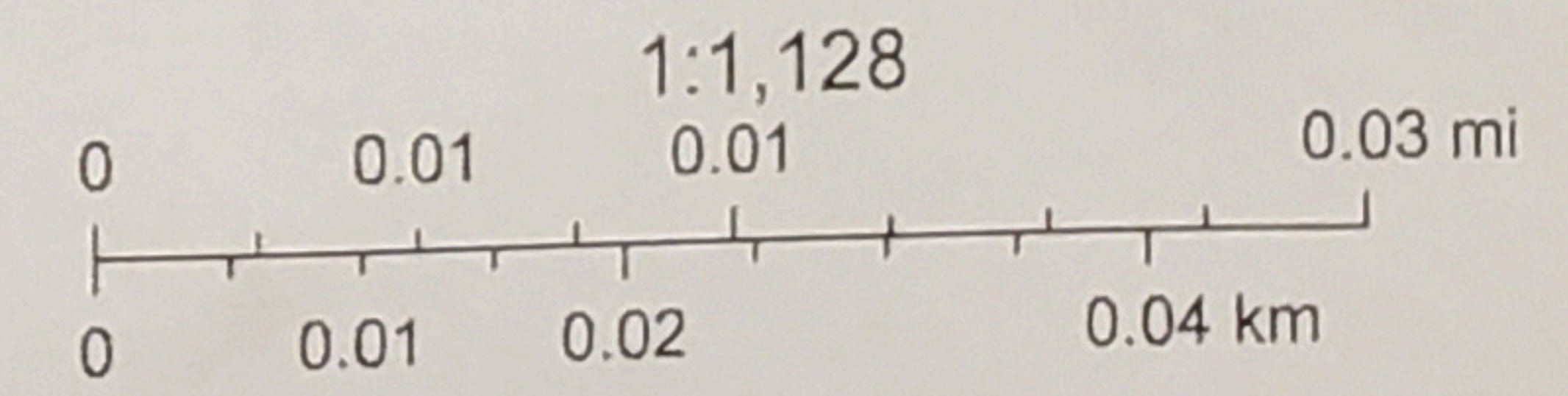
Virginia Geographic Information Network (VGIN)
 Luke and Caitlin Hoge
 2601 Falling Rock Drive
 Arrington VA 22922



July 18, 2023

- - Proposed cleanout
- ◇ - Proposed 50 amp outlet post
- Luke and Caitlin Hese
- 2601 Falling Rock Drive Arrington VA 22922
- 2 Acres

Nelson County Service Authority X _____

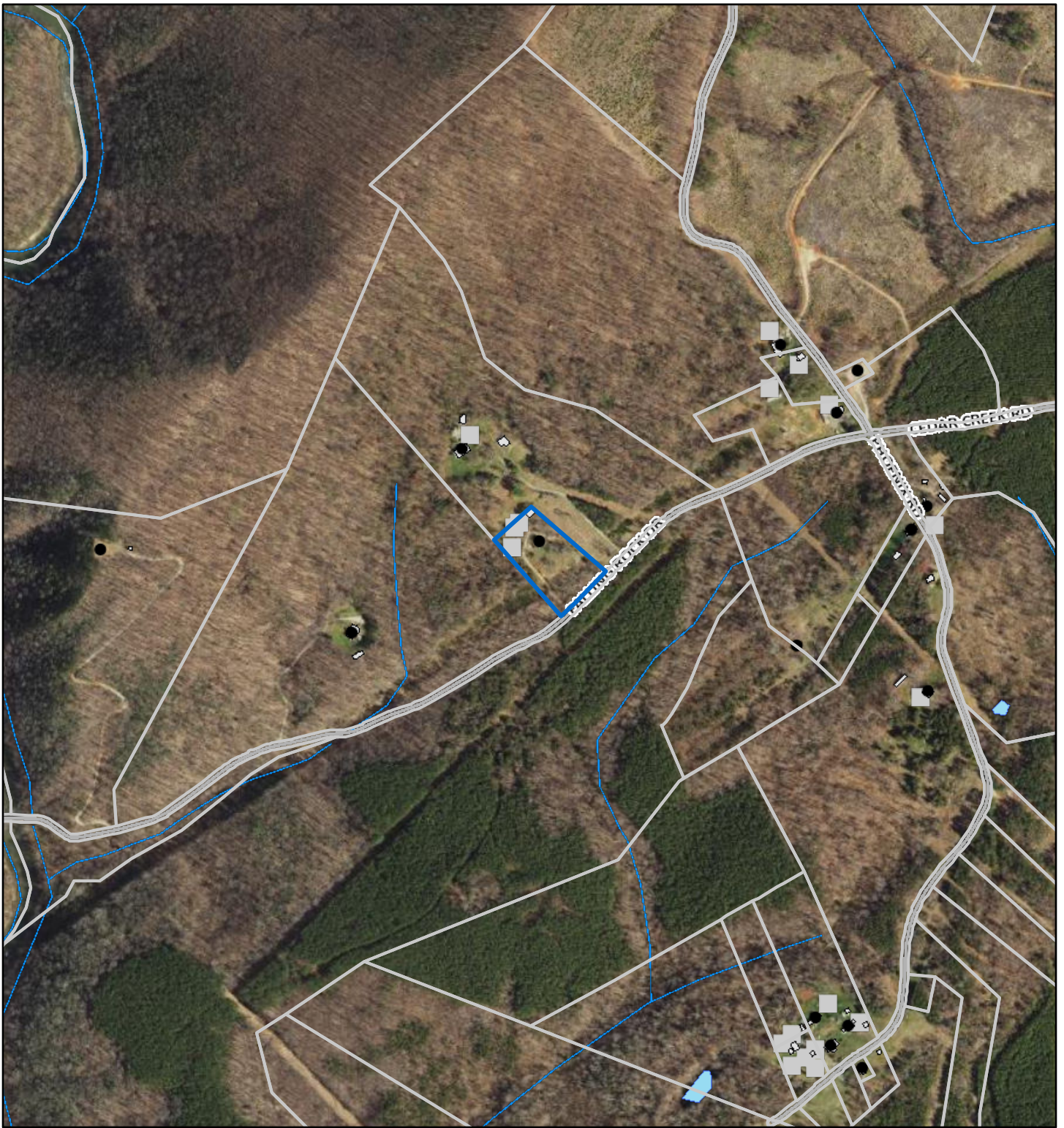


Virginia Geographic Information Network (VGIN)

P3Z Director X _____

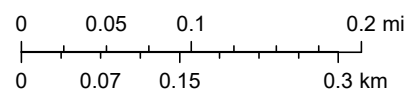
VD of Transportation X _____

VD of Health X _____



August 15, 2023

1:9,028



Emily Hjulstrom

From: P Combs <plcnelson1989@yahoo.com>
Sent: Monday, August 14, 2023 10:45 AM
To: Emily Hjulstrom
Subject: Special use permit #1005(Hoge)



IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender
plcnelson1989@yahoo.com

Dear Ms. Hjulstrom,

I am a property owner on Falling Rock Drive, since 1989.
I concur with Mr. Troy Nicks e-mail he sent you.

Thank you for your attention to this matter.

Peggy L. Combs
804 358-4951

Emily Hjulstrom

From: Troy Nicks <troynicks1923@gmail.com>
Sent: Monday, August 14, 2023 8:39 AM
To: Emily Hjulstrom
Subject: Special Use Permit Application #1005 (Hoge)



IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender troynicks1923@gmail.com

Ms. Hjulstrom,
I appreciate your assistance last week in providing information about the subject permit application.

Adjacent and nearby property owners are concerned by the precedent this application could have for eventual establishment of a commercial campground or extended stay campground as defined by the county zoning ordinance.

The subject property lies on Falling Rock Drive whose approx. two mile length is entirely single family dwellings, hay fields and woods. Half of this road follows a creek bed and is narrow and curvy with poor sight distances. Increased transient traffic would create a hazard for existing residents. A commercial operation would also devalue the privacy and tranquility of longstanding property ownership.

Accordingly, it is urged that the requested permit be limited on the record to the terms requested by the applicant, that is, that the issued permit explicitly allow only the occasional rental of a single camping unit owned by the applicant and that no additional paying campers, whether tent campers, travel trailers or motor homes, be allowed on the subject property.

Thank you for your kind attention to this matter.

Respectfully submitted,

Troy Nicks
1923 Falling Rock Drive, Resident since 1984
434 263-4760

Rockfish Valley Volunteer Fire Department, Inc.
11100 Rockfish Valley Highway Afton, Virginia 22920
540-456-6465



Dear Members of the Board of Supervisors:

I am writing this letter to you on behalf of the Rockfish Valley Volunteer Fire Department, we are asking for the assistance of the purchase of a new Ambulance, we are hoping that the County would be able to support 50 percent of the cost as it has done in the past with the other agencies in the county.

Usually this is done by the agency putting in a RSAF grant through the Office of EMS to try and get a 50/50 match with the state, which we did try this past March and was denied by them due to call volume and Mileage on truck. The truck that would be replaced is 2010 Ford F450 that currently has 88,376 miles on it and has had motor replaced about 5 years ago. We are looking to replace this unit with a Demo unit that is available from Fesco Emergency Sales, there are four quotes included in the packet.

The Department will be asking for funds from the Interest Free Loan through the Nelson County Emergency Services for the other half of the ambulance cost that will be paid back over time.

We are one of three remaining volunteer rescue squads in the county and so far, this year we have covered 170 calls with 35 of these calls being outside our first due area and also we have over the last couple of years have done all of the coverage for Nelson County High School sporting events and handle most of the standbys for fires. We are by far the most active volunteer rescue squad in the county at this time and hoping to expand this with new members that are coming in.

We thank you for your consideration of this request.

Thank You;

Robert Reid

Robert Reid

EMS Captain

Rockfish Valley Volunteer Fire Department



Amanda Spivey

From: Candy McGarry
Sent: Monday, October 2, 2023 3:44 PM
To: Amanda Spivey
Subject: FW: Ambulance Quotes
Attachments: Horton Demo Quote Choice 1.pdf; AEV New Build Chevy Choice 2.pdf; Medix Demo Quote Choice 3.pdf; AEV New Build Ford Choice 4.pdf

FYI for the packet assuming they provide the request letter and financials. Please also save the email to go along with the attached quotes. Thanks!

From: Daniel T. Johnson [mailto:bluedogva@verizon.net]
Sent: Monday, October 2, 2023 2:45 PM
To: Candy McGarry <CMcGarry@nelsoncounty.org>
Cc: Tony Reid <treid22920@gmail.com>; Daniel Johnson <bluedogva@verizon.net>
Subject: Ambulance Quotes

Good Afternoon Candy,

Here are the quotes on the Ambulance request for Rockfish. Tony has labeled them in the order they prefer as well.

As discussed prior, once a decision is made on the County paying the 50%, the Council will approve a loan for the additional amount to Rockfish once the official amount is known.

Let me know if you have any questions.

Thanks,

Daniel T. Johnson
434-981-3305

----- Forwarded Message -----

From: Tony Reid <treid22920@gmail.com>
To: Danny Johnson <bluedogva@verizon.net>
Sent: Monday, October 2, 2023 at 12:42:19 PM EDT
Subject: Quotes

Danny

The choices are as follows

1. Horton Demo - Delivery 90 Days
2. AEV Chevrolet New Build - Delivery 2024
3. Medix Demo - Delivery 90 Days
4. AEV Ford New Build - Delivery 2024

We decided on the Horton as our top choice for the quality of the trucks they build and with the demo it would be delivered in 90 days and we did not want to tie up money for another agency waiting by going into the next year.

Rockfish FD 10/2022-9/2023

Business accounts

Checking	19,313.23
Savings	124,500.30
Money market	225.40
	144,038.93

Investments

Certificates of Deposit	336,175.05
-------------------------	------------

Total 480,213.98

Expenses

Rescue costs	2,052.46
Equipment	2,913.00
Equipment maintenance	8,095.72
Utilities	15,060.33
Fuel/Propane	19,447.09
Truck Maintenance	24,667.00
Memberships	200.00
Fundraisers	170.11
Insurance	13,305.00
Building Maintenance	13,942.60
Training	717.00
Business Expense	10,612.15
TOTAL	111,182.46



FESCO EMERGENCY SALES



BID PROPOSAL for furnishing

August 30, 2023

Rockfish Valley Volunteer Fire and Rescue Department
11100 Rockfish Valley Highway
Afton, VA 22920

To Whom It May Concern,

The undersigned is prepared to manufacture and/or supply for you, upon an order being placed by you for final acceptance by FESCO Emergency Sales (FESCO), at our office in Elkridge, Maryland, the apparatus and equipment herein named and for the following prices:

- (1) In-Stock Horton Model #603 ambulance (#21518) mounted on a 2022 Ford F-550 4X4 Diesel cab and chassis to include FESCO Dealer Supplied Items (DFI) dated 8/21/23 for a price of **\$299,730.00**

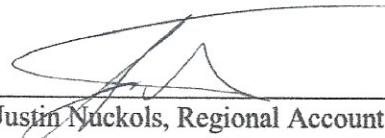
Said apparatus and equipment are to be built and shipped in accordance with the specifications hereto attached. Delays due to strikes, war or international conflict, failures to obtain materials, or other causes beyond our control in preventing, delivery shall be within 60-90 working days after receipt of this order and the acceptance thereof at our office at Elkridge, Maryland, and to be delivered to you at Elkridge, MD.

The specifications herein contained shall form a part of the final contract, and are subject to changes desired by the purchaser, provided such alterations are initialed by authorized representatives of both parties prior to the acceptance by FESCO of the offer to purchase, and provided such alterations do not materially affect the cost of the construction of the apparatus.

Unless accepted within 30 days from the above date, the right is reserved to withdraw this proposal.

Note: this proposal includes an in-stock demonstrator ambulance that is subject to prior sale. Signed contract and 25% deposit or Municipal Purchase Order are required to secure this vehicle. All pricing in this proposal is based off HGAC Contract #AM10-20. HGAC fee is not included in price listed above.

**FESCO EMERGENCY SALES
7010 TROY HILL DR.
ELKRIDGE, MARYLAND 21075**

By 
Justin Nuckols, Regional Account Manager



FESCO EMERGENCY SALES



BID PROPOSAL for furnishing

August 30, 2023

Rockfish Valley Volunteer Fire and Rescue Department
11100 Rockfish Valley Highway
Afton, VA 22920

To Whom It May Concern,

The undersigned is prepared to manufacture and/or supply for you, upon an order being placed by you for final acceptance by FESCO Emergency Sales (FESCO), at our office in Elkridge, Maryland, the apparatus and equipment herein named and for the following prices:

- (1) Medix 170 Stock Unit #23-M1285 mounted on a 2023 Ford F-550 4X4 Diesel cab and chassis to include FESCO Dealer Supplied Items (DFI) dated 8/21/23 for a price of **\$289,338.00**

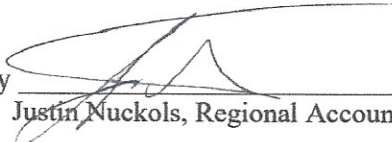
Said apparatus and equipment are to be built and shipped in accordance with the specifications hereto attached. Delays due to strikes, war or international conflict, failures to obtain materials, or other causes beyond our control in preventing, delivery shall be within **60-90** working days after receipt of this order and the acceptance thereof at our office at Elkridge, Maryland, and to be delivered to you at Elkridge, MD.

The specifications herein contained shall form a part of the final contract, and are subject to changes desired by the purchaser, provided such alterations are initialed by authorized representatives of both parties prior to the acceptance by FESCO of the offer to purchase, and provided such alterations do not materially affect the cost of the construction of the apparatus.

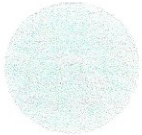
Unless accepted within 30 days from the above date, the right is reserved to withdraw this proposal.

Note: this proposal includes an in-stock demonstrator ambulance that is subject to prior sale. Signed contract and 25% deposit or Municipal Purchase Order are required to secure this vehicle.

**FESCO EMERGENCY SALES
7010 TROY HILL DR.
ELKRIDGE, MARYLAND 21075**

By 
Justin Nuckols, Regional Account Manager

QUOTE



Northwestern Emergency Vehicles

Rockfish Valley Fire & Rescue
 11100 Rockfish Valley HWY
 Afton, VA 22920

Date	Sales Rep.	FOB	Ship Via	Terms
9/7/23	David Hudler	Destination	Drive	Net on Acceptance

Quantity	Item	Description	Unit Price	Total
1		2024 Ford F- 550 4x4 Type I AEV Ambulance per your specs		\$334,270.00
			TOTAL	\$334,270.00

From: [Angela F Hicks](#)
To: [Amanda Spivey](#)
Subject: RE: Rockfish Fire & Rescue
Date: Monday, October 2, 2023 3:56:36 PM

Rockfish does not have any outstanding loan balances.

*Angela F Hicks, MGT
Nelson County Treasurer
84 Courthouse Sq
PO Box 100
Lovingson VA 22949
(P) 434-263-7060
(F) 434-263-7064*

From: Amanda Spivey
Sent: Monday, October 2, 2023 3:53 PM
To: Angela F Hicks <AHicks@nelsoncounty.org>
Subject: Rockfish Fire & Rescue

Angi,

One more question – does Rockfish have any outstanding loans?

Best,

Amanda Spivey
Nelson County Administrator's Office
Administrative Assistant/Deputy Clerk
(434) 263-7000

October 6, 2023

To: Board of Supervisors
From: C. McGarry
Re: Report for October 10, 2023 Board Meeting

- A. Comprehensive Plan:** The project website is www.Nelson2042.com. The County considered public feedback to date at a joint meeting of the Board of Supervisors and Planning Commission on September 28th and made adjustments to plan language to be incorporated into a revised draft. Additional feedback from the County and the public will be taken until October 26th. Comments may be left by completing a form on the nelson2042.com homepage or on the idea wall or by contacting County staff and Supervisors through October 26th. Final edits will be incorporated into a final draft tentatively by December 7th with public hearings to be held by the Planning Commission in late January and then by the Board of Supervisors in February.
- B. Piney River Solar, LLC Special Exception 2023-369 – Amherst County:** On August 17th, Amherst County held a public hearing on a special exception request for a revised utility scale solar energy system by Piney River Solar, LLC located at 2508 Patrick Henry Highway which is adjacent to the Piney River trail and it was referred back to their Planning Commission for consideration in September. The Amherst Planning Commission recommended denial of the permit siting inconsistency with the County’s Comprehensive Plan. Their Board of Supervisors will hold a public hearing on the permit at its October 17th meeting.
- C. State PSAP Staffing Recognition Grant:** The County applied for and will receive a one-time Virginia Department of Emergency Management grant that is meant to recognize and retain 911 dispatchers in State recognized PSAPs (Primary Safety Answering Points). The County will receive \$35,000 for this purpose, \$2,500 per each grant eligible position, which for Nelson includes 12 FT 911 Dispatch positions and 2 FT Authorized full-time PSAP managers/supervisors who are certified and actively work on the 9-1-1/ operations floor. Our project plan and timeline entails paying out \$1,250 to each eligible employee in November 2023 and \$1,250 in March 2024. The grant is on a reimbursement basis and appropriation of these funds were included in the October budget amendment for the Board’s consideration. A huge thank you to John for getting our folks this grant that recognizes the excellent work they are doing!
- D. Courthouse Complex Tree Work:** The Board of Supervisors authorized essential tree removal work at the Courthouse Complex; which is planned for October 11th – 13th from 7:30 am to 6:30 pm daily. For the duration of this work, the primary Courthouse Complex entrance at Courthouse Square will be closed and parking will be restricted along the rock wall of Court Street down to the corner of this entrance. The use of noise generating machinery and equipment is expected. Notices about this work have been distributed physically and by email to County employees and neighboring properties and will also be posted on the County’s website.
- E. Nelson County Service Authority (NCSA) Term Engineering Contract:** The Service Authority issued an RFP for Term Contract Engineering Services, four proposals were received, and a unanimous decision was made by the evaluation committee to negotiate a contract with the top ranked firm. The contracted firm will provide engineering tasks on an as needed basis as scoped. As authorized by the Board of Supervisors and in partnership with the NCSA, the first tasks to be scoped will be a Preliminary Engineering Report or PER that evaluates the Lovingson water and wastewater system capacities, which will include evaluation of the Dillard Creek area for a water impoundment and treatment plant and revitalization/modernization of the old Lovingson wastewater treatment plant. Staff will advise the Board of the cost proposals for this work when established.
- F. FY24 State Budget Amendment:**

Salary Adjustments: The General Assembly’s budget passed on September 6th contains funding of a 2% salary increase for K-12 education - SOQ recognized positions beginning January 1, 2024. It is my understanding the School Division intends to provide this increase across the board and can do so within their current budget. State supported local employees will receive an increase of 2% in their base salary after any approved targeted salary initiatives, effective December 1, 2023. Targeted salary initiatives include: reapplication of a compression increase for sworn deputies currently in an eligible position as they were on August 1, 2022. An adjustment for elected Sheriff’s to account for the State’s consolidation of population groups, restoration of unfunded positions in the

Commissioner of Revenue and Treasurer's offices at 50% reimbursement, and targeted increases for Assistant Commonwealth Attorneys and Circuit Court Clerk's Deputies. These funded salary increases will increase the amount of reimbursement to the County from the State; however, if applied uniformly to non-state funded positions, it will increase costs for locally funded positions. Staff is analyzing these impacts to be reported to the Board for consideration, prior to implementation of these pay adjustments. Note: The State Compensation Board memo on this states that since 2017, General Assembly language in the budget does not allow for these across-the-board salary increases for Constitutional Officers and employees to offset local salary supplement funds.

Regional Jail Authority Funding: The State's provision of 25% funding for the Regional Jail Authority's renovation project was included in the budget amendment. ACRJ is proceeding with scheduling its Financial Advisors (Davenport & Co.) to present an interim financing strategy to each member jurisdiction for approval. They are scheduled to present this at the Board's November 16th regular meeting.

- G. Opioid Abatement Authority Grants:** Partnership agreements are being circulated for signature for the Cooperative Partnership Grants awarded by the Opioid Abatement Authority. These awards are for \$834,974 for CITAC expansion and addition of 23-hour crises response and \$448,500 for Blue Ridge Center Community Response and addition of Community Drop In. There is no local match for these grants and Albemarle County will serve as the fiscal agent and will perform grant management functions.
- H. Route 151 Corridor Study Update:** VDOT and their consultant are updating the study which will include the dissemination of a public survey and a second in-person meeting to be scheduled for the first week of November tentatively at the Rockfish Valley Community Center at a time TBD. Following the public meeting, cost estimates on recommendations will be finalized and a subsequent VDOT presentation to the Board of Supervisors will be scheduled. As previously noted, this schedule flows well with that of the Comprehensive Plan; allowing for its consideration and inclusion in the final draft to be presented for public hearings in early to mid-winter 2023.
- I. Polling Place ADA Compliance Assessments:** The Virginia Department of Elections requires annual assessment of the County's polling places for ADA Compliance and further requires confirmation of ADA compliance through local Electoral Board certification. This annual certification is due back to the State by Monday, October 16, 2023. The Registrar (Jackie Britt) and her staff, Paul Truslow, and Mr. Tom Vandever, the Executive Director of the Independence Resource Center, conducted ADA assessments of all 9 of our voting sites which noted that 3 of our precinct locations (Lovingston Fire Department, Gladstone Rescue Squad, and Massies Mill Ruritan Club) presented outside accessibility difficulties that would need modification to become fully ADA accessible by the November election. Paul and Billy worked diligently with Jackie and her staff over the last few weeks to obtain the site owner's permission at each location and to implement the required ADA compliance fixes recommended by Mr. Vandever. The primary alterations made at each of these locations involved concrete work that provided modification of the slope of the approaches to and leveling of the landing spaces at the entryways of the front doors and some minor increases in size of parking areas. There were a few accessibility issues identified at the Registrar's office with the primary issue being handicap van accessible parking. This has been temporarily addressed through coordination with Atlantic Union Bank for the temporary dedicated use of a shared handicap van accessible space immediately adjacent to the Registrar's building and new striping of said space up through the November election. A shared permanent space has been requested of the Bank by the County with the outcome TBD. Mr. Vandever returned to evaluate the work that was done, noting all sites were fully ADA compliant and commending County staff for achieving this compliance so expeditiously. The Electoral Board will now be able to certify ADA compliance to the state by the deadline. A huge thank you goes out to Jackie and her staff and to our maintenance staff (Paul and Billy) for making this a priority!
- J. DSS Building/Calohill Site:** PMA has evaluated use of a centralized filing system versus individual office files for the impact to square footage; noting "The conclusion is that this would reduce the total square footage for offices by 126 square feet but add a new room that would enlarge the building by 575sf to 625sf. This is why small DSS offices rely on case files to remain in the offices." Timmons has reported that the newest site concept has been successful in reducing the footprint of the project from the first concept in 2022. The newest concept requires about 3.5 acres of development on the site as opposed to 5 acres. Additionally, if the project only entails DSS needs, then the actual development of the site and parking can yield a smaller parking lot and building footprint; which could reduce the site development costs as much as \$1M from the first estimate and it would also reduce the budget for the building. PMA recommends having Downey & Scott update their cost estimate. Timmons has also reported that

addressing stormwater will either require creating a stormwater retention pond on site, which may require blasting, or an easier and potentially less expensive option would be to construct this across the other side of Callohill if an easement could be obtained or additional land were procured. PMA is working on a design fee proposal to move the project forward from this point through design, bidding, and construction.

K. Staff Reports: Department and office reports for May have been provided.

(1) New Vacancies/Expiring Seats & New Applicants :					
Board/Commission	Term Expiring	Term & Limit Y/N	Incumbent	Re-appointment	Applicant (Order of Pref.)
Nelson County Service Authority - North District	6/30/2026	4 Year Term/No Limits	Justin Shimp	N - Resigned	
Board of Zoning Appeals	11/9/2023	5 Year Term /No Limits	Carole Saunders	Y	Carole Saunders
(2) Existing Vacancies:					
Board/Commission	Terms Expired				

NELSON COUNTY SERVICE AUTHORITY

NAME, ADDRESS & PHONE

TERM 4 Years, No Limits

Justin Shimp, P.E.- **North District**
148 Tanbark Dr.
Afton, VA 22920
H: (434) 953-6116
Justin@shimp-engineering.com

July 1, 2022 – June 30, 2026

***RESIGNED**

Ernie Q. Reed - **Central District**
971 Rainbow Ridge Rd.
Faber, VA 22938
H: (434) 971-1647
C: (434) 249-8330
ereed@nelsoncounty.org
lec@wildvirginia.org

July 1, 2022 - June 30, 2026

Robert McSwain- **East District**
3254 Dutch Creek Lane
Shipman, VA 22971
H: (434) 263-6714
losthorseshoe2@gmail.com

July 1, 2022 -June 30, 2026

Sergio Sanchez- **South District**
1035 Gladstone Road
Gladstone, VA 22971
H: (434) 941-1811
sergio.sanchez321@yahoo.com

July 1, 2020 - June 30, 2024
(appointed 9/13/22)

David S. Hight – **West District**
P.O. Box 5
Roseland, VA 22967
H: (434) 277-5351
DHUMINC@gmail.com

July 1, 2020 - June 30, 2024

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

Membership: 5 Members appointed by Election District.

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

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

Meetings: Regular meetings are held monthly on the third Thursday of each month at 8:30am. Members are compensated \$100 per meeting plus mileage paid at the existing State mileage rate per BOS Resolution dated February 8, 2022.

BOARD OF ZONING APPEALS
Board Appoints & Recommends Certification by the Circuit Court

<u>Name & Address</u>	<u>Term Expiration Date</u>
Angela Jones 148 Miles Lane Faber, VA 22938 H 434-995-9441 ajjones9267@gmail.com	November 11, 2026
Carole Saunders 1610 Wilson Hill Rd. Arrington, VA 22922 H (434) 263-4976 carolevar@aol.com	November 9, 2023
W. Jerrold Samford 302 Bellevette Place Arrington, VA 22922 (804) 314-7291 jerry.samford@troutman.com	November 11, 2027
Mary Kathryn Allen (Active PC Member) 7763 Richmond Hwy. Gladstone, VA 24553 (434) 933-8214 mkallen@vaems.org	November 1, 2024
Shelby Bruguiere 1339 Stoney Creek West Nellysford VA 22958 540-456-6778 (H) Shelby@DickieBros.com	November 10, 2025
Mary Cunningham (Alternate) 171 Joshua Lane Afton, VA 22920 434-882-1587 (H) mscsherpa@gmail.com	March 30, 2025

BOARD OF ZONING APPEALS

Board Recommends Appointment to the Circuit Court.

Established: by Article 14 of the Nelson County Code,

Composition: 5 members and an alternate recommended by the BOS and appointed by the Nelson Circuit Court, 1 of which is an active Planning Commission member.

Term of Office: 5 years; No Term Limits

Summary of Duties:

To hear and decide applications for Special Use Permits where authorized by Ordinance including deciding interpretation of the district map where there is uncertainty as to location or boundary. To authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to public interest.

Meetings:

Meetings are held at the call of the Chairman or at such times as a quorum of the board may determine. Members serve on a volunteer basis without pay other than for travel expenses.

Nelson County Board of Supervisors

To: Board of Supervisors
From: Dylan M. Bishop, Director of Planning & Zoning *DMB*
Date: October 10, 2023
Re: SUP #998 – Vacation House in R-1 – 2617 Rockfish Valley Hwy

BACKGROUND: This is a request for a Special Use Permit to allow a vacation house use in an existing dwelling on property zoned R-1 Residential.

Public Hearings Scheduled: P/C – August 23; Board – October 10

Location / Election District: 2617 Rockfish Valley Hwy / Central District

Tax Map Number(s) / Total Acreage: 21-7-2A / 1.08 acres +/- total

Applicant/Owner Contact Information: Gretchen Rush, 2617 Rockfish Valley Hwy, Nellysford, VA 22958, 210-931-9892, gretchrush@gmail.com / Glenda MacNeil, 544 Creek Heights Drive, Midlothian, VA 23112, 804-920-2628, aresmom@yahoo.com

Comments: This property contains an existing single-family dwelling. The narrative provided by the applicants indicates that this is one owner's primary residence, and the other owner's part-time residence until she retires. They are requesting to utilize the dwelling as a vacation house, or short-term rental, 2-3 weekends per month.

Vacation House: A house rented to transients. Rental arrangements are made for the entire house, not by room...

Transient: A guest or boarder; one who stays for less than thirty (30) days and whose permanent address for legal purposes is not the lodging or dwelling unit occupied by that guest or boarder.

Section 5-1-5a of the Zoning Ordinance requires a Special Use Permit for a vacation house use in the R-1 Residential district.

DISCUSSION:

Land Use / Floodplain: This area is residential and commercial in nature, with some agricultural uses as well. Zoning in the vicinity is R-1 Residential, A-1 Agriculture, and B-1 Business. There are no floodplains located on this property.

Access / Traffic / Parking: This property is accessed by an existing entrance on Rockfish Valley Hwy. VDOT had no comments.

Utilities: The house is served by existing utilities.

Comprehensive Plan: The Nellysford area is designated as the County's only "Neighborhood Mixed Use Development Model." It is further identified as a "primary development area." This model supports a central gathering place able to fulfill the diverse needs and interests of nearby residents and visitors to the county, all within a focused, walkable, and identifiable place.

At their meeting on August 23, there was a motion to recommend approval that failed with a vote of (2-4). There were no subsequent motions, therefore there is no recommendation from the Planning Commission for SUP #998.

RECOMMENDATION: The approval of special use permits should be based on the following factors:

1. The use shall not tend to change the character and established pattern of development of the area or community in which it proposed to locate.
2. The use shall be in harmony with the uses permitted by right in the zoning district and shall not affect adversely the use of neighboring property.
3. The proposed use shall be adequately served by essential public or private water and sewer facilities.
4. The proposed use shall not result in the destruction, loss or damage or any feature determined to be of significant ecological, scenic or historical importance.

Attachments:

Application
Narrative
Plat
Zoning



PERMIT APPLICATION:

Nelson County Department of Planning & Zoning

TO THE ZONING ADMINISTRATOR: Special Use Permit # 998
application type application number

1. The undersigned hereby petitions the Planning Commission and/or Board of Supervisors for approval of the following (check appropriate box):

- | | |
|---|--|
| <input checked="" type="checkbox"/> Special Use Permit | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> Rezoning from _____ to _____ | <input type="checkbox"/> Site Plan – Minor |
| <input type="checkbox"/> Conditional Rezoning from _____ to _____ | <input type="checkbox"/> Site Plan – Major |
| <input type="checkbox"/> Other: _____ | |

Reason(s) for request:

We are requesting a special use permit to use our primary residence for part time vacation rental.

(Please use reverse or attach additional sheet if more space is needed.)

2. Applicant(s) and Property Owner(s):

(Please provide names of applicants and property owners and indicate applicable title; if applicant is not the property owner, please show relationship, i.e. lessee, contract purchaser, etc.)

Applicant Property Owner Name: Gretchen Rush

Mailing Address: 2617 Rockfish Valley Highway Nellysford 22958

Telephone #: 210-931-9892 Email Address: gretchrush@gmail.com

Relationship (if applicable): _____

Applicant Property Owner Name: Glenda MacNeil

Mailing Address: 544 Creek Heights Drive Midlothian, VA 23112

Telephone #: 804-920-2628 Email Address: aresmom@yahoo.com

Relationship (if applicable): _____

(Please attach additional sheet if more space is needed for applicant(s) / property owner(s) info.)

3. Location and Characteristics of Subject Property:

a. Address of Property (specific location, route numbers, street names, voting district, etc.):

2617 Rockfish Valley Highway Nellysford, VA 23112

b. Official tax map number: 21-7-2A

c. Acreage of property: 1.027

d. Present use: primary residence

e. Present zoning classification: R-1

f. Zoning classification of surrounding properties: R-1, A-1, Business

4. Affidavit: The undersigned applicant(s) and/or property owner(s) certifies that this application and the foregoing answers, statements, and other information herewith submitted are, in all respects, true and correct to the best of their knowledge and belief. Also, the applicant(s) and/or property owner(s) gives permission for members of the Planning Commission, Board of Supervisors, and County Staff to visit and view the subject property.

Signature: Glenda MacNeil

Printed Name: Glenda MacNeil

Signature: Gretchen Rush

Printed Name: Gretchen Rush

(Please attach additional sheet if more space is needed for applicant(s) / property owner(s) signatures.)

5. Additional information: *(Please attach separate sheet for additional details, explanations, etc.)*

6. Please note: In the event of cancellation or postponement at your request after the initial newspaper advertisement for this application, an additional fee will apply for re-advertisement (determined by the actual cost of the ad). This fee will not apply in cases of Planning Commission or Board of Supervisors deferment.

-----**TO BE COMPLETED BY PLANNING & ZONING STAFF**-----

Pursuant to Article _____, Section _____ of the Nelson County Zoning Ordinance.
Pursuant to Section _____, Subsection _____ of the Nelson County Subdivision Ordinance.

o Completed application and fee (\$ 200) received on 7.28.2023

o Hearing Notice published on _____

o Planning Commission action: Date of Meeting / Hearing: _____
Recommendation: _____

o Board of Supervisors action: Date of Hearing: _____ Date of Decision: _____
Action: _____

Nelson County Planning & Zoning Department

(Mailing Address) P.O. Box 558, Lovingston, Virginia 22949 | *(Physical Address)* 80 Front Street, Lovingston, Virginia 22949

(Telephone Number) 434 263-7090 or Toll Free 888 662-9400, selections 4 & 1 | *(Fax Number)* 434 263-7086

<http://www.nelsoncounty-va.gov/departments/planning-zoning/>

Dear Nelson County Board of Supervisors,

July 27, 2023

We would respectfully like to apply for a special use permit to allow us to occasionally rent our primary residence at 2617 Rockfish Valley Highway on Airbnb. The Rockfish Valley house is Gretchen's full-time residence and Glenda's part-time one until she finishes up her 40 plus year elementary teaching career in the Richmond area. Ideally, we would rent the house 2-3 weekends per month to supplement Gretchen's part-time teaching income and to continue to restore the 60-year-old home and surrounding grounds, which have fallen into disrepair as the former owners aged.

When we bought our home in November of 2022, we were under the impression Nellysford (being unincorporated) and having an abundance of short-term rentals, that we would be free to Airbnb our new home. We now know that we were mistaken, and our home is designated in a R-1 zone surrounded by both A-1 and Business zones. We really do want to be in compliance with all Nelson County zoning, health and building regulations.

Our next-door neighbors, Tommy and Penny Harris and Linda and Dale Ward, have been the best neighbors we have ever had. Their kindness and generosity literally have known no bounds. We have been completely transparent of our intentions to occasionally Airbnb the house to supplement our income. We have not met any of our other neighbors and were completely shocked that an anonymous complaint had been filed against the use of our home. We were also mistaken in thinking that we could use our own small camper and host a traveling ICU nurse at Augusta and her husband, who is a virtual family therapist, who could not find a place, on the back of our property. When we applied for the Nelson County short term rental business license, we included the RV hosting on the application thinking that should cover things... At that point we did not understand the Nelson County zoning restrictions. We never anticipated that how we were using our land would disrupt our neighbor's lives to the point that a complaint was filed without ever meeting or discussing a problem with us. Since this has come to our attention, we have met with Nelson County zoning, building and health officials and removed our property from RV hosting sites and blocked future Airbnb reservations until the permit application process has been completed.

We very much want to live peacefully in Nelson County and on Rockfish Valley Highway. Our intention is to live out our days happily caring for our home and contributing to our community. We will be volunteering our lifelong teaching skills back to the community as substitute teachers, coach and Master Gardener (Gretchen), reading specialist and tutor (Glenda) and are new members to the Rockfish Presbyterian Church. We hope to be great neighbors and friends to all we meet...

Thank you for thoughtfully considering our request for a special use permit.

Sincerely,

Glenda Mac Neil
1st Grade Teacher: Watkins Elementary School
Chesterfield County Virginia



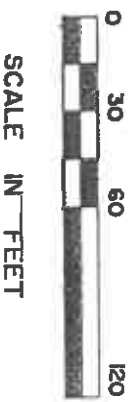
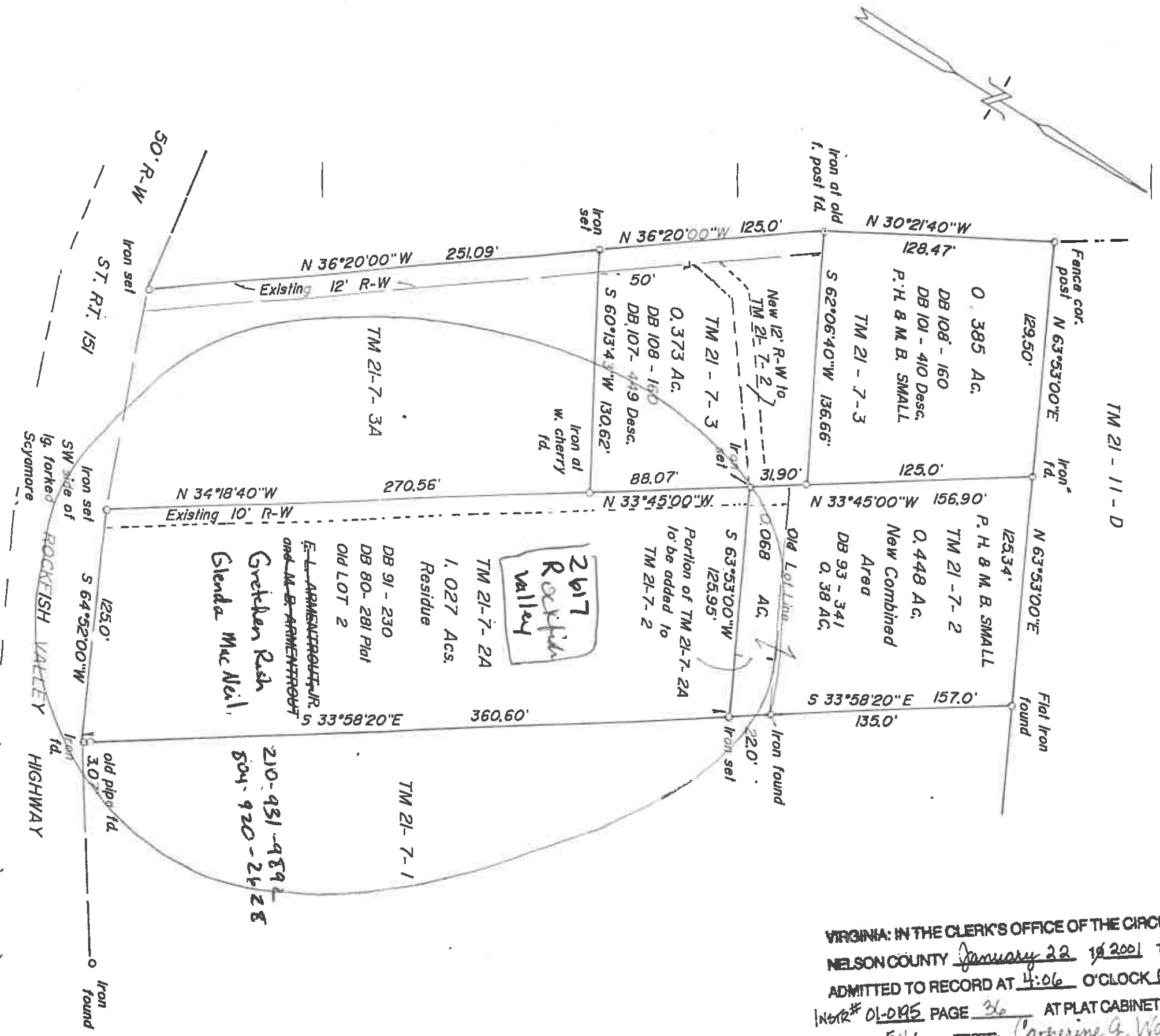
Gretchen Rush
Retired College Tennis Coach
West Albemarle Girls Tennis Coach
Boar's Head Resort: Asst. Tennis Pro



Signatures: Planning & Zoning Director
 VA Dept. of Trans. portation
 VA Dept. of Health

Tax Map 3-541C

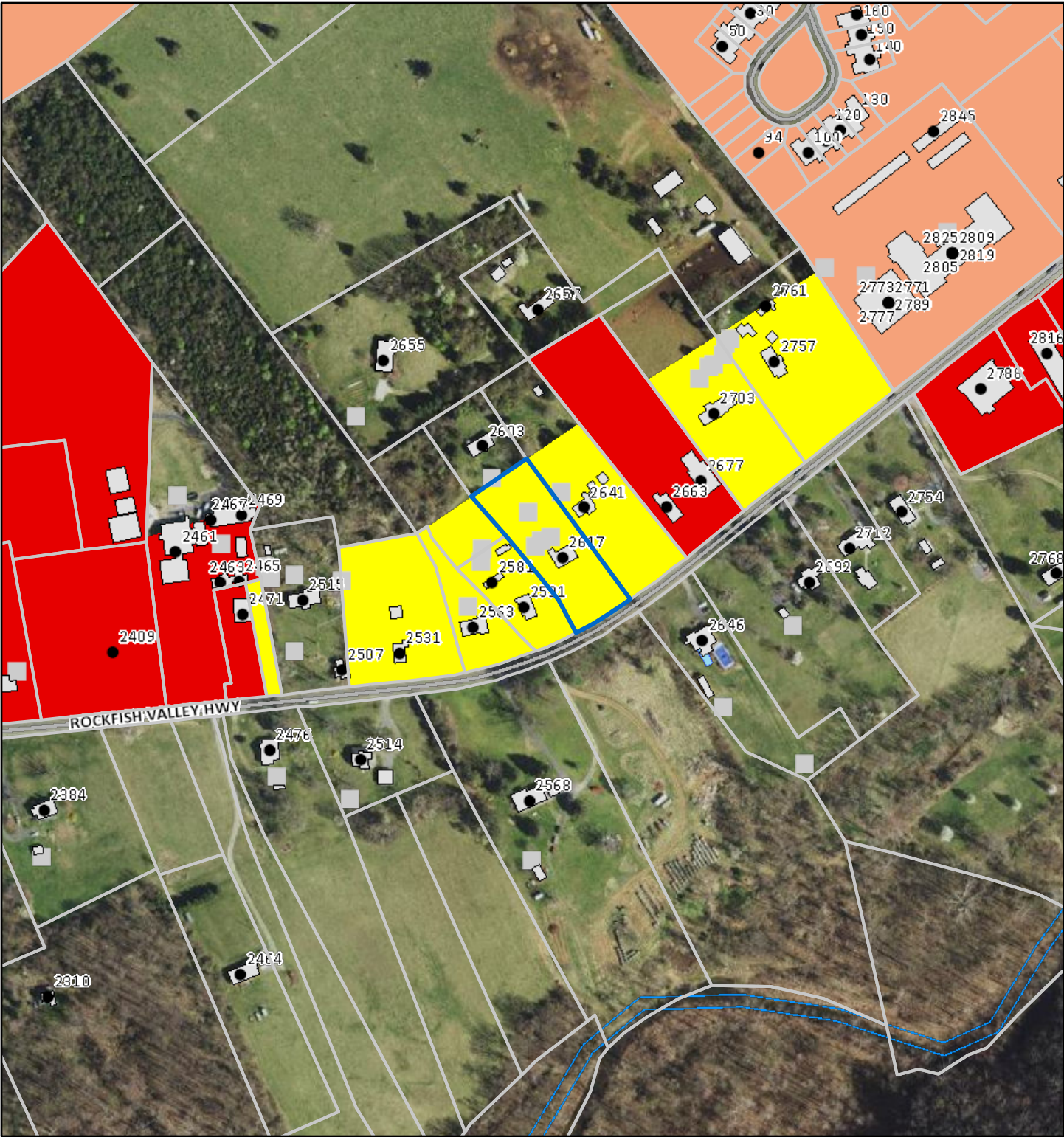
VIRGINIA: IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF
 NELSON COUNTY January 22 10 2001 THIS PLAT WAS
 ADMITTED TO RECORD AT 4:06 O'CLOCK P M As
 INSTR# 01-095 PAGE 36 AT PLAT CABINET 3
 SLIDE 541 TESTE: Catherine G. Watkins



APPROVED FOR RECORDATION - COUNTY OF NELSON, VA.
 Approved in accordance with Section 3-2-B (3)
 of the Nelson County Subdivision Ordinance.
 Designated Agent And K. B. Gye Date 9/1/2000

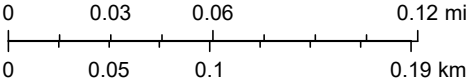
PLAT SHOWING

Revision to Tax Map 21 - 7 - Parcels 2 and 2A
 and survey of two parcels TM 21 - 7 - Par. 3
 Situated in the Village of Nellysford
 Rockfish District - Nelson County, Virginia



August 15, 2023

1:4,514



Emily Hjulstrom

From: Alan Patrick <ampatrick0@icloud.com>
Sent: Wednesday, August 23, 2023 3:12 PM
To: Emily Hjulstrom; Dylan Bishop
Cc: Ernie Reed; Robin Hauschner
Subject: Special Use Permit #998 - Vacation House

Hello,

I did not realize that the meeting to discuss the special use permit is scheduled for today. I am unable to attend, however, I would like to submit my objection to this permit. I live at 2646 Rockfish Valley Hwy, Nellsford, Virginia 22958.

I recently heard about the request for a vacation home and I understand that some have been approved already. I am not opposed to something like an Airbnb in principle, however, I think that each should be evaluated individually. In this instance, I am not in favor. About a week ago when I went to the post office I noticed 3 campers parked behind the home in question. When I inquired about this more, I was informed that the person had requested to offer "camp sites" on the property. Nellysford is a rural residential community and having camp sites is not in the best interest of the community. I was also informed that the people had planned a compost-style waste disposal, which does not make sense to me. The home, like most homes around here, have a septic system that supports the home. If multiple campers are allowed to connect to the current home's septic system, which from my understanding has not been modified since the home was built in approximately 1960, how do they propose to deal with the additional waste? If a compost system is planned, then we have a serious problem. Any time it rains, that particular home is inundated by water coming from the Wintergreen resort, just as my property is across the road. I have made my concerns known to the planning commission already about the amount of water that comes into the community when we have large rains, and this house in particular is one which is affected because to the right of the home (facing the home from Rt 151), a large pond forms along the side and toward the front of the property until the water can eventually drain through the culvert under the road, past my property and to the river. I have also been told (granted, I know this will be deemed hearsay, but it is true to the best of my knowledge), each time it rains, the land immediately behind the property is saturated until all the water drains away. This means that any composting would have to be properly monitored, maintained and regulated to ensure that the waste is not allowed to seep into the well water or to passed downstream through the drainage ditch. In which case, if this occurs, would come directly to my property because the water that drains beside this property comes across the road under a culvert to my property and eventually makes it's way into the river. Having waste products going into the river and into the community is unacceptable.

For these reasons, I object to the approval of such a special use permit.

Thank you for your time.

-Alan

—
Alan Patrick
ampatrick0@icloud.com
434-260-9473

Please publish Thurs. September 28th and October 5th in The Nelson County Times:

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

In accordance with Volume 3A, Title 15.2, Counties, Cities and Towns, of the Code of Virginia, 1950, as amended, and pursuant to §15.2-107, §15.2-2204, §15.2-2285, §15.2-2310 and §15.2-4307, the Nelson County Board of Supervisors hereby gives notice that a Public Hearing will start at **7:00 p.m., Tuesday, October 10, 2023** in the **General District Courtroom** on the third floor of the Nelson County Courthouse located at 84 Courthouse Square, Lovingston.

Public Hearing(s):

1. Special Use Permit #998 – Vacation House

Consideration of a Special Use Permit application requesting County approval to allow a Vacation House on property zoned R-1 Residential. The subject property is located at Tax Map Parcel #21-7-2A at 2617 Rockfish Valley Hwy in Nellysford. The subject property is 1.027 acres and is owned by Gretchen Rush and Glenda MacNeil.

Copies of the above files are available for review in the Dept. of Planning & Zoning office, 80 Front Street, Lovingston, Virginia, Monday through Friday, 8:00 a.m. to 4:00 p.m., or the Office of the County Administrator, 84 Courthouse Square, Monday through Friday, 9:00 a.m. to 5:00 p.m. For more information, call the County Administrator's Office at (434) 263-7000. EOE.

BY AUTHORITY OF NELSON COUNTY BOARD OF SUPERVISORS

October 10, 2023 Public Hearing

Proposed Corrections to FY24 Budget
Adoption and Appropriation
Resolutions (R2023-40 and R2023-41)

Virginia State Code Authority

§15.2-2503 and §15.2-2506

- ▶ § 15.2-2503. Time for preparation and approval of budget; contents.
- ▶ § 15.2-2506. Publication and notice; public hearing; adjournment; moneys not to be paid out until appropriated.

Background

- ▶ On June 13, 2023, the Nelson County Board of Supervisors approved resolutions for the FY24 Budget Adoption (R2023-40) and Appropriation of Funds (R2023-41). The total FY24 budgeted amount was shown as \$93,052,486 in both resolutions.
- ▶ During the annual FY23 year end and subsequent FY24 beginning year financial processes in August 2023, staff discovered a clerical error in the General Fund total as presented in the aforementioned resolutions affecting the overall adopted and appropriated budget for FY24. The correct FY24 budget adoption and appropriation total should be \$95,163,565 including the VPA Fund (DSS) amount of \$2,111,079 that was omitted from this total. ($\$93,052,486 + \$2,111,079$).
- ▶ Staff consulted with the County Attorney and Auditors on how to effect the correction and they recommended that staff follow initial budget adoption and appropriation procedures in accordance with §15.2-2506 of the Code of Virginia requiring a public hearing following seven (7) days notice.

Background Continued

- ▶ Pursuant to §15.2-2506, the Board of Supervisors authorized the public hearing on September 13, 2023, via adoption of resolution R2023-61.
- ▶ The Public Hearing Notice was published in the September 28, 2023 edition of NC Times - 13 days notice prior to BOS public hearing date.

Original FY24 Budget Adoption Resolution R2023-40

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Nelson County, Virginia that the Fiscal Year 2023-2024 Budget be hereby adopted in the total amount (all funds, revenues and expenditures) of \$93,052,486. The individual fund totals are denoted as follows:

<u>Fund</u>	<u>Budget</u>
General	\$48,111,255.00
VPA(DSS)	\$ 2,111,079.00
Debt Service	\$ 6,341,318.00
Capital	\$ 705,251.00
School	\$34,694,395.00
Textbook	\$ 595,000.00
Cafeteria	\$ 299,280.00
Piney River Water/Sewer	\$ 194,908.00

Proposed Corrected FY24 Budget Adoption Resolution R2023-40C

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Nelson County, Virginia that the Fiscal Year 2023-2024 Budget be hereby adopted in the total amount (all funds, revenues and expenditures) of \$95,163,565. The individual fund totals are denoted as follows:

<u>Fund</u>	<u>Budget</u>
General	\$50,222,334.00
VPA(DSS)	\$ 2,111,079.00
Debt Service	\$ 6,341,318.00
Capital	\$ 705,251.00
School	\$34,694,395.00
Textbook	\$ 595,000.00
Cafeteria	\$ 299,280.00
Piney River Water/Sewer	\$ 194,908.00

Original FY24 Budget Appropriation Resolution R2023-41

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Nelson County, Virginia that the Fiscal Year 2023-2024 Budget be hereby appropriated on an annual basis by fund category, as follows:

<u>Fund</u>	<u>Revenue(s)</u> <u>(All Sources)</u>	<u>Expenditure(s)</u> <u>(All Departments)</u>
General	\$48,111,255.00	\$48,111,255.00
VPA(DSS)	\$ 2,111,079.00	\$ 2,111,079.00
Debt Service	\$ 6,341,318.00	\$ 6,341,318.00
Capital	\$ 705,251.00	\$ 705,251.00
School	\$34,694,395.00	\$34,694,395.00
Textbook	\$ 595,000.00	\$ 595,000.00
Cafeteria	\$ 299,280.00	\$ 299,280.00
Piney River Water/Sewer	\$ <u>194,908.00</u>	\$ <u>194,908.00</u>
	\$93,052,486.00	\$ 93,052,486.00

Proposed Corrected FY24 Budget Appropriation Resolution R2023-41C

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Nelson County, Virginia that the Fiscal Year 2023-2024 Budget be hereby appropriated on an annual basis by fund category, as follows:

<u>Fund</u>	<u>Revenue(s)</u> <u>(All Sources)</u>	<u>Expenditure(s)</u> <u>(All Departments)</u>
General	\$50,222,334.00	\$50,222,334.00
VPA(DSS)	\$ 2,111,079.00	\$ 2,111,079.00
Debt Service	\$ 6,341,318.00	\$ 6,341,318.00
Capital	\$ 705,251.00	\$ 705,251.00
School	\$34,694,395.00	\$34,694,395.00
Textbook	\$ 595,000.00	\$ 595,000.00
Cafeteria	\$ 299,280.00	\$ 299,280.00
Piney River Water/Sewer	<u>\$ 194,908.00</u>	<u>\$ 194,908.00</u>
	\$95,163,565.00	\$95,163,565.00

Next Steps

- ▶ Conduct the public hearing to receive citizen input on the proposed corrected resolutions.
- ▶ Obtain Input from Staff if desired
- ▶ Pursuant to **§ 15.2-2506**, there is a minimum seven (7) day waiting period between the public hearing and when the Board can take action on the proposed Corrected Resolutions R2023-40C and R2023-41C
- ▶ Staff Recommends Favorable Consideration of Resolutions R2023-40C and R2023-41C at the next regular Board Meeting scheduled for November 16, 2023.



BOARD OF SUPERVISORS

THOMAS D. HARVEY
North District

ERNIE Q. REED
Central District

JESSE N. RUTHERFORD
East District

ROBERT G. BARTON, JR.
South District

J. DAVID PARR
West District

CANDICE W. MCGARRY
County Administrator

AMANDA B. SPIVEY
Administrative Assistant/
Deputy Clerk

LINDA K. STATON
Director of Finance and
Human Resources

CORRECTED
RESOLUTION 2023-40C
ADOPTION OF BUDGET
FISCAL YEAR 2023-2024
(JULY 1, 2023 - JUNE 30, 2024)
NELSON COUNTY, VIRGINIA

WHEREAS, pursuant to the applicable provisions of Chapter 25, Budgets, Audits and Reports of Title 15.2 of the Code of Virginia, 1950, the Board of Supervisors of Nelson County, Virginia has prepared a budget for informative and fiscal planning purposes only and has also established tax rates, as applicable, for Fiscal Year 2023-2024 (July 1, 2023 - June 30, 2024); and

WHEREAS, the completed Fiscal Year 2023-2024 Budget is an itemized and classified plan of all contemplated expenditures and all estimated revenues and borrowing; and

WHEREAS, the Board of Supervisors has published a synopsis of the budget, given notice of a public hearing in a newspaper having general circulation in Nelson County and, subsequent thereto, convened a public hearing on the Fiscal Year 2023-2024 Budget on May 9, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Nelson County, Virginia that the Fiscal Year 2023-2024 Budget be hereby adopted in the total amount (all funds, revenues and expenditures) of **\$95,163,565**. The individual fund totals are denoted as follows:

<u>Fund</u>	<u>Budget</u>
General	\$ 50,222,334.00
VPA(DSS)	\$ 2,111,079.00
Debt Service	\$ 6,341,318.00
Capital	\$ 705,251.00
School	\$ 34,694,395.00
Textbook	\$ 595,000.00
Cafeteria	\$ 299,280.00
Piney River Water/Sewer	\$ 194,908.00

- 1) The General Fund includes \$2,894,977 in COVID-19 Stimulus Funding and \$24,066,135 in local funding transferred to: The Reassessment Fund \$85,000, the Debt Service Fund \$3,325,284 (\$3,165,368 debt service and \$159,916 reserve), the Piney River Water & Sewer Fund \$0, and the School Fund \$18,544,772 (\$18,379,837 for general operations and \$164,935 allocated for school nurses). Also included is \$2,111,079 in local, state, and federal funds transferred to the VPA Fund (DSS) and contingency/reserve funds of: Recurring Contingency \$509,702, Non-Recurring Contingency \$399,920, and School Capital Reserve \$0.
- 2) The School Fund includes a transfer of \$184,803 to the Textbook Fund and \$3,884,299 in Federal COVID-19 Stimulus Funding.

BE IT LASTLY RESOLVED, that adoption of the Fiscal Year 2023-2024 Budget shall not be deemed to be an appropriation and no expenditures shall be made from said budget until duly appropriated by the Board of Supervisors of Nelson County, Virginia.

Adopted: _____, 2023

Attest: _____ Clerk,
Nelson County Board of Supervisors



BOARD OF SUPERVISORS

THOMAS D. HARVEY
North District

ERNIE Q. REED
Central District

JESSE N. RUTHERFORD
East District

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J. DAVID PARR
West District

CANDICE W. MCGARRY
County Administrator

AMANDA B. SPIVEY
Administrative Assistant/
Deputy Clerk

LINDA K. STATON
Director of Finance and
Human Resources

CORRECTED
RESOLUTION R2023-41C
FISCAL YEAR 2023-2024
APPROPRIATION OF FUNDS

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

WHEREAS, the Nelson County Board of Supervisors has heretofore approved the Fiscal Year 2023-2024 Budget (July 1, 2023 to June 30, 2024) for the local government of Nelson County and its component units; and

WHEREAS, the Board of Supervisors now proposes to appropriate the funds established in the Fiscal Year 2023-2024 Budget;

NOW, THEREFORE, BE IT RESOLVED by the Nelson County Board of Supervisors that the Fiscal Year 2023-2024 Budget be hereby appropriated on an annual basis by fund category, as follows:

<u>Fund</u>	<u>Revenue(s)</u> <u>(All Sources)</u>	<u>Expenditure(s)</u> <u>(All Departments)</u>
General	\$50,222,334.00	\$50,222,334.00
VPA (DSS)	\$ 2,111,079.00	\$ 2,111,079.00
Debt Service	\$ 6,341,318.00	\$ 6,341,318.00
Capital	\$ 705,251.00	\$ 705,251.00
School	\$34,694,395.00	\$34,694,395.00
Textbook	\$ 595,000.00	\$ 595,000.00
Cafeteria	\$ 299,280.00	\$ 299,280.00
Piney River Water/Sewer	\$ 194,908.00	\$ 194,908.00
	\$95,163,565.00	\$95,163,565.00

BE IT FURTHER RESOLVED by the Board of Supervisors that:

1. The General Fund appropriation includes \$2,894,977 in COVID-19 Stimulus Funds and the transfer of: \$2,111,079.00 (4-100-093100-9201) to the VPA Fund (DSS) (3-150-004105-0001); 3,325,284.00 (4-100-093100-9204) to the Debt Service Fund (3-108-004105-0100), \$18,544,772 (4-100-093100-9202/Nursing \$164,935, 4-100-093100-9203/Operations \$18,379,837, 4-100-093100-9205/Buses \$0, 4-100-093100-9206/Capital \$0) to the School Fund (3-205-004105-0001); \$0 (4-100-093100-9114) to the Broadband Fund (3-114-004105-0100); \$85,000 (4-100-93100-9101) to the Reassessment Fund (3-101-004105-0001); and \$0 (4-100-093100-9207) to the Piney River Water & Sewer Fund (3-501-004105-0001).

2. The amounts transferred from the General Fund to the VPA Fund (DSS), Debt Service Fund, School Fund, and Piney River Water & Sewer Fund are also included in the total appropriation for each of these funds.
3. The School Fund includes \$3,884,299 in Federal COVID-19 Stimulus Funding.
4. The Textbook Fund appropriation includes the allocation of \$184,803 from the School Fund.
5. The Debt Service Fund includes \$3,165,368 in current debt service and \$3,175,950 in debt service reserve.
6. The appropriation of funds to the School Fund, Textbook Fund, Cafeteria Fund, and VPA Fund (DSS) shall be in total and not categorically.
7. The appropriation and use of funds within the General, Debt Service, Capital, and Piney River Water & Sewer funds shall adhere to the amounts prescribed by the Board of Supervisors for each department therein unless otherwise authorized by the Board of Supervisors.

Adopted: _____, 2023

Attest: _____, Clerk
Nelson County Board of Supervisors



BOARD OF
SUPERVISORS

THOMAS D. HARVEY
North District

ERNIE Q. REED
Central District

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East District

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Administrative Assistant/
Deputy Clerk

LINDA K. STATON
Director of Finance and
Human Resources

**RESOLUTION R2023-61
NELSON COUNTY BOARD OF SUPERVISORS
AUTHORIZATION FOR PUBLIC HEARING
CORRECTION OF FY24 BUDGET ADOPTION AND APPROPRIATION
RESOLUTIONS**

BE IT RESOLVED, by the Nelson County Board of Supervisors, that pursuant to §15.2-2503, and §15.2-2506 of the Code of Virginia 1950 as amended that a public hearing is hereby authorized to be held on Tuesday, October 10, 2023 at 7:00 PM in the General District Courtroom of the Courthouse in Lovingson, Virginia. The purpose of the public hearing is to receive public input on proposed resolutions correcting the originally approved FY24 Budget Adoption (R2023-40) and Appropriation (R2023-41) Resolutions, to include the \$2,111,079 budgeted within the General Fund to be transferred to the VPA (Department of Social Services) Fund. The General Fund total, including the VPA Fund transfer amount, is \$50,222,334 making the FY24 total appropriations for all funds \$95,163,565.

Approved: September 12, 2023

Attest: *Candice W. McGarry*, Clerk
Nelson County Board of Supervisors

PUBLIC HEARING SYNOPSIS

Correction of FY24 Budget Adoption (R2023-40) and Appropriation (R2023-41) Resolutions

On June 13, 2023, the Nelson County Board of Supervisors approved resolutions for the FY24 Budget Adoption (R2023-40) and Appropriation of Funds (R2023-41). The total FY24 budgeted amount was **\$93,052,486** in both resolutions.

During the annual FY23 year end and subsequent FY24 beginning year financial processes in August 2023, staff discovered a clerical error in the General Fund total as presented in the aforementioned resolutions affecting the overall adopted and appropriated budget for FY24. The correct FY24 budget adoption and appropriation total should be **\$95,163,565** (\$93,052,486 + \$2,111,079). Staff consulted with the County Attorney and Auditors on how to effect the correction and they recommended that staff follow initial budget adoption and appropriation procedures in accordance with §15.2-2506 of the Code of Virginia requiring a public hearing.

In the original General Fund adoption and appropriation, \$2,111,079 (appropriated to VPA, DSS) was omitted in error. This amount must be included in the General Fund total for adoption and appropriation transfer from the General Fund to the VPA (DSS) Fund. The General Fund budget must be corrected to add \$2,111,079 to the original General Fund budget approved and appropriated at \$48,111,255. The resulting adopted General Fund budget and General Fund appropriation as corrected will be **\$50,222,334**. Making this correction will adjust the total of all adopted and appropriated funds to the correct amount of **\$95,163,565**.

FY24 CORRECTED BUDGET SUMMARY AS PROPOSED

REVENUES BY FUND

General Fund	\$50,222,334
VPA (DSS)	2,111,079
Debt Service Fund	6,341,318
Capital Fund	705,251
School Division	34,694,395
Textbook Fund	595,000
Cafeteria Fund	299,280
Piney River Water & Sewer Fund	<u>194,908</u>
	\$95,163,565

EXPENDITURES BY FUND

General Fund	\$50,222,334
VPA (DSS)	2,111,079
Debt Service Fund	6,341,318
Capital Fund	705,251
School Division	34,694,395
Textbook Fund	595,000
Cafeteria Fund	299,280
Piney River Water & Sewer Fund	<u>194,908</u>
	\$95,163,565



BOARD OF SUPERVISORS

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Central District

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J. DAVID PARR
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County Administrator

AMANDA B. SPIVEY
Administrative Assistant/
Deputy Clerk

LINDA K. STATON
Director of Finance and
Human Resources

**RESOLUTION 2023-40
ADOPTION OF BUDGET
FISCAL YEAR 2023-2024
(JULY 1, 2023 - JUNE 30, 2024)
NELSON COUNTY, VIRGINIA**

WHEREAS, pursuant to the applicable provisions of Chapter 25. Budgets, Audits and Reports of Title 15.2 of the Code of Virginia, 1950, the Board of Supervisors of Nelson County, Virginia has prepared a budget for informative and fiscal planning purposes only and has also established tax rates, as applicable, for Fiscal Year 2023-2024 (July 1, 2023 - June 30, 2024); and

WHEREAS, the completed Fiscal Year 2023-2024 Budget is an itemized and classified plan of all contemplated expenditures and all estimated revenues and borrowing; and

WHEREAS, the Board of Supervisors has published a synopsis of the budget, given notice of a public hearing in a newspaper having general circulation in Nelson County and, subsequent thereto, convened a public hearing on the Fiscal Year 2023-2024 Budget on May 9, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Nelson County, Virginia that the Fiscal Year 2023-2024 Budget be hereby adopted in the total amount (all funds, revenues and expenditures) of **\$93,052,486**. The individual fund totals are denoted as follows:

<u>Fund</u>	<u>Budget</u>
General	\$ 48,111,255.00
VPA(DSS)	\$ 2,111,079.00
Debt Service	\$ 6,341,318.00
Capital	\$ 705,251.00
School	\$ 34,694,395.00
Textbook	\$ 595,000.00
Cafeteria	\$ 299,280.00
Piney River Water/Sewer	\$ 194,908.00

- 1) The General Fund includes \$2,894,977 in COVID-19 Stimulus Funding and \$24,066,135 in local funding transferred to: The Reassessment Fund \$85,000, the Debt Service Fund \$3,325,284 (\$3,165,368 debt service and \$159,916 reserve), the Piney River Water & Sewer Fund \$0, and the School Fund \$18,544,772 (\$18,379,837 for general operations and \$164,935 allocated for school nurses). Also included is \$2,111,079 in local, state, and federal funds transferred to the VPA Fund (DSS) and contingency/reserve funds of: Recurring Contingency \$509,702, Non-Recurring Contingency \$399,920, and School Capital Reserve \$0.
- 2) The School Fund includes a transfer of \$184,803 to the Textbook Fund and \$3,884,299 in Federal COVID-19 Stimulus Funding.

BE IT LASTLY RESOLVED, that adoption of the Fiscal Year 2023-2024 Budget shall not be deemed to be an appropriation and no expenditures shall be made from said budget until duly appropriated by the Board of Supervisors of Nelson County, Virginia.

Adopted: June 13, 2023

Attest:  Clerk,
Nelson County Board of Supervisors



BOARD OF SUPERVISORS

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North District

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LINDA K. STATON
Director of Finance and
Human Resources

**RESOLUTION R2023-41
FISCAL YEAR 2023-2024
APPROPRIATION OF FUNDS**

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

WHEREAS, the Nelson County Board of Supervisors has heretofore approved the Fiscal Year 2023-2024 Budget (July 1, 2023 to June 30, 2024) for the local government of Nelson County and its component units; and

WHEREAS, the Board of Supervisors now proposes to appropriate the funds established in the Fiscal Year 2023-2024 Budget;

NOW, THEREFORE, BE IT RESOLVED by the Nelson County Board of Supervisors that the Fiscal Year 2023-2024 Budget be hereby appropriated on an annual basis by fund category, as follows:

<u>Fund</u>	<u>Revenue(s)</u> <u>(All Sources)</u>	<u>Expenditure(s)</u> <u>(All Departments)</u>
General	\$48,111,255.00	\$48,111,255.00
VPA (DSS)	\$ 2,111,079.00	\$ 2,111,079.00
Debt Service	\$ 6,341,318.00	\$ 6,341,318.00
Capital	\$ 705,251.00	\$ 705,251.00
School	\$34,694,395.00	\$34,694,395.00
Textbook	\$ 595,000.00	\$ 595,000.00
Cafeteria	\$ 299,280.00	\$ 299,280.00
Piney River Water/Sewer	\$ 194,908.00	\$ 194,908.00
	\$93,052,486.00	\$93,052,486.00

BE IT FURTHER RESOLVED by the Board of Supervisors that:

1. The General Fund appropriation includes \$2,894,977 in COVID-19 Stimulus Funds and the transfer of: \$2,111,079.00 (4-100-093100-9201) to the VPA Fund (DSS) (3-150-004105-0001); 3,325,284.00 (4-100-093100-9204) to the Debt Service Fund (3-108-004105-0100), \$18,544,772 (4-100-093100-9202/Nursing \$164,935, 4-100-093100-9203/Operations \$18,379,837, 4-100-093100-9205/Buses \$0, 4-100-093100-9206/Capital \$0) to the School Fund (3-205-004105-0001); \$0 (4-100-093100-9114) to the Broadband Fund (3-114-004105-0100); \$85,000 (4-100-93100-9101) to the Reassessment Fund (3-101-004105-0001); and \$0 (4-100-093100-9207) to the Piney River Water & Sewer Fund (3-501-004105-0001).

2. The amounts transferred from the General Fund to the VPA Fund (DSS), Debt Service Fund, School Fund, and Piney River Water & Sewer Fund are also included in the total appropriation for each of these funds.
3. The School Fund includes \$3,884,299 in Federal COVID-19 Stimulus Funding.
4. The Textbook Fund appropriation includes the allocation of \$184,803 from the School Fund.
5. The Debt Service Fund includes \$3,165,368 in current debt service and \$3,175,950 in debt service reserve.
6. The appropriation of funds to the School Fund, Textbook Fund, Cafeteria Fund, and VPA Fund (DSS) shall be in total and not categorically.
7. The appropriation and use of funds within the General, Debt Service, Capital, and Piney River Water & Sewer funds shall adhere to the amounts prescribed by the Board of Supervisors for each department therein unless otherwise authorized by the Board of Supervisors.

Adopted: June 13, 2023

Attest: , Clerk
Nelson County Board of Supervisors

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

A brief synopsis of the budget that, except in the case of the school division budget, shall be for informative and fiscal planning purposes only, shall be published once in a newspaper having general circulation in the locality affected, and notice given of one or more public hearings, at least seven days prior to the date set for hearing, at which any citizen of the locality shall have the right to attend and state his views thereon. Any locality not having a newspaper of general circulation may in lieu of the foregoing notice provide for notice by written or printed handbills, posted at such places as it may direct. The hearing shall be held at least seven days prior to the approval of the budget as prescribed in § 15.2-2503. With respect to the school division budget, which shall include the estimated required local match, such hearing shall be held at least seven days prior to the approval of that budget as prescribed in § 22.1-93. With respect to the budget of a constitutional officer, if the proposed budget reduces funding of such officer at a rate greater than the average rate of reduced funding for other agencies appropriated through such locality's general fund, exclusive of the school division, the locality shall give written notice to such constitutional officer at least 14 days prior to adoption of the budget. If a constitutional officer determines that the proposed budget cuts would impair the performance of his statutory duties, such constitutional officer shall make a written objection to the local governing body within seven days after receipt of the written notice and shall deliver a copy of such objection to the Compensation Board. The local governing body shall consider the written objection of such constitutional officer. The governing body may adjourn such hearing from time to time. The fact of such notice and hearing shall be entered of record in the minute book.

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

Code 1950, § 15-577; 1956, Ex. Sess., c. 67; 1959, Ex. Sess., c. 69; 1962, c. 623, § 15.1-162; 1976, c. 762; 1978, cc. 126, 551; 1984, c. 485; 1997, c. 587; 2009, c. 280; 2014, cc. 360, 589; 2021, c. 8; 2021, Sp. Sess. I, c. 155.

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

Please publish Thurs. September 28th in The Nelson County Times:

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

In accordance with Volume 3A, Title 15.2, Counties, Cities and Towns, of the Code of Virginia, 1950, as amended, and pursuant to §15.2-2503, §15.2-2506 and §15.2-2507, the Nelson County Board of Supervisors hereby gives notice that a Public Hearing will start at **7:00 p.m., Tuesday, October 10, 2023** in the **General District Courtroom** on the third floor of the Nelson County Courthouse located at 84 Courthouse Square, Lovingston.

Public Hearing(s):

1. Correction of FY24 Budget Adoption and Appropriation Resolutions

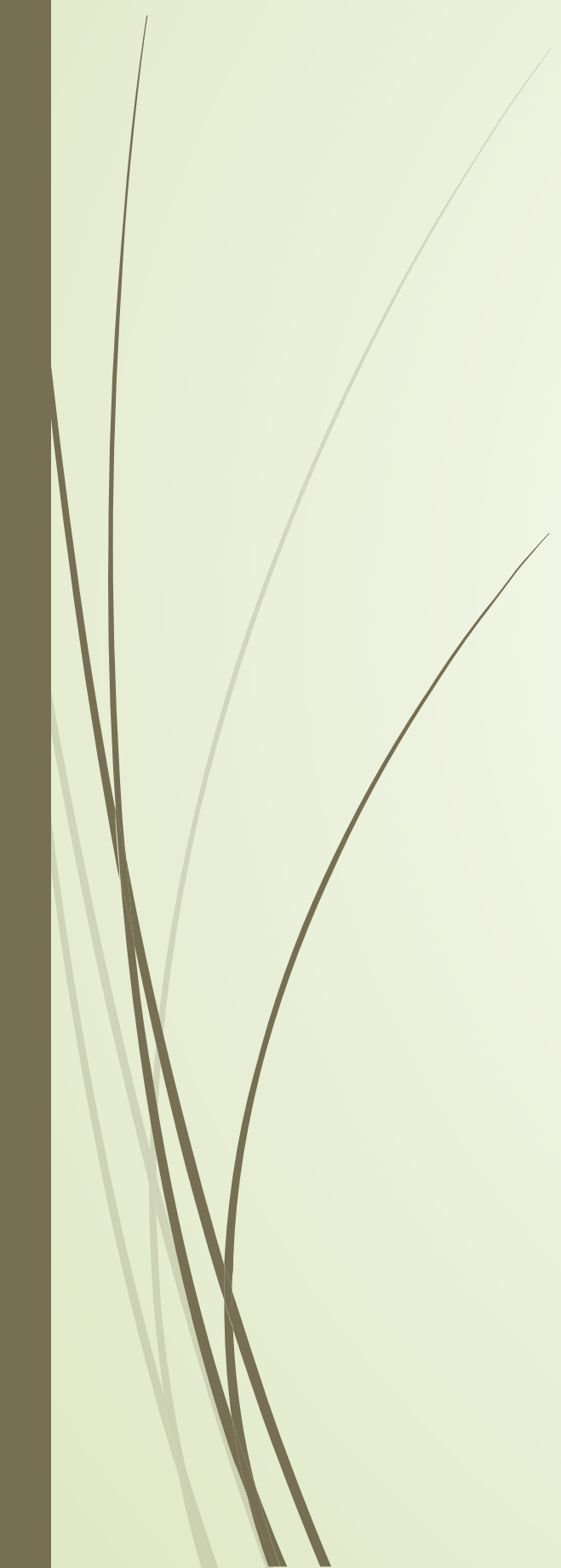

Consideration of proposed resolutions correcting the originally approved FY24 Budget Adoption (R2023-40) and Appropriation (R2023-41) Resolutions, to include the \$2,111,079 budgeted within the General Fund to be transferred to the VPA (Department of Social Services) Fund. The General Fund total, including the VPA Fund transfer amount, is \$50,222,334 making the FY24 total appropriations for all funds \$95,163,565.

2. Amendment of FY2023-2024 Budget – Supplemental Appropriation of School Construction Assistance Program Grant Funds

Consideration of a proposed FY2023-2024 Budget Amendment that provides for a supplemental appropriation of School Construction Assistance Program Grant Funds, as requested by the School Division. The request is in the amount of \$2,451,703 which exceeds the statutory limit of one percent of the total expenditures shown in the currently adopted budget that can be approved without first holding a public hearing.

Copies of the above files are available for review in the Office of the County Administrator, 84 Courthouse Square, Monday through Friday, 9:00 a.m. to 5:00 p.m. For more information, call the County Administrator's Office at (434) 263-7000. EOE.

BY AUTHORITY OF NELSON COUNTY BOARD OF SUPERVISORS



October 10, 2023
FY2023-2024
Budget Amendment
Public Hearing



Background

- On March 28, 2023, the Board of Supervisors voted to provide a letter of financial commitment for the School Division's School Construction Assistance Program grant application for High School renovations estimated to cost \$24,517,030
- The School Division was awarded a 10% grant of \$2,451,703 by the Department of Education Board on May 11, 2023 and official notification was dated June 21, 2023
- These funds are expected to be received from the State anytime now


Code of Virginia


Title 15.2. Counties, Cities and Towns Subtitle II.

Powers of Local Government Chapter 25. Budgets,
Audits and Reports

§ 15.2-2507. Amendment of budget

A. Any locality may amend its budget to adjust the aggregate amount to be appropriated during the current fiscal year as shown in the currently adopted budget as prescribed by § [15.2-2504](#). **However, any such amendment which exceeds one percent of the total expenditures shown in the currently adopted budget must be accomplished by publishing a notice of a meeting and a public hearing once in a newspaper having general circulation in that locality at least seven days prior to the meeting date.** The notice shall state the governing body's intent to amend the budget and include a brief synopsis of the proposed budget amendment. Any local governing body may adopt such amendment at the advertised meeting, after first providing a public hearing during such meeting on the proposed budget amendments.

- 
- On September 13, 2023, The Board of Supervisors authorized a public hearing pursuant to State Code Section 15.2-2507 via adoption of resolution R2023-62
 - Budget Amendment Public Hearing Notice Published in September 28, 2023 edition of NC Times – 13 days notice prior to BOS public hearing date
 - Total expenditures shown in the currently adopted budget is \$72,061,949.14 (total excluding transfers)
 - 1% of total expenditures is \$720,619.49
 - Total budget amendment request is \$2,451,703 in State School Construction Assistance Program Grant Funds requested by the School Division for the High School renovation project.
 - Total School Budget after amendment would be increased by \$2,451,703.



These State funds will be provided directly to the School Division as the grant recipient; therefore no transfer of funds from the General Fund is required.

The proposed budget amendment entails a supplemental appropriation within the School Fund as follows:

Appropriation of Funds (School Fund)

<u>Amount</u>	<u>Revenue Account</u>	<u>Expenditure Account</u>
\$2,451,703.00	3-205-002402-0306	4-205-066100-9305



Next Steps:

- Conduct the Public Hearing
- Obtain Input from School Division Staff if Desired
- Consider Adoption of **Resolution R2023-65** Amendment of Fiscal Year 2023-2024 Budget
- Staff Recommends Favorable Consideration of Budget Amendment



BOARD OF SUPERVISORS

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Deputy Clerk

LINDA K. STATON
Director of Finance and
Human Resources

**RESOLUTION R2023-65
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF FISCAL YEAR 2023-2024 BUDGET
October 10, 2023**

I. Appropriation of Funds (School Fund)

<u>Amount</u>	<u>Revenue Account (-)</u>	<u>Expenditure Account (+)</u>
\$2,451,703.00	3-205-002402-0306	4-205-066100-9305
<hr/>		
\$2,451,703.00		

Adopted: _____

Attest: _____, Clerk

Nelson County Board of Supervisors

EXPLANATION OF BUDGET AMENDMENT

- I. Appropriations are the addition of unbudgeted funds received or held by the County for use within the current fiscal year budget. These funds increase the budget bottom line.**

The **School Fund Appropriation of \$2,451,703** reflects an appropriation request of **\$2,451,703** for FY24 SCAP (School Construction Assistance Program) grant funds awarded to Nelson County Public Schools at 10% of the total estimated construction cost of \$24,517,030 for Nelson County High School renovations.

The total appropriation request for this period is above the 1% of expenditure budget limit of \$720,619.49 for October requiring a Public Hearing for approval.



BOARD OF
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Deputy Clerk

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Director of Finance and
Human Resources

**RESOLUTION R2023-62
NELSON COUNTY BOARD OF SUPERVISORS
AUTHORIZATION FOR PUBLIC HEARING
AMENDMENT OF FY2023-2024 BUDGET- SUPPLEMENTAL APPROPRIATION
SCHOOL CONSTRUCTION ASSISTANCE PROGRAM GRANT FUNDS**

BE IT RESOLVED, by the Nelson County Board of Supervisors, that pursuant to §15.2-2507 of the Code of Virginia 1950 as amended that a public hearing is hereby authorized to be held on Tuesday, October 10, 2023 at 7:00 PM in the General District Courtroom of the Courthouse in Lovingston, Virginia. The purpose of the public hearing is to receive public input on a proposed FY2023-2024 Budget Amendment that provides for a supplemental appropriation of School Construction Assistance Program Grant Funds, as requested by the School Division. This request is in the amount of \$2,451,703 which exceeds the statutory limit of one percent of the total expenditures shown in the currently adopted budget that can be approved without first holding a public hearing.

Approved: September 12, 2023

Attest: , Clerk
Nelson County Board of Supervisors

§ 15.2-2507. Amendment of budget

A. Any locality may amend its budget to adjust the aggregate amount to be appropriated during the current fiscal year as shown in the currently adopted budget as prescribed by § 15.2-2504. However, any such amendment which exceeds one percent of the total expenditures shown in the currently adopted budget must be accomplished by publishing a notice of a meeting and a public hearing once in a newspaper having general circulation in that locality at least seven days prior to the meeting date. The notice shall state the governing body's intent to amend the budget and include a brief synopsis of the proposed budget amendment. Any local governing body may adopt such amendment at the advertised meeting, after first providing a public hearing during such meeting on the proposed budget amendments.

B. Pursuant to the requirements of §§ 15.2-1609.1, 15.2-1609.7, 15.2-1636.8, and 15.2-1636.13 through 15.2-1636.17 every county and city shall appropriate as part of its annual budget or in amendments thereto amounts for salaries, expenses and other allowances for its constitutional officers that are not less than those established for such offices in the locality by the Compensation Board pursuant to applicable law or, in the event of an appeal pursuant to § 15.2-1636.9, by the circuit court in accordance with the provisions of that section.

1983, c. 319, § 15.1-162.1; 1984, c. 523; 1997, cc. 587, 602; 2007, c. 297.

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

Mrs. Shannon Powell, Chair
West District

Mrs. Janet Turner-Giles, Trustee
North District

Mrs. Margaret Clair, Trustee
Central District



Mr. Ceaser Perkins, Vice Chair
South District

Mr. George Cheape, Trustee
East District

Dr. Amanda C. Hester
Division Superintendent

Nelson County Public Schools

September 7, 2023

Nelson County Board of Supervisors
Attn: Candice McGarry, County Administrator
P.O. Box 336
Lovingsston, VA 22949

Dear Mrs. McGarry,

I am writing to request a Supplemental Appropriation in the amount of \$2,451,703 for the School Construction Assistance Program (SCAP) grant that was awarded on May 11, 2023. A copy of the grant award is attached for your review.

Thank-you,

A handwritten signature in blue ink, appearing to read 'A. Hester', is written over a light blue horizontal line.

Dr. Amanda Hester, Division Superintendent

Cc: Grant File



COMMONWEALTH of VIRGINIA

Lisa Coons, Ed.D.
Superintendent of Public Instruction

DEPARTMENT OF EDUCATION
P.O. BOX 2120
RICHMOND, VA 23218 2120

Office: (804) 225-2057
Fax: (804) 371-2099

June 21, 2023

Dr. Amanda Hester
Division Superintendent
Nelson County Public Schools
84 Courthouse Square
Lovingston, Virginia 22949

RE: Notice of award and quarterly reimbursement process for *School Construction Assistance Program* grant funds

Dear Dr. Hester:

At its business meeting on May 11, 2023, the Board of Education ("Board") awarded School Construction Assistance Program grants to 28 school divisions for 40 school project applications that met the minimum qualifying total criteria score of 65 points and other application requirements. I am pleased to inform you that the following school project application submitted by Nelson County Public Schools for the School Construction Assistance Program (SCAP) was awarded a grant as follows:

Approved SCAP Project Application:	SCAP Grant Award Amount:
Nelson County High School	\$2,451,703

This letter is also to inform you of the process established by the Virginia Department of Education ("VDOE") for divisions to request cost reimbursement or draw-down of awarded grant funds for qualifying project costs. School divisions may submit funding requests each quarter by the following due dates: **January 1; April 1; July 1; and October 1. All qualifying project costs submitted by these dates for VDOE review and payment must be dated on or prior to the quarterly due dates.** VDOE will review all grant funding requests received by the quarterly due dates and process them for payment, if approved. Applications received after the due dates will be reviewed and processed during the next quarterly period.

All funding requests submitted by divisions are made using the Funding Request Form (attached and available online at <https://www.doe.virginia.gov/scap>) and must include supporting documentation substantiating the qualifying project costs for which grant funding is requested. The supporting documentation must include the American Institute of Architects (AIA) Document G702 - Application and Certificate for Payment and Document G703 - Continuation Sheet. This required documentation must be signed by the project architect and contractor before submission to VDOE.

Funding requests must be submitted to VDOE using the "Reimbursement Application Box" set up in the School Construction Assistance Program (SCAP) application in the VDOE Single Sign-On Web Systems (SSWS) portal. This "box" is located on the right-hand side pull-down menu on the SCAP application page and allows divisions to upload their funding request form and supporting documentation in PDF format or as a single zip file containing multiple PDF documents. Detailed instructions on the submission process can be found on the SCAP application page in the SSWS portal.

As a reminder, the following project costs qualify for state funding based on current appropriation act language and Board program guidelines:

Planning, design (architectural and engineering), site acquisition, construction phase costs involving the core building structure and related site work, but not including most financing costs (e.g., closing costs, legal counsel and financial advisor costs, and annual debt service for principal and interest payments that has already begun to be paid), outdoor facilities predominantly used for extracurricular athletic activities, loose equipment, and furniture. The principal-only portion of future debt service payments not yet begun on school projects where construction is pending or just begun is an allowable project cost with grant funding.

Because of the significant amount of state funding involved and legislative/public interest in this program, VDOE is advising divisions awarded these funds to maintain a separate accounting of the revenues received and expenditures made from these funds. Program expenditures may be accounted for locally by establishing a separate expenditure account code or sub-account in the general ledger.

Lastly, as required by Board guidelines, please also submit the attached document to VDOE as soon as possible certifying that the school division will obligate the awarded grant funds within six months of the date of this letter.

Further details on the terms of this grant award are attached. For more information or questions on the SCAP grant reimbursement process, please contact Vijay Ramnarain, Director, Office of Support Services, at Vijay.Ramnarain@doe.virginia.gov or (804) 225-2037.

Sincerely,



Lisa Coons, Ed.D.

Superintendent of Public Instruction

LC/VR

c: Shannon Irvin

Attachments

Terms of Grant Award

Funding Request Form

Certification of Grant Fund Obligation

Please publish Thurs. September 28th in The Nelson County Times:

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

In accordance with Volume 3A, Title 15.2, Counties, Cities and Towns, of the Code of Virginia, 1950, as amended, and pursuant to §15.2-2503, §15.2-2506 and §15.2-2507, the Nelson County Board of Supervisors hereby gives notice that a Public Hearing will start at **7:00 p.m., Tuesday, October 10, 2023** in the **General District Courtroom** on the third floor of the Nelson County Courthouse located at 84 Courthouse Square, Lovingston.

Public Hearing(s):

1. Correction of FY24 Budget Adoption and Appropriation Resolutions

Consideration of proposed resolutions correcting the originally approved FY24 Budget Adoption (R2023-40) and Appropriation (R2023-41) Resolutions, to include the \$2,111,079 budgeted within the General Fund to be transferred to the VPA (Department of Social Services) Fund. The General Fund total, including the VPA Fund transfer amount, is \$50,222,334 making the FY24 total appropriations for all funds \$95,163,565.

2. Amendment of FY2023-2024 Budget – Supplemental Appropriation of School Construction Assistance Program Grant Funds

Consideration of a proposed FY2023-2024 Budget Amendment that provides for a supplemental appropriation of School Construction Assistance Program Grant Funds, as requested by the School Division. The request is in the amount of \$2,451,703 which exceeds the statutory limit of one percent of the total expenditures shown in the currently adopted budget that can be approved without first holding a public hearing.

Copies of the above files are available for review in the Office of the County Administrator, 84 Courthouse Square, Monday through Friday, 9:00 a.m. to 5:00 p.m. For more information, call the County Administrator's Office at (434) 263-7000. EOE.

BY AUTHORITY OF NELSON COUNTY BOARD OF SUPERVISORS