



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**  
**AUGUST 8, 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 – **R2023-50** Minutes for Approval
  - B. Resolution – **R2023-51** Budget Amendment
  - C. Resolution – **R2023-52** Citation Error Correction on Ordinance **O2023-05**
  
- IV. RESOLUTION – RECOGNITION OF JAMES MORRIS (R2023-53)**
  
- V. PRESENTATIONS**
  - A. VDOT Report
  - B. Nelson Heritage Center Updates – Johnette Burdette
  
- VI. NEW & UNFINISHED BUSINESS**
  - A. Rockfish Senior Group Funding Request
  - B. Lovingston Village Association Funding Request
  - C. Water and Wastewater Facilities PER (**R2023-54**)
  
- 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. Ordinance O2023-06 – Amendment to Chapter 2, Administration, Article I, Section 2-2 Safety Program**

Consideration of an ordinance proposed for passage to amend Chapter 2, Administration, Article I, Section 2-2 Safety Program. Proposed amendments to Section 2-2 are to update the names of the entities covered by the Line of Duty Act as some of the names have changed.

**B. Amendment to the Articles of Incorporation of the Nelson County Service Authority**

Consideration of **Resolution R2023-55** proposed for passage to amend Section Three of the Articles of Incorporation of the Nelson County Service Authority, to provide that the powers of the Authority shall be exercised by a Board consisting of five members, one appointed by the Board of Supervisors from each of the now five election districts of Nelson County. The County since amending §12-27 of the Code of Nelson County on July 9, 2002, has been consistent in appointing Board members of the Authority, one appointed from each of the five election districts.

**C. Special Use Permit #986 – Outdoor Entertainment Venue**

Consideration of a Special Use Permit application requesting County approval to allow an Outdoor Entertainment Venue on property zoned A-1 Agriculture. The subject property is located at Tax Map Parcel #21-A-115 at 877 Glenthorne Loop in Nellysford. The subject property is 12.83 acres and is owned by Stephen and Susan Groves.

- IV. OTHER BUSINESS (AS PRESENTED)**
- V. ADJOURN AND CONTINUE TO \_\_\_\_\_ FOR A MASTER PLAN WORK SESSION FOR THE FORMER LARKIN PROPERTY.**



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**RESOLUTION R2023-50**  
**NELSON COUNTY BOARD OF SUPERVISORS**  
**APPROVAL OF MINUTES**  
**(March 31, 2023)**

**RESOLVED**, by the Nelson County Board of Supervisors that the minutes of said Board meetings conducted on **March 31, 2023** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

Approved: August 8, 2023

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

**Virginia:**

AT A CONTINUED MEETING of the Nelson County Board of Supervisors at 10:00 a.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  
 Thomas D. Harvey, North District Supervisor  
 Ernie Q. Reed, Central District Supervisor  
 Robert G. “Skip” Barton, South District Supervisor  
 Candice W. McGarry, County Administrator  
 Amanda B. Spivey, Administrative Assistant/Deputy Clerk  
 Linda K. Staton, Director of Finance and Human Resources

**I. CALL TO ORDER**

Mr. Rutherford called the continued meeting to order at 10:08 a.m. with four (4) Supervisors present and Mr. Harvey arrived shortly after.

**II. FY24 BUDGET WORK SESSION**

A. Review of Requested Information from 3/28/23 Work Session

Ms. McGarry provided a review of the information that was requested at the March 28<sup>th</sup> budget work session. She noted that one of the items requested had been the County employee salary increase calculations, including the state reimbursements, as well as the School Division employee salary increase and state funding. She provided a spreadsheet to the Board with the breakdown in costs. She indicated that she did not plan to review the information in depth but they could return to it as needed during the work session. Ms. McGarry noted that she had also provided copies of the FY24 Debt Service Schedule to the Board as requested. She reported that the value of the penny in real estate was calculated at \$316,995. She explained that the value of the penny came from taking the FY24 Estimated Real Estate Tax Revenue of \$20,604,678 and dividing it by \$0.65 (current real estate tax rate), which equaled \$316,995. Ms. McGarry noted that the Board had been provided with copies of the Local Choice Health Insurance Renewal Analysis. She also provided Transient Occupancy Tax Calculations which showed the additional revenues that could potentially be brought in based on an increase in the rates.

	<u>6% Rate</u>	<u>7% Rate</u>	<u>7.5% Rate</u>	<u>8% Rate</u>	<u>9% Rate</u>	<u>10% Rate</u>
<b>Total Revenue</b>	\$ 2,160,000	\$ 2,520,000	\$ 2,700,000	\$ 2,880,000	\$ 3,240,000	\$ 3,600,000
<b>Revenue at 5% Rate</b>	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000
<b>New Revenue</b>	\$ 360,000	\$ 720,000	\$ 900,000	\$ 1,080,000	\$ 1,440,000	\$ 1,800,000
<b>5% Restricted Revenue</b>	\$ 1,080,000	\$ 1,080,000	\$ 1,080,000	\$ 1,080,000	\$ 1,080,000	\$ 1,080,000
<b>Unrestricted Revenue</b>	\$ 1,080,000	\$ 1,440,000	\$ 1,620,000	\$ 1,800,000	\$ 2,160,000	\$ 2,520,000

Ms. McGarry reported that the Nelson County Broadband Authority funds on hand as of February 28, 2023 were \$310,841. She indicated that the FY23 operational revenue was \$160,277 and the operational expenditures were \$49,445, leaving a net positive cash flow of \$110,832. She pointed out that would be what the Board could expect going forward if the County were to assume the operational costs and revenue from the Broadband Authority.

Ms. McGarry noted that Mr. Barton, Mr. Reed and the Board had inquired about any real estate tax relief ability using income as a basis for that relief. She indicated that she had included The Code of Virginia Title 58.1 Taxation, Chapter 32 Real Property Tax as a reference for the Board. She explained that the only authorized real property tax relief that included an income based component was the tax exemption for Elderly and Handicapped. She confirmed that the County was already offering tax relief to Elderly and Handicapped. Mr. Barton asked if the elderly and disabled tax relief could be increased. Ms. McGarry noted that she did not think that it could be increased. She explained that the Commissioner of Revenue used a matrix to determine eligibility and the level of relief a person could receive. She noted that the level of relief was not the same for everyone as it based on net worth and household income. She indicated that she would have to determine whether any of the matrix components could be adjusted or not.

Ms. McGarry reported that the tax relief currently provided in County Code Article II Real Property Tax were the Abatement of Tax Levy on destroyed or damaged buildings, and a Special Assessment for Land Preservation. She reported that there were a few items not in the County Code, noting there was a local option to have a partial tax exemption in redevelopment or conservation areas or rehabilitation districts. She noted that there was an exemption for Disabled Veterans being provided for by the Commissioner of Revenue, however it needed to be added to the County Code. She indicated that they also needed to add the Exemption for Surviving Spouse of Members of the Armed Forces Killed in Action to the County Code. Ms. McGarry noted that there was a location option to provide exemption for Surviving Spouses of Certain Persons Killed in the Line of Duty. She reported that there were a variety of other exemptions, credits, partial abatements, apportionments and classifications that were local options to include.

Ms. Staton reviewed decisions made at the March 28<sup>th</sup> budget work session. She noted that the Board had decided to take on the additional health insurance costs for the employees which brought the recurring revenue to \$1,090,462 and non-recurring revenue at \$369,212 for a total General Fund Contingency of \$1,459,674. Mr. Reed asked what was remaining in contingency for FY23. Ms. Staton reported that FY23 contingency was currently \$938,279. Ms. McGarry noted they were expecting to use all of the contingency for the increase in CSA (Children's Services Act) expenditures.

## B. Agency Funding Review

The Board discussed agency requests and made the following funding decisions:

Nelson County Health Department \$357,526  
Nelson County Local EMS Council \$495,962  
Nelson County Extension Service \$57,216  
PVCC \$2,513  
Region Ten \$150,000  
Thomas Jefferson Soil and Water Conservation District \$34,067  
CASA \$3,500  
Central Virginia Economic Development Partnership \$10,000

March 31, 2023

Community Investment Collaborative (CIC-CVSBDC) requested \$8,534. Ms. McGarry noted that many agencies were losing funding due to the end of COVID funding received from the federal government. Mr. Rutherford suggested level funding. Ms. McGarry reported that the Board had funded them \$4,000 over the past few years. The Board was in consensus to level fund at \$4,000.

Foothills Child Advocacy Center – Ms. McGarry noted that they were asking for \$1,000 more. Mr. Reed reported that their services had expanded in Nelson over the past year and were able to serve twice the number of children from the year before. The Board was in consensus to add the additional \$1,000 as requested for a total of \$5,000.

Gladstone Senior Meals \$9,000

Habitat for Humanity – Piedmont Region \$2,500

JABA – Ms. McGarry reported that JABA was asking for \$5,075 in additional funds. She noted that the majority of their increase was to cover the costs of increasing minimum wage. Mr. Reed noted JABA had asked for flat funding the past four years. Ms. McGarry noted that the County had an aging population, so they would need more services in future. The Board was in consensus to fund the additional \$5,075 as requested for a total of \$106,575.

The Board decided to discuss JAUNT later in the meeting.

Jefferson Madison Regional Library – Ms. McGarry noted that the total increase the Library was asking for was \$13,584, which was a 3.9 percent increase. She reported that the County share of the regional cost was decreasing by about \$2,500. She noted that part of the cost increase was an added bookmobile and outreach services, as well as it being Year 2 of their minimum wage adjustment plan. She also noted increases to health insurance costs. Ms. Staton noted that the Library was fully funded with an additional \$16,610, which they could decrease to the requested \$13,584 amount. Ms. McGarry noted that the library was also considering a book kiosk in which the initial cost for the unit would be covered by the Friends of the Library and the County would be contributing toward the operational costs of the unit (i.e. power, internet). The Board was in consensus to fund the additional \$13,584 for a total of \$359,570.

MACAA – The Board was in consensus to fund an additional \$4,590 as requested for a total of \$36,000 in funding to MACAA.

Nelson Community Development Foundation \$69,661

Nelson County Economic Development Authority \$3,100

Nelson County Humane Society/Almost Home SPCA - \$0, none requested. Ms. Staton noted that they had not made any requests for the last few years. Mr. Barton commented that they received a lot of contributions.

OAR/Community Corrections – The Board was in consensus to fund an additional \$932 as requested for a total of \$12,907.

Mr. Rutherford noted that they did not have requests for funding from Rockfish Senior Meals, Schuyler Senior Meals or Sexual Assault Resource Agency (SARA). Ms. McGarry confirmed that no requests had been received.

Shelter for Help in Emergency (SHE) – Ms. McGarry explained that SHE offered shelter for victims of domestic violence and noted that the Victim Witness Coordinator had a good working relationship with the group. She indicated that they were asking for an additional \$426. The Board was in consensus to fund the additional \$426 for a total of \$8,926.

TJEMS Council – The Board was in consensus to keep the staff recommendation to level fund TJEMS at \$10,000. Mr. Rutherford suggested getting input from the Nelson County EMS Council as to what the impact from TJEMS might be.

TJPDC – The Board was in consensus to fund the additional \$210 requested for a total of \$20,622.

Virginia Career Works \$0  
Virginia Institute of Government \$1,000  
Wintergreen Performing Arts \$4,500

The Board discussed the JAUNT funding request. Mr. Reed noted that JAUNT had provided some service expansion options for the County, along with the costs for those services. Mr. Reed pointed out that the Nelson share of the cost was contingent on receiving sufficient federal funds to cover half of the cost. He did not know if the Board could make the funds conditional pending JAUNT's ability to obtain the federal funding. He noted that the cost to add in the Nelson Circulator on Wednesdays through Fridays would be an additional \$65,967. Mr. Rutherford asked if there may be any questions that they had for JAUNT before they made any decisions.

Mr. Reed suggested skipping the new service to Stoney Creek and Wintergreen for the time being. He felt that it may be worthwhile to look at Countywide demand response ridership. Ms. McGarry noted the cost for demand response was around \$215,000. Mr. Reed suggested it would be good to get clarity on what the demand response would look like. Mr. Rutherford suggested flagging JAUNT and revisit it later. Ms. McGarry indicated that it would take an additional \$36,647 in order to maintain current services from JAUNT. Mr. Barton asked what it would cost to provide the Gladstone Seniors with a monthly shopping trip to Lynchburg. Ms. McGarry noted that she would have to follow up on that. Mr. Reed noted that the Countywide circulator was the only service that could possibly include Gladstone and Fleetwood. Ms. McGarry noted that the Countywide circulator cost was probably so high do to the geography of the County.

Ms. McGarry reported that for FY24, the County would be receiving a one-time credit of about \$23,151. She explained that JAUNT was returning money to the localities and Nelson opted for a credit. She also reported that she had been in touch with Tracy Henke of the Nelson Community Wellness Alliance (NCWA). She noted that the Wellness Alliance had received the \$3 million grant and they were looking to collaborate with the County on funding some expanded JAUNT services that would suit their needs as well. Mr. Reed noted he could follow up with Ms. Henke and see if they were close to determining what that could look like. Ms. McGarry noted that the County would get the \$23,151 credit regardless of the funding scenario chosen by the Board. Mr. Rutherford suggested revisiting JAUNT later in the week and asked Ms. McGarry to follow up with JAUNT regarding the Gladstone trip and other questions from the Board in regards to demand response. Ms. McGarry noted that JAUNT was citing the increase due in part to decreases in CARES funding. Mr. Parr commented that he had an issue with agencies referencing loss of COVID funding. He noted that they should not have relied on that funding as a permanent thing.

Ms. McGarry noted the proposed new service Stoney Creek/Wintergreen circulator from JAUNT. She reported that Wintergreen had previously contributed to JAUNT for that service. She suggested that they could reach out to the resort to see if they may be able to contribute. Mr. Reed noted he could follow up with Wintergreen.

The Board took a brief recess.

### C. General Fund Expenditures

Staff reviewed General Fund Expenditures. The Board was in agreement to fund the following departments:

Board of Supervisors – Ms. McGarry noted that there was an increase in medical plan costs and an increase in professional services related to audit expenses. Ms. Staton also noted a small increase in the books/subscriptions line, as well as a mileage reimbursement increase. She also reported that the County's CPA costs were increasing. The Board was in consensus to fund their budget for FY24 at \$155,308.

County Administration – Ms. McGarry noted that the overtime line had been reduced some. She explained that part of the reduction was in salary and wages as Mr. Carter had retired. She also noted that mileage had been reduced as well as telecommunications. The Board was in consensus to fund County Administration at \$327,426.

County Attorney – Ms. McGarry noted that they were projecting additional increases in FY24 with the Region 2000 lawsuit. The Board was in consensus to fund the County attorney budget line at \$100,000.

Commissioner of Revenue – Ms. McGarry noted that there was an increase in requested funds to help cover the higher postage costs and office supplies. The Board was in consensus to fund the Commissioner of Revenue as recommended by staff at \$293,958.

Treasurer – Mr. Rutherford noted that staff had reduced the Treasurer's budget by \$1,750. Ms. McGarry explained that reductions funds from repairs and maintenance, as well as surety bonds and office supplies. She noted that the big increase in their budget came from an increase in cost for investment services, which meant that banks were charging more in fees for the investment of funds. The Board was in agreement to fund the Treasurer at \$383,496.

Finance – Ms. Staton explained that like the County Administration office, they had a reduction in the salary and wages line. She noted an increase in the professional services line for audits, which the cost was shared with the Board. She also noted an increase in cost for the Bright financial software. She noted that they were looking to utilize some offsite training which made a slight increase. She stated that they were looking to implement a staff appreciation program for employees at a cost of \$1,000. She explained that they wanted to work on employee retention. Ms. McGarry indicated that they did not know what the staff appreciation would look like but they would return to the Board for approval once they had a plan. The Board was in agreement to fund the Finance budget line at \$358,013.

Technology – Ms. McGarry explained that maintenance service contracts were the bulk of the increase. Ms. Staton noted that the Technology department had a lot of items fall into capital outlay as they were large purchases like radios. Ms. McGarry noted that some of the increase was due to computer replacement that was on rotation. Mr. Reed noted that the Technology department was going to be working with the Service Authority to update the GIS. He asked if any of that work was reflected in the budget. Ms. McGarry was unsure where things were on the mapping work with the Service Authority but she noted that funds were in the budget to cover parcel maintenance of GIS and data development. She assumed that a budget amendment would be needed once a cost was determined for the additional mapping with the Service Authority. The Board was in agreement to fund Technology at \$331,890.

Land Use Panel – Ms. McGarry reported that staff had reduced the Land Use budget by \$1,500 as they did not historically spend that much. Mr. Reed asked how often the Land Use panel conducted reviews. Ms. McGarry noted that they were done annually. She indicated that there was more expense during a land use reapplication year as everyone had to reapply. Mr. Barton asked who was on the panel. Ms. McGarry



explained that the Commissioner of Revenue appointed the panel and they were typically people with an agriculture background who checked the applicants' properties to ensure the property use was in line with the application. Mr. Barton asked if the panel found any inaccuracies. Ms. McGarry indicated that she was unsure but the Commissioner of Revenue would know. She noted that there had been a pay increase included in the budget for the Land Use panel. The Board was in agreement to fund the Land Use panel budget at \$4,068.

Board of Elections – Ms. McGarry reported that the Board of Election line had increased about \$10,000 which was related to the pay rate increase for the Electoral Board and the poll workers. Ms. Staton also pointed out that there would be a June primary, so they would also have to have early voting starting 45 days ahead. Mr. William Smith, Electoral Board member for Nelson County, noted that there was no legislation pending to change the 45-day voting rule. Ms. McGarry also noted that the cost for programming the voting machines had increased. The Board was in agreement to fund the Board of Elections line at \$66,263.

Registrar – Ms. McGarry indicated that the salary and wages line in the Registrar's budget was higher. Ms. Staton reported that the Registrar was requesting to hire a chief deputy registrar due to changes that could occur in the department. Ms. Staton explained that this would allow preparation for a smooth transition and noted that the Registrar wanted that person to begin work on July 1st. She also noted that they had a person potentially in line with a lot of experience, and it was the staff recommendation to fund that position for half of the year. Ms. McGarry noted that they wanted to bring in someone with experience and had developed a succession plan. She indicated that the Electoral Board would hire the position. The Board approved the Registrar's budget per staff recommendation at \$221,003. Mr. Rutherford noted that if Ms. Britt needed additional funding for the position beyond staff recommended for the half year, they could discuss it further.

Courts - Ms. McGarry noted that the increase included the adult drug court. Ms. Staton noted that the drug court was an additional \$172,000 for the first year. Ms. McGarry confirmed that the cost was passed through as they would receive the revenue back on the other side. Ms. Staton noted that the grant funding was coordinated with the Commonwealth Attorney's office. Ms. McGarry reported that the Court Services detention home costs were included. She noted that they were projecting \$120,000 for FY23 in expenditures. She explained that they were putting in \$50,000 for FY24 Court Services detention home costs. Ms. McGarry noted that Circuit Court was showing a decrease in funding but that may be grant related. The Board was in consensus to fund the Courts at \$753,783 as recommended by staff.

Commonwealth Attorney – Ms. McGarry noted that there had not been any budget decreases by staff. She explained that part of the decrease related to the part-time salaries in FY23 while the Commonwealth Attorney was on military leave. Ms. Staton noted that the Victim Witness budget was included in the Commonwealth Attorney budget. She explained that there had been a reduction in federal grant funding for the Victim Witness Program. Ms. McGarry noted that asset forfeiture funds were not included in the budget as those funds would be re-appropriated in the fall. She reported that it was the same for the Sheriff's Office's asset forfeiture funds. Mr. Barton asked about the Commonwealth Attorney salary and what he was paid. Staff noted that it was a Compensation Board position and the County supplemented his pay also. Ms. McGarry indicated she could provide that information to Mr. Barton if he wanted. The Board was in agreement to fund the Commonwealth Attorney's budget as recommended by staff at \$641,449.

Sheriff – Ms. McGarry pointed out that the Sheriff's Office also showed a decrease but their budget was not cut. She explained that they had a lot of grant funding which varied from year to year. She noted that the grant funding was not appropriated until the grant was awarded or money was received. Ms. Staton reported that the Sheriff's Office was asking for their evidence clerk position to be reinstated as they had given the position up to fund other opportunities. She explained that the requested funding for that position

was included in the \$53,153 taken out by staff so that they Board may consider and discuss it. Ms. McGarry noted that the Compensation Board would fund around \$13,000 to help offset the cost of the position. She reported that the asset forfeiture proceeds had a balance of \$115,000 that would carry forward in the fall once the certified balance was known. Mr. Reed felt evidence clerk position should be added back in and funded. The Board was in agreement to add \$51,053 to cover the requested position which brought the Sheriff's total budget for FY24 to \$2,215,866. Ms. McGarry noted that the Sheriff had requested funding for four new vehicles, which they would discuss during Capital Outlay.

Public Safety and Emergency Services – Ms. McGarry noted that the Public Safety line was mainly the Dispatch and Emergency Communications Center budget. She pointed out that their budget had about an \$89,000 increase. Ms. McGarry noted most of the increase was in the Salaries and Wages line. She reported that they were looking to fill the Emergency Communications Supervisor position in FY24, which was approved in FY23. She explained that the position had not been filled as they had been trying to fill regular Dispatch positions. Ms. Staton noted that John Adkins had requested more funds for training as the department needed to work towards being fully trained. She also noted that the Salaries and Wages reflected the change in the pay scale, which would be effective on July 1<sup>st</sup>. Ms. McGarry also indicated that they had included about \$20,000 in overtime. The Board was in consensus to fund Public Safety and Emergency Services as presented at \$686,817.

Emergency Services Council – Ms. McGarry explained that this was for the whole Emergency Services Council Department. She noted that the Local Emergency Services Council was part of the overall budget. She explained that there were still costs like disability insurance for the agencies, Line of Duty coverage, gas, oil, and grease. She also pointed out that the budget contained the Fire Fund and Four for Life funds. She noted that the Fire Funds and Four for Life Funds were appropriated after the start of the fiscal year when they knew what the amounts were. Mr. Harvey noted that the Fire Funds were just pass through monies. Ms. McGarry confirmed that the funds went to the EMS Council to be distributed among the departments. Ms. Staton noted that it was the same process for the Four for Life Funds. Ms. McGarry noted that they had increased the funds in the Gas, Oil and Grease line as they had spent more than budgeted in FY23. The Board was in agreement to fund the Emergency Services Council at \$631,090 as presented by staff.

Ms. McGarry provided an updated contingency amount at \$1,029,797.

E911 Program – Ms. McGarry noted that the E911 Program budget saw some increases in maintenance service contracts relating to the radio communication system and the microwave, which increased about \$30,000. She pointed out that the cost for contractual services had also increased. She explained that the contractual service increase was offset on the revenue side as they received some reimbursement from NextGen 911 Services in the amount of \$31,000. The Board was in consensus to fund the E911 Program budget as presented by staff at \$645,418.

Forest Fire Service \$20,986

Paid EMS Program – Ms. McGarry noted that the County contracted with Wintergreen Fire and Rescue to run the EMS program. She explained that part of the increase was due to being fully staffed and in FY23, the Board had approved a second 24-hour service ambulance. She noted they had an anticipated increase for worker's compensation, medical supplies and mileage. Ms. McGarry explained that the County paid mileage for the use any non-County owned ambulances. Mr. Rutherford noted that staff had cut about \$33,000 from the request budget. Ms. McGarry explained they had backed out about \$500 from other operating supplies based on historical expenditures. She noted they had deducted about \$4,500 in computer equipment. She explained that they had not typically spent that much and there was not a specific need noted. Ms. Staton explained that Curtis Sheets had the funds as a placeholder. She explained that the

Toughbooks computers used by EMS staff had exceeded their useful life, but they intended to use them until they were no longer functioning. Ms. Staton indicated that the amount requested for the computer equipment would only replace two Toughbooks. She then noted that they had backed out the funds to replace an auto pulse device at a cost of about \$14,000. Ms. Staton explained that Wintergreen Rescue was loaning an auto pulse device to the Nellysford station until they could get a new one. She noted that there was a new auto pulse device that had been purchased as part of a new ambulance, but they still needed a second one. Mr. Reed noted it may be better to have Wintergreen asked for the funds when they needed them for computer replacements. Ms. McGarry agreed they could do that, noting that was why they had reduced the computer line by \$4,500. Ms. McGarry noted that Mr. Sheets had also requested a \$14,200 contingency for the Paid EMS budget which staff had backed out. The Board was in consensus to fund the Paid EMS at \$1,401,614 as recommended by staff.

Regional Jail – Ms. McGarry reported that the Regional Jail increase was due to an increase in the 5-year average percentage of usage (14.7 percent). She noted that it also included an interest only portion of the interim financing to provide for Architectural and Engineering (A&E) services related to the jail renovation project. She reported that the interest only payments were about \$38,000 and the rest of the increase was operational. Mr. Barton noted that there had been significant increases in jail expenses since 2020. He indicated that he wanted to have a conversation with the Commonwealth Attorney on the number of bed days, noting that he wanted to know what to anticipate for the future. Ms. Staton reminded the Board that the implementation of the adult drug court was an attempt to alleviate the incarceration rates. Ms. McGarry noted that the Commonwealth Attorney was utilizing alternative incarceration methods like home electronic monitoring (HEI). Ms. McGarry noted that she could send more information to the Board on the jail budget details. She reported that the FY23 5-year average percent of inmate population was 12.99 and for FY24 the average percent of inmate population was going to be 14.74. She noted that operational budget for FY24 was \$1,354,606 with the debt service portion \$38,766. She commented that from FY18 to FY22, it looked like the inmate population had decreased but because it was based on a 5-year average, they were still including some of the higher years. The Board was in consensus to fund the Regional Jail budget at \$1,393,432 as presented by staff.

Building Inspections – Ms. Staton reported that Building Inspections had requested a new position, noting that was a portion of what had been backed out of their budget. She explained that the new position proposed was to be a shared administrative assistant with Planning and Zoning to aid in handling phone calls and people coming to the office so that the rest of the staff could focus on their work. She noted that the position had a projected annual salary projected at \$35,000. She noted that with the benefits added in, it brought the position cost to \$50,824. Ms. Staton noted they were looking to back out a few costs based on historical costs, like postage, telecommunication and office supplies. Ms. Staton noted that the full cost of the new position was currently included in the Building Inspections budget. Mr. Reed was in support of the new position. Ms. McGarry noted that the logistics of the shared position would need to be worked through. She reported that the salary and wages line increased staffing changes within the department. Ms. McGarry noted that for the proposed new position, they would need to determine who the supervisor would be. Mr. Reed noted that could be determined internally. Ms. McGarry agreed. The Board was in consensus to add in \$50,824 for the new position for a total of 429,232 for the FY24 Building Inspections budget.

Animal Control – Ms. McGarry reported that Mr. Wright had requested a shelter manager position. She explained that the shelter manager would be responsible for managing the shelter and maintaining compliance with regulatory agencies. She noted that the shelter manager would also be ACO (Animal Control Officer) certified to be able to assist in the field. She indicated that staff had removed the shelter manager position for the Board to consider. She reported that Animal Control currently had two part-time shelter attendant positions, noting that the full-time shelter manager position would replace one part-time shelter attendant position. Ms. McGarry noted that they had backed out \$6,720 out of the professional services line, which was a new request to provide funding to organizations that help transport dogs out of

March 31, 2023

County and state to other no-kill shelters. She noted it was backed out so that the Board could consider it, as it was a new thing. Mr. Reed suggested they revisit Animal Control as a subsequent meeting to allow more time to review and consider the new requests for funding.

D. General Fund Revenues

**III. OTHER BUSINESS (AS MAY BE PRESENTED)**

The Board looked at dates to meet the following week. It was noted that they needed to make decisions regarding the tax rates by April 6<sup>th</sup>.

**IV. ADJOURNMENT (CONTINUE TO APRIL \_\_\_\_, 2023 AT \_\_\_\_ FOR A BUDGET WORK SESSION)**

At 12:26 p.m., Mr. Parr moved to adjourn and continue to April 3, 2023 at 3:00 p.m. Mr. Reed seconded the motion and there being no further discussion, the Board approved the motion by vote of acclamation.

DRAFT



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 R2023-51  
NELSON COUNTY BOARD OF SUPERVISORS  
AMENDMENT OF FISCAL YEAR 2023-2024 BUDGET  
August 8, 2023**

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

<u>Amount</u>	<u>Revenue Account (-)</u>	<u>Expenditure Account (+)</u>
\$ 31,184.00	3-100-002404-0017	4-100-021060-3161
\$ 3,078.00	3-100-002404-0035	4-100-031020-7036
\$ 513.80	3-100-002404-0001	4-100-031020-5419
\$ 4,000.00	3-100-002404-0049	4-100-032010-5504
\$ 32,310.00	3-100-002404-0035	4-100-031020-7049
\$ 32,373.00	3-100-002404-0035	4-100-031020-7038
\$ 50,000.00	3-100-003303-0044	4-100-091030-5626
\$401,982.17	3-100-009999-0001	4-100-091050-7166
\$ 20,000.00	3-100-002404-0060	4-100-081020-7057
\$ 20,000.00	3-100-002404-0060	4-100-081020-7059
<u>\$ 82,000.00</u>	3-100-003303-0043	4-100-999000-9905
<b>\$677,440.97</b>		

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

<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
\$ 46,266.00	4-100-999000-9905	4-100-031020-7049
<u>\$ 46,355.00</u>	4-100-999000-9905	4-100-031020-7038
<b>\$ 92,621.00</b>		

Adopted: August 8, 2023

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 Appropriation of \$677,440.97** reflects requests of (1) **\$31,184** reappropriation requested for FY22 Circuit Court Clerk's Record Preservation Grant funds received in FY24; (2) **\$3,078** reappropriation requested for Sheriff's FY22 DCJS LOLE (Local Law Enforcement Block Grant) unused funds to be expended/received in FY24 to assist with crime reduction and public safety; (3) **\$513.80** in FY24 Sheriff's Department Asset Forfeiture Funds received; (4) **\$4,000** appropriation of FY24 GIS & 9-1-1 Education & Training Program Grant funds; (5) **\$32,310** appropriation requested for FY24 SRO State Special Grant funds at 41% of \$78,576 total cost; (6) **\$32,373** appropriation request for second FY24 SRO State Special Grant funds at 41% of \$78,728 total cost; (7) **\$50,000** is requested to appropriate the second Tranche of ARPA Local Assistance & Tribal Consistency Fund (LATCF) received in FY24; (8) **\$401,982.17** is a reappropriation request for FY23 Microwave Network Upgrade funds unspent in FY23, plus an additional \$34,527.17 required to cover an unexpected Change Order for necessary tower antenna replacement; (9) **\$20,000** appropriation is requested for FY24 VTC (Virginia Tourism Corp.) Marketing Leverage Program, Eat-Drink-Love Grant funds; (10) **\$20,000** requested to appropriate FY24 VTC Outdoor Recreation Nelson Style Grant funds; (11) **\$82,000** appropriation is requested by the Tourism & Economic Development Department for VTC ARPA (American Rescue Plan Act) Tourism Recovery Grant funds expended in FY23, received in FY24 (returned to Non-Recurring Contingency). *The total appropriation request for this period is below the 1% of expenditure budget limit for June of \$689,863.51.*

**II. 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 \$92,621.00** requested are (1) **\$46,266** is requested to cover the 59% Local Cash Match required in FY24 SRO Continuing Grant (NMS); (2) **\$46,355** is requested to cover the 59% Local Cash Match required in FY24 SRO Grant (TRE). *Following approval of these expenditures, the balance of Non-Recurring Contingency would be \$389,299.*

CCRP GRANTS PROGRAM AWARD CERTIFICATION FORM

COPY

Locality: Nelson County

Date of Award: 12/16/2021

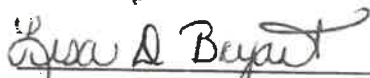
Grant #: 2022FY-105

Amount of Grant Award: \$31,184.00

Grant Type: Item Conservation

Amount of Grant Request: \$31,184.00

By signing this document, I agree to the three statements below, as well as the decision of the CCRP Grants Review Board:



Signature of Circuit Court Clerk

LISA D. BRYANT

Typed or Printed Name of Circuit Court Clerk

**Statement regarding expenditure of funds:**

I will abide by applicable state and local procurement rules and agree that funds granted under the Virginia Circuit Court Records Preservation Program will be spent only in accordance with the plan of work and budget statement presented in this application, and that any changes in the submitted proposal of work and/or budget will be submitted in writing to the grants office for approval in advance. I understand that grant funds will only be released upon receipt of verification form indicating that the proposal of work has been fully completed. I will ensure that any agreements for goods or services to be paid for with grant funds will be consistent with the project requirements set forth in the

**Statement regarding archival and records management policies and procedures:**

I agree to comply with all policies and procedures required by the Code of Virginia, and the decisions of the Circuit Court Records Preservation Grants Review Board and the Library of Virginia concerning the management, preservation, reproduction, and storage of public records, as well as those pertaining to the official recording of such records in government offices, whether on paper, microfilm, digital image, or any other medium.

**Statement regarding project status and financial expenditure reports:**

I agree to submit program status and financial expenditure reports as required by the Library of Virginia. I also agree to account for all grant funds, to maintain separate financial and programmatic records on this project, and to retain such source documentation as canceled checks, paid bills, payroll, or other accounting documentation, in conjunction with the fiscal office of this locality, that would facilitate an audit. I understand that failure to submit the status and financial reports will result in grant funds not being released and this office becoming ineligible to receive future grant funding, until such time that the delinquent reports have been successfully submitted.



# LIBRARY OF VIRGINIA

Sandra Gioia Treadway  
Librarian of Virginia

Dec. 16, 2021

Grant Agreement Number: 2022FY-105

The Honorable Lisa Bryant  
Clerk of the Circuit Court  
Nelson County  
P.O. Box 10  
Lovingston, VA 22949

Dear Ms. Bryant,

The Circuit Court Records Preservation Grants Review Board met on Thursday, Dec. 16<sup>th</sup>, 2021 to consider 115 applications submitted from 101 localities. It is our pleasure to inform you that your Item Conservation grant application to the Virginia Circuit Court Records Preservation Program has been approved in the full amount of \$31,184.00. The following item(s) have been approved by the Review Board: Census Book 1880; Deed Book 3, 1817-1820; Land Books 1830-1837; Land Books 1840-1850; Land Books 1857-1860; Marriage Register 2, 1827-1982; Minute Book 1813-1814; Minute Book 1814-1817. This grant is subject to the stated amount, availability of funds, and any provisos listed in this letter or on the enclosed CCRP Grants Program Application Certification form. Please review these provisos carefully to determine the scope and/or limitations of the project.

You will find the Award Certification form included with this letter. This agreement, along with the original grant application, details the term of your project, the portion of your project supported with grant funds, and the specific work that is to be accomplished. It will also indicate your fiscal and program reporting requirements. Please read the agreement carefully and return it electronically within fifteen days of receipt to Michelle Washington at the Library of Virginia ([Michelle.Washington@lva.virginia.gov](mailto:Michelle.Washington@lva.virginia.gov)). Contact your item conservation vendor representative to make arrangements for them to collect the approved items. If you have any questions regarding this award or agreement, please contact Greg Crawford at (804) 692-3505.

Please accept our congratulations on the approval of your 2022FY application. We appreciate your interest in preserving Virginia's documentary heritage and extend our best wishes for a successful project. We will look forward to working with you next year in preparation for the 2023FY grant cycle.

Sincerely,



Kathleen S. Jordan  
Director of Government Records Services



Kristin N. Nelson  
President, Virginia Court Clerks' Association



	FY/2020 EXPENSE	FY/2021 EXPENSE	FY/2022 EXPENSE	ADOPTED FY/2023 BUDGET	AMENDED FY/2023 BUDGET	ACTUAL 2023/06	DEPT FY/2024 REQUEST	ADMIN FY/2024 RECOMMENDS	ADOPTED FY/2024 BUDGET
021030-5411									
021030-7002	Books & Subscriptions Furniture & Fixtures --TOTAL DEPARTMENT--	234 234	275 275	300 325	300 325		300 325	300 325	300 325
021040	***MAGISTRATE***								
021040-3020	***COURT SERVICES/NUCCA***								
021040-3022	Detention Home (Court Servic	33,790	23,617	26,779	10,000	120,000	100,000	50,000	50,000
021040-3023	Outreach Detention (VUCCA)	1,970	5,492	12,318	3,566	3,566	3,566	3,566	3,566
021040-3025	Group Homes (VUCCA)	9,685	5,115		12,000	12,000	12,000	12,000	12,000
021040-3027	Refund to State (VUCCA)		518	984					
	PRCS Grant Match (to Amherz								
	--TOTAL DEPARTMENT--	45,645	34,742	42,081	25,566	135,566	123,095	115,566	65,566
021050	***J & D DISTRICT COURT***								
021050-3002	Professional Services								
021050-3004	Repairs and Maintenance	78			100	100	100	100	100
021050-3005	Maintenance Service Contract								
021050-3012	Attorney Fees								
021050-3201	Postal Services	76	92	100	92	92	114	110	110
021050-5203	Telecommunications	28	6	17	100	100	68	100	100
021050-5401	Office Supplies	80	149		200	200	134	200	200
021050-5411	Books & Subscriptions								
021050-5413	Other Operating Expenses								
021050-5504	Travel (Convention & Educati	47	205	168	1,000	1,000	940	1,000	1,000
021050-5901	Dues & Assoc. Memberships	219		298	400	400	469	400	400
021050-7001	Machinery & Equipment	2,259	2,340	2,590	2,274	2,274	2,379	2,274	2,274
021050-7002	Furniture & Fixtures	101	69	481	600	600	205	600	600
	--TOTAL DEPARTMENT--	2,888	2,861	3,654	4,766	4,766	4,309	4,784	4,784
021060	***CLERK OF CIRCUIT COURT***								
021060-1001	Salaries & Wages								
021060-1003	Part Time Salaries	229,132	227,601	234,537	240,565	260,462	259,942	260,462	260,462
021060-1004	Backscanning Wages (TRP)								
021060-2001	FICA	15,932	15,938	16,884	18,403	19,925	17,907	19,925	19,925
021060-2002	Retirement-VRS	9,824	12,244	12,856	12,856	13,003	12,991	13,003	13,003
021060-2005	Hospital/Medical Plans	41,130	40,734	37,141	37,788	50,484	51,117	50,484	50,484
021060-2006	Group Insurance	3,002	3,070	3,129	3,224	3,490	3,483	3,490	3,490
021060-2009	Hybrid Disability VLDP	918	1,058	1,052	1,110	1,250	1,247	1,250	1,250
021060-2011	Worker's Compensation	431	2,496	3,443	3,443	3,443	3,235	3,443	3,443
021060-2013	VRS Retirement Hybrid Plan	12,310	15,342	15,261	12,310	16,872	16,824	16,872	16,872
021060-3002	Professional Services	1,748	2,858	5,246	3,950	3,950	2,719	3,950	3,950
021060-3004	Repairs and Maintenance	133	215	110	500	500	85	500	200
021060-3005	Maintenance Service Contract	14,538	13,442	13,699	16,415	16,415	13,821	16,415	16,415
021060-3006	Printing & Binding	98	1,284	169	1,600	1,600	1,600	1,600	1,600
021060-3012	Attorney Fees	474	158		750	750		750	750
021060-3160	Library of Va. Grant 2019FY-	10,664	16,685						
021060-3161	Library of Va. Grant 2020FY-								
021060-3162	Library of Va. Grant 2021FY-44								
021060-3163	Library of Va. Grant 2022FY-03			22,197					


← Reapprop. FY24  
 8/31/24

## STATEMENT OF GRANT AWARD (SOGA)

Virginia Department of Criminal Justice Services  
1100 Bank Street, 12<sup>th</sup> Floor  
Richmond, Virginia 23219

<b>Local Law Enforcement Block ("LOLE") Grant Program - FFY 22</b>		
<b>Subgrantee:</b> Nelson <b>DCJS Grant Number:</b> TBD <b>UEI #:</b> XSCRKWJHKVQ5 <b>Grant Start Date:</b> 3/1/2023 <b>Grant End Date:</b> 9/30/2023 <b>Federal Grant Number:</b> 15PBJA-22-GG-00616-MUMU <b>Federal Awardee:</b> BJA <b>Federal Catalog Number:</b> 16.738 <b>Project Description:</b> To strengthen Crime Control <b>Federal Start Date:</b> 10/1/2021		
<b>Federal Funds:</b> \$3,078 <b>State General Funds:</b> <b>State Special Funds:</b> <b>Local Match:</b> _____  <b>Total Budget:</b> \$3,078 <b>Indirect Cost Rate:</b> ____%      *If applicable		
<b>Project Director</b>	<b>Project Administrator</b>	<b>Finance Officer</b>
Larry Cindrick, Jr. Major 84 Courthouse Square Lovingson, Virginia 22922 434-263-7052 lcindrick@nelsoncounty.org	Candice McGarry County Administrator 84 Courthouse Square Lovingson, Virginia 22922 434-263-7001 cmcgarry@nelsoncounty.org	Linda Staton Finance Director 84 Courthouse Square Lovingson, Virginia 22922 434-263-7136 lstaton@nelsoncounty.org

**\*If not indicated above, please provide your locality's Unique Entity Identifier (UEI #) in the space provided. This number replaces your DUNS number. As the duly authorized representative, the undersigned, having received the Statement of Grant Awards (SOGA) and Special Conditions attached thereto, hereby accepts this grant and agrees to the conditions and provisions of all other Federal and State laws and rules and regulations that apply to this award.**

**Signature:**  **Title:** County Administrator  
Authorized Official (Project Administrator)

**Date:** February 9, 2023      **UEI#:** XSCRKWJHKVQ5

FUND # 100 GENERAL FUND EXPENDITURES

	PY/2020 EXPENSE	PY/2021 EXPENSE	PY/2022 EXPENSE	ADOPTED PY/2023 BUDGET	AMENDED BUDGET FY/2023	ACTUAL 2023/06	DEPT FY/2024 REQUEST	ADMIN RECOMMENDS FY/2024	ADOPTED BUDGET FY/2024
***SHERIFF***									
031020-3003	Court Ordered Burial Expense	1,295	1,495						
031020-3004	Wrongful Impoundment Reimbur	650	625						
031020-3005	Maintenance Service Contract	6,442	6,466	6,306	5,000	6,070	7,000	7,000	7,000
031020-3007	Advertising	260			750	909	750	750	750
031020-3029	DMV#154NL-2021-50121-20121-2	9,080	2,599						
031020-3030	DMV#154NL-2021-51018-21018 2		9,540						
031020-3031	DMV#154NL-2022-52033-22033 2			6,007					
031020-3032	DMVGR#154NL-2015-55343-5981			6,593		4,483			
031020-3033	DMVGR#154NL-2018-58165-8165								
031020-3034	DMVGR#154NL-2019-59007-9007-	2,360							
031020-3035	DMVGR#154NL-2023-52140-23140-								
031020-3036	DMV#BPT-2023-53143-23143-20.								
031020-3037	Public Services	1,377	1,596	1,695	1,800	1,979	1,800	1,800	1,800
031020-5201	Telecommunications	4,488	4,668	4,706	4,056	4,802	6,200	4,500	4,500
031020-5203	Mobile Phone/Data Service	11,109	19,549	20,509	20,511	21,413	21,000	21,000	21,000
031020-5401	Office Supplies	8,150	5,864	3,282	5,000	6,637	5,000	5,000	5,000
031020-5408	Vehicle Equipment & Repair		11						
031020-5409	Police Supplies	13,087	26,707	19,143	15,000	25,274	18,000	18,000	18,000
031020-5410	Uniforms	11,907	11,392	17,086	14,740	14,691	16,740	16,740	16,740
031020-5411	Books & Subscriptions								
031020-5412	X9 Fund								
031020-5413	Dog Care (G.P. Fees)	1,280	1,409	1,362	1,200	396	1,500	1,500	1,500
031020-5414	Software								
031020-5418	Other Asset Forfeitures	455							
031020-5419	Asset Forfeiture Proceeds Ex	58,643	4,903	387		22,714			
031020-5420	Treasury Forfeiture Fund (A.								
031020-5421	Federal Asset Seizure 16-DRA								
031020-5501	Travel (Mileage)	278	23	24		18	50	50	50
031020-5503	Travel (Subsistence & Lodging	3,582	1,167	3,004	3,500	7,981	4,000	4,000	4,000
031020-5504	Travel (Convention & Educati		225	19	1,500	54	1,500	1,500	1,500
031020-5505	Prisoner Extradition-Travel								
031020-5509	Training	14,094	12,810	14,083	18,145	18,713	21,145	21,145	21,145
031020-5510	Confiscated Vehicle	410	425	40	800	285	800	400	400
031020-5801	Dues & Assoc. Memberships	6,293	4,700	1,795	5,550	5,050	6,510	6,510	6,510
031020-5802	D.A.R.R.								
031020-7001	Machinery & Equipment								
031020-7002	Furniture & Fixtures								
031020-7005	Motor Vehicles								
031020-7013	Equipment-Courthouse Securit								
031020-7015	School Resource Officer								
031020-7016	FY10 Homeland Security Grant	84,775	89,947	43,003	93,406	51,816	104,000	104,000	104,000
031020-7037	Recovery Act Byrne JAG Grant								
031020-7038	DCJS #20-11592017 BYRNE JAG	42,655	50,567	56,344	67,899	67,899			
031020-7039	Homeland Security Grant CFDA								
031020-7040	DCJS #20-11592017 Byrne JAG	1,750							
031020-7041	DCJS 2021 Body Worn Camera G			43,687	47,065	47,065			

3,078



Disbursements for: 7/18/2023 through 7/18/2023

Date to Finance    DCJS Seizure No    Asset Description    Value    Disbursal Amt    Voucher No

County of Nelson

Nelson County Sheriff's Office

7/18/2023	21-FS22503	U.S. Currency	\$2,569.00	\$513.80	14041
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Subtotal: \$513.80

Total: \$513.80

\* 3-100-002404-0001  
 \* 4-100-031020-5419

Shawn Talmadge  
Chairman  
VDEM

Hon Kevin W. Hall  
Sheriff  
Vice Chairman  
City of Covington

Randy McCabe  
Treasurer  
Comptroller



Dorothy Spears-Dean  
Deputy State Coordinator  
VDEM  
(804) 840-7260

Terry D. Mayo  
911 Services Board Executive  
Administrative Assistant  
VDEM  
(804) 718-9026

# COMMONWEALTH of VIRGINIA

## Virginia 9-1-1 Services Board

February 16, 2023

Dear Nelson PSAP:

Mary M. Blowe  
Chief Financial Officer  
City of Winchester

Thomas A. Bradshaw  
Captain  
Virginia State Police

Gary Critzer  
Emergency Mgmt/ EMS Dir  
City of Waynesboro

Jeffrey Dodson  
Police Chief  
City of Radford

Terry Ellis  
Comcast

R. Scott Garber  
Fire Chief  
City of Staunton

D. Terry Hall  
City of Yorktown

Pete Hatcher  
AT&T

Michelle Painter Lama  
T Mobile

Matthew Ogburn  
Verizon Communications

Robert Osmond  
CIO - VITA

Judson W. Smith  
Bedford County

Gabe Elias  
SWIC  
Advisor

I am pleased to advise you that the Virginia 9-1-1 Services Board has approved your FY24 PSAP Education Program (Individual PEP) grant request. You have been awarded \$4,000 for 9-1-1 and GIS education and training opportunities, Grant ID PEP-057. Funding for this grant award will be available beginning July 1, 2023.

The Grant Payment Reimbursement Process is described in the PSAP Grant Guidelines. Payment will be made on a reimbursement basis only for allowable costs. All funding requests must be submitted on the PEP Grant Payment Request Form. In order for the form to be processed, invoice(s) that support the amount requested should be attached to the form when it is submitted. All invoices must be submitted within 30 calendar days of the end of the education/training event and dated after July 1, 2023. Finally, grant payment requests will be held until all required reports are received. This includes annual true-ups, or any other documents required by the Board.

If you have any questions, please do not hesitate to contact your Regional Coordinator or me via email.

Congratulations on your grant award!

Sincerely,

A handwritten signature in cursive script that reads "Lisa Nicholson".

Lisa Nicholson  
Public Safety Program Specialist

**STATEMENT OF GRANT AWARD (SOGA)**

Virginia Department of Criminal Justice Services  
1100 Bank Street, 12<sup>th</sup> Floor  
Richmond, Virginia 23219

**507934-FY24 SRO: SRO Incentive Grant Program**

Subgrantee: Nelson  
DCJS Grant Number: 24-1218-E  
Grant Start Date: 07/01/2023  
Grant End Date: 06/30/2024  
Indirect Cost Rate: \_\_\_\_\_% \*If applicable

Federal Funds:  
State Special Funds: **\$32,310**  
Local Match: **\$46,266**  
Total Budget: **\$78,576**

<b>Project Director</b>	<b>Project Administrator</b>	<b>Finance Officer</b>
Jeremiah Templeton Lieutenant 94 Courthouse Square Lovingson, Virginia 22949 434-400-8245 jtempleton@nelsoncounty.org	Candy McGarry County Administrator 84 Courthouse Square Lovingson, Virginia 22949 434-263-7001 cmcgarry@nelsoncounty.org	Linda Staton Finance Director 84 Courthouse Square Lovingson, Virginia 22949 434-263-7136 lstaton@nelsoncounty.org

**\*Please indicate your ICR in the space provided, if applicable. As the duly authorized representative, the undersigned, having received the Statement of Grant Awards (SOGA) and reviewing the Special Conditions, hereby accepts this grant and agree to the conditions and provisions of all other Federal and State laws and rules and regulations that apply to this award.**

Signature:   
Authorized Official (Project Administrator)

Title: County Administrator

Date: May 30, 2023

**STATEMENT OF GRANT AWARD (SOGA)**

Virginia Department of Criminal Justice Services  
1100 Bank Street, 12<sup>th</sup> Floor  
Richmond, Virginia 23219

**507934-FY24 SRO: SRO Incentive Grant Program**

Subgrantee: Nelson  
 DCJS Grant Number: 24-419-A  
 Grant Start Date: 07/01/2023  
 Grant End Date: 06/30/2024

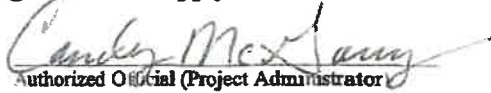
Indirect Cost Rate: \_\_\_\_\_% \*If applicable

Federal Funds:  
 State Special Funds: **\$32,373**  
 Local Match: **\$46,355**

Total Budget: **\$78,728**

Project Director	Project Administrator	Finance Officer
Jeremiah Templeton Lieutenant 94 Courthouse Square Lovingson, Virginia 22949 434-400-8245 jtempleton@nelsoncounty.org	Candy McGarry County Administrator 84 Courthouse Square Lovingson, Virginia 22949 434-263-7001 cmcgarry@nelsoncounty.org	Linda Staton Finance Director 84 Courthouse Square Lovingson, Virginia 22949 434-263-7136 lstaton@nelsoncounty.org

**\*Please indicate your ICR in the space provided, if applicable. As the duly authorized representative, the undersigned, having received the Statement of Grant Awards (SOGA) and reviewing the Special Conditions, hereby accepts this grant and agree to the conditions and provisions of all other Federal and State laws and rules and regulations that apply to this award.**

Signature:   
 Authorized Official (Project Administrator)

Title: County Administrator

Date: May 30, 2023

**Linda Staton**

**From:** Angela F Hicks  
**Sent:** Monday, July 31, 2023 9:14 AM  
**To:** Linda Staton  
**Subject:** Federal Funds deposited

Good morning Linda,  
The (federal) funds below were deposited into the County's account this morning. Can you please let me know if these are County Funds & if so, to which Treas Code should we post them? Thanks! Angi

Post Date	Reference	Additional Reference	Description	Debit	Credit	Calculated Balance
07/31/2023 09:06 AM (ET)			PREAUTHORIZED ACH CR EDIT TDP TREAS 310/MISC PAY RMR*IV*TDO22LAT00696B* AI*50000.00*50000.		\$50,000.00	
07/31/2023	Totals			\$0.00	\$50,000.00	

Showing 1 - 1 of 1

LATCF (Local Assistance Tribal  
Consistency Fund)  
3-100-003303-0044 (4)

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

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



## Linda Staton

---

**From:** Candy McGarry  
**Sent:** Friday, July 21, 2023 1:17 PM  
**To:** Linda Staton  
**Subject:** FW: LATCF Submission Received - American Rescue Plan Act of 2021 - Treasury's Local Assistance and Tribal Consistency Fund  
**Attachments:** LATCF Submission Traunch 2 7-21-23.pdf

Linda, FYI and submission attached. 😊

**From:** LATCF@treasury.gov [mailto:latcf@treasury.gov]  
**Sent:** Friday, July 21, 2023 1:10 PM  
**To:** Candy McGarry <CMcGarry@nelsoncounty.org>  
**Subject:** LATCF Submission Received - American Rescue Plan Act of 2021 - Treasury's Local Assistance and Tribal Consistency Fund

Dear Local Assistance and Tribal Consistency Fund Recipient,

Your submission to the Treasury Submission Portal for the Local Assistance and Tribal Consistency Fund on behalf of Nelson County has been received.

The submission review process generally takes approximately four business days. During that time, you may be contacted at this email address if there is an issue regarding your submission that needs correction or clarification.

You can monitor the status of your submission at any time by logging into the [Treasury Submission Portal](#).

If the information and/or documentation you submitted is determined to be complete and accurate, you will receive confirmation at this email address with instructions including the projected timing for payment.

If you have questions about the [Treasury Submission Portal](#) or for technical support, please email [covidreliefitsupport@treasury.gov](mailto:covidreliefitsupport@treasury.gov). If you have general questions about the Local Assistance and Tribal Consistency Fund please email [LATCF@treasury.gov](mailto:LATCF@treasury.gov) or call 844-529-9527.

Regards,  
U.S. Department of the Treasury  
Local Assistance and Tribal Consistency Fund Contact Center

Phone: (844) 529-9527  
Email: [LATCF@treasury.gov](mailto:LATCF@treasury.gov)  
[Treasury's Portal - Login.gov](#)  
[Treasury's Portal - ID.me](#)

County of Nelson  
Information Systems

August 3, 2023

To: Candy McGarry  
From: Susan Rorrer  
Re: Nokia Microwave Project

Efforts to cure the degraded microwave path and resulting low receive signal level (RSL) for the Lovington to High Top path through antenna realignment have been unsuccessful. Nokia has recommended and provided a quote for replacement of the two antennas and associated waveguide on the Lovington and High Top towers. The following is a breakdown of the total cost.

Antennas and Waveguide	\$12,291.46
Installation Services	\$36,274.58
<u>Transmission Engineering Services – FCC Licensing and PCN</u>	<u>\$ 3,643.00</u>
TOTAL	\$52,209.04

County staff highly recommends approval of this work. The budget for the project currently has a balance of \$17,681.87. Staff is requesting an additional \$34,527.17 in funding for the completion of the work.

The Lovington/High Top path is a critical path on the microwave network that connects the ECC to all other County radio communications tower sites. Loss of this path will result in a significant disruption of radio communications in the County. Continuing to rely upon the degraded path and associated low RSL puts the County at significant risk of radio communications failure for an extended duration.

	FY/2020 EXPENSE	FY/2021 EXPENSE	FY/2022 EXPENSE	ADOPTED FY/2023 BUDGET	AMENDED FY/2023 BUDGET	ACTUAL 2023/06	DEPT FY/2024 REQUEST	ADMIN FY/2024 RECOMMENDS	ADOPTED FY/2024 BUDGET
***CAPITAL OUTLAY***									
091050-7155	Lexis AC Shelter Office Addi	39,037							
091050-7156	Animal Control X9 Beds		2,714						
091050-7157	Animal Control Firearms/Tran								
091050-7158	Animal Control Liveback Tra		4,658		15,200	15,315			
091050-7160	Broadband Network Improvement								
091050-7164	Active 911 Subscription	294,406							
091050-7165	911 CAD Equipment								
091050-7166	911 Microphone Network Updat								
091050-7170	Text to 911 Implementation		42,686						
091050-7173	Office Space PER (Low Health								
091050-7174	Blue Moon Building Evaluatio								
091050-7175	Transportation Study (School	16,872	3,671	74,893					
091050-7180	Generator Upgrade (Rockfish	34,519		39,000	117,842	103,954			
091050-7185	Animal Control Truck (2)								
091050-9999	Public Safety Radio Project	1,116,500	923,016	372,931	4,289,335	3,955,336	2,612,609	2,641,454	2,641,454
	--TOTAL DEPARTMENT--								
NON-DEPARTMENTAL									
092000	REVENUE REFUNDS SUSPENSE ACC	4,449,476	4,038,739	2,057,417	8,463,763	9,034,824	5,478,364	7,176,278	7,332,861
092010	***GENERAL FUND REFUNDS***								
092010-9201	Refunds	41,080	79,070	11,997	45,000	45,000	27,558	45,000	45,000
092010-9204	Refunds (Prearation)	9,813	7,258	5,882	5,000	5,000	5,106	5,000	5,000
092010-9210	Refunds (Primary Fees)	1,889	897	597	2,000	2,080	2,726	2,000	2,000
092010-9215	Refunds (Revenue Recovery)	52,882	87,225	18,476	52,000	52,000	35,390	52,000	52,000
	--TOTAL DEPARTMENT--								
093100	REVENUE REFUNDS SUSPENSE AC	52,882	87,225	18,476	52,000	52,000	35,390	52,000	52,000
093100-0121	***TRANSFERS***								
093100-0121	Transfers to Emerg Serv. Lon								
093100-0121	Transfer to Reassessment Fun	85,000	85,000		85,000	85,000		85,000	85,000
093100-0121	Transfer to Capital Fund								
093100-0121	Transfer to Broadband Fund								
093100-0121	Transfer to VPA Fund	1,559,683	1,632,740	2,143,322	2,234,515	2,234,515	2,111,079	2,111,079	2,111,079
093100-0121	Transfer to School (Nursing	164,935	164,935	164,935	164,935	164,935	164,935	164,935	164,935
093100-0121	Transfer to School Fund-Oper	15,929,887	15,929,887	15,929,887	17,136,687	17,401,089	18,379,837	18,379,837	18,379,837
093100-0121	Transfer to Debt Service Fun	3,180,902	3,176,552	3,143,087	6,341,318	6,341,318	3,775,368	3,325,284	3,325,284
093100-0121	Transfer to School (buses)		441,546						
093100-0121	Transfer to School (Capital)		39,788						
093100-0121	Transfer to Pin. Riv. Water/Se	891,050		183,654		76,441		76,442	
093100-0121	Transfer to Piney River 3 Pr								
093100-0121	Transfer to Courthouse Proje								
093100-0121	Transfer to Street Light Fun								

Handwritten notes in yellow:  $369,455 + 34,527.17 = 403,982.17$

## Linda Staton

---

**From:** Maureen A Kelley  
**Sent:** Thursday, April 13, 2023 3:43 PM  
**To:** Linda Staton  
**Subject:** FW: VTC Marketing Leverage Program Grant Award Notification  
**Attachments:** SPRING 2023 MLP Reimbursable Marketing Plan Revision Form.docx; SPRING 2023 MLP Cash Match Marketing Plan Revision Form.docx; I'm Awarded What's Next MLP.docx

Wheeeee!

**From:** Martin, Staci [mailto:smartin@virginia.org]  
**Sent:** Thursday, April 13, 2023 1:52 PM  
**To:** Maureen A Kelley <makelley@nelsoncounty.org>; cmcgary@nelsoncounty.org  
**Subject:** VTC Marketing Leverage Program Grant Award Notification

Congratulations! I am pleased to inform you that your application for the VTC Marketing Leverage Program # 0323-0110-MLP Eat. Drink. Love. for Nelson County Tourism has been approved in the amount of \$20,000.

Along with this award letter, you have received a document titled "I'm Awarded! What's Next?", which will be your one-sheet guide to navigating the VTC program's process.

You will also receive a media template to share with your partners and community in early May. VTC does request that you **do not issue a local media release until you receive the media template in early May.**

We have also attached Cash Match Marketing Plan Revision Forms and Reimbursable Marketing Plan Revision Forms should you need to make any changes to your marketing plans. These changes must be approved by VTC before seeking reimbursement.

Again, congratulations on your successful award. VTC looks forward to working with you in the coming months as you progress with your marketing plan.

**Staci Martin** | Virginia Tourism Corporation  
Grants Director  
[smartin@virginia.org](mailto:smartin@virginia.org) | 757-390-7330  
[Virginia.org](http://Virginia.org) | [vatc.org](http://vatc.org) | #LoveVA



**Applicant Information**

**Is your destination listed on Virginia.org? Are the partners and spokes you will be partnering with listed on Virginia.org?**

Yes

**If yes, what is your Virginia.org URL?**

<https://www.virginia.org/listing/nelson-county-tourism/18906/>

**Business/Organization Name**

Nelson County Tourism

**How many full-time employees do you have?**

2

**How many part-time employees do you have?**

5

**ENR # (if a sole proprietorship, SS # is allowed.)**

54-6001441

**Locality where Business/Organization is located**

Nelson

**Applicant Contact Name**

Maureen Kelley

**Applicant Contact Title**

Director of Economic Development and Tourism

**Applicant Contact Email**

[makelley@nelsoncounty.org](mailto:makelley@nelsoncounty.org)

**Second Applicant Contact Name**

Candy McGarry

**Second Applicant Contact Title**

County Administrator

**Second Applicant Contact Email**

[cmcgarr@nelsoncounty.org](mailto:cmcgarr@nelsoncounty.org)

**Applicant Mailing Address**

Post Office Box 636  
Lowingson, Virginia 22949

United States

**Contact Phone Number**

(434) 263-7015

**How much funding are you requesting from VTC?**

\$20,000.00

**Are you planning to use these funds to market any events, concerts, meetings, or conventions outside the scope of your normal operations?**

No

**Facebook**

<https://www.facebook.com/VisitNels>  
onCounty

**Business/Organization Website**

[www.nelsoncounty.com](http://www.nelsoncounty.com)

**Instagram**

@visitnelsoncounty

**Hashtags**

#visitnelson

**Program Marketing Goals (15 Points)**

**Program Focus**

Culinary/Craft Beverage/Wine

**Marketing Program Name**

Eat, Drink, Love.

**Marketing Program Description**

Eat, Drink, Love, is Virginia Tourism Corporation's statewide culinary campaign. That brand initiative matches and celebrates all things Nelson County has to offer- local culinary experiences/farms and orchards, craft beverage and hidden gems like LOVEworks and the outdoor recreation spaces that make Nelson County special. This funding will be used for a robust paid social media campaign using Facebook and Instagram to promote the 50+ participants in the mobile passport program (powered by Bandwango).

**Start Date of Marketing Program**

05/31/2024

**End Date of Marketing Program**

05/31/2024

06/01/2023

**How will VTC funding enhance your normal marketing activities?**

Without these funds, we cannot reach the target markets through paid social media that drive overnight visitation and increased revenues. The paid social media uses geo-fencing and technology that matches consumer behaviors of customers at the same type of locations in the target markets with restaurants/farms and orchards, craft beverage venues and outdoor recreational assets.

**Will these funds enhance your marketing to diverse audiences and/or promote accessibility? If yes, please explain.**

All marketing efforts target diverse audiences, especially the LGBT audience.

**How will this program drive additional overnight or out-of-region visitation?**

Target markets are approximately a 3 hour drive, creating the opportunity for overnight visitation. Lodging, Farm and Restaurant partners will create packages and itineraries around the campaign to track its effectiveness.

**Select your nearest local or regional DMO.**

Nelson

**Please upload a letter of support for your marketing program from your nearest local or regional DMO.**

• dmoamld.pdf

**Hub & Spoke (25 Points)**

Partners and spokes must be organizations and businesses that support your marketing. Please do not list general categories such "restaurants." Instead, list exact names of businesses, such as Whiststop Café or Joe's B&B.

**Lure**

Craft Beverage, Farms/Orchards/Hidden Gems

**Partner #1**

**Partner #1 Address**

WildMandans Beer Centric B & B

279 Avon Rd. Arton, VA 22920  
Arton, Virginia 22920  
United States

**\*How will this partner support your marketing program?**

WildMandans Beercentric B & B will continue to brew special beers to promote the Eat, Drink, Love, Campaign. They brewed a Dark Matter IPA for the Dark Skies campaign and a Pit Axe red ale for the Blue Ridge Tunnel. They will offer lodging packages and create in house commercials that will run on a loop on a screen in the brewery. Their website and social media will prominently promote the Eat, Drink, Love, campaign. They will distribute the marketing materials including the rack cards and decals. They are a stop on the current Eat, Drink, Love passport program.

**\*Is this partner listed on Virginia.org?**

Yes

**If yes, what is their Virginia.org URL?**

<https://www.virginia.org/isthng/wildmandan-brewery/1651/>

**Partner #2**

Blue Mountain Barrel House and Smokey Barrel Restaurant

**Partner #2 Address**

495 Cooperative Way  
Arrington, Virginia 22922  
United States

**\*How will this partner support your marketing program?**

Blue Mountain Barrel House and Smokey Barrel Restaurant will promote the campaign through its website and social media channels. They will distribute the campaign marketing collateral materials, including rack cards and decals. They are a stop on the current Eat, Drink, Love passport program.

**\*Is this partner listed on Virginia.org?**

Yes

**If yes, what is their Virginia.org**

**URL2**  
<https://www.virginia.org/lishing/blue-mountain-barrel-house/16302/>

**Spoke #3**  
 Fruit Loop

**Spoke #4**  
 Brew Ridge Trail

**Spoke #6**  
 Nelson 29

**How will these spokes support your marketing program?**

Each of these trails represent a strong cluster of agritourism businesses, each with its own website and marketing materials. Each trail represents an important part of the Eat, Drink, Love, campaign - many locations have farms on site, many have craft beverages on locations and many have outdoor recreation amenities like hiking trails and golf driving ranges.

All partners on the trails will promote the campaign on their websites and social media as well as distribute marketing collateral (track cards and decals) as well serve as stops on the passport.

**Spoke #5**  
 Nelson 151

**Target Markets (20 Points)**

You must choose at least two target markets. These target markets must be reflected in your marketing plan.

**Target Market #1**  
 Raleigh, NC

**Why did you choose this market?**

Nelson County is only a 3-hour drive from Raleigh-Durham, moving it from a day trip to an overnight or multi-day trip with lodging, dining and sightseeing for increased visitor expenditure. Raleigh-Durham is a Top DMA of Origin in the Virginia Leisure Profile. 12% of this traveler uses a destination website, so a social media and digital campaign will be effective to reach these visitors. It is the #9 Top DMA of Origin in the 2021 Longwood Visitor Profile for Foodies and the #13 Top DMA of Origin in the 2021 Longwood Visitor Profile for Craft Beer.

**Target Market #2**  
 Richmond

**Why did you choose this market?**

Nelson County is an easy drive from Richmond. It is a robust food and craft beer scene, so those travelers are always looking for the next place to explore. Because of its rural nature, Nelson County offers a place that is different, with hidden gems like the Blue Ridge Tunnel and scenic drives in the mountains.

**Target Market #3**  
 Roanoke-Salem

**Why did you choose this market?**

Roanoke is similar to Nelson County in its craft beverage cluster and outdoor recreation offerings. Roanoke is the #4 Top DMA of Origin in both Longwood's 2021 Craft Beer and Foodie Travel Profiles.

**Marketing Plans (30 Points)**

**Cash Match Marketing Plan**

**Grand Total Cash Match**  
 32200.00

Market	Target	Team	Planning	Start Date	End Date	Amount
Medina	Target	Marketing	2023-01-01	2023-12-31		
Channahon	Target	Marketing	2023-01-01	2023-12-31		
Norfolk	Target	Marketing	2023-01-01	2023-12-31		
Other	Target	Marketing	2023-01-01	2023-12-31		

T & N Printing	Est. Drink. Love. Rack Cards	8/2 022 -1/2 023	87 5
Moun Lain Laurel Studio	Est. Drink. Love. banner	8/2 022 -1/2 023	15 0
Blue Ridge Digest	2023 Spring/Summer issue ad	3/2 023	84 5
Richmond Magazine	RVA Fall/Winter Traveler 1/2 page ad	9/2 023	20 00
Best of C-VILLE	Full page ad	9/2 023	12 25
Recreation News	September 2023 1/2 page ad	9/2 023	17 00
Recreation News	October 2023 1/2 page ad	10/ 202 3	17 00
Blue Ridge Parkway Association	Photo listing in 2023 Travel planner	1/2 023	35 75
Blue Ridge Outdoors	Trails of the Southwestern Adventoral 1/4 page ad	3/2 023	99 5
Richmond Magazine	Sourcebook 2023 full page ad and advertorial	2/2 023	20 00

Moun Lain Laurel Studio	Est. Drink. Love. decals (5000)	9/2 022	22 25
Band wang	Mobile passpost	9/2 022	14 00 0

**VTC Reimbursable Marketing Plan**

Marketing Item Description	Plan	Amount
Media Campaign (target markets, target demographics, other details)	6-1 2/2 023	20 00
paid social media campaign to Roanoke, Richmond and Raleigh-Durham		

**Grand Total Reimbursable Marketing Plan**

20000.00

**Performance Measures (10 Points)**

- Performance Outcome #1
- # of Customers/Visitors
- Performance Baseline (Now)
- 275
- Performance Baseline Date
- 10/01/2022



**Performance #1 Goal**

550

**Performance Goal Date**

05/31/2024

**Performance Outcome #2**

\$ Annual Sales

**Performance Baseline (How)**

2500000

**Performance Baseline Date**

10/01/2022

**Performance #2 Goal**

2750000

**Performance Goal Date**

05/31/2024

**Bonus - VIFL Activation (5 Bonus Points)**

How will you integrate the Virginia Is for Lovers brand in your marketing and advertising materials? (Select from Drop Down Box)

**VIFL Activation**

Visitor Center has Virginia Is for Lovers merchandise

**Activation Details**

We sell VIFL caps and wine glass sets

**Dates (if Applicable)**

Ongoing

**VIFL Activation**

VIFL apparel on staff/performers

**Activation Details**

Visitor center staff proudly wear their VIFL lover apparel at work and at leisure.

**Dates (if Applicable)**

Ongoing

**VIFL Activation**

VIFL Banners at events, visitor centers

**Activation Details**

The Eat, Drink, Love, banner rotates to various locations for events and just exposure.

**Dates (if Applicable)**

Ongoing

**Save and Submit**

**Acceptance of Terms**

By clicking this checkbox and submitting this form, you are confirming that all information is final.

By clicking this checkbox and submitting this form, you are confirming that all information is final. I understand that failure to meet the requirements in the Terms and Conditions could result in forfeiture of the award and denial of reimbursements. I am attesting that the match will be true and verifiable.

## Linda Staton

---

**From:** Maureen A Kelley  
**Sent:** Wednesday, April 12, 2023 7:30 PM  
**To:** Candy McGarry; Linda Staton  
**Subject:** RE: VTC DMO Grant Award Notification  
**Attachments:** Spring 2023 DMO Marketing Leverage Program.pdf

Video and social media!

**From:** Candy McGarry  
**Sent:** Wednesday, April 12, 2023 4:29 PM  
**To:** Martin, Staci <[smartin@virginia.org](mailto:smartin@virginia.org)>; Maureen A Kelley <[makelley@nelsoncounty.org](mailto:makelley@nelsoncounty.org)>  
**Subject:** RE: VTC DMO Grant Award Notification

Awesome! Remind me again which grant this is, thanks!

**From:** Martin, Staci [<mailto:smartin@virginia.org>]  
**Sent:** Wednesday, April 12, 2023 3:49 PM  
**To:** Maureen A Kelley <[makelley@nelsoncounty.org](mailto:makelley@nelsoncounty.org)>  
**Cc:** Candy McGarry <[CMcGarry@nelsoncounty.org](mailto:CMcGarry@nelsoncounty.org)>  
**Subject:** VTC DMO Grant Award Notification



**IRONScales couldn't recognize this email as this is the first time you received an email from this sender [smartin@virginia.org](mailto:smartin@virginia.org)**

Dear Maureen Kelley and Candy McGarry,

Congratulations! I am pleased to inform you that your application for the **DMO Marketing Program # 0323-0013-DMO Outdoor Recreation - Nelson Style** has been approved for Nelson County Tourism in the amount of \$20,000.

You will also receive a media template to share with your partners and community. **VTC does request that you do not issue a local media release until you receive the media template in early May.**

Along with this award letter, you have received a document titled "I'm Awarded! What's Next?", which will be your guide to navigating this process.

Again, congratulations on your successful award. VTC looks forward to working with you in the coming months as you progress with your marketing plan.

Sincerely,

Staci Martin, VTC Grants Director  
Noah Salaah ad-Deen, VTC Grants Specialist

**Staci Martin | Virginia Tourism Corporation**  
Grants Director  
[smartin@virginia.org](mailto:smartin@virginia.org) | 757-390-7330  
[virginia.org](http://virginia.org) | [vatc.org](http://vatc.org) | #LoveVA



**Is your DMO/destination listed on Virginia.org? Yes/No**  
Yes

**If yes, what is the event's Virginia.org url?**  
<https://www.virginia.org/listing/nelson-county-tourism/18906/>

**DMO Name**  
Nelson County Tourism

**# of full and part-time employees at the DMO**  
5

**Locality where the DMO is located**  
Nelson

**EIN #**  
54-6001441

**DMO Contact Name**  
Maureen Kelley

**DMO Contact Title**  
Director

**DMO Contact Email**  
[makelley@nelsoncounty.org](mailto:makelley@nelsoncounty.org)

**Second DMO Contact Name**  
Candy McGarry

**Second DMO Contact Title**  
County Administrator

**Second DMO Contact Email**  
[cmcgarry@nelsoncounty.org](mailto:cmcgarry@nelsoncounty.org)

**DMO Mailing Address**  
Post Office Box 636  
Lovingston, Virginia 22949  
United States

**Applicant Organization Phone Number**  
(434) 263-7015

**Amount of Requested Funds**  
\$20,000.00

**Are you planning to use these funds to market any events, concerts, meetings, or conventions outside the scope of your normal DMO operations?**  
No

**DMO Website**

## Program Marketing Goals (15 Points)

**Please choose the best category for your program.**

Outdoor Recreation

### Marketing Program Name

Outdoor Recreation - Nelson Style

### Marketing Program Description

Curate a collection of high resolution photographs of outdoor activities including Dark Skies, fly fishing and river fun, whitewater paddling, gravel biking, hiking, spring apple and peach blooms. This will give Nelson County Tourism 4K video, b-roll as well as 1-2, 30-60 second video reels (vertical and horizontal). A robust paid social media campaign will be launched post production to the Raleigh-Durham, Roanoke and Richmond areas.

### Start Date of Marketing Program

07/01/2023

### End Date of Marketing Program

12/31/2023

### How will VTC funding enhance your normal marketing activities?

The project will give Nelson County Tourism new creative assets to promote its outdoor recreational opportunities. We have never been able to afford professional videography.

### Will these funds enhance your marketing to diverse audiences and/or promote accessibility?

Yes

### If yes, please explain.

One of the goals of the program is to promote outdoor recreation as accessible, specifically related to hiking and river fun to audiences who may not normally have considered outdoor recreation as an activity in the past.

### How will this program drive additional overnight or out-of-region visitation?

The target markets (Roanoke, Raleigh-Durham and Richmond) are far enough away to need overnight accommodations. Nelson lodging partners will be encouraged to create packages and itineraries that use and promote these creative assets.

### Projected # of out-of-state visitors from this marketing program.

**Projected # of regional visitors coming for a day trip from this marketing program.**

1000

**Total Projected Visitors from this marketing program.**

1500

**What research do you have to validate these projections?**

With VTC funding from the 2022 DMO grant, Nelson County Tourism was able to launch its very successful Dark Skies initiative that will be continued in 2023 with new creative assets from this grant application. The 2022 social media campaign saw a total of 561,404 impressions from paid social media campaigns with Facebook and Instagram to target markets - Virginia Beach, Washington DC and Raleigh-Durham. The most impactful ads were videos in carousel and social mirror ads). It became the top landing page on the [www.nelsoncounty.com](http://www.nelsoncounty.com) website during 2022 with a viewing time of over 4 minutes during the fall and winter months. More than 1000 attendees at the 20+ local Star Parties that dotted the landscape throughout the year at venues like Silverback Distillery, Wood Ridge Farm Brewery, Cardinal Point Winery and Blue Mountain Barrel House. The parties allowed these places and others to extend their hours and created opportunities for partnerships with lodging establishments for packages. WildManDan Brewery and B & B produced a Dark Matter IPA. Nelson Parks and Recreation partnered with Blue Mountain on an evening tour of the Blue Ridge Tunnel, with its newest release of Dark Hollow (which has the tunnel on the label!).

From Drive 2.0 strategic planning process and Drive Outdoor, we are working through the goals set from those programs and this videography will help promote those outdoor assets and drive overnight outdoor recreation enthusiasts from markets that we have been in for the last year - again, because of VTC funding. Creating marketing materials for our lure (blueways, hiking and cycling trails) was declared an Enhanced Product in our Drive Outdoor plan. There was early consensus by the group on our lure being outdoor recreation, so the planning meeting and subsequent ones have allowed us to more clearly define projects and goals to market these assets. Creative visual content is the best way to show the natural resources that are Nelson County's assets.

## **Competition (10 Points)**

### **What destination is your #1 out-of-state competition?**

Raleigh-Durham

### **Why did you select this destination?**

Raleigh, N.C.'s reputation is on the rise for outdoor activities; Men's Health magazine recently named Raleigh the third sportiest city in America. Like Nelson County, there is a wide variety of ways to get out and get active—ranging from hiking trails to golf courses to hidden kayaking spots. They have two state parks and 180 total miles of greenway trails.

### **What destination is your #1 in-state competition?**

Roanoke

### **Why did you select this destination?**

Roanoke boasts that it is America's East Coast Mountain Biking Capital. The Roanoke Valley was named one of the ten most bike-friendly areas in the United States by USA Today Travel and our mountain biking has been featured by internationally-known outlets such as Pinkbike, Singletracks, Men's Journal, and Mpora. The popular Carvins Cove is regarded as a bucket list trail system for mountain bikers from around the world. For hiking, Roanoke is the largest city on the Appalachian Trail, and the local trio of Dragon's Tooth, McAfee Knob, and Tinker Cliffs has become collectively known as the Triple Crown of Virginia - showcasing three of the most beautiful summits of the A.T. Roanoke is home to the Blue Ridge Parkway, regarded as "America's Favorite Drive" because of its spectacular beauty, Smith Mountain Lake - the "Jewel of the Blue Ridge," and amazing Virginia State Parks. Like Nelson County, there is access to the George Washington & Jefferson National Forests, which feature an assortment of options for hiking, biking, paddling, fishing, and camping.

Roanoke and Nelson County share beautiful rivers for kayaking and canoeing, perfect spots for birding and wildlife watching, awesome disc golf courses, hiking trails with stunning panoramic views and challenging mountain biking trails.

### **How does your marketing plan make you more competitive against these destinations?**

The marketing plan is designed to create compelling videography and messaging to residents and visitors to these places who have the same behaviors and spending patterns. By using targeted, paid social media, our statistics from earlier campaigns have proven that these

strategies work. But the creative assets must come first.

## **Hub & Spoke (15 Points)**

### **Lure**

Outdoor Recreation

### **Partner #1**

Ski Barn

### **Partner #1 Address**

45 Beech Grove Road  
Roseland, Virginia 22967  
United States

### **How will this partner support your marketing program?**

Ski Barn will be part of the videography team, supplying outdoor recreation equipment and professional outfitting services for the film shoot. They will promote the creative assets in their marketing campaigns both at Wintergreen and Snowshoe locations.

### **Is this partner listed on Virginia.org? Yes/No**

Yes

### **If yes, what is the ir Virginia.org url?**

<https://www.virginia.org/listing/ski-barn/13709/>

### **Upload Letter of Support from Partner #1**

- [ski-barn.pdf](#)

### **Partner #2**

Love Mountain Lodging

### **Partner #2 Address**

45 Royal Oaks Lane  
Lyndhurst, Virginia 22952  
United States

### **How will this partner support your marketing program?**

Love Ridge Mountain Lodging will offer accommodations to the film crews as well as location headquarters for the project duration. They will promote the creative assets in their ongoing marketing campaigns.

### **Is this partner listed on Virginia.org? Yes/No**

Yes

### **If yes, what is the Virginia.org url?**

<https://www.virginia.org/listing/love-ridge-mountain-lodging/10040/>



**Upload Letter of Support from Partner #2**

- [loveridge-los.pdf](#)

**Spoke #3**

Brew Ridge Trail

**Spoke #5**

Nelson 29 Beverage Trail

**Spoke #4**

Nelson 151 Craft Beverage Trail

**How will these spokes support your marketing program?**

Each of these business clusters has its own audience and marketing programs that all collaborate and cross-promote one another. Many locations have outdoor amenities already(Wood Ridge Farm Brewery has added a driving range) and at least two others are planning to add amenities (Veritas is adding an ice skating rink and Wood Ridge is building a splash park). Adding the outdoor recreation component to their marketing mix supports and strengthens all efforts. This can be done through websites, social media and other promotions throughout the year.

**Spoke #6**

Fruit Loop

**Target Markets (20 Points)**

**Why did you choose this market?**

Nelson County is only a 3- hour drive from the Raleigh-Durham area, moving it from a day trip to a multi-day trip with lodging and dining, sky watching and outdoor recreation added for increased visitor expenditure. Raleigh-Durham a Top DMA of Origin list in the Virginia Leisure Profile. The 2020 Longwood Leisure Travel Profile notes that 11% of this traveler enjoys tours. 12% of this traveler uses a destination website, so a social media and digital campaign is planned.

**Target Market #1**

Out-of-State Other

**Why did you choose this market?**

Roanoke is similar to Nelson County in its outdoor recreational offerings and craft beverage cluster. Roanoke is the #4 Top DMA of Origin as noted in Longwood's 2021 Craft Beer Travel Profile. Nelson County has been doing some robust paid social media over the last year to the Roanoke area with its Eat, Drink, Love campaign and from social media tracking and follow up with the local craft beverage businesses, there is evidence that that marketing has been successful.

**Target Market #2**

Roanoke-Salem

**Why did you choose this market?**

Richmond is an easy less than 3 hour drive for visitors. Its visitor profile defines it as a destination for outdoor

**Target Market #3**

Richmond

recreation enthusiasts. As noted in Longwood's 2021 Overnight Travel Profile Richmond is the #2 Top DMA of Origin for Virginia. Related to marketing to the outdoor recreational enthusiast, Richmond is the #4 Top DMA of Origin in Longwood's 2021 Sports and Outdoors Travel Profile.

### Marketing Plans (30 Points)

#### In-Kind or Cash Match Marketing Plan

Media Channel Name	Marketing Item Descriptions (including target markets/demographics)	Placement Dates	Amount
www.nelsoncounty.com	webpage development and placement of videography and creative assets	7/1/2023	1000
www.brewridgetrail.com	webpage development and placement of videography and creative assets	7/1/2023	1000
www.nelson151.com	webpage development and placement of videography and creative assets	7/1/2023	1000
www.nelson29.com	webpage development and placement of videography and creative assets	7/1/2023	1000
Facebook and Instagram	paid social media to Roanoke	1-3/2023	6500
Facebook and Instagram	paid social media to Richmond	1-3/2023	6500

#### Grand Total In-kind or Cash Match:

10500.00

#### VTC Reimbursable Marketing Plan

Media Channel Name	Description (type, demographics, reach)	Placement Dates	Amount
DV Entertainment	Curate a collection of high resolution photographs of outdoor activities including Dark Skies, fly fishing and river fun, whitewater paddling, gravel biking, hiking, spring apple and peach blooms. This will give Nelson County Tourism 4K video, b-roll as well as 1-2, 30-60 second video reels (vertical and horizontal).	7/1/2023	15000
Facebook and Instagram paid social media	Paid social media to Raleigh-Durham, Roanoke and Richmond	7-9/2023	5000

#### Grand Total Reimbursable Marketing Plan

20000.00

### Performance Outcomes (10 Points)

#### Performance Outcome #1

# of Room Nights

**Performance Baseline (now)**

24

**Performance Baseline Date**

07/01/2023

**Performance Goal**

50

**Performance Goal Date**

12/31/2023

**Performance Outcome #2**

Occupancy Tax Revenue

**Performance Baseline (now)**

120

**Performance Baseline Date**

07/01/2023

**Performance Goal**

250

**Performance Goal Date**

12/31/2023

**BONUS POINTS: VIFL Activation Type (5 Bonus Points)**

**VIFL Activation Type**

Photography Opportunity

**Activation Details**

Asset will be shared with VTC's film office and used in all marketing campaigns

**Dates (If Applicable)**

ongoing after 7/1/2023

**VIFL Activation Type**

Visitor Center has Virginia is for Lovers merchandise

**Activation Details**

VIFL merchandise is a big seller at the visitor center. We sell caps and wine glasses.

**VIFL Activation Type**

VIFL apparel on staff/performers

**Activation Details**

Visitor Center staff proudly wear their VIFL apparel at work, at events and during their leisure time.

**VIFL Activation Type**

Comp or Discount Lodging for Photography or Video Acquisition

**Activation Details**

Love Ridge Mountain Lodging is contributing the accommodations for the film shoot.

**Dates (If Applicable)**

7-12/2023

## Save and Submit

### Acceptance of Terms

By clicking this checkbox and submitting this form, you are confirming that all information is final. You are attesting that your match is true and verifiable.

I have read and agree to the terms and conditions.

	FY/2020	FY/2021	FY/2022	ADOPTED	AMENDED	ACTUAL	DEPT	ADMIN	ADOPTED	
	REVENUE	REVENUE	REVENUE	BUDGET	BUDGET	2023/06	FY/2024	FY/2024	FY/2024	
							REVENUE	RECOMMENDS	BUDGET	
<b>**CATEGORICAL AID - FEDERAL</b>										
003303-0031										
003303-0035										
003303-0036										
003303-0040										
003303-0041										
003303-0042										
003303-0043										
003303-0044										
003303-0045										
003303-0050										
003303-0055										
003303-0056										
003303-0057										
003303-0100										
003303-0105										
003303-0106										
003303-0107										
003303-0200										
003303-0231										
003303-0240										
003303-0250										
<b>REVENUE FROM FEDERAL GOV'T</b>										
	2,457,648-	4,220,828-	2,636,385-	1,396,844-	1,363,901-	1,058,026-	1,286,560-	1,286,560-	1,286,560-	
<b>OTHER FINANCING SOURCES</b>										
004101										
004101-0001										
004101-0002										
004101-0005										
004101-0006										
004101-0007										
<b>REVENUE FROM FEDERAL GOV'T</b>										
	2,457,648-	4,220,828-	2,636,385-	1,396,844-	1,363,901-	1,058,026-	1,286,560-	1,286,560-	1,286,560-	
<b>OTHER FINANCING SOURCES</b>										
004101										
004101-0001										
004101-0002										
004101-0005										
004101-0006										
004101-0007										
<b>REVENUE FROM FEDERAL GOV'T</b>										
	2,457,648-	4,220,828-	2,636,385-	1,396,844-	1,363,901-	1,058,026-	1,286,560-	1,286,560-	1,286,560-	
<b>OTHER FINANCING SOURCES</b>										
004101										
004101-0001										
004101-0002										
004101-0003										
004101-0004										
004101-0005										
004101-0006										
004101-0007										
<b>REVENUE FROM FEDERAL GOV'T</b>										
	2,457,648-	4,220,828-	2,636,385-	1,396,844-	1,363,901-	1,058,026-	1,286,560-	1,286,560-	1,286,560-	
<b>OTHER FINANCING SOURCES</b>										
004101										
004101-0001										
004101-0002										
004101-0003										
004101-0004										
004101-0005										
004101-0006										
004101-0007										
<b>REVENUE FROM FEDERAL GOV'T</b>										
	2,457,648-	4,220,828-	2,636,385-	1,396,844-	1,363,901-	1,058,026-	1,286,560-	1,286,560-	1,286,560-	
<b>OTHER FINANCING SOURCES</b>										
004101										
004101-0001										
004101-0002										
004101-0003										
004101-0004										
004101-0005										
004101-0006										
004101-0007										
<b>REVENUE FROM FEDERAL GOV'T</b>										
	2,457,648-	4,220,828-	2,636,385-	1,396,844-	1,363,901-	1,058,026-	1,286,560-	1,286,560-	1,286,560-	

	FY/2020	FY/2021	FY/2022	ADOPTED	AMENDED	ACTUAL	DEPT	ADMIN	ADOPTED	
	REVENUE	REVENUE	REVENUE	BUDGET	BUDGET	2023/06	FY/2024	FY/2024	FY/2024	
							REVENUE	RECOMMENDS	BUDGET	
<b>**BOND PROCEEDS**</b>										
004104										
004104-0001										
004104-0002										
004104-0003										
004104-0004										
004104-0005										
004104-0006										
004104-0007										
<b>REVENUE FROM FEDERAL GOV'T</b>										
	2,457,648-	4,220,828-	2,636,385-	1,396,844-	1,363,901-	1,058,026-	1,286,560-	1,286,560-	1,286,560-	
<b>OTHER FINANCING SOURCES</b>										
004105										
004105-0101										
<b>REVENUE FROM FEDERAL GOV'T</b>										
	2,457,648-	4,220,828-	2,636,385-	1,396,844-	1,363,901-	1,058,026-	1,286,560-	1,286,560-	1,286,560-	

TRANSFER FROM OTHER FUND  
Transfer from Reassessment P 255,703-

582,000 (4,220,828) 9/28

**Linda Staton**

**From:** Angela F Hicks  
**Sent:** Wednesday, July 26, 2023 9:18 AM  
**To:** Linda Staton  
**Subject:** RE: Deposit Received

Absolutely!

**Operating Account - Checking - [REDACTED] Available [REDACTED]**

Post Date	Reference	Additional Reference	Description	Debit	Credit	Calculated Balance
07/26/2023 09:01 AM (ET)		VTCARP	PREAUTHORIZED ACH CREDIT VIRGINIA TOURISM/PAYABLES		\$82,000.00	
07/26/2023	Totals			\$0.00	\$82,000.00	

Showing 1 - 1 of 1

VTCARP

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

**From:** Linda Staton  
**Sent:** Wednesday, July 26, 2023 9:16 AM  
**To:** Angela F Hicks <AHicks@nelsoncounty.org>  
**Subject:** RE: Deposit Received

Woohoo! I know this one! LOL

It goes to VTCARP. Can you send me the deposit notice by email for my grant file please? Thanks!

*Linda*

**From:** Angela F Hicks  
**Sent:** Wednesday, July 26, 2023 9:03 AM  
**To:** Linda Staton <lstaton@nelsoncounty.org>  
**Subject:** Deposit Received



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 R2023-52**  
**NELSON COUNTY BOARD OF SUPERVISORS**  
**CORRECTION OF A CITATION ERROR IN ORDINANCE O2023-05**

**WHEREAS**, on July 11, 2023, the Nelson County Board of Supervisors adopted Ordinance O2023-05 to create a new division in Chapter 11, Taxation, Article II Real Property Tax of the Code of Nelson County Virginia; and,

**WHEREAS**, a citation error was made in new Section 11-72 which referenced “Article 2.3 of the Code of Virginia;” and,

**WHEREAS**, the Board wishes to correct the citation and replace it with “Chapter 11 of the Nelson County Code;”

**BE IT HEREBY RESOLVED**, that the Nelson County Board of Supervisors hereby corrects the citation error on Ordinance O2023-05 and a copy of the corrected Ordinance is attached herewith.

Approved: August 8, 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

ROBERT G. BARTON, JR.  
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County Administrator

AMANDA B. SPIVEY  
Administrative Assistant/  
Deputy Clerk

LINDA K. STATON  
Director of Finance and  
Human Resources

**CORRECTED**

**ORDINANCE 2023-05**  
**NELSON COUNTY BOARD OF SUPERVISORS**  
**AMENDMENT OF THE CODE OF NELSON COUNTY, VIRGINIA**  
**CHAPTER 11, TAXATION, ARTICLE II REAL PROPERTY TAX**

**BE IT HEREBY ORDAINED**, by the Nelson County Board of Supervisors that the Code of Nelson County, Virginia, Chapter 11, Taxation, Article II is hereby amended as follows:

*New*

**DIVISION 4. EXEMPTIONS FOR VETERANS AND/OR SURVIVING SPOUSE**

**Sec. 11-68. Real property tax exemption for surviving spouse of any member of the armed forces of the Unites States who was killed in action.**

A. For tax years beginning on or after January 1, 2015, there is hereby exempted from taxation the real property described in subsection B of the surviving spouse (i) of any member of the armed forces of the United States who was killed in action as determined by the U.S. Department of Defense and (ii) who occupies the real property as his principal place of residence. For purposes of this section, such determination of "killed in action" includes a determination by the U.S. Department of Defense of "died of wounds received in action." If such member of the armed forces of the United States is killed in action after January 1, 2015, and the surviving spouse has a qualified principal residence on the date that such member of the armed forces is killed in action, then the exemption for the surviving spouse shall begin on the date that such member of the armed forces is killed in action. However, the county shall not be liable for any interest on any refund due to the surviving spouse for taxes paid prior to the surviving spouse's filing of the affidavit or written statement required by § 11-69. If the surviving spouse acquires the property after January 1, 2015, then the exemption shall begin on the date of acquisition, and the previous owner may be entitled to a refund for a pro rata portion of real property taxes paid pursuant to Va. Code § 58.1-3360.

B. Those dwellings in the county with assessed values in the most recently ended tax year that are not in excess of the average assessed value for such year of a dwelling situated on property that is zoned as single family residential shall qualify for a total exemption from real property taxes under this article. If the value of a dwelling is in excess of the average assessed value as described in this subsection, then only that portion of the assessed value in excess of the average assessed value shall be subject to real property taxes, and the portion of the assessed value that is not in excess of the average assessed value shall be exempt from real property taxes. Single family homes, condominiums, town homes, manufactured homes as defined in Va. Code § 46.2-100 whether or not the wheels and other equipment previously used for mobility have been removed, and other types of dwellings of surviving spouses, whether or not the land on which the single family home, condominium, town home, manufactured home, or other type of dwelling of a surviving spouse is located is owned by someone other than the surviving spouse, that (i) meet this requirement and (ii) are occupied by such persons as their principal place of residence shall qualify for the real property tax exemption.



If the land on which the single family home, condominium, town home, manufactured home, or other type of dwelling is located is not owned by the surviving spouse, then the land is not exempt.

For purposes of determining whether a dwelling, or a portion of its value, is exempt from county and town real property taxes, the average assessed value shall be such average for all dwellings located within the county that are situated on property zoned as single family residential.

C. The surviving spouse of a member of the armed forces killed in action shall qualify for the exemption so long as the surviving spouse does not remarry. The exemption applies without any restriction on the spouse's moving to a different principal place of residence.

D. The exemption from real property taxes applies to (i) the qualifying dwelling, or the portion of the value of such dwelling and land that qualifies for the exemption pursuant to subsection B, and (ii) except land not owned by the surviving spouse, the land, not exceeding one acre, upon which it is situated. A real property improvement other than a dwelling, including the land upon which such improvement is situated, made to such one acre or greater number of acres exempt from taxation pursuant to this subsection shall also be exempt from taxation so long as the principal use of the improvement is (i) to house or cover motor vehicles or household goods and personal effects as classified in subdivision A 14 of § 58.1-3503 of the Va. Code and as listed in Va. Code § 58.1-3504 and (ii) for other than a business purpose.

E. For purposes of this exemption, real property of any surviving spouse of a member of the armed forces killed in action includes real property (i) held by a surviving spouse as a tenant for life, (ii) held in a revocable inter vivos trust over which the surviving spouse holds the power of revocation, or (iii) held in an irrevocable trust under which the surviving spouse possesses a life estate or enjoys a continuing right of use or support. The term does not include any interest held under a leasehold or term of years.

F. 1. In the event that (i) a surviving spouse is entitled to an exemption under this section by virtue of holding the property in any of the three ways set forth in subsection E and (ii) one or more other persons have an ownership interest in the property that permits them to occupy the property, then the tax exemption for the property that otherwise would have been provided shall be prorated by multiplying the amount of the exemption by a fraction that has 1 as a numerator and has as a denominator the total number of all people having an ownership interest that permits them to occupy the property.

2. In the event that the principal residence is jointly owned by two or more individuals including the surviving spouse, and no person is entitled to the exemption under this section by virtue of holding the property in any of the three ways set forth in subsection E, then the exemption shall be prorated by multiplying the amount of the exemption by a fraction that has as a numerator the percentage of ownership interest in the dwelling held by the surviving spouse, and as a denominator, 100 percent.

State law reference—Va. Code § 58.1-3219.9

*New*

### **Sec. 11-69. Application of exemption.**

A. The surviving spouse claiming the exemption under Section 11-68 shall file with the commissioner of the revenue on forms to be supplied by the county an affidavit or written statement (i) setting forth the surviving spouse's name, (ii) indicating any other joint owners of the real property, and (iii) certifying that the real property is occupied as the surviving spouse's principal place of residence. The surviving spouse shall also provide documentation from the United States Department of Defense or its successor agency indicating the date that the member of the armed forces of the United States was killed in action. The

surviving spouse shall be required to refile the information required by this section only if the surviving spouse's principal place of residence changes.

B. The surviving spouse shall promptly notify the commissioner of the revenue of any remarriage.

State law reference—Va. Code § 58.1-3219.10

*New*

**Sec. 11-70. Exemption for disabled veterans and surviving spouse.**

A. For tax years beginning on or after January 1, 2015, there is hereby exempted from taxation the real property, including the joint real property of married individuals, of any veteran who has been rated by the U.S. Department of Veterans Affairs or its successor agency pursuant to federal law to have a 100 percent service-connected, permanent, and total disability, and who occupies the real property as his principal place of residence. If the veteran's disability rating occurs after January 1, 2011, and he has a qualified primary residence on the date of the rating, then the exemption for him under this section begins on the date of such rating. However, the County, shall not be liable for any interest on any refund due to the veteran for taxes paid prior to the veteran's filing of the affidavit or written statement required by § 11-71. If the qualified veteran acquires the property after January 1, 2011, then the exemption shall begin on the date of acquisition, and the previous owner may be entitled to a refund for a pro rata portion of real property taxes paid pursuant to Va. Code § 58.1-3360.

B. The surviving spouse of a veteran eligible for the exemption set forth in this article shall also qualify for the exemption, so long as the death of the veteran occurs on or after January 1, 2011, and the surviving spouse does not remarry. The exemption applies without any restriction on the spouse's moving to a different principal place of residence.

C. The exemption from real property taxes applies to the qualifying dwelling pursuant to this section and to the land, not exceeding one acre, upon which it is situated. If the veteran owns a house that is his residence, including a manufactured home as defined in Va. Code § 46.2-100 whether or not the wheels and other equipment previously used for mobility have been removed, such house or manufactured home shall be exempt even if the veteran does not own the land on which the house or manufactured home is located. If such land is not owned by the veteran, then the land is not exempt. A real property improvement other than a dwelling, including the land upon which such improvement is situated, made to such one acre or greater number of acres exempt from taxation pursuant to this subsection shall also be exempt from taxation so long as the principal use of the improvement is (i) to house or cover motor vehicles or household goods and personal effects as classified in subdivision A 14 of § 58.1-3503 of the Va. Code and as listed in Va. Code § 58.1-3504 and (ii) for other than a business purpose.

D. For purposes of this exemption, real property of any veteran includes real property (i) held by a veteran alone or in conjunction with the veteran's spouse as tenant or tenants for life or joint lives, (ii) held in a revocable inter vivos trust over which the veteran or the veteran and his spouse hold the power of revocation, or (iii) held in an irrevocable trust under which a veteran alone or in conjunction with his spouse possesses a life estate or an estate for joint lives or enjoys a continuing right of use or support. The term does not include any interest held under a leasehold or term of years.

The exemption for a surviving spouse under subsection B includes real property (a) held by the veteran's spouse as tenant for life, (b) held in a revocable inter vivos trust over which the surviving spouse holds the power of revocation, or (c) held in an irrevocable trust under which the surviving spouse possesses a life

estate or enjoys a continuing right of use or support. The exemption does not apply to any interest held under a leasehold or term of years.

E. 1. In the event that (i) a person is entitled to an exemption under this section by virtue of holding the property in any of the three ways set forth in subsection D and (ii) one or more other persons have an ownership interest in the property that permits them to occupy the property, then the tax exemption for the property that otherwise would have been provided shall be prorated by multiplying the amount of the exemption by a fraction that has as a numerator the number of people who are qualified for the exemption pursuant to this section and has as a denominator the total number of all people having an ownership interest that permits them to occupy the property.

2. In the event that the primary residence is jointly owned by two or more individuals, not all of whom qualify for the exemption pursuant to subsection A or B, and no person is entitled to the exemption under this section by virtue of holding the property in any of the three ways set forth in subsection D, then the exemption shall be prorated by multiplying the amount of the exemption by a fraction that has as a numerator the percentage of ownership interest in the dwelling held by all such joint owners who qualify for the exemption pursuant to subsections A and B, and as a denominator, 100 percent.

State law reference—Va. Code § 58.1-3219.5

*New*

#### **Sec. 11-71. Application for Exemption**

Application for exemption. — The veteran or surviving spouse claiming the exemption under this article shall file with the commissioner of the revenue of the county, city, or town or such other officer as may be designated by the governing body in which the real property is located, on forms to be supplied by the county, city, or town, an affidavit or written statement (i) setting forth the name of the disabled veteran and the name of the spouse, if any, also occupying the real property, (ii) indicating whether the real property is jointly owned by married individuals, and (iii) certifying that the real property is occupied as the veteran's principal place of residence. The veteran shall also provide documentation from the U.S. Department of Veterans Affairs or its successor agency indicating that the veteran has a 100 percent service-connected, permanent, and total disability. The veteran shall be required to refile the information required by this section only if the veteran's principal place of residence changes. In the event of a surviving spouse of a veteran claiming the exemption, the surviving spouse shall also provide documentation that the veteran's death occurred on or after January 1, 2011.

State law reference-Va. Code § 58.1-3219.6

*New*

#### **Sec. 11-72. Appeals**

The Commissioner of the Department of Veterans Services shall hear and decide appeals by veterans residing in the Commonwealth from a denial of their application pursuant to Sec. 11-71 by a commissioner of the revenue or other assessing officer. However, such appeal shall be limited to appeals based upon a finding of fact regarding eligibility criteria set forth in subdivision (a) of Section 6-A of Article X of the Constitution of Virginia and ~~Article 2.3 of the Code of Virginia~~ *Chapter 11 of the Nelson County Code*. The Commissioner of the Department of Veterans Services shall not be authorized to hear or decide appeals

regarding a dispute over the assessed value of any property. Nothing in this section shall be construed to limit the appeal of a decision of the Commissioner of the Department of Veterans Services by either party to the circuit court in the locality in which the veteran resides.

State law reference – Va. Code § 58.1-3219.7

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

Adopted: July 11, 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

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

**ORDINANCE 2023-05**  
**NELSON COUNTY BOARD OF SUPERVISORS**  
**AMENDMENT OF THE CODE OF NELSON COUNTY, VIRGINIA**  
**CHAPTER 11, TAXATION, ARTICLE II REAL PROPERTY TAX**

**BE IT HEREBY ORDAINED**, by the Nelson County Board of Supervisors that the Code of Nelson County, Virginia, Chapter 11, Taxation, Article II is hereby amended as follows:

*New*

**DIVISION 4. EXEMPTIONS FOR VETERANS AND/OR SURVIVING SPOUSE**

**Sec. 11-68. Real property tax exemption for surviving spouse of any member of the armed forces of the United States who was killed in action.**

A. For tax years beginning on or after January 1, 2015, there is hereby exempted from taxation the real property described in subsection B of the surviving spouse (i) of any member of the armed forces of the United States who was killed in action as determined by the U.S. Department of Defense and (ii) who occupies the real property as his principal place of residence. For purposes of this section, such determination of "killed in action" includes a determination by the U.S. Department of Defense of "died of wounds received in action." If such member of the armed forces of the United States is killed in action after January 1, 2015, and the surviving spouse has a qualified principal residence on the date that such member of the armed forces is killed in action, then the exemption for the surviving spouse shall begin on the date that such member of the armed forces is killed in action. However, the county shall not be liable for any interest on any refund due to the surviving spouse for taxes paid prior to the surviving spouse's filing of the affidavit or written statement required by § 11-69. If the surviving spouse acquires the property after January 1, 2015, then the exemption shall begin on the date of acquisition, and the previous owner may be entitled to a refund for a pro rata portion of real property taxes paid pursuant to Va. Code § 58.1-3360.

B. Those dwellings in the county with assessed values in the most recently ended tax year that are not in excess of the average assessed value for such year of a dwelling situated on property that is zoned as single family residential shall qualify for a total exemption from real property taxes under this article. If the value of a dwelling is in excess of the average assessed value as described in this subsection, then only that portion of the assessed value in excess of the average assessed value shall be subject to real property taxes, and the portion of the assessed value that is not in excess of the average assessed value shall be exempt from real property taxes. Single family homes, condominiums, town homes, manufactured homes as defined in Va. Code § 46.2-100 whether or not the wheels and other equipment previously used for mobility have been removed, and other types of dwellings of surviving spouses, whether or not the land on which the single family home, condominium, town home, manufactured home, or other type of dwelling of a surviving spouse is located is owned by someone other than the surviving spouse, that (i) meet this requirement and (ii) are occupied by such persons as their principal place of residence shall qualify for the real property tax exemption.

If the land on which the single family home, condominium, town home, manufactured home, or other type of dwelling is located is not owned by the surviving spouse, then the land is not exempt.

For purposes of determining whether a dwelling, or a portion of its value, is exempt from county and town real property taxes, the average assessed value shall be such average for all dwellings located within the county that are situated on property zoned as single family residential.

C. The surviving spouse of a member of the armed forces killed in action shall qualify for the exemption so long as the surviving spouse does not remarry. The exemption applies without any restriction on the spouse's moving to a different principal place of residence.

D. The exemption from real property taxes applies to (i) the qualifying dwelling, or the portion of the value of such dwelling and land that qualifies for the exemption pursuant to subsection B, and (ii) except land not owned by the surviving spouse, the land, not exceeding one acre, upon which it is situated. A real property improvement other than a dwelling, including the land upon which such improvement is situated, made to such one acre or greater number of acres exempt from taxation pursuant to this subsection shall also be exempt from taxation so long as the principal use of the improvement is (i) to house or cover motor vehicles or household goods and personal effects as classified in subdivision A 14 of § 58.1-3503 of the Va. Code and as listed in Va. Code § 58.1-3504 and (ii) for other than a business purpose.

E. For purposes of this exemption, real property of any surviving spouse of a member of the armed forces killed in action includes real property (i) held by a surviving spouse as a tenant for life, (ii) held in a revocable inter vivos trust over which the surviving spouse holds the power of revocation, or (iii) held in an irrevocable trust under which the surviving spouse possesses a life estate or enjoys a continuing right of use or support. The term does not include any interest held under a leasehold or term of years.

F. 1. In the event that (i) a surviving spouse is entitled to an exemption under this section by virtue of holding the property in any of the three ways set forth in subsection E and (ii) one or more other persons have an ownership interest in the property that permits them to occupy the property, then the tax exemption for the property that otherwise would have been provided shall be prorated by multiplying the amount of the exemption by a fraction that has 1 as a numerator and has as a denominator the total number of all people having an ownership interest that permits them to occupy the property.

2. In the event that the principal residence is jointly owned by two or more individuals including the surviving spouse, and no person is entitled to the exemption under this section by virtue of holding the property in any of the three ways set forth in subsection E, then the exemption shall be prorated by multiplying the amount of the exemption by a fraction that has as a numerator the percentage of ownership interest in the dwelling held by the surviving spouse, and as a denominator, 100 percent.

State law reference—Va. Code § 58.1-3219.9

*New*

#### **Sec. 11-69. Application of exemption.**

A. The surviving spouse claiming the exemption under Section 11-68 shall file with the commissioner of the revenue on forms to be supplied by the county an affidavit or written statement (i) setting forth the surviving spouse's name, (ii) indicating any other joint owners of the real property, and (iii) certifying that the real property is occupied as the surviving spouse's principal place of residence. The surviving spouse shall also provide documentation from the United States Department of Defense or its successor agency indicating the date that the member of the armed forces of the United States was killed in action. The

surviving spouse shall be required to refile the information required by this section only if the surviving spouse's principal place of residence changes.

B. The surviving spouse shall promptly notify the commissioner of the revenue of any remarriage.

State law reference—Va. Code § 58.1-3219.10

*New*

**Sec. 11-70. Exemption for disabled veterans and surviving spouse.**

A. For tax years beginning on or after January 1, 2015, there is hereby exempted from taxation the real property, including the joint real property of married individuals, of any veteran who has been rated by the U.S. Department of Veterans Affairs or its successor agency pursuant to federal law to have a 100 percent service-connected, permanent, and total disability, and who occupies the real property as his principal place of residence. If the veteran's disability rating occurs after January 1, 2011, and he has a qualified primary residence on the date of the rating, then the exemption for him under this section begins on the date of such rating. However, the County, shall not be liable for any interest on any refund due to the veteran for taxes paid prior to the veteran's filing of the affidavit or written statement required by § 11-71. If the qualified veteran acquires the property after January 1, 2011, then the exemption shall begin on the date of acquisition, and the previous owner may be entitled to a refund for a pro rata portion of real property taxes paid pursuant to Va. Code § 58.1-3360.

B. The surviving spouse of a veteran eligible for the exemption set forth in this article shall also qualify for the exemption, so long as the death of the veteran occurs on or after January 1, 2011, and the surviving spouse does not remarry. The exemption applies without any restriction on the spouse's moving to a different principal place of residence.

C. The exemption from real property taxes applies to the qualifying dwelling pursuant to this section and to the land, not exceeding one acre, upon which it is situated. If the veteran owns a house that is his residence, including a manufactured home as defined in Va. Code § 46.2-100 whether or not the wheels and other equipment previously used for mobility have been removed, such house or manufactured home shall be exempt even if the veteran does not own the land on which the house or manufactured home is located. If such land is not owned by the veteran, then the land is not exempt. A real property improvement other than a dwelling, including the land upon which such improvement is situated, made to such one acre or greater number of acres exempt from taxation pursuant to this subsection shall also be exempt from taxation so long as the principal use of the improvement is (i) to house or cover motor vehicles or household goods and personal effects as classified in subdivision A 14 of § 58.1-3503 of the Va. Code and as listed in Va. Code § 58.1-3504 and (ii) for other than a business purpose.

D. For purposes of this exemption, real property of any veteran includes real property (i) held by a veteran alone or in conjunction with the veteran's spouse as tenant or tenants for life or joint lives, (ii) held in a revocable inter vivos trust over which the veteran or the veteran and his spouse hold the power of revocation, or (iii) held in an irrevocable trust under which a veteran alone or in conjunction with his spouse possesses a life estate or an estate for joint lives or enjoys a continuing right of use or support. The term does not include any interest held under a leasehold or term of years.

The exemption for a surviving spouse under subsection B includes real property (a) held by the veteran's spouse as tenant for life, (b) held in a revocable inter vivos trust over which the surviving spouse holds the power of revocation, or (c) held in an irrevocable trust under which the surviving spouse possesses a life

estate or enjoys a continuing right of use or support. The exemption does not apply to any interest held under a leasehold or term of years.

E. 1. In the event that (i) a person is entitled to an exemption under this section by virtue of holding the property in any of the three ways set forth in subsection D and (ii) one or more other persons have an ownership interest in the property that permits them to occupy the property, then the tax exemption for the property that otherwise would have been provided shall be prorated by multiplying the amount of the exemption by a fraction that has as a numerator the number of people who are qualified for the exemption pursuant to this section and has as a denominator the total number of all people having an ownership interest that permits them to occupy the property.

2. In the event that the primary residence is jointly owned by two or more individuals, not all of whom qualify for the exemption pursuant to subsection A or B, and no person is entitled to the exemption under this section by virtue of holding the property in any of the three ways set forth in subsection D, then the exemption shall be prorated by multiplying the amount of the exemption by a fraction that has as a numerator the percentage of ownership interest in the dwelling held by all such joint owners who qualify for the exemption pursuant to subsections A and B, and as a denominator, 100 percent.

State law reference—Va. Code § 58.1-3219.5

*New*

#### **Sec. 11-71. Application for Exemption**

Application for exemption. — The veteran or surviving spouse claiming the exemption under this article shall file with the commissioner of the revenue of the county, city, or town or such other officer as may be designated by the governing body in which the real property is located, on forms to be supplied by the county, city, or town, an affidavit or written statement (i) setting forth the name of the disabled veteran and the name of the spouse, if any, also occupying the real property, (ii) indicating whether the real property is jointly owned by married individuals, and (iii) certifying that the real property is occupied as the veteran's principal place of residence. The veteran shall also provide documentation from the U.S. Department of Veterans Affairs or its successor agency indicating that the veteran has a 100 percent service-connected, permanent, and total disability. The veteran shall be required to refile the information required by this section only if the veteran's principal place of residence changes. In the event of a surviving spouse of a veteran claiming the exemption, the surviving spouse shall also provide documentation that the veteran's death occurred on or after January 1, 2011.

State law reference -Va. Code § 58.1-3219.6

*New*

#### **Sec. 11-72. Appeals**

The Commissioner of the Department of Veterans Services shall hear and decide appeals by veterans residing in the Commonwealth from a denial of their application pursuant to Sec. 11-71 by a commissioner of the revenue or other assessing officer. However, such appeal shall be limited to appeals based upon a finding of fact regarding eligibility criteria set forth in subdivision (a) of Section 6-A of Article X of the Constitution of Virginia and Article 2.3 of the Code of Virginia. The Commissioner of the Department of Veterans Services shall not be authorized to hear or decide appeals regarding a dispute over the assessed



value of any property. Nothing in this section shall be construed to limit the appeal of a decision of the Commissioner of the Department of Veterans Services by either party to the circuit court in the locality in which the veteran resides.

State law reference – Va. Code § 58.1-3219.7

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

Adopted: July 11, 2023

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



BOARD OF  
SUPERVISORS

THOMAS D. HARVEY  
North District

ERNIE Q. REED  
Central District

JESSE N. RUTHERFORD  
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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 R2023-53  
NELSON COUNTY BOARD OF SUPERVISORS  
RESOLUTION RECOGNIZING THE COUNTY SERVICE OF  
JAMES O. MORRIS**

**WHEREAS**, Mr. James O. Morris is retiring as of August 31, 2023 after having tirelessly served the citizens of Nelson County for approximately thirty-three (33) years; and

**WHEREAS**, Mr. Morris began his employment with Nelson County on March 1, 1990 as a member of the County's custodial and maintenance staff; and

**WHEREAS**, during his tenure with Nelson County, Mr. Morris served under seven (7) County Administrators, including: George H. Krieger, Jeffrey D. Johnson, Ralph H. "Buddy" Moore, M. Douglas Powell, John D. Cutlip, Stephen A. Carter and Candice W. McGarry; and

**WHEREAS**, Mr. Morris has dedicated his career to maintaining the County's office buildings, ensuring the continuity of operations for the County's departments and offices which serve the citizens of Nelson County; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Nelson County Board of Supervisors does hereby honor Mr. James Morris with great appreciation for his dedicated and steadfast service to Nelson County throughout his tenure, and

**BE IT FURTHER RESOLVED**, that Mr. James Morris will be missed both personally and professionally and the Board wishes him continued health, happiness, and prosperity upon his well-deserved retirement.

Approved: August 8, 2023

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

Rockfish Valley Senior Group  
Rockfish Valley Fire Dept  
afternoon

VIA

\*Rec'd 6/12/23

Linda Steton

Dir. of Finance & Human Resources  
County Administration Office  
P.O. Box 336

Longmont CO 80501

Re: Budget Request for the Senior Meals  
Program. 7.1.2023 - 6.30.24

The Rockfish Valley Senior Group is  
submitting the 7.1.2023 - 6.30.24  
Budget Request to the Nelson County  
Board of Supervisors.

We respectfully request that this  
amount of \$12,367.00 be approved for the  
July 1, 2023 through June 30, 2024 in your  
budget

We thank you for supporting us through  
the past years

Sincerely

Carolyn Brogan

President

~~Rockfish~~

1900 River Road

Faber, VA

22938

(434) 361-9014

# Rockfish Valley Senior Group Quarterly Report

\* Rec'd 6/12/23

(April till June) 2023

The Rockfish Valley Fire Dept allows the Senior Group to meet each Thursday of the month from 10:00 am to 2:00 pm.

Information for the quarter is as follows. The Group met 11 Thursdays. Went to Calder Corral May 11, and June 22. The attendance is Twenty Five to Thirty.

The Rockfish Presbyterian Church does not feed the Group anymore.

The Master Gardeners meet with the Group each 3 Thursday of the month.

They do not meet with the Group July-August.

The Senior Group enjoys interacting with this nice Group of people. A typical Thursday open with pledge to the U.S. flag. Sing Cal. Bless America and words prayer. Sign in book. Coffee and donuts. \$2.00 Donation from members for bingo prizes.

Talk and Devotions with Group. Bingo (greatly enjoyed) lunch is from 12:00 till 1:00. Clean up time. Lunch is a very pleasant time and everyone looks forward to it. I have not been able to cook since middle of January 2022.

I put a new stove and oven in and ran into problems. They had to run new lines and new electrical wiring still working on it. Doing sandwiches and covered dishes. The Group enjoys this time to socialize and get to know one another better.

Was shut down March 12, 2020 till July 1<sup>st</sup> 2021.

Closed back down ~~at~~ December 2021 till March 16-2022.

Financial Funds of the  
Rockfish Valley Senior Group

May 2023

Savings

Previous Balance  
\$6,160.64

Ending Balance  
\$6,160.64

Checking

Previous balance  
\$2,885.02

Withdrawals  
\$820.67

\$ 9,045.66

Ending balance  
\$2,069.37

\$ 8,225.01

Carolyn Brogan

1900 River Rd

Faber Va 22938

(434) 361-9014

<b>Rockfish Senior Center</b>	<b>FY21</b>	<b>FY22</b>	<b>FY23</b>	<b>EST. FY24</b>
Number of Meetings	\$ -	\$ 45.00	\$ 48.00	\$ 52.00
Number of meals served	\$ -			
Number of potlucks	\$ -	\$ -	\$ 22.00	\$ -
Golden Corral = \$12.29 a person		3 times	2 times	3 times
Beginning bank account balances (Checking & Savings)	\$ 4,654.14	\$ 16,733.14	\$ 8,225.01	\$ 1,137.53
<b>County Funding</b>	\$ 12,079.00	\$ -	\$ -	\$ 12,367.00
Donations	\$ -	\$ -	\$ 600.00	\$ -
<b>Totals</b>	\$ 16,733.14	\$ 16,733.14	\$ 8,825.01	\$ 13,504.53
Food Expense	CLOSED	\$ 5,625.01	\$ 5,837.48	\$ 6,604.00
Gas Expense	COVID	\$ 250.00	\$ 275.00	\$ 300.00
Cook Expense	3/20 - 6/21	\$ 2,100.00	\$ 1,300.00	\$ 2,600.00
Cleaning Supplies	\$ -	\$ 250.00	\$ 275.00	\$ 300.00
<b>Total Expenses</b>	\$ -	\$ 8,225.01	\$ 7,687.48	\$ 9,804.00
Gas = \$25/month				
Cook = \$50/week				
Cleaning Supplies = \$25/month				
Golden corral = \$12.29/person				

DESIGN PROPOSAL CAREFULLY CRAFTED FOR:

# LOVINGSTON VILLAGE ASSOCIATION

spill team®

# Workshop

your way forward!

“OUR FOCUS IS TO SHIFT THE THINKING CULTURE OF ORGANIZATIONS BY SERVING THE PEOPLE IN THEM.”

WHY

# THE SPILL TEEM<sup>®</sup> ?



## That's a great question!

We're a wild group of Human-Centered strategists with an extensive background in service, product, and behavioral design. Our team collectively carries 35+ years of human services experience, business strategy, designing internal and external frameworks of cultural change, and crafting efficiency models that yield collaborative commitment. So basically, we got you covered!

**CHECK OUT SOME OF OUR WORK!**



With our unique vantage point of an outside lens, we illuminate what isn't typically seen from inside problem-solving. This has empowered us as we've partnered with local government, educational institutions, businesses both small & large, and global enterprises to innovate sustainable change.

**HUMAN-CENTERED DESIGN-DRIVEN COMPANIES OUTPERFORM BY 211%**

S&P Index, 2021



## THE DESIGN CHALLENGE

What would it look like if Nelson County/Lovingston used Human-Centered Design to build a more clarified identity, core value system and unify its vision and mission alignment?

### Project Defined

Nelson County / Lovingston has made great strides to elevate its experience and relationship with travelers, visitors, surrounding communities, and its own. After completing a massive Market Study that provided a direction forward, the question remains, **"Okay, now what?"** You now have the opportunity to use Human-Centered Design to **develop a Brand Compass that will assist Lovingston in the areas of target customers' focus, voice, language, and other elements needed to develop the brand and marketing materials for the community.** The Brand Compass will ultimately serve to clarify community needs and effective growth goals better and establish a more substantial presence.

### UNDERSTAND. EXPLORE. MATERIALIZE.

Using Human-Centered Design approach, The Spill Teem® will provide strategic Design Workshops & Facilitation to accelerate Nelson County / Lovingston brand and growth objectives. Strategic Design support will focus on refining the brand identity, and building a unified Vision and Mission Alignment, discovering deeper target audience needs, reimagining values that action and prioritizing a way forward. This will allow the Nelson County / Lovingston to deepen its community presence, connect better with current and future communities, and support in making scalable decisions in line with your identity lens.

These results can be achieved through **one-eight hour onsite** interactive Human-Centered Design workshops dedicated to creating new capacity for Nelson County / Lovingston.

### PROJECT DELIVERABLES:

- o Deeper Community & Target Audience Need
- o Clarified Brand Attributes
- o Redefining Core Value System
- o Unified Vision & Mission Alignment

## WORKSHOP DESIGN BREAKDOWN

\* Workshop deliverables are subject to change to further tailor the design challenge solutions.

### UNDERSTAND

#### Map of the Landscape

This workshop lets you take that 35,000-foot step up (out of every day) and gain a deeper understanding of the landscape in which you, and your audience lives. This allows for a holistic view of spotting opportunities and gaps within trends, economics, community needs, and more.

#### Unified Vision & Mission Alignment

In this workshop, participants individually align multiple experiences, disciplines, "world views," and perspectives into a single connecting focus to build forward. Participants will utilize their individual alignment to come together and clarify, discuss, define, and collectively build a mission and purpose of championed ownership.

### EXPLORE

#### Redefining Core Value System

This workshop quiets the noise and brings into focus your root causes, unique actions, and the positive impacts of who you are and what you do. You no longer have to guess or leave to interpretation what you stand for. The outcome of this workshop allows all involved to ideate, align, and connect individual stories to a set collaboratively decided set of values to live and build toward going forward.

#### Clarified Organizational Identity

This workshop reveals the **guiding principles** (audience, culture, voice, feeling, value, style and the humble brag) of the counties future and decision making. We will discover and define the unique attributes which will serve as a **compass** to determine its partnerships, collaborations, and strategies moving forward.

### MATERIALIZE

#### Strengths and Opportunities

This workshop assists in discovering the organization's macro capabilities and trends for capacity and sustainability building. Using Appreciative Design, we will clearly delineate in what ways the organization demonstrates true strength and where there is opportunity to improve its **competitive advantage**. Looking into the future and using our **SWOT Remix Analysis Design tool**, we'll visualize potential threats and prepare for them. Upon completing this phase, the organization will be empowered to fully build upon its strength and effectively allocate its energy.

\* All workshop deliverables will be packaged and curated in an exported PDF for download.

## PROJECT BREAKDOWN:

	TIMEFRAME	# OF WORKSHOPS/ EVENTS	WORKSHOPS & STRATEGY	DEVELOPMENT & DELIVERABLE
UNDERSTAND, EXPLORE, MATERIALIZE	TBD	1	8HRS	50HRS
				\$5,500
			<b>INVESTMENT TOTAL:</b>	<b>\$5,500</b>

*This rate includes work conducted on-site as well as off-site. Additionally, this standard rate includes travel, research, development of training materials, and all meetings (in-person, by phone, or via an electronic communication system).*

### YOUR DESIGN TEAM:



Joshua René,  
Design Strategy  
Spill Team US



Shannon Myers,  
Learning & Development  
Spill Team US

### OUR COMMITMENT TO SAFETY:

In those cases where we provide in-person workshops or trainings, we are committed to conducting them safely by:

- o Highly recommending or selecting rooms with capacity 3-4 times the number of participants
- o Requiring (or following local and state recommendations) for distancing and all safety equipment (masks etc.,) to be used/worn
- o Arranging seating to maintain proper distancing
- o Designing all exercises to be distant yet collaborative
- o Materials will not be shared

**PROPOSAL EFFECTIVE THROUGH  
AUG. 20, 2023**



BOARD OF  
SUPERVISORS

THOMAS D. HARVEY  
North District

ERNIE Q. REED  
Central District

JESSE N. RUTHERFORD  
East District

ROBERT G. BARTON, JR.  
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Administrative Assistant/  
Deputy Clerk

LINDA K. STATON  
Director of Finance and  
Human Resources

**RESOLUTION R2023-54**  
**NELSON COUNTY BOARD OF SUPERVISORS**  
**AUTHORIZATION TO INITIATE PRELIMINARY ENGINEERING REPORT/FEASIBILITY**  
**STUDIES FOR PUBLIC WATER AND WASTEWATER FACILITIES IN PARTNERSHIP**  
**WITH NELSON COUNTY SERVICE AUTHORITY**

**WHEREAS**, the Board of Supervisors has been advised by the Nelson County Service Authority of the impending need for increased public water and wastewater treatment capacities in the Lovingston system; and

**WHEREAS**, the impending need for increased public water and wastewater treatment capacities in the Lovingston system has been identified in the draft 2042 Comprehensive Plan; and

**WHEREAS**, the Board of Supervisors is engaged in master planning of the former Larkin property in Lovingston, which includes Dillard Creek; and

**WHEREAS**, as an element of the master planning of the former Larkin property in Lovingston, the Board wishes to consider inclusion of a water impoundment and treatment plant in that location; and

**WHEREAS**, the feasibility of upgrading the old Lovingston system wastewater treatment plant is also a consideration in the potential to provide additional wastewater treatment capacity for the Lovingston system; and

**WHEREAS**, the procurement of an engineering firm specializing in water and wastewater facilities is necessary to properly evaluate these options,

**NOW THEREFORE BE IT RESOLVED**, that the Nelson County Board of Supervisors authorizes the County Administrator to partner with the Nelson County Service Authority in initiating the procurement of professional services to perform Preliminary Engineering Reports (PERs) for a water impoundment and treatment plant at Dillard Creek in Lovingston and the upgrade of the old Lovingston wastewater treatment plant; and

**BE IT FURTHER RESOLVED**, that County funding for the completion of the PERs will be authorized upon contract negotiation with the selected consulting firm; with technical expertise and project management to be provided by the Nelson County Service Authority.

Approved: \_\_\_\_\_

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

**Executive Director:**  
**George T. Miller, Jr.**



**Board Members:**  
**Robert McSwain, Chairman**  
**Ernie Reed, Vice-Chairman**  
**David S. Hight**  
**Sergio Sanchez**  
**Justin Shimp**

## **Nelson County Service Authority**

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June 28, 2023

Mrs. Candice McGarry  
PO Box 336  
Lovington, VA 22949

RE: Growth and Development

Dear Mrs. McGarry,

In addressing the future needs of the Lovington, Colleen and Piney River communities with water and sewer services as well as providing new infrastructure for additional growth and development I have the following information to share with you.

The annual daily flows from the Black Creek WTP and the Nelson County Regional STP from October 2021 through September 2022 were used to calculate the following data capacities.

The fresh water production can increase another 15,259 gallons per day before reaching the 80% threshold where the regulatory agency (The Virginia Dept. of Health, Office of Drinking Water) will require a Plan of Action to increase the source capacity or to lessen the demand for potable water. We are currently at 63% of design capacity.

The wastewater treatment can receive an additional 33,000 gallons before reaching the 80% threshold where the regulatory agency (Department of Environmental Quality) will require a Plan of Action to expand the treatment facility or to lessen the amount received. We are currently at 65% of design capacity. These current values leave us at a very thin margin for any unknown emergencies as well as future plans for growth and development. My approach is not to add on to our existing facilities but to make use of the potential that is available to us.

Trying to expand the 17 year old Black Creek WTP or the 25 year old Nelson County Regional STP is not feasible due to their initial design and their landlocked location. These plants have served the Lovington and Colleen communities very well over the years and will continue to do as originally designed and built, but trying to double or triple their ratings to accommodate anticipated development and growth is not what they were designed for or capable of doing. By only serving the lower portion of the Rt. 29 corridor and the Colleen and Piney River communities the Black Creek WTP and the Nelson County Regional STP plants would lessen their loads while opening up the opportunity for additional development and growth south of the high school.

Constructing a new fresh water treatment plant and reservoir along Dillard Creek will increase the opportunity for development and growth in the Lovington and Shipman communities. Tying into the existing 12" water main in the Rt. 29 medium strip should be the only piping required. Additionally, by tapping into the existing main /distribution system with a new water treatment plant will present

**Mailing Address: PO Box 249; Lovington, VA 22949\*Phone (434) 263-5341\*\*Toll-free (888) 263-5341**  
**Shipping Address: 620 Cooperative Way; Arrington, VA 22922\*\*Fax (434) 263-8589\***

unmeasurable flexibility to coexist with the Black Creek WTP in the event of planned maintenance and unexpected emergencies. The question of raw water quality from Dillard Creek would be no different from that of the Black Creek water quality only we can build a better reservoir with the design of capturing and disposing the sediment thus learning from past mistakes and planning for a better raw water reservoir. Whether the treatment system would be a conventional or a membrane process a Preliminary Engineering Report would make recommendations based on raw water quality.

Converting the Lovington Sewage Pumping Station back into a Sewage Treatment Plant would do the same for development and growth as the Dillard Creek facility will do. Sitting on 2 acres behind the Calvary Baptist Church on Thomas Nelson Highway is the old sewage treatment plant site that was converted into a pumping station in 1998 when the Nelson County Regional STP went into service. Though the old treatment buildings and equipment which is still there would need to be removed, the underground piping infrastructure from the Lovington collection system to the site is available and ready for service. The old Lovington STP discharged into Town Creek and the same should be true for this new facility. An engineered PER would make recommendations as to the type of treatment and the design daily flow of the new STP. These two new facilities equipped with modern treatment technologies are the answer the Lovington, Colleen and Piney River communities need for the future.

Please do not hesitate to contact me, if additional information is needed.

Sincerely,

A handwritten signature in blue ink, appearing to read "George T. Miller, Jr.", written in a cursive style.

George T. Miller, Jr.  
Executive Director

**(1) New Vacancies/Expiring Seats & New Applicants :**

<u>Board/Commission</u>	<u>Term Expiring</u>	<u>Term &amp; Limit Y/N</u>	<u>Incumbent</u>	<u>Re-appointment</u>	<u>Applicant (Order of Pref.)</u>
NO UPCOMING VACANCIES FOR CONSIDERATION UNTIL NOVEMBER					

**(2) Existing Vacancies:**

<u>Board/Commission</u>	<u>Terms Expired</u>				

**AUGUST 8, 2023 PUBLIC HEARING**

**Proposed Amendment to County Code:  
Chapter 2, Administration,  
Article I, In General, Sec. 2-2 Safety  
Program  
(Ordinance O2023-06)**



# VIRGINIA STATE CODE AUTHORITY

## §9.1-400 ET SEQ. LINE OF DUTY ACT (LODA)

- The Line of Duty Act (LODA) statute applies to “a member of any fire company or department or emergency medical services agency that has been recognized by an ordinance or a resolution of the governing body of any county, city, or town of the Commonwealth as an integral part of the official safety program of such county, city, or town, including a person with a recognized membership status with such fire company or department who is enrolled in a Fire Service Training course offered by the Virginia Department of Fire Programs or any fire company or department training required in pursuit of qualification to become a certified firefighter.”

# PROPOSED AMENDMENT TO COUNTY CODE CHAPTER 2, ARTICLE 1, SECTION 2.2 SAFETY PROGRAM ORDINANCE O2023-06

- Entity names under this Code section were last updated in 1996
- The County provides LODA coverage through an insurance policy with VACORP
- Active rosters for fire and rescue agencies, including career EMS staff, are annually verified and provided to VACORP for LODA coverage
- LODA claims are submitted to VACORP and benefits paid under this policy are subject to approval by the State
- Updating the covered entity names in the County Code provides for uniformity when cross-referenced with LODA insurance coverage rosters; ensuring EMS and fire company providers access to these benefits under the LODA statute; upon State review of any claims.

# PROPOSED ORDINANCE O2023-06

## ■ Sec. 2-2. Safety Program

The county sheriff, deputy sheriffs, correctional officers, other law enforcement officers and members of the following volunteer fire departments and volunteer rescue squads are hereby recognized as an integral part of the official safety program of the county, pursuant to Section 9.1-400 et seq., of the Code of Virginia of 1950 as amended:

~~Roseland Rescue Squad, Inc. Incorporated.~~

~~Nelson County Rescue Squad, Incorporated~~

~~Gladstone Rescue Squad, Incorporated~~ *Gladstone Volunteer Fire and Rescue Service*

~~Gladstone Volunteer Fire Department~~

Piney River Volunteer Firemen's Association

Nelson County Volunteer Firemen's Association (Lovington Fire)

Faber Volunteer Fire Department

~~Rockfish Valley Volunteer Fire Department, Inc.~~

~~Montebello Fire and Emergency Services, Inc. Volunteer Fire Department, Inc.~~

~~Wintergreen Property Owners Volunteer Rescue Squad, Inc.~~

Wintergreen Volunteer Fire Department, Inc.

## NEXT STEPS

- Conduct the public hearing to receive citizen input on proposed Ordinance O2023-06, as authorized by Resolution R2023-48 on July 11, 2023
- Consider adoption of the proposed Ordinance O2023-06 as presented

**Please publish July 27<sup>th</sup> and August 3<sup>rd</sup> in The Nelson County Times:**

**LEGAL NOTICE  
NOTICE OF PUBLIC HEARING  
NELSON COUNTY BOARD OF SUPERVISORS  
AMENDMENT OF THE CODE OF NELSON COUNTY, VIRGINIA  
CHAPTER 2, ADMINISTRATION, ARTICLE I, SECTION 2-2 SAFETY PROGRAM**

In accordance with Volume 3A, Title 15.2, Counties, Cities and Towns, of the Code of Virginia, 1950, as amended, and pursuant to §15.2-1427, the Nelson County Board of Supervisors hereby gives notice that a Public Hearing will start at **7:00 p.m., Tuesday, August 8, 2023** in the **General District Courtroom** on the third floor of the Nelson County Courthouse located at 84 Courthouse Square, Lovingston.

The purpose of the public hearing is to receive public input on an Ordinance proposed for passage to amend Chapter 2, Administration, Article I, Section 2-2 Safety Program. Proposed amendments to Section 2-2 are to update the names of the entities covered by the Line of Duty Act as some of the names have changed.

Copies of the full text of the proposed Ordinance 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**



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

**DRAFT**

**ORDINANCE 2023-06**  
**NELSON COUNTY BOARD OF SUPERVISORS**  
**AMENDMENT OF THE CODE OF NELSON COUNTY, VIRGINIA**  
**CHAPTER 2, ADMINISTRATION, ARTICLE I, SECTION 2-2 SAFETY PROGRAM**

**BE IT HEREBY ORDAINED**, by the Nelson County Board of Supervisors that the Code of Nelson County, Virginia, Chapter 2, Administration, Article I is hereby amended as follows:

*Amend*

**Sec. 2-2. Safety Program**

The county sheriff, deputy sheriffs, correctional officers, other law enforcement officers and members of the following volunteer fire departments and volunteer rescue squads are hereby recognized as an integral part of the official safety program of the county, pursuant to Section 9.1-400 et seq., of the Code of Virginia of 1950 as amended:

Roseland Rescue Squad, Incorporated.

~~Nelson County Rescue Squad, Incorporated~~

~~Gladstone Rescue Squad, Incorporated~~ *Gladstone Volunteer Fire and Rescue Service*

~~Gladstone Volunteer Fire Department~~

Piney River Volunteer Firemen's Association

Nelson County Volunteer Firemen's Association (Lovington Fire)

Faber Volunteer Fire Department

Rockfish Valley Volunteer Fire Department, ~~Inc.~~

Montebello ~~Fire and Emergency Services, Inc.~~ *Volunteer Fire Department, Inc.*

Wintergreen *Property Owners* Volunteer Rescue Squad, Inc.

Wintergreen Volunteer Fire Department, Inc.

(Ord. of 9-10-96)

**Cross reference**— Fire prevention and protection, Ch. 5.

**State Law reference**— Line of Duty Act, Code of Virginia, § 9.1-400 et seq.

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

Adopted: \_\_\_\_\_

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

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 R2023-48**  
**NELSON COUNTY BOARD OF SUPERVISORS**  
**AUTHORIZATION FOR PUBLIC HEARING**  
**AMENDMENT OF THE CODE OF NELSON COUNTY, VIRGINIA**  
**CHAPTER 2, ADMINISTRATION, ARTICLE I, SECTION 2-2 SAFETY PROGRAM**

**BE IT RESOLVED**, that pursuant to §15.2-1427 of the Code of Virginia 1950 as amended, the County Administrator is hereby authorized to advertise a public hearing to be held on **August 8, 2023 at 7:00 PM** in the General District Courtroom in the Courthouse in Lovingson, Virginia. The purpose of the public hearing is to receive public input on an Ordinance proposed for passage to amend Chapter 2, Administration, Article I, Section 2-2 Safety Program. Proposed amendments to Section 2-2 are to update the names of the entities covered by the Line of Duty Act as some of the names have changed.

Approved: July 11, 2023

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



## MEMO

**DATE:** July 7, 2023

**RE:** **Agenda Item VI D.** Proposed Amendment to County Code Chapter 2, Article 1, Section 2.2 Safety Program – Update of Volunteer Fire and Rescue Organization Names Covered by the Line of Duty Act – Code of Virginia Section 9.1-et seq.

**Background:** There are two ways localities can obtain Line of Duty Act Coverage; one is to participate in and contribute to the State’s Line of Duty Act Trust Fund managed by the Virginia Retirement System; the second is to elect to directly fund the cost of benefits provided under the State statute and not participate in the Fund. At some point, when provided the option, Nelson County opted for the latter and obtained this coverage offered through our insurance carrier, VACORP.

The County is and has been paying for Line of Duty Act (LODA) coverage through VACORP, for Sheriff’s department deputies and volunteer fire and rescue agencies including the career EMS staff. During the annual insurance renewal process, active deputies and fire and EMS rosters are verified with each covered agency and these are provided to VACORP for coverage.

LODA benefits paid are subject to approval by the State and may include:

- Death Benefit of \$100,000 (\$25,000 for presumptive causes if within 5 years after retirement)
- Continuation of Health Insurance coverage for:
  - Officer (in case of Permanent Disability)
  - Spouse (in case of Officer Death or Permanent Disability)
  - Children (in case of Officer Death or Permanent Disability) to age 26

The State LODA Statute (9.1-400) applies to “members of any fire company or department or emergency medical services agency that has been recognized by an ordinance or a resolution of the governing body of any county, city, or town of the Commonwealth as an integral part of the official safety program of such county.” Chapter 2, Article 1, Section 2.2 of the County Code provides these named entities recognized by the County under this statute; however, this was last done in 1996 and some of the named entities have changed names since then. Leaving this “as is” could cause an issue should the State question a claimant’s coverage under an improperly named entity within the County Code and could potentially compromise these members’ access to these benefits.

**Action Requested:** **Adoption of the proposed resolution R2023-48**, which authorizes a public hearing to be held on August 8, 2023, to amend the County Code, Chapter 2, Article 1, Section 2.2 Safety Program, to reflect the current proper organizational names that are recognized by the County as an integral part of the official safety program of the County and therefore covered by the County’s LODA insurance coverage. Active rosters for these entities provided to VACORP would also be updated to reflect the current organizational names, if needed, ensuring continuity between the active organizational rosters on file with VACORP and the covered entities listed in the County Code.

**Potential Future Action:** Should the effort prevail to amend the State Code to include private police departments and animal control officers in the definition of law enforcement under the LODA statute, this County Code section may need to be amended. However, the State Code amendment may be a year away from becoming effective and therefore it is recommended the proposed County Code change be considered now.

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## **Sec. 2-2. Safety program.**

The county sheriff, deputy sheriffs, correctional officers, other law enforcement officers and members of the following volunteer fire departments and volunteer rescue squads are hereby recognized as an integral part of the official safety program of the county, pursuant to Section 2.1-133.5 et seq., of the Code of Virginia of 1950 as amended:

Roseland Rescue Squad, Incorporated  
Nelson County Rescue Squad, Incorporated  
Gladstone Rescue Squad, Incorporated  
Gladstone Volunteer Fire Department  
Piney River Volunteer Firemen's Association  
Nelson County Volunteer Firemen's Association (Lovington Fire)  
Faber Volunteer Fire Department  
Rockfish Valley Volunteer Fire Department, Inc.  
Montebello Fire and Emergency Services, Inc.  
Wintergreen Volunteer Rescue Squad, Inc.  
Wintergreen Volunteer Fire Department, Inc.

(Ord. of 9-10-96)

Cross reference(s)—Fire prevention and protection, Ch. 5.

State law reference(s)—Line of Duty Act, Code of Virginia, § 15.1-136.1 et seq.

## § 9.1-400. Title of chapter; definitions

A. This chapter shall be known and designated as the Line of Duty Act.

B. As used in this chapter, unless the context requires a different meaning:

"Beneficiary" means the spouse of a deceased person and such persons as are entitled to take under the will of a deceased person if testate, or as his heirs at law if intestate.

"Deceased person" means any individual whose death occurs on or after April 8, 1972, in the line of duty as the direct or proximate result of the performance of his duty, including the presumptions under §§ 27-40.1, 27-40.2, 51.1-813, 65.2-402, and 65.2-402.1 if his position is covered by the applicable statute, as a law-enforcement officer of the Commonwealth or any of its political subdivisions, except employees designated pursuant to § 53.1-10 to investigate allegations of criminal behavior affecting the operations of the Department of Corrections, employees designated pursuant to § 66-3 to investigate allegations of criminal behavior affecting the operations of the Department of Juvenile Justice, and members of the investigations unit of the State Inspector General designated pursuant to § 2.2-311 to investigate allegations of criminal behavior affecting the operations of a state or nonstate agency; a correctional officer as defined in § 53.1-1; a jail officer; a regional jail or jail farm superintendent; a sheriff, deputy sheriff, or city sergeant or deputy city sergeant of the City of Richmond; a police chaplain; a member of any fire company or department or emergency medical services agency that has been recognized by an ordinance or a resolution of the governing body of any county, city, or town of the Commonwealth as an integral part of the official safety program of such county, city, or town, including a person with a recognized membership status with such fire company or department who is enrolled in a Fire Service Training course offered by the Virginia Department of Fire Programs or any fire company or department training required in pursuit of qualification to become a certified firefighter; a member of any fire company providing fire protection services for facilities of the Virginia National Guard or the Virginia Air National Guard; a member of the Virginia National Guard or the Virginia Defense Force while such member is serving in the Virginia National Guard or the Virginia Defense Force on official state duty or federal duty under Title 32 of the United States Code; any special agent of the Virginia Alcoholic Beverage Control Authority; any regular or special conservation police officer who receives compensation from a county, city, or town or from the Commonwealth appointed pursuant to the provisions of § 29.1-200; any commissioned forest warden appointed under the provisions of § 10.1-1135; any member or employee of the Virginia Marine Resources Commission granted the power of arrest pursuant to § 28.2-900; any Department of Emergency Management hazardous materials officer; any other employee of the Department of Emergency Management who is performing official duties of the agency, when those duties are related to a major disaster or emergency, as defined in § 44-146.16, that has been or is later declared to exist under the authority of the Governor in accordance with § 44-146.28; any employee of any county, city, or town performing official emergency management or emergency services duties in cooperation with the Department of Emergency Management, when those duties are related to a major disaster or emergency, as defined in § 44-146.16, that has been or is later declared to exist under the authority of the Governor in accordance with § 44-146.28 or a local emergency, as defined in § 44-146.16, declared by a local

governing body; any nonfirefighter regional hazardous materials emergency response team member; any conservation officer of the Department of Conservation and Recreation commissioned pursuant to § 10.1-115; or any full-time sworn member of the enforcement division of the Department of Motor Vehicles appointed pursuant to § 46.2-217.

"Disabled person" means any individual who has been determined to be mentally or physically incapacitated so as to prevent the further performance of his duties at the time of his disability where such incapacity is likely to be permanent, and whose incapacity occurs in the line of duty as the direct or proximate result of the performance of his duty, including the presumptions under §§ 27-40.1, 27-40.2, 51.1-813, 65.2-402, and 65.2-402.1 if his position is covered by the applicable statute, in any position listed in the definition of deceased person in this section. "Disabled person" does not include any individual who has been determined to be no longer disabled pursuant to subdivision A 2 of § 9.1-404. "Disabled person" includes any state employee included in the definition of a deceased person who was disabled on or after January 1, 1966.

"Eligible dependent" for purposes of continued health insurance pursuant to § 9.1-401 means the natural or adopted child or children of a deceased person or disabled person or of a deceased or disabled person's eligible spouse, provided that any such natural child is born as the result of a pregnancy that occurred prior to the time of the employee's death or disability and that any such adopted child is (i) adopted prior to the time of the employee's death or disability or (ii) adopted after the employee's death or disability if the adoption is pursuant to a preadoptive agreement entered into prior to the death or disability. Notwithstanding the foregoing, "eligible dependent" shall also include the natural or adopted child or children of a deceased person or disabled person born as the result of a pregnancy or adoption that occurred after the time of the employee's death or disability, but prior to July 1, 2017. Eligibility will continue until the end of the year in which the eligible dependent reaches age 26 or when the eligible dependent ceases to be eligible based on the Virginia Administrative Code or administrative guidance as determined by the Department of Human Resource Management.

"Eligible spouse" for purposes of continued health insurance pursuant to § 9.1-401 means the spouse of a deceased person or a disabled person at the time of the death or disability. Eligibility will continue until the eligible spouse dies, ceases to be married to a disabled person, or in the case of the spouse of a deceased person, dies, remarries on or after July 1, 2017, or otherwise ceases to be eligible based on the Virginia Administrative Code or administrative guidance as determined by the Department of Human Resource Management.

"Employee" means any person who would be covered or whose spouse, dependents, or beneficiaries would be covered under the benefits of this chapter if the person became a disabled person or a deceased person.

"Employer" means (i) the employer of a person who is a covered employee or (ii) in the case of a volunteer who is a member of any fire company or department or rescue squad described in the definition of "deceased person," the county, city, or town that by ordinance or resolution recognized such fire company or department or rescue squad as an integral part of the official safety program of such locality.

"Fund" means the Line of Duty Death and Health Benefits Trust Fund established pursuant to § 9.1-400.1.

"Line of duty" means any action the deceased or disabled person was obligated or authorized to

perform by rule, regulation, condition of employment or service, or law.

"LODA Health Benefit Plans" means the separate health benefits plans established pursuant to § 9.1-401.

"Nonparticipating employer" means any employer that is a political subdivision of the Commonwealth that elected to directly fund the cost of benefits provided under this chapter and not participate in the Fund.

"Participating employer" means any employer that is a state agency or is a political subdivision of the Commonwealth that did not make an election to become a nonparticipating employer.

"VRS" means the Virginia Retirement System.

1995, cc. 112, 156, 597, §§ 2.1-133.5, 2.1-133.6; 1996, cc. 66, 174; 1998, c. 712; 2001, cc. 678, 844; 2003, cc. 37, 41, 1005; 2004, c. 30; 2005, cc. 907, 910; 2006, c. 824; 2007, c. 87; 2011, cc. 572, 586; 2012, cc. 374, 458, 573; 2015, cc. 38, 502, 503, 730; 2016, c. 677; 2017, cc. 439, 627; 2018, c. 548; 2020, cc. 207, 559.

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.

**AUGUST 8, 2023 PUBLIC HEARING**

**Proposed Amendment of the Articles of  
Incorporation of the Nelson County  
Service Authority (NCSA)  
(Resolution R2023-55)**

# VIRGINIA STATE CODE AUTHORITY

## CHAPTER 51 - VIRGINIA WATER AND WASTE AUTHORITIES ACT

### §15.2-5100 ET SEQ.

#### **Article 3 - Functions of Authorities**

- §15.2-5110. Amendment of articles of incorporation.

The articles of incorporation of any authority created under the provisions of this chapter may be amended with respect to the name or powers of such authority or in any other manner not inconsistent with this chapter by following the procedure prescribed by law for the creation of an authority.

#### **Article 2 - Creation of Authorities**

- 15.2-5104. Advertisement of ordinance, agreement or resolution and notice of hearing. (As of June 2023)

The governing body of each participating locality shall cause to be advertised at least one time in a newspaper of general circulation in such locality a copy of the ordinance, agreement or resolution creating an authority, or a descriptive summary of the ordinance, agreement or resolution and a reference to the place within the locality where a copy of the ordinance, agreement or resolution can be obtained, and notice of the day, not less than thirty days after publication of the advertisement, on which a public hearing will be held on the ordinance, agreement or resolution.

# PROPOSED CHANGES TO SECTION THREE OF NELSON COUNTY SERVICE AUTHORITY (NCSA) ARTICLES OF INCORPORATION

## **Background:**

- Amendment of Section Three of the Nelson County Service Authority Articles of Incorporation was requested by the NCSA Board on May 18, 2023 in order to be consistent with Nelson County Code Chapter 12 Utilities, Article II County Service Authority, Division 1, Section 12-27 Members, effective July 9, 2002
- Articles of Incorporation were first amended in 1986 to provide for a Board of five (5) members, one from each of the four (4) election districts and one (1) from the Wintergreen Community
- Articles of Incorporation were next amended in 2002 to provide for a Board of five (5) members, one from each of the five (5) election districts, which was never approved by the State Corporation Commission but has been followed by the Board of Supervisors in appointing NCSA Board Members



# PROPOSED CHANGES TO SECTION THREE OF NELSON COUNTY SERVICE AUTHORITY (NCSA) ARTICLES OF INCORPORATION

- **Amendment of Section Three of the Articles of Incorporation of the Nelson County Service Authority is proposed as follows – (a)-(c) NO CHANGE**

(a) The powers of the Nelson County Service Authority shall be exercised by a board consisting of five members appointed by the Nelson County Board of Supervisors. There shall be one appointee from each election district of Nelson County. Except as hereinafter provided, each member shall be appointed for a four-year term. Members may be re-appointed without limitation.

(b) Each member shall serve from July 1 until four years, hence on June 30 when his term shall expire. Any person appointed to fill a vacancy shall serve the unexpired term of the member being replaced at the request of the Board of Supervisors. A serving member may continue to sit beyond the expiration of his term until such time as his successor may be appointed; however, the successor's term shall not be extended by such delay.

(c) In order to provide for staggered terms, effect of representation for each election district, and reconfigure terms of service, appointments in the several districts will have the initial terms provided below. Subsequent appointments shall be for terms of four years each.

# PROPOSED CHANGES TO SECTION THREE OF NELSON COUNTY SERVICE AUTHORITY (NCSA) ARTICLES OF INCORPORATION

## Revised Descriptions:

- South District – This seat is presently occupied by an appointee from this district. The appointee’s term shall run to June 30, 2024.
- North District – This seat is presently occupied by an appointed from this district. The appointee’s term shall run to June 30, 2026.
- East District – This seat is presently occupied by an appointee from this district. The appointee’s term shall run to June 30, 2026.
- West District – This seat is presently occupied by an appointee from this district. The appointee’s term shall run to June 30, 2024.
- Central District – This seat is presently occupied by an appointee from this district. The appointee’s term shall run to June 30, 2026.

State Law Reference: Code of Virginia §15.2-5113

In all other respects the Articles of Incorporation of the Nelson County Service Authority remain the same.

## NEXT STEPS

- Conduct the public hearing to receive citizen input on proposed Resolution R2023-55, as authorized by Resolution R2023-39 on June 13, 2023
- Consider adoption of the proposed Resolution R2023-55 as presented
- Upon adoption of Resolution R2023-55, The County Administrator will send a certified copy of this Resolution to the Executive Director of the Authority, who shall send this certified copy of the Resolution to the State Corporation Commission for filing, pursuant to Virginia Code §15.2-5107.

### **§ 15.2-5107. Filing articles of incorporation.**

After adoption or approval of an ordinance, resolution or agreement creating an authority, the governing bodies of the participating localities shall file with the State Corporation Commission the authority's articles of incorporation.

**Please publish Thurs. June 29<sup>th</sup> in The Nelson County Times:**

**LEGAL NOTICE  
NOTICE OF PUBLIC HEARING  
NELSON COUNTY BOARD OF SUPERVISORS  
AMENDMENT OF THE ARTICLES OF INCORPORATION  
OF THE NELSON COUNTY SERVICE AUTHORITY**

In accordance with Volume 3A, Title 15.2, Counties, Cities and Towns, of the Code of Virginia, 1950, as amended, and pursuant to §15.2-5110, §15.2-5104, the Nelson County Board of Supervisors hereby gives notice that a Public Hearing will start at **7:00 p.m., Tuesday, August 8, 2023** in the **General District Courtroom** on the third floor of the Nelson County Courthouse located at 84 Courthouse Square, Lovingson.

The purpose of the public hearing is to receive public input on a Resolution proposed for passage to amend Section Three of the Articles of Incorporation of the Nelson County Service Authority, to provide that the powers of the Authority shall be exercised by a Board consisting of five members, one appointed by the Board of Supervisors from each of the now five election districts of Nelson County. The County since amending §12-27 of the Code of Nelson County on July 9, 2002, has been consistent in appointing Board members of the Authority, one appointed from each of the five election districts.

Copies of the full text of the proposed Resolution 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**



BOARD OF  
SUPERVISORS

THOMAS D. HARVEY  
North District

ERNIE Q. REED  
Central District

JESSE N. RUTHERFORD  
East District

ROBERT G. BARTON, JR.  
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Administrative Assistant/  
Deputy Clerk

LINDA K. STATON  
Director of Finance and  
Human Resources

**DRAFT**  
**RESOLUTION R2023-55**  
**NELSON COUNTY BOARD OF SUPERVISORS**  
**AMENDMENT OF THE ARTICLES OF INCORPORATION**  
**OF THE NELSON COUNTY SERVICE AUTHORITY**

**WHEREAS**, by resolution of the Board of Supervisors of Nelson County, Virginia (“the County”) and a certificate of incorporation issued by the State Corporation Commission pursuant to the Virginia Water and Sewer Authorities Act (currently enacted as the Virginia Water and Waste Authorities Act, Virginia Code §15.2-5100 *et seq.*), the Nelson County Service Authority (“the Authority”) was incorporated as a public body politic and corporate in 1986; and,

**WHEREAS**, the County, pursuant to Virginia Code §15.2-5110, amended the Articles of Incorporation of the Authority in May 1986 to provide that the powers of the Authority shall be exercised by a Board of five members, one from each of the four election districts, and one from the Wintergreen community; and,

**WHEREAS**, the County desires to further amend the Articles of Incorporation of the Authority to provide that the powers of the Authority shall be exercised by a Board consisting of five members, one appointed by the Board of Supervisors from each of the now five election districts of Nelson County; and,

**WHEREAS**, the County since amended § 12-27 of the Code of Nelson County on July 9, 2002, has been consistent in appointing Board members of the Authority, one appointed from each of the five election districts of Nelson County; and,

**WHEREAS**, pursuant to Virginia Code §15.2-5104, the County caused to be advertised in a newspaper of general circulation in the County a descriptive summary of this Resolution and the proposed change to the Authority’s Articles of Incorporation with a reference to the location in the County where a copy of the Resolution could be obtained, and giving notice of the date on which a public hearing would be held on the proposed Resolution; and,

**WHEREAS**, a public hearing on this proposed Resolution was held by the Nelson County Board of Supervisors on August 8, 2023;

**NOW, THEREFORE, BE IT RESOLVED** by the Nelson County Board of Supervisors that:

1. Section Three of the Articles of Incorporation of the Nelson County Service Authority is amended as follows:

**SECTION THREE:**

- (a) The powers of the Nelson County Service Authority shall be exercised by a board consisting of five members appointed by the Nelson County Board of Supervisors. There shall be one appointee from each election district of Nelson County. Except as hereinafter provided, each member shall be appointed for a four-year term. Members may be re-appointed without limitation.
- (b) Each member shall serve from July 1 until four years, hence on June 30 when his term shall expire. Any person appointed to fill a vacancy shall serve the unexpired term of the member being replaced at the request of the Board of Supervisors. A serving member may continue to sit beyond the expiration of his term until such time as his successor may be appointed; however, the successor's term shall not be extended by such delay.
- (c) In order to provide for staggered terms, effect of representation for each election district, and reconfigure terms of service, appointments in the several districts will have the initial terms provided below. Subsequent appointments shall be for terms of four years each.

South District – This seat is presently occupied by an appointee from this district. The appointee's term shall run to June 30, 2024.

North District – This seat is presently occupied by an appointed from this district. The appointee's term shall run to June 30, 2026.

East District – This seat is presently occupied by an appointee from this district. The appointee's term shall run to June 30, 2026.

West District – This seat is presently occupied by an appointee from this district. The appointee's term shall run to June 30, 2024.

Central District – This seat is presently occupied by an appointee from this district. The appointee's term shall run to June 30, 2026.

State Law Reference: Code of Virginia §15.2-5113

2. In all other respects the Articles of Incorporation of the Nelson County Service Authority remain the same.

3. The County Administrator is directed to send a certified copy of this Resolution to the Executive Director of the Authority, who shall send this certified copy of the Resolution to the State Corporation Commission for filing, pursuant to Virginia Code §15.2-5107.

Approved: \_\_\_\_\_

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



BOARD OF  
SUPERVISORS

THOMAS D. HARVEY  
North District

ERNIE O. 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 R2023-39**  
**NELSON COUNTY BOARD OF SUPERVISORS**  
**AUTHORIZATION FOR PUBLIC HEARING**  
**AMENDMENT TO ARTICLES OF INCORPORATION**  
**OF THE NELSON COUNTY SERVICE AUTHORITY**

**BE IT RESOLVED**, that pursuant to §15.2-5104 of the Code of Virginia 1950 as amended, the County Administrator is hereby authorized to advertise a public hearing to be held on **August 8, 2023 at 7:00 p.m.** in the General District Courtroom in the Courthouse in Lovingston, Virginia. The purpose of the public hearing is to receive public input on a Resolution proposed for passage to amend Section Three of the Articles of Incorporation of the Nelson County Service Authority, to provide that the powers of the Authority shall be exercised by a Board consisting of five members, one appointed by the Board of Supervisors from each of the now five election districts of Nelson County. The County since amending §12-27 of the Code of Nelson County on July 9, 2002, has been consistent in appointing Board members of the Authority, one appointed from each of the five election districts.

Approved: June 13, 2023

Attest: , Clerk  
Nelson County Board of Supervisors



**RESOLUTION OF  
THE NELSON COUNTY SERVICE AUTHORITY BOARD  
REQUESTING THE BOARD OF SUPERVISORS  
OF NELSON COUNTY, VIRGINIA TO AMEND  
THE ARTICLES OF INCORPORATION OF THE AUTHORITY**

**BE IT RESOLVED BY THE** Nelson County Service Authority (NCSA) that the Board of Supervisors of Nelson County are asked, pursuant to Virginia Code § 15.2-5110, to amend Section Three of the Articles of Incorporation of the NCSA to provide that the powers of the NCSA shall be exercised by a Board consisting of five members, one appointed from each of the five election districts of Nelson County. This amendment will be consistent with the requirements of Code § 12-27 of the Nelson County Code, which since its adoption on July 9, 2002, has been followed by the Board of Supervisors in appointing Board members to the NCSA. However, the amendment to Section Three has never been approved by the State Corporation Commission. A copy of the proposed resolution is attached hereto as Exhibit A.

ADOPTED: BY VOTE OF 5 TO 0 AT A DULY CALLED  
MEETING OF THE BOARD OF SUPERVISORS OF NELSON COUNTY ON  
May 18, 2023.

ATTEST:   
Secretary, Nelson County Service Authority

Code of Virginia  
Title 15.2. Counties, Cities and Towns  
Subtitle IV. Other Governmental Entities  
Chapter 51. Virginia Water and Waste Authorities Act  
Article 2. Creation and Dissolution of Authorities

## § 15.2-5104. Advertisement of ordinance, agreement or resolution and notice of hearing

The governing body of each participating locality shall cause to be advertised at least one time in a newspaper of general circulation in such locality a copy of the ordinance, agreement or resolution creating an authority, or a descriptive summary of the ordinance, agreement or resolution and a reference to the place within the locality where a copy of the ordinance, agreement or resolution can be obtained, and notice of the day, not less than thirty days after publication of the advertisement, on which a public hearing will be held on the ordinance, agreement or resolution.

Code 1950, § 15-764.5; 1950, p. 1315; 1962, c. 623, § 15.1-1243; 1972, c. 370; 1983, c. 80; 1997, c. 587.

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.

Code of Virginia  
Title 15.2. Counties, Cities and Towns  
Subtitle IV. Other Governmental Entities  
Chapter 51. Virginia Water and Waste Authorities Act  
Article 2. Creation and Dissolution of Authorities

## § 15.2-5107. Filing articles of incorporation

After adoption or approval of an ordinance, resolution or agreement creating an authority, the governing bodies of the participating localities shall file with the State Corporation Commission the authority's articles of incorporation.

Code 1950, § 15-764.7; 1950, p. 1316; 1962, c. 623, § 15.1-1245; 1973, c. 478; 1997, c. 587.

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.

**Sec. 12-27. Members.**

- (a) The powers of the water and sewer authority shall be exercised by a board consisting of five (5) members appointed by the board of supervisors. There shall be one (1) appointee from each election district. Except as hereinafter provided, each member shall be appointed for a four-year term. Members may be re-appointed without limitation.
- (b) Each member shall serve from July 1 until four (4) years hence on June 30 when his term shall expire. Any person appointed to fill a vacancy shall serve the unexpired term of the member being replaced at the request of the board of supervisors. A serving member may continue to sit beyond the expiration of his term until such time as his successor may be appointed; however, the successor's term shall not be extended by such delay.
- (c) In order to provide for staggered terms, effect representation for each election district, and reconfigure terms of service, appointments in the several districts will have the initial terms provided below. Subsequent appointments shall be for terms of four (4) years each.

South District—This seat is presently occupied by a hold-over member whose term expired April 9, 2002. The new appointee's term shall run to June 30, 2004.

North District—There is presently no appointee from this district. The new appointee's term shall run to June 30, 2006.

East District—This seat is presently occupied by a hold-over member whose term expired December 31, 2000. The new appointee's term shall run to June 30, 2006.

West District—The current member's term runs to December 31, 2004. The new appointee's term shall run to June 30, 2008.

Central District—The term of one (1) of the two (2) appointees residing in this district expires December 31, 2002. The foregoing seat shall be considered the permanent seat for the district and the new appointment shall run to June 30, 2006. The other seat in this district shall be abolished upon either the vacancy thereof or the expiration of the term of the appointee, whichever should first occur.

(Res. of 12-22-87; Ord. of 7-9-02)

State law reference(s)—Code of Virginia, § 15.2-5113.

Code of Virginia  
Title 15.2. Counties, Cities and Towns  
Subtitle IV. Other Governmental Entities  
Chapter 51. Virginia Water and Waste Authorities Act  
Article 3. Functions of Authorities

## § 15.2-5110. Amendment of articles of incorporation

The articles of incorporation of any authority created under the provisions of this chapter may be amended with respect to the name or powers of such authority or in any other manner not inconsistent with this chapter by following the procedure prescribed by law for the creation of an authority.

Code 1950, § 15-764.12; 1950, p. 1318; 1954, c. 554; 1958, cc. 400, 402; 1960, c. 430; 1962, cc. 130, 623, § 15.1-1250; 1968, cc. 355, 556; 1970, cc. 444, 617; 1972, c. 161; 1979, c. 280; 1980, c. 159; 1981, c. 610; 1983, c. 422; 1984, c. 554; 1994, c. [477](#); 1997, c. 587.

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. July 27<sup>th</sup> and August 3<sup>rd</sup> 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, August 8, 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 #986 – Outdoor Entertainment Venue**

Consideration of a Special Use Permit application requesting County approval to allow an Outdoor Entertainment Venue on property zoned A-1 Agriculture. The subject property is located at Tax Map Parcel #21-A-115 at 877 Glenthorne Loop in Nellysford. The subject property is 12.83 acres and is owned by Stephen and Susan Groves.

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

# Nelson County Planning Commission

To: Board of Supervisors

From: Dylan M. Bishop, Director of Planning & Zoning *DMB*

Date: August 8, 2023

Re: SUP #986 – Outdoor Entertainment Venue in A-1 – Silver Fox Lavender Farm  
(877 Glenthorne Loop)

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**BACKGROUND:** This is a request for a Special Use Permit to allow an outdoor entertainment venue for weddings on property zoned A-1 Agriculture.

*Public Hearings Scheduled:* P/C – July 26; Board – August 8

*Location / Election District:* 877 Glenthorne Loop / Central District

*Tax Map Number(s) / Total acreage:* 21-A-115 / 12.83 acres +/- total

*Owner/Applicant Contact Information:* Stephen & Suzanne Groves, 877 Glenthorne Loop, Nellysford, VA 22958, 540-903-2750, suzigroves@yahoo.com

*Comments:* This property currently contains an existing barn and infrastructure that is utilized for lavender farm activities, as well as up to (twelve) 12 Social Temporary Events per year, which are both by-right uses in the A-1 Agriculture District. At the time the structure was approved as farm-exempt, however was constructed by a company using an engineered building package to satisfy building codes. There are no physical expansions proposed with this application.

The narrative provided by the applicant details event operations on the property. As interest in their wedding venue business has grown, the applicants are requesting the SUP to expand operations and increase the potential for additional events.

An outdoor entertainment venue is defined as “the non-temporary use of any land, including the erection or use of non-temporary structure(s) or the installation of non-temporary infrastructure, for the hosting and operation of Category 1 and Category 2 Events, Exempt Events, or other entertainment activities for cultural, artistic, social or recreational purposes.”

Category 1 and Category 2 Events, Exempt Events such as Social Temporary are all permitted by-right in the A-1 Agriculture district without permanent facilities or infrastructure. The utilization of the existing barn and infrastructure to host such events, as well as the increased number of events, is what constitutes the Special Use Permit. “Exempt Events” are exempt from permitting requirements in *Article 24 – Temporary Events...*

## **DISCUSSION:**

*Land Use / Floodplain:* This area is residential and agricultural in nature. Zoning in the vicinity is A-1 Agriculture. A portion of the property is located within a flood zone (Zone A), however only parking areas are located within this area.

*Access / Traffic / Parking:* This property is accessed by existing entrances Glenthorne Loop. Comments from VDOT indicate that the entrance used for public access will need to satisfy the requirements for a moderate volume commercial entrance, and recommended reducing the number of entrances. Parking requirements in the Zoning Ordinance indicate 1 space for each 100 square feet of area used for assembly is required for clubs, lodges, assembly halls and similar uses without fixed seats. With parking available for up to 196 vehicles, this is sufficient.

*Utilities:* There is existing septic and well on the property that serves the existing barn. Comments from the Health Department indicate that an engineer will be required to assess the capacity of the existing septic system to determine its adequacy for the proposed use.

*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.”

**RECOMMENDATION: At their meeting on July 26<sup>th</sup>, the Planning Commission recommended approval (4-1) of SUP #934 to the Board of Supervisors.**

1. The maximum number of attendees at any event shall not exceed 150.
2. Amplified music and sound shall end at 10:30 p.m.
3. There shall be no more than 150 events per year.

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 / Floodplain

Public Comments





# PERMIT APPLICATION: Nelson County Department of Planning & Zoning

TO THE ZONING ADMINISTRATOR: Special Use Permit # 986  
*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:  
See Attached.

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*(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: Stephen and Suzanne Groves

Mailing Address: 877 Glenthorne Loop, Nellysford, VA 22958

Telephone #: 540-903-2750 Email Address: suzigroves@yahoo.com

Relationship (if applicable): Owner

Applicant  Property Owner Name: N/A

Mailing Address:

Telephone #: Email Address:

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.):  
Silver Fox Lavender Farm, 877 Glenthorne Loop, Nellysford, VA 22958

b. Official tax map number: \_\_\_\_\_, Parcel Map No. 21-A-115

c. Acreage of property: 13

d. Present use: Lavender farm and event venue for up to 150 attendees.

e. Present zoning classification: A-1 Agriculture

f. Zoning classification of surrounding properties: A-1 Agriculture

**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: Steve Groves Printed Name: Steve Groves

Signature: Suzanne C. Groves Printed Name: Suzanne Groves

*(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 (\$ \_\_\_\_\_) received on \_\_\_\_\_
- 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, Lovingsston, Virginia 22949 | *(Physical Address)* 80 Front Street, Lovingsston, 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/>

## Permit Application

Nelson County Department of Planning & Zoning

Applicant: Silver Fox Lavender Farm, (“Silver Fox”)

Special Use Permit/Reason(s) for Request:

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The applicant seeks a Special Use Permit to be classified as an Outdoor Entertainment Venue. Currently, Silver Fox is allowed (12) events per year and the business has chosen weddings as events of choice to highlight the farm, natural landscape and scenic vistas. Silver Fox is a small business and pleased to report increased interest in wedding and non-wedding events. In addition to weddings, the business desires to offer smaller event options such family reunions, celebrations of life, company meetings and others. The size of our events will not increase from the current 150 maximum. Most current and future planned events are between 25 - 125 attendees. Since the size of our events does not change, we do not require property or facility expansion or renovation in any way and merely seek to accommodate growth in our business. Nelson County Noise Ordinances are currently enforced and not compromised due to this request. All events end at 10:30.

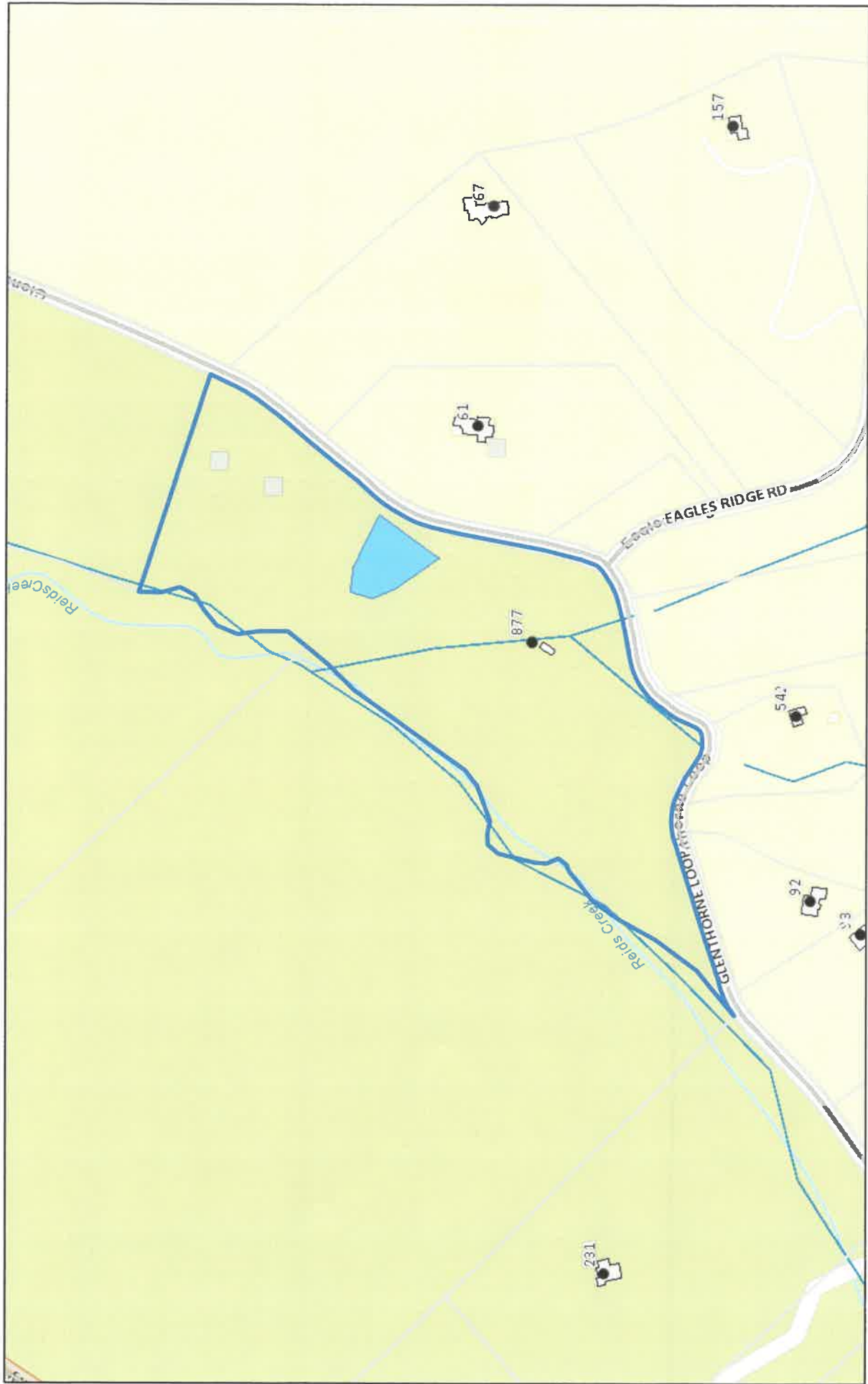
Additional clarifications and business procedures:

**Parking:** Silver Fox has three parking areas available as outlined on the minor site plan. Using a guide for each parking space being 9’ wide by 18’ deep, the three lots will accommodate 196 cars. This allows more than ample parking space given our max event size is 150. We use event parking directional signs at the entrance/exit areas of each lot and attendants guide guests to open spots. This ensures safety but also depending on event size, traffic can be directed in two different directions from Glenthorne Loop, each connecting at different sections of Route 151 to enhance traffic flow.

**Catering:** Silver Fox offers a full kitchen for event caterers to include ample counter space as well as two sinks with hot/cold water for clean-up and food prep. A full size refrigerator as well as double ovens are occasionally used. The ovens are most often used to warm up food previously prepared at the caterer’s location. The kitchen has a dedicated entry and exit door and only full service caterers are used thus clean up and trash removal is included.

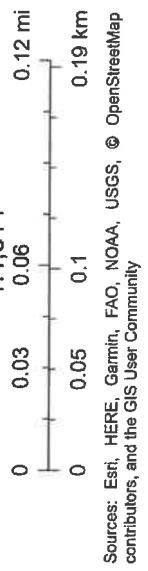
**Restrooms:** Silver Fox has two bathrooms inside the venue, one ADA Compliant, and a porta john outside. If there are more than 100 guests, a trailer with at least two stalls is rented by the lessee.

**Music:** The music is either a DJ or a live band and ends at 10:30 p.m. Volume of music never exceeds noise ordinance levels and enforced. DJ’s or bands have a designated entrance and exit whether they perform inside or outside.



June 12, 2023

1:4,514

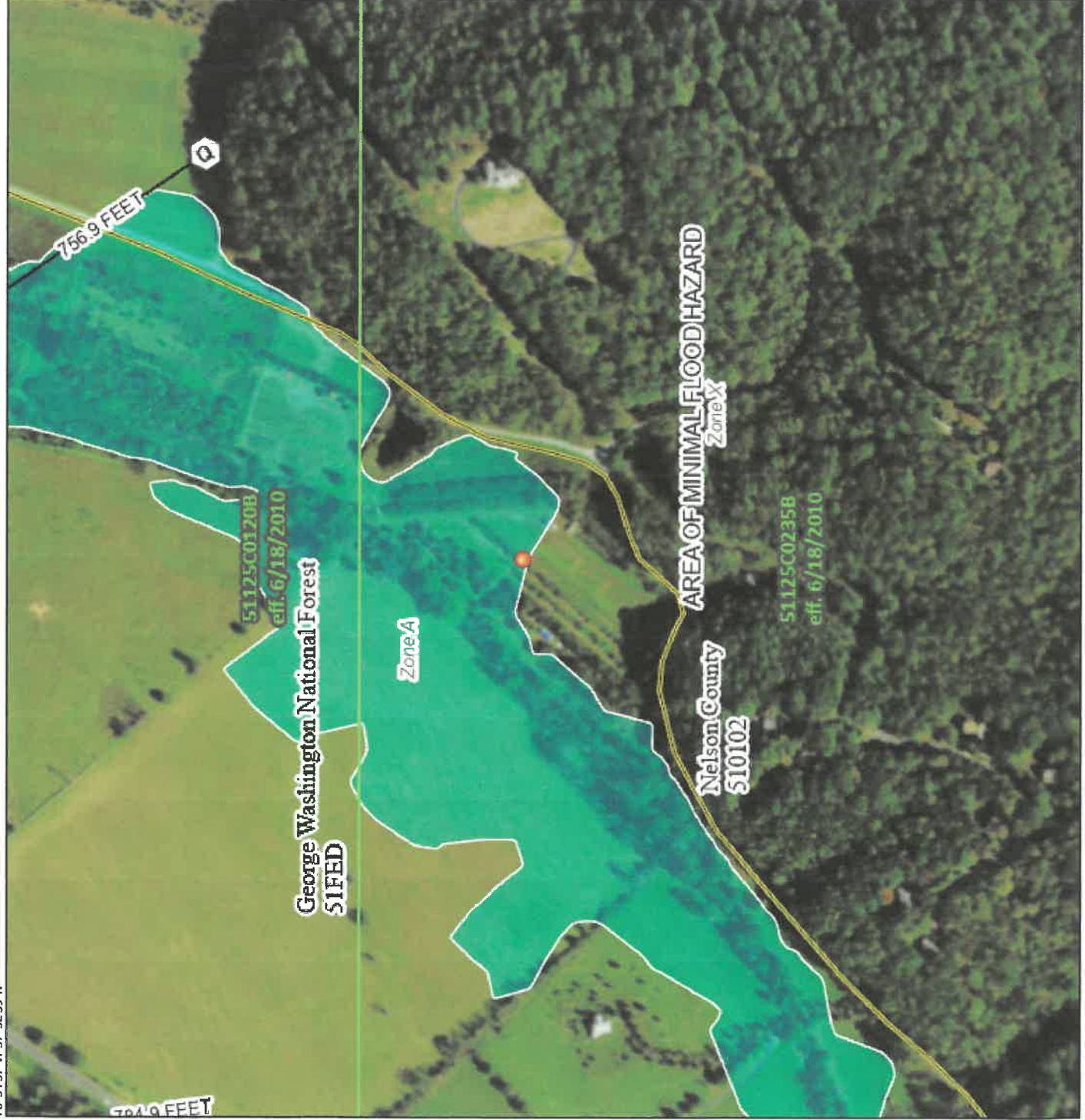


Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

# National Flood Hazard Layer FIRMette



78°54'37"W 37°52'39"N



1:6,000

78°54'W 37°52'11"N

Basemap: IECC National Map, OrthoImagery. Data refreshed October 2020

## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

- SPECIAL FLOOD HAZARD AREAS**
  - Without Base Flood Elevation (BFE) Zone A, V, AIS9
  - With BFE or Depth Zone AE, AO, AH, VE, AR
  - Regulatory Floodway
- OTHER AREAS OF FLOOD HAZARD**
  - 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
  - Future Conditions 1% Annual Chance Flood Hazard Zone X
  - Area with Reduced Flood Risk due to Levee. See Notes. Zone X
  - Area with Flood Risk due to Levee Zone D
- OTHER AREAS**
  - NO SCREEN
  - Area of Minimal Flood Hazard Zone X
  - Effective LOMRs
  - Area of Undetermined Flood Hazard Zone X
- GENERAL STRUCTURES**
  - Channel, Culvert, or Storm Sewer
  - Levee, Dike, or Floodwall
- OTHER FEATURES**
  - Cross Sections with 1% Annual Chance Water Surface Elevation
  - Coastal Transect
  - Base Flood Elevation Line (BFE)
  - Limit of Study
  - Jurisdiction Boundary
  - Coastal Transect Baseline
  - Profile Baseline
  - Hydrographic Feature
- MAP PANELS**
  - Digital Data Available
  - No Digital Data Available
  - Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

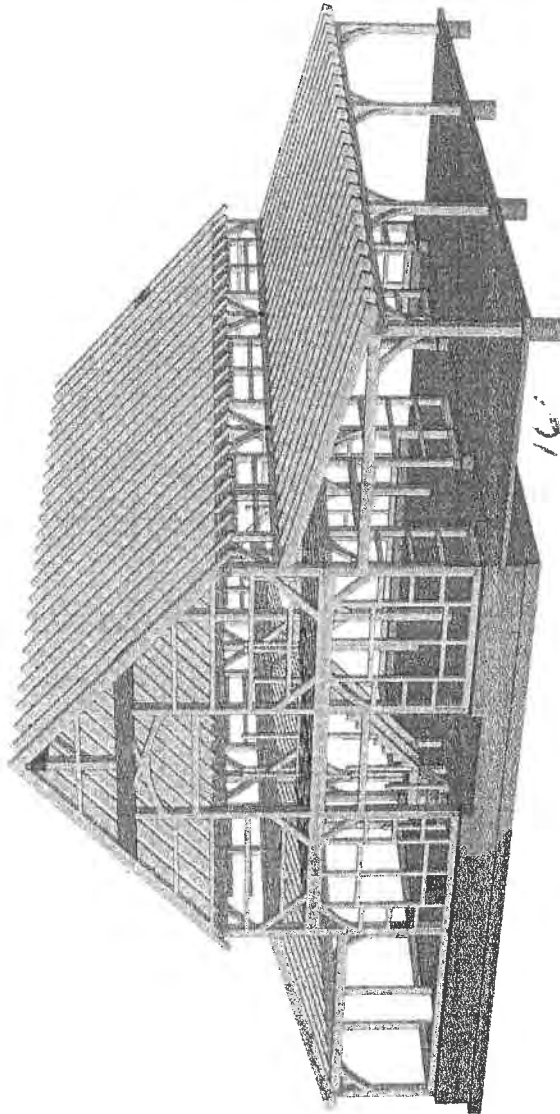
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 6/6/2023 at 6:03 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

CARRIAGE BARN KIT FOR:

STEVE AND SUZANNE GROVES

3096 GLEN VALLEY DR  
CROZET, VA 22932



~~1440~~

30' x 48' POST & BEAM CARRIAGE BARN W/ (2) 16' LEAN-TO

REVISION DATE: 4/24/2019

REVISION #1

1440 + 512 = 1952 sq ft.

+ 16' porch = 768

(1952 + 768) = Total SF = 2720 sq ft.

DESIGNED & FABRICATED BY:



DRAWING LIST

COVER	TITLE SHEET & DESIGN DATA
SHEET 1	FOUNDATION PLAN
SHEET 2	POST & BILL PLAN
SHEET 3	FRAMING PLANS
SHEET 4	FRAMING SECTIONS
SHEET 5	FRAMING SECTIONS
SHEET 6	NOTES & DETAILS

THE BARN YARD

MANUFACTURING & DESIGN FACILITY

9 VILLAGE ST.

ELLINGTON, CT 06029

860.454.9103

SHOWCASE LOCATIONS

120 WEST RD. RTE. 6

ELLINGTON, CT 06029 BETHEL, CT 06801

860.896.0836 203.140.1433

www.thebarnyard.com CT LICENSE # 999916 MA LICENSE # 121890

NOTE:  
ELEVATIONS & RENDERINGS  
ARE ARTISTS' CONCEPTIONS  
COLOR AND OPTION STYLES  
MAY DIFFER FROM ACTUAL  
CONSTRUCTION.

PROJECT NO. 881

PRINT DATE: 04/24/2019

height = 450 sq ft.

**GENERAL NOTES:**  
1. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE IN FEET AND INCHES.  
2. ALL MATERIALS SHALL BE AS NOTED, UNLESS OTHERWISE NOTED.  
3. ALL MATERIALS SHALL BE AS NOTED, UNLESS OTHERWISE NOTED.  
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10. ALL MATERIALS SHALL BE AS NOTED, UNLESS OTHERWISE NOTED.

**FRAMING NOTES:**  
1. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE IN FEET AND INCHES.  
2. ALL MATERIALS SHALL BE AS NOTED, UNLESS OTHERWISE NOTED.  
3. ALL MATERIALS SHALL BE AS NOTED, UNLESS OTHERWISE NOTED.  
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10. ALL MATERIALS SHALL BE AS NOTED, UNLESS OTHERWISE NOTED.

**FINISHES:**  
1. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE IN FEET AND INCHES.  
2. ALL MATERIALS SHALL BE AS NOTED, UNLESS OTHERWISE NOTED.  
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9. ALL MATERIALS SHALL BE AS NOTED, UNLESS OTHERWISE NOTED.  
10. ALL MATERIALS SHALL BE AS NOTED, UNLESS OTHERWISE NOTED.

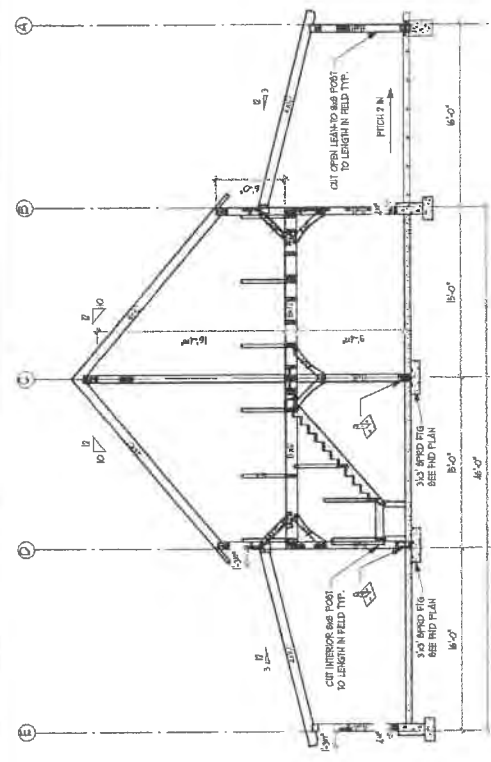
**FOUNDATION:**  
1. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE IN FEET AND INCHES.  
2. ALL MATERIALS SHALL BE AS NOTED, UNLESS OTHERWISE NOTED.  
3. ALL MATERIALS SHALL BE AS NOTED, UNLESS OTHERWISE NOTED.  
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**ROOFING:**  
1. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE IN FEET AND INCHES.  
2. ALL MATERIALS SHALL BE AS NOTED, UNLESS OTHERWISE NOTED.  
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**MECHANICAL:**  
1. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE IN FEET AND INCHES.  
2. ALL MATERIALS SHALL BE AS NOTED, UNLESS OTHERWISE NOTED.  
3. ALL MATERIALS SHALL BE AS NOTED, UNLESS OTHERWISE NOTED.  
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10. ALL MATERIALS SHALL BE AS NOTED, UNLESS OTHERWISE NOTED.

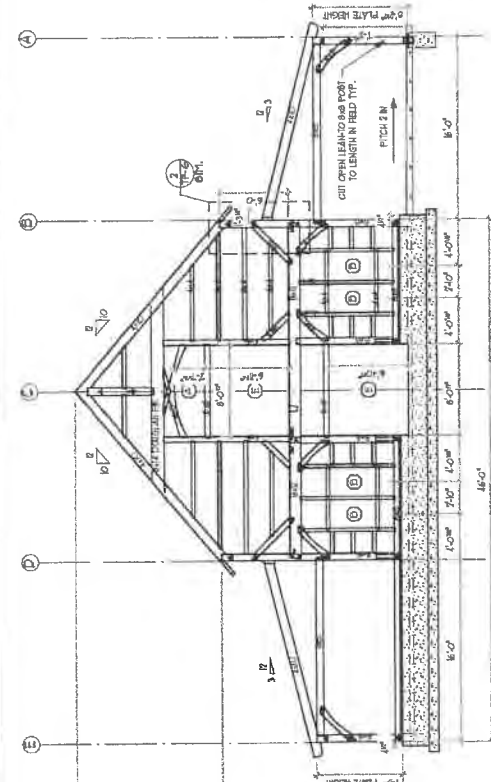
**ELECTRICAL:**  
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2. ALL MATERIALS SHALL BE AS NOTED, UNLESS OTHERWISE NOTED.  
3. ALL MATERIALS SHALL BE AS NOTED, UNLESS OTHERWISE NOTED.  
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9. ALL MATERIALS SHALL BE AS NOTED, UNLESS OTHERWISE NOTED.  
10. ALL MATERIALS SHALL BE AS NOTED, UNLESS OTHERWISE NOTED.

**PLUMBING:**  
1. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE IN FEET AND INCHES.  
2. ALL MATERIALS SHALL BE AS NOTED, UNLESS OTHERWISE NOTED.  
3. ALL MATERIALS SHALL BE AS NOTED, UNLESS OTHERWISE NOTED.  
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10. ALL MATERIALS SHALL BE AS NOTED, UNLESS OTHERWISE NOTED.

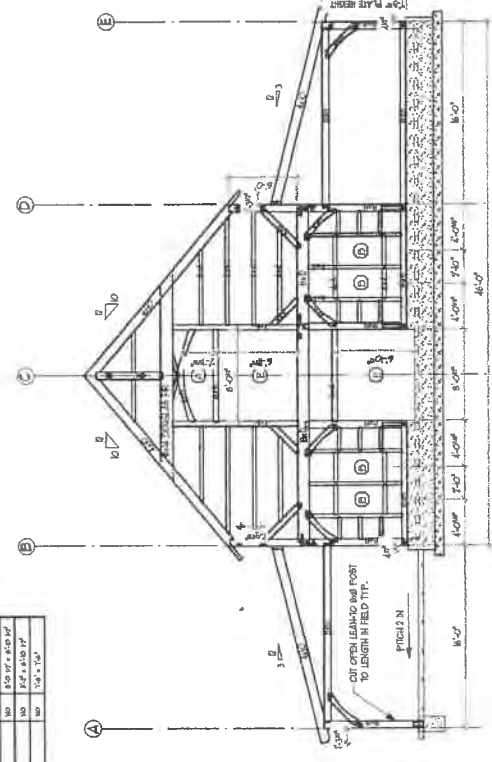


**2 SECTION - LINE 2**  
SCALE: 3/32"=1'-0"

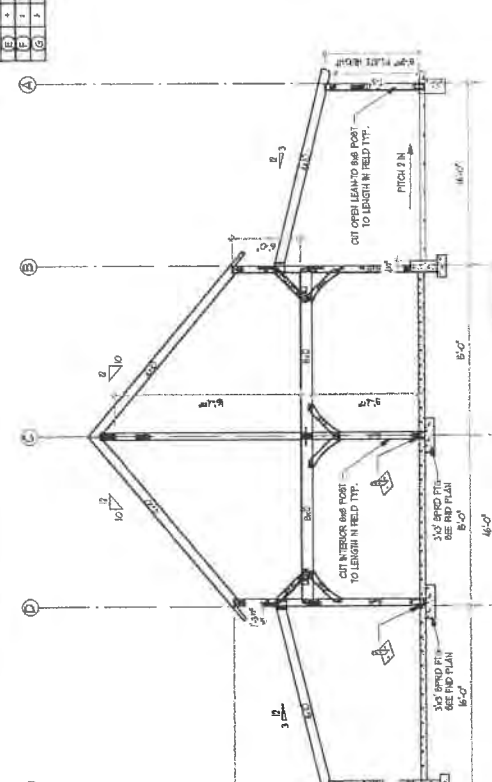
ITEM	DESCRIPTION	QUANTITY	UNIT
(A)	1 DOOR OR WINDOW	1	EA
(B)	1 DOOR OR WINDOW	1	EA
(C)	1 WINDOW	1	EA
(D)	1 WINDOW	1	EA
(E)	1 DOOR	1	EA
(F)	1 DOOR	1	EA
(G)	1 DOOR	1	EA



**1 SECTION - LINE 1**  
SCALE: 3/32"=1'-0"



**4 SECTION - LINE 4**  
SCALE: 3/32"=1'-0"



**3 SECTION - LINE 3**  
SCALE: 3/32"=1'-0"

**FRAMING SECTIONS**  
CARRIAGE BARN KIT FOR:  
6157E AND 6157E GROVES  
3096 GLEN VALLEY DR  
CROZET, VA 22932

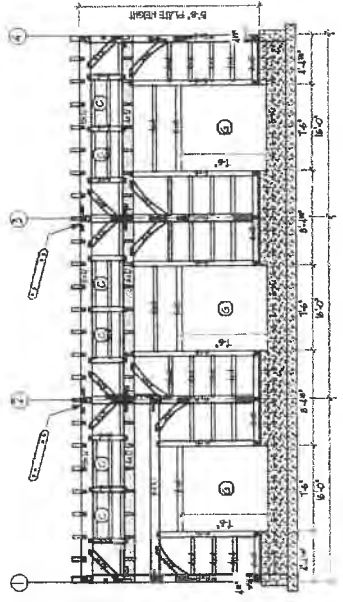
**PROJECT:** 04-24-B  
**DATE:** 04-24-19  
**SCALE:** AS NOTED  
**PROJECT NO.:** E116  
**REV.:** 1-22  
**TF-4**

**GENERAL NOTES:**  
 1. ALL DIMENSIONS UNLESS OTHERWISE NOTED.  
 2. ALL MATERIALS SHALL BE APPROVED BY THE ARCHITECT.  
 3. ALL MATERIALS SHALL BE APPROVED BY THE ARCHITECT.  
 4. ALL MATERIALS SHALL BE APPROVED BY THE ARCHITECT.  
 5. ALL MATERIALS SHALL BE APPROVED BY THE ARCHITECT.  
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 10. ALL MATERIALS SHALL BE APPROVED BY THE ARCHITECT.

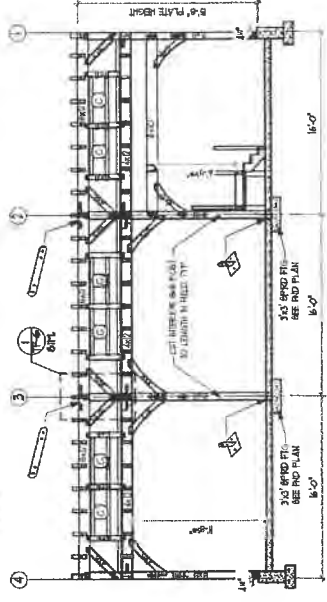
**FRAMING NOTES:**  
 1. ALL DIMENSIONS UNLESS OTHERWISE NOTED.  
 2. ALL MATERIALS SHALL BE APPROVED BY THE ARCHITECT.  
 3. ALL MATERIALS SHALL BE APPROVED BY THE ARCHITECT.  
 4. ALL MATERIALS SHALL BE APPROVED BY THE ARCHITECT.  
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 8. ALL MATERIALS SHALL BE APPROVED BY THE ARCHITECT.  
 9. ALL MATERIALS SHALL BE APPROVED BY THE ARCHITECT.  
 10. ALL MATERIALS SHALL BE APPROVED BY THE ARCHITECT.

**FINISHES:**  
 1. ALL DIMENSIONS UNLESS OTHERWISE NOTED.  
 2. ALL MATERIALS SHALL BE APPROVED BY THE ARCHITECT.  
 3. ALL MATERIALS SHALL BE APPROVED BY THE ARCHITECT.  
 4. ALL MATERIALS SHALL BE APPROVED BY THE ARCHITECT.  
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 9. ALL MATERIALS SHALL BE APPROVED BY THE ARCHITECT.  
 10. ALL MATERIALS SHALL BE APPROVED BY THE ARCHITECT.

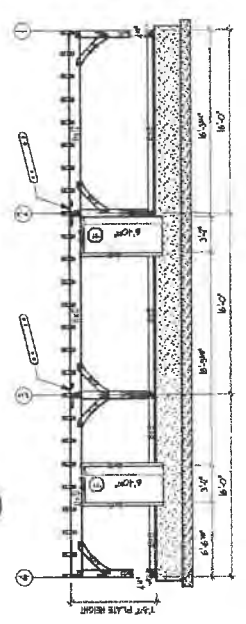
**PROJECT INFORMATION:**  
 PROJECT NO: 04-24-B  
 DATE: 11/11/11  
 DRAWN BY: ELLS  
 CHECKED BY: [Signature]  
 SCALE: AS NOTED  
**TF-5 OF 6**



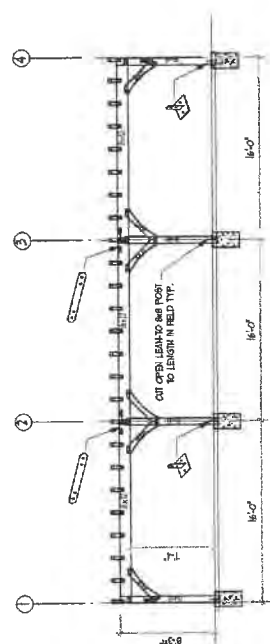
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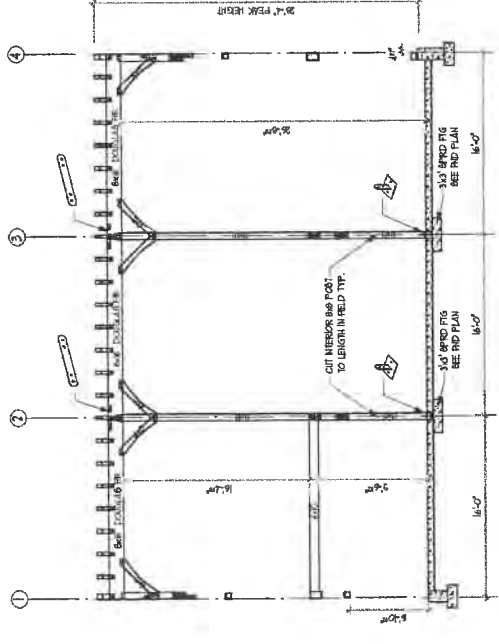
**4 SECTION - LINE D**  
 SCALE: 1/8"=1'-0"



**5 SECTION - LINE E**  
 SCALE: 1/8"=1'-0"



**1 SECTION - LINE A**  
 SCALE: 1/8"=1'-0"



**3 SECTION - LINE C**  
 SCALE: 1/8"=1'-0"

**CARRIAGE BARN KIT FOR:**  
 STEVE AND BIZANNE GROVES  
 30% GLEN VALLEY DR  
 CROZET, VA 22932



**GENERAL NOTES**

ALL WORK SHALL CONFORM TO THE CURRENT REQUIREMENTS OF 2015 INTERNATIONAL RESIDENTIAL BUILDING CODE, DIMENSIONS AND DETAILS SHALL BE CHECKED AGAINST FIELD TESTING AND LABORATORY TESTING SHALL BE DONE UNDER THE SUPERVISION OF A TESTING LABORATORY WHO SHALL PROVIDE WRITTEN REPORTS OF ALL PHASES OF THE WORK TO THE ENGINEER.

**E. OBSERVATION: ALL EXCAVATION OF UNACCEPTABLE MATERIAL. INSTALLATION OF CONTROLLED FILL COMPACTION. FIELD TESTING AND LABORATORY TESTING SHALL BE DONE UNDER THE SUPERVISION OF A TESTING LABORATORY WHO SHALL PROVIDE WRITTEN REPORTS OF ALL PHASES OF THE WORK TO THE ENGINEER.**

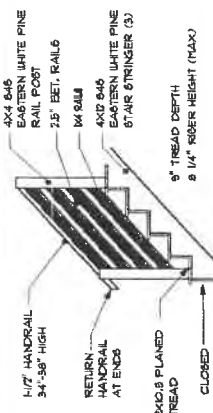
**F. FOUNDATIONS:**  
 ALL FOOTINGS SHALL BEAR ON UNDISTURBED NATURAL MATERIAL OR GRANULAR FILL. ELEVATIONS OF BOTTOM OF FOOTINGS SHOWN ON PLANS ARE FOR BIDDING PURPOSES AND SHALL BE LOWERED IF NECESSARY TO THE REQUIRED BEARING MATERIAL AS FOUND UPON EXCAVATION. IF THE REQUIRED BEARING MATERIAL IS NOT FOUND, THE ENGINEER SHALL BE NOTIFIED IMMEDIATELY. CONTROLLED BACK FILL AND COMPACTION IF REQUIRED.

**G. SOFTENING OF MATERIAL:**  
 WHERE UNACCEPTABLE MATERIAL IS FOUND, IT SHALL BE REMOVED AND REPLACED WITH PROPER MATERIAL. A CONTROLLED PROCEDURE MUST BE FOLLOWED TO ENSURE PROPER BEARING FOR THE BUILDING.

**H. FILLING AND GRADING:**  
 BEFORE BACK FILLING, REMOVE CONSTRUCTION DEBRIS, STUMP, TREE ROOTS, SOIL HEAVY GRASS, DECAYED VEGETABLE MATTER AND OTHER UNDESIRABLE MATERIALS. FILL MATERIAL SHALL BE UNACCEPTABLE MATERIAL AS APPROVED BY THE ENGINEER.

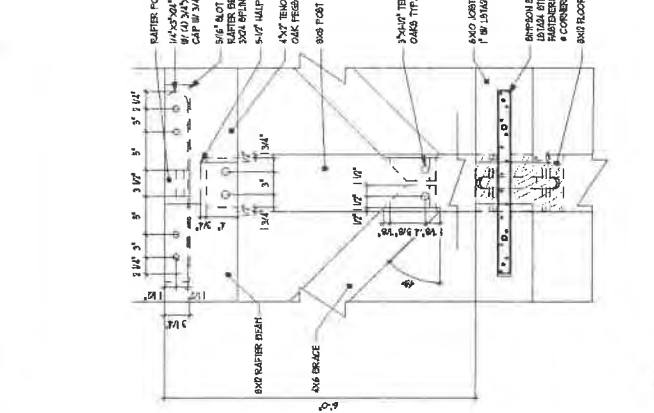
**I. CONSTRUCTION METHODS:**  
 AFTER DEPOSITING FILL OR BACK FILL IN FOOT LIFTS, WELL MIXED IN COMPACT TO THE FOLLOWING PERCENT OPTIMUM DENSITY.

**J. FIELD TESTING:**  
 PERFORM ONE FIELD DENSITY TEST FOR EACH LAYER OF FILL OR BACK FILL. TESTS SHALL BE PERFORMED IN ACCORDANCE WITH ASTM D1556. PERFORM ADVANCED FIELD DENSITY TESTS EACH OF AN ACCURACY OF PLUS OR MINUS ONE PERCENT. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE ENGINEER AND TESTING LABORATORY UPON EACH LAYER OF FILL IS TO BE PLACED AND READY FOR TESTING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR EXCESSIVE FILL TO BE PLACED IN EXCESS OF SIXTEEN (16) INCHES. TESTING SHALL BE SUBJECT TO REMOVAL, REVEAL ANALYSIS SHALL BE AT THE CONTRACTOR'S EXPENSE.



**1 HANDRAIL DETAILS**  
 SCALE: 3/4\"/>

ALL HANDRAILS, BARS, & TREADS TO MEET CODE REQUIREMENTS. NO OPENINGS MORE THAN 4\"/>



**2 FRAMING DETAIL**  
 SCALE: 3/4\"/>

**THE BARN YARD GREAT COUNTRY**  
 ONE BARN YARD  
 1000 W. WILSON ST.  
 WASHINGTON, VA 22187  
 541.233.1234  
 www.thebarnyard.com  
 LICENSE # 123456789

**GENERAL NOTES:**  
 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2015 INTERNATIONAL RESIDENTIAL BUILDING CODE (IRC) AND ALL APPLICABLE LOCAL, STATE AND NATIONAL CODES AND REGULATIONS, AND THE OWNER OR DESIGNATED CONTRACTOR SHALL SECURE ALL NECESSARY PERMITS PRIOR TO COMMENCEMENT OF WORK.  
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE.  
 3. ALL MATERIALS SHALL BE OF QUALITY AND SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.  
 4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL UTILITIES AND ADJACENT PROPERTIES AT ALL TIMES.  
 5. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.  
 7. ALL MATERIALS SHALL BE STORED PROPERLY TO PREVENT DAMAGE.  
 8. THE CONTRACTOR SHALL MAINTAIN A NEAT AND SAFE WORK SITE AT ALL TIMES.  
 9. ALL WORK SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ENGINEER.  
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE.

**FINISHES:**  
 FLOOR: 3/4\"/>

**PAINTS:**  
 INTERIOR: 100% ACRYLIC EMULSION PAINT.  
 EXTERIOR: 100% ACRYLIC EMULSION PAINT WITH MOLD AND MILDEW RESISTANCE.  
 TRIM: 100% ACRYLIC EMULSION PAINT WITH MOLD AND MILDEW RESISTANCE.

**ROOFING:**  
 ROOF: 1/2\"/>

**CLADDING:**  
 EXTERIOR WALLS: 1/2\"/>

**NOTES & DETAILS**  
 CARRIAGE BARN KIT FOR:  
 STEVE AND BIZANNE GROVES  
 30% GLEN VALLEY DR  
 GROVE, VA 22932

**DATE:** 04-24-19  
**SCALE:** AS NOTED  
**PROJECT NO.:** TB-6  
**REV.:** 06  
**DATE:** 04-24-19  
**BY:** [Signature]  
**SCALE:** 1/8\"/>

No. \_\_\_\_\_  
Store: Ellington  
1-800-628-2276 | www.greatcountrygarages.com



Type: Draft Ready to Review  
Date: 02-04-2019  
Salesperson: Jerry Moscato

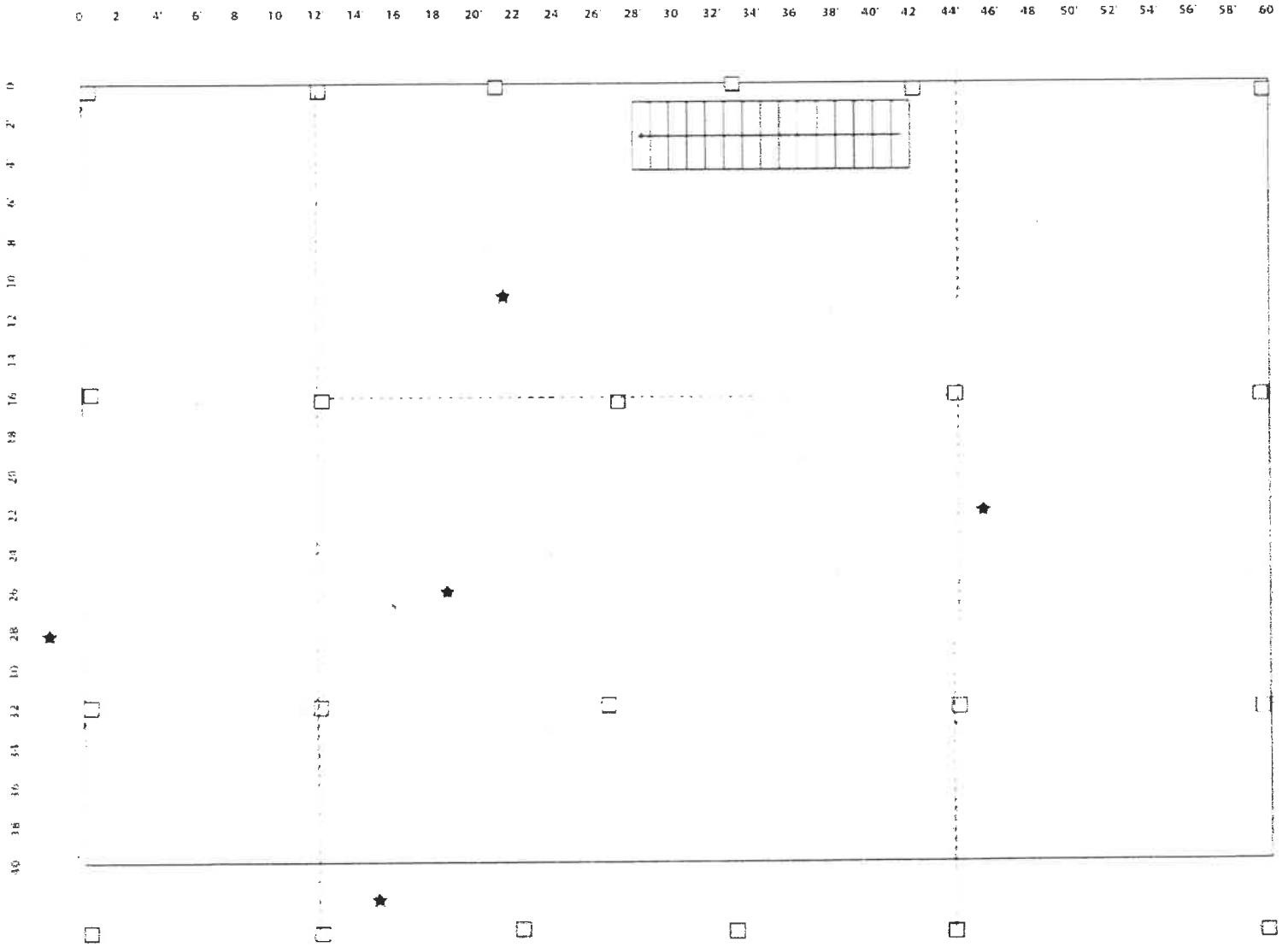
Steve and Suzanne Gravos  
Source: Internet Search

3096 Glen Valley Dr  
Crozet, VA 22932

(540) 903-2750

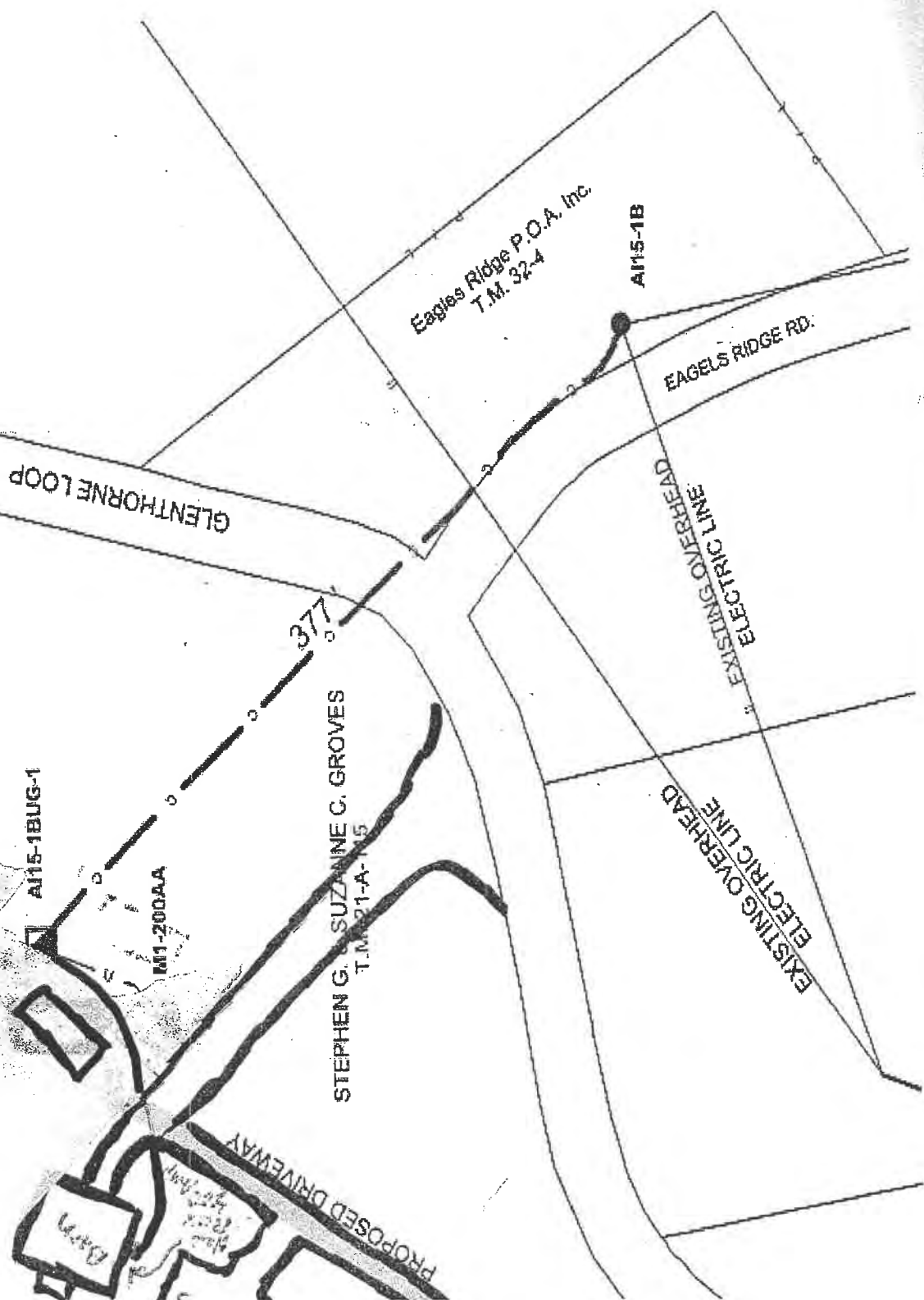
suzigravos@yahoo.com

## Floor Plan



Need  
400 AMP.  
150' From Box To Bus

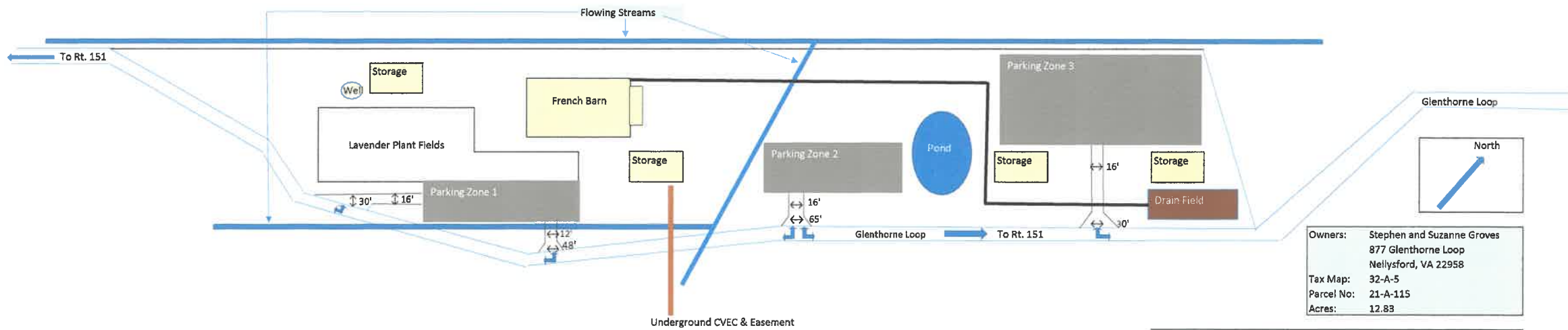
New  
Site Plan



Legend	
●	Existing Pole
○	Proposed Pole
—	Proposed Overhead Electric Line
- - -	Existing Undergroud
- - -	Proposed Undergroud
- - -	Proposed Guy
○	Underground
○	Three Phase Ed

Attendum to easement for:

Troala Baran

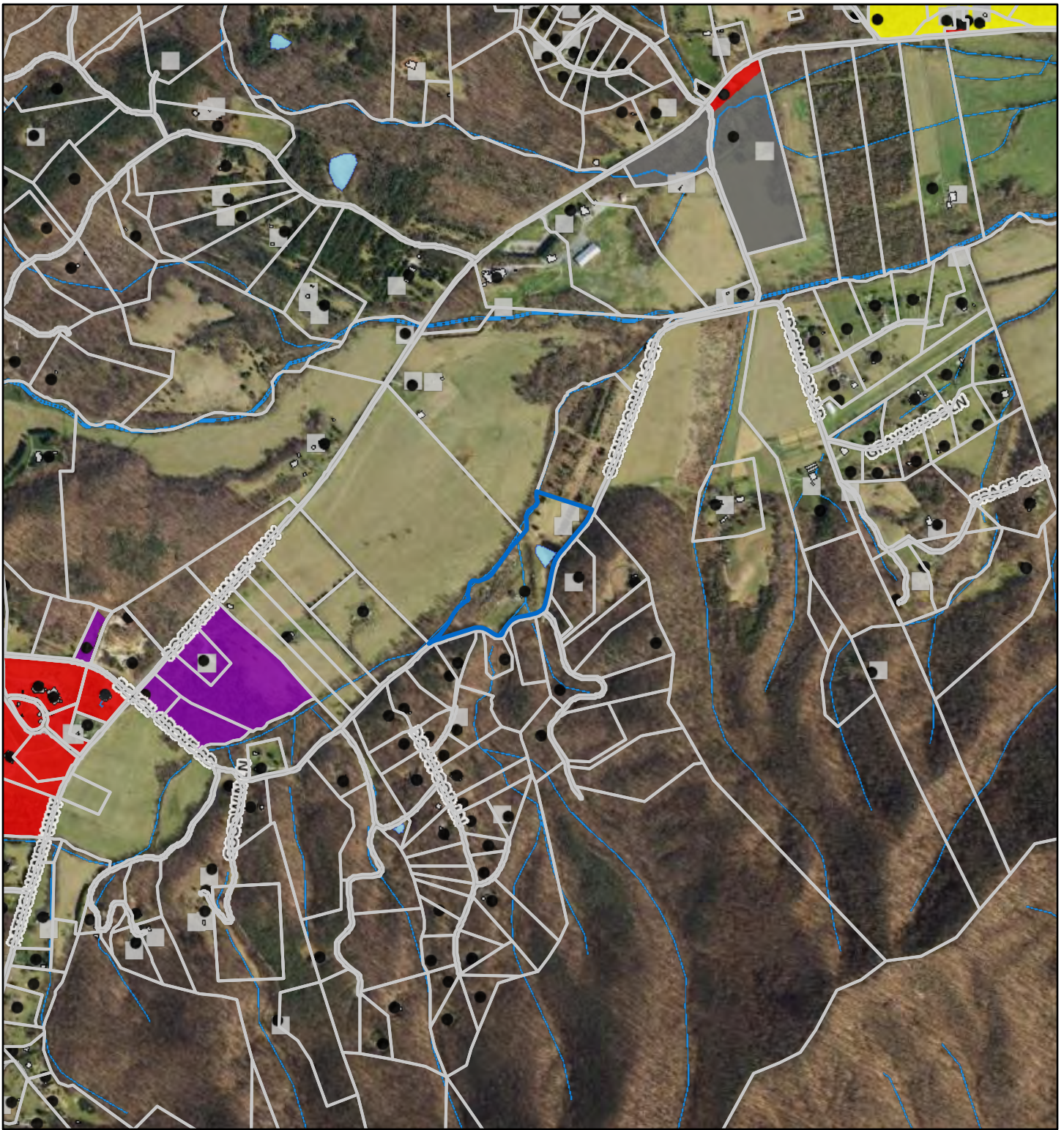


Owners: Stephen and Suzanne Groves  
 877 Glenthorne Loop  
 Nellysford, VA 22958  
 Tax Map: 32-A-5  
 Parcel No: 21-A-115  
 Acres: 12.83

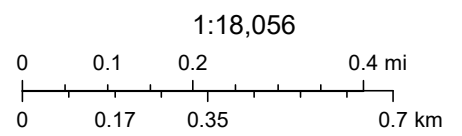
**Notes:**

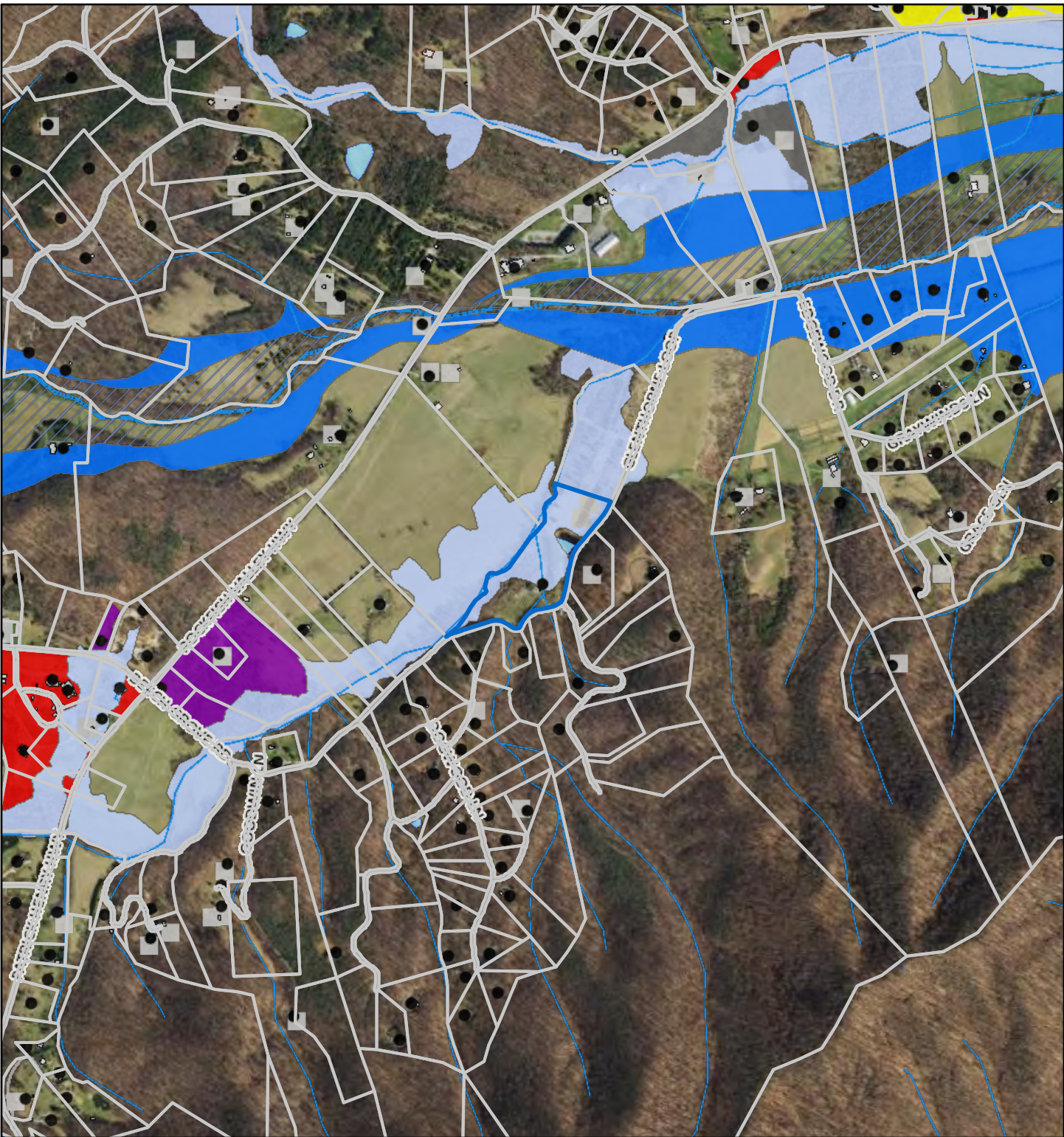
1. All adjoining properties per Nelson County GIS are Zoned A-1 Agriculture.
2. Property lines follow Glenthorne Loop and Flowing Stream on the NW side of the property.
3. Parking capacity - calculated using parking spaces equal to 9' X 18'  
 Parking Zone 1 = 46  
 Parking Zone 2 = 75  
 Parking Zone 3 = 75

Planning and Zoning Director: \_\_\_\_\_  
 VA Dept of Transportation: \_\_\_\_\_  
 VA Dept. of Health: \_\_\_\_\_

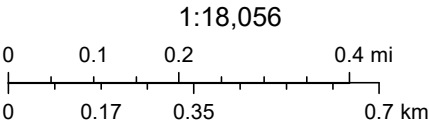


July 20, 2023





July 20, 2023



July 25, 2023

Charles D. Grimes  
12604 Little Stones Ln  
Herndon, VA 20170

Re: Nelson County, VA Special Use Permit Application #986

Dear Nelson County Planning Commissioners and Board of Supervisors:

My comments are being submitted electronically given COVID-19 precautions.

My name is Charles Grimes, and I am an owner of the property at 93 Honey Locust Lane, Nellysford, VA. Although our primary residence is in Herndon, VA, my wife and I regularly use our house in Winterhaven since purchasing it in late 2008. We enjoyed watching the lavender farm grow over the years, and we understood that it might be used for occasional events, like weddings. However, this special use permit application seeks approval to expand the number of events from 12 per year to an unlimited number. I don't object to the applicants making good use of their property, but such an expansion is not appropriate given the property's location. I therefore oppose the granting of the special use permit for the following reasons.

First, the applicants' property is adjacent to two subdivisions. When enjoying our house, we easily hear music from Devil's Backbone and Bold Rock Cidery, both located on a main highway and a reasonable distance from these subdivisions. Unlimited events and the accompanying sounds so close to our house would greatly diminish our enjoyment of our property. Second, the applicants' property is accessed by Glenthorne Loop, a narrow country road with existing dangerous blind curves. The one closest to the Winterhaven Subdivision is barely two vehicles wide between the steep hillside and the creek. It is difficult to imagine the increased number of vehicles safely navigating Glenthorne Loop, which is also used regularly by walkers from the surrounding neighborhoods. Safety is a big issue for us.

I would be more positive about this application if the number of events could be limited, perhaps to 24 per year (a doubling of the current 12 per year) and if all ingress/egress were via the northern end of Glenthorne Loop only, the far safer route. Some consideration regarding the music also would be appreciated, such as keeping all music inside the buildings onsite.

Again, I appreciate the applicants' efforts to build their business. I just think that this is the wrong location for an unlimited event venue.

Thank you for giving me the opportunity to comment.

Sincerely,

Charles D. Grimes

COMMENTS ON APPLICATION FOR SPECIAL USE PERMIT #986  
TO ALLOW AN OUTDOOR ENTERTAINMENT VENUE

My residence overlooks the property owned by Stephen and Suzanne Glover (owners of the Silver Fox Lavender Farm LLC) who have applied for permit #986 to allow an “Outdoor Entertainment Venue” on the 12+ acres. My property runs down to Rte. 627 (Glenthorne Loop) on the opposite side of the road to Silver Fox LLC which advertises itself as a lavender farm raising and selling various lavender products to the public and offering a place to hold social events (probably private such as wedding events). Per its website, other activities have also been hosted there, sometimes what look like to be in support of charitable events.

The application for the change to the “Outdoor Entertainment Venue” states that the type or size of the events will be weddings, family reunions, life celebrations, company and meetings and something designated as “other”. There would be no more than 150 persons in attendance and the objective is to accommodate business growth. There would be adequate parking for up to 196 vehicles. For some reason, the application includes architectural drawings of the barn already on the property rather than descriptions of the attractive indoor facilities which presumably include areas for musical entertainment, dining and dancing. It appears that the party renting the facility provides food and beverages using caterers although there is full kitchen. .

**NELSON COUNTY, VA, Code of Ordinances/ Appendix A-Zoning-Article 2-Zoning-Definitions**

*Outdoor Entertainment Venue:* The non-temporary use of any land, including the erection or use of non-temporary structure(s) or the installation of non-temporary infrastructure, for the hosting and operation of Category 1 and Category 2 Temporary Events, Exempt Events, or other entertainment activities for cultural, artistic, social, or recreational purposes.

It would appear that an Outdoor Entertainment Venue allows for a very broad range of event types. In addition to the current barn (a permanent structure) it could allow large pavilion type temporary tents for outside dining and dancing for example and perhaps a temporary outdoor stage/amphitheater for outdoor concerts/theater productions etc. Events could admit the public for a fee.

Sanitary facilities and parking places could be overwhelmed. Permanent safety lighting may need to be installed. Spillover parking along Rte. 627 could impede emergency vehicles to participants and local residents. The existence of a venue that allows category 1 and 2 Events would probably increase noise and light pollution, which is already a concern in this particular area along Rte. 151. Food trucks to serve the visitors and possibly an overnight stay in a parked camper or tent could possibly be allowed for events that are on consecutive days.

Allowing the “Outdoor Entertainment Venue” permit would run with the land and does not preclude the current or future owners from taking full advantage of what is permitted under that broad umbrella.

The current restrictions of 12 events in any given year does limit the ability to be able to offer private social events in a larger number. The relevant ordinance appears to be Article 4 4-1-34. There is a comparable ordinance, Article 4 4-1-50a, which has no restriction on the number of social events in any given year. This ordinance may be more appropriate rather than allowing the switch to an “Outdoor Entertainment Venue” which could negatively impact the use and enjoyment of my property and adversely affect other residences and environment.



July 24, 2023

Stephen K. Whiteway  
114 E 58<sup>th</sup> Street  
Savannah, GA 31405

Re: Nelson County, VA Special Use Permit Application #986

Dear Nelson County Planning Commissioners and Board of Supervisors:

These comments are being submitted electronically in keeping with the Covid-19 policies of the county.

My name is Stephen K. Whiteway and I am an owner of the property at 93 Honey Locust Lane, Nellysford, VA. This house and land is located in the Winterhaven Subdivision in Nelson County. We have been owners of this property since December 2008 and, while my wife and I have since moved our primary residence to Georgia, we continue to maintain and use our Nelson County property on a regular basis.

When the lavender farm was first established a few years ago, we were delighted to see the land below our house being used for an agricultural use. We also were not concerned that the property might be used for an occasional event, such as a wedding, as provided in the A-1 Agricultural District of the Nelson County Zoning Ordinance.

This application for a special use permit to allow for unlimited events with up to 150 persons came as somewhat of a surprise to me. While I do not object to the owners/applicants making some economic use of their property, this increase in activity does not seem appropriate for this location and I oppose the granting of the special use permit for the following reasons.

1. The applicants' property lies adjacent to two residential subdivisions. The allowance of unlimited events, which may include music, is not in keeping with the adjoining residential uses permitted by Nelson County prior to this application. When enjoying our property, we can already easily hear the music from Devil's Backbone and Bold Rock Cidery, which are located on main highways and a reasonable distance from these subdivisions. Additional noise on an unlimited basis at our back door will greatly reduce our enjoyment of our property. I also believe that the granting of this special use permit adjacent to residential properties will set a negative precedent for the county.
2. The applicants' property is accessed by Glenthorne Loop, a narrow country road with existing dangerous blind curves. The sharp curve closest to the Winterhaven Subdivision is particularly worrisome, as the roadway is barely two vehicles wide between the steep hillside and the creek. It is hard to imagine 75-150 vehicles leaving the applicants' property in the dark after an event and safely navigating this roadway. Glenthorne Loop

is also used regularly by walkers from the surrounding neighborhoods. Safety is an issue for us.

I would be more positive about this application if the number of events could be limited to, say, 24 per year (a doubling of the current 12 per year) and if all ingress/egress were via the northern end of Glenthorne Loop only, which is the far safer route. Some consideration regarding the music would be appreciated, as well. Perhaps all music could be kept within the buildings onsite.

Again, I appreciate the applicants' efforts to build their business. I just think that this is the wrong location for an unlimited event venue.


Thank you for giving me the opportunity to comment.

Sincerely,

Stephen K. Whiteway

**From:** [Chris Tuel](#)  
**To:** [Emily Hjulstrom](#); [Dylan Bishop](#)  
**Cc:** [Ernie Reed](#)  
**Subject:** Special Use Permit application - Silver Fox Lavender Farm  
**Date:** Tuesday, July 25, 2023 10:57:44 AM

---

 **IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender [cptuel@gmail.com](mailto:cptuel@gmail.com)**

To whom it may concern:

As property owners in the Winterhaven housing community, we are writing regarding the Silver Fox Lavender Farm's Special Use Permit application to be presented at the Planning Commission and Board of Supervisors meetings on July 26th and August 8th.

Our concerns include: 1) increased traffic affecting safety on the road and 2) increased amplified music noise in the neighborhood.

- Already Winterhaven residents hear loud music from local event venues and as residents we would prefer NOT to have more of the same. This would be a further disturbance to our otherwise quiet neighborhood environment.
- The Silver Fox venue is even closer than the aforementioned local venues and is located directly BELOW the Winterhaven development on Glenthorne Loop. Being that the development is elevated up the hill, any music / noise levels will be even louder in volume.
- Glenthorne Loop is a very curvy road with a high number of persons walking on it at all times of the day. It is also part of the Rockfish Valley walking trail, to which extra parking has been added in recent weeks because it is so well used. Extra traffic would make this road even more dangerous than it already is for both walkers, runners, and moving vehicles coming around curves in the road. This danger is multiplied even more if drivers have consumed alcohol at events. In addition, Glenthorne Loop is not particularly well-maintained by VDOT, resulting in high weed growth on each side blocking vision, plus frequent potholes.
- It seems that Silver Fox Lavender Farm is open for lavender only a few days a year - otherwise it is basically an event space. Considering that the property is zoned agricultural, this is a potential loss of tax revenue to Nelson County.

We would very much appreciate your consideration of these concerns.

Thank you.

Christopher P. Tuel and Lisa C. Shannon