AGENDA
NELSON COUNTY BOARD OF SUPERVISORS
AUGUST 8, 2023
THE REGULAR MEETING CONVENCES AT 2:00 P.M. IN THE GENERAL DISTRICT COURTROOM AT THE COURTHOUSE IN LOVINGTON

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
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.
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 28th 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.

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<td>Total Revenue</td>
<td>$2,160,000</td>
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<td>Revenue at 5% Rate</td>
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<td>Unrestricted Revenue</td>
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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, apporntionsments and classifications that were local options to include.

Ms. Staton reviewed decisions made at the March 28th 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
Community Investment Collaborative (CIC-CVSBDRC) 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.
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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 due 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
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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 1st. 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
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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 $38,0000 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
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 6th.

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

I. Appropriation of Funds (General Fund)

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

$677,440.97

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

<table>
<thead>
<tr>
<th>Amount</th>
<th>Credit Account (-)</th>
<th>Debit Account (+)</th>
</tr>
</thead>
<tbody>
<tr>
<td>$46,266.00</td>
<td>4-100-999000-9905</td>
<td>4-100-031020-7049</td>
</tr>
<tr>
<td>$46,355.00</td>
<td>4-100-999000-9905</td>
<td>4-100-031020-7038</td>
</tr>
</tbody>
</table>

$92,621.00

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.
Locality: Nelson County  
Grant #: 2022FY-105  
Grant Type: Item Conservation  
Date of Award: 12/16/2021  
Amount of Grant Award: $31,184.00  
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:

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.
Dec. 16, 2021

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. 16th, 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 1860; 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). 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
# Statement of Grant Award (SOGA)

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

## Local Law Enforcement Block ("LOLE") Grant Program - FFY 22

<table>
<thead>
<tr>
<th>Subgrantee: Nelson</th>
<th>DCJS Grant Number: TBD</th>
<th>UEI #: XSCRKWHKVVQ5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grant Start Date: 3/1/2023</td>
<td>Grant End Date: 9/30/2023</td>
<td></td>
</tr>
<tr>
<td><strong>Federal Grant Number:</strong></td>
<td><strong>15PBJA-22-GG-00616-MUMU</strong></td>
<td></td>
</tr>
<tr>
<td>Federal Awardee:</td>
<td>BJA</td>
<td></td>
</tr>
<tr>
<td>Federal Catalog Number:</td>
<td>16.738</td>
<td></td>
</tr>
<tr>
<td>Project Description:</td>
<td>To strengthen Crime Control</td>
<td></td>
</tr>
<tr>
<td>Federal Start Date:</td>
<td>10/1/2021</td>
<td></td>
</tr>
</tbody>
</table>

| Federal Funds: | $3,078 |
| State General Funds: | |
| State Special Funds: | |
| Local Match: | |
| **Total Budget:** | **$3,078** |

| **Indirect Cost Rate:** | ____% |
| *If applicable |

## Project Director  
Larry Cindrick, Jr.  
Major  
84 Courthouse Square  
Lovingston, Virginia 22922  
434-263-7092  
lcindrick@nelsoncounty.org

<table>
<thead>
<tr>
<th>Project Administrator</th>
<th>Finance Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Candice McGarry</td>
<td>Linda Staton</td>
</tr>
<tr>
<td>County Administrator</td>
<td>Finance Director</td>
</tr>
<tr>
<td>84 Courthouse Square</td>
<td>84 Courthouse Square</td>
</tr>
<tr>
<td>Lovingston, Virginia 22922</td>
<td>Lovingston, Virginia 22922</td>
</tr>
<tr>
<td>434-263-7001</td>
<td>434-263-7156</td>
</tr>
<tr>
<td><a href="mailto:cmccgarry@nelsoncounty.org">cmccgarry@nelsoncounty.org</a></td>
<td><a href="mailto:lstaton@nelsoncounty.org">lstaton@nelsoncounty.org</a></td>
</tr>
</tbody>
</table>

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

**Date:**  
February 9, 2023  
UEI#: XSCRKWHKVVQ5
February 16, 2023

Dear Nelson PSAP:

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,

Lisa Nicholson
Lisa Nicholson
Public Safety Program Specialist

Saving lives through effective emergency management and homeland security.
"A Ready Virginia is a Resilient Virginia."
STATEMENT OF GRANT AWARD (SOGA)
Virginia Department of Criminal Justice Services
1100 Bank Street, 12th Floor
Richmond, Virginia 23219

507934-FY24 SRO: SRO Incentive Grant Program

Subgrantee: Nelson
DCIS 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

<table>
<thead>
<tr>
<th>Project Director</th>
<th>Project Administrator</th>
<th>Finance Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jeremiah Templeton</td>
<td>Candy McGarry</td>
<td>Linda Staton</td>
</tr>
<tr>
<td>Lieutenant</td>
<td>County Administrator</td>
<td>Finance Director</td>
</tr>
<tr>
<td>94 Courthouse Square</td>
<td>84 Courthouse Square</td>
<td>84 Courthouse Square</td>
</tr>
<tr>
<td>Lovingston, Virginia 22949</td>
<td>Lovingston, Virginia 22949</td>
<td>Lovingston, Virginia 22949</td>
</tr>
<tr>
<td>434-400-8245</td>
<td>434-263-7001</td>
<td>434-263-7136</td>
</tr>
<tr>
<td><a href="mailto:jtempleton@nelsoncounty.org">jtempleton@nelsoncounty.org</a></td>
<td><a href="mailto:cmcgarry@nelsoncounty.org">cmcgarry@nelsoncounty.org</a></td>
<td><a href="mailto:lstaton@nelsoncounty.org">lstaton@nelsoncounty.org</a></td>
</tr>
</tbody>
</table>

*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: [Signature]
Title: County Administrator
Date: May 30, 2023
STATEMENT OF GRANT AWARD (SOGA)
Virginia Department of Criminal Justice Services
1100 Bank Street, 12th 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

<table>
<thead>
<tr>
<th>Project Director</th>
<th>Project Administrator</th>
<th>Finance Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jeremiah Templeton Lieutenant 94 Courthouse Square Lovington, Virginia 22949 434-400-8245 <a href="mailto:jtempleton@nelsoncounty.org">jtempleton@nelsoncounty.org</a></td>
<td>Candy McGarry County Administrator 84 Courthouse Square Lovington, Virginia 22949 434-263-7001 <a href="mailto:cmmcgary@nelsoncounty.org">cmmcgary@nelsoncounty.org</a></td>
<td>Linda Staton Finance Director 84 Courthouse Square Lovington, Virginia 22949 434-263-7136 <a href="mailto:lstaton@nelsoncounty.org">lstaton@nelsoncounty.org</a></td>
</tr>
</tbody>
</table>

*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: [Signature]
Title: County Administrator
Date: May 30, 2023
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

<table>
<thead>
<tr>
<th>Post Date</th>
<th>Reference</th>
<th>Additional Reference</th>
<th>Description</th>
<th>Debit</th>
<th>Credit</th>
<th>Calculated Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>07/31/2023</td>
<td></td>
<td></td>
<td>PREAUTHORIZED ACH CR EDIT TDP TREAS 310/MISC PAY RMR<em>IV</em>TDO22LAT006968<em>B</em>AI<em>50000.00</em>50000.00</td>
<td></td>
<td>$50,000.00</td>
<td></td>
</tr>
<tr>
<td>07/31/2023</td>
<td></td>
<td>Totals</td>
<td></td>
<td>$0.00</td>
<td>$50,000.00</td>
<td></td>
</tr>
</tbody>
</table>

Showing 1 - 1 of 1

[[LATCF](Local Assistance Tribal Consistency Fund)]

3-100-003303-0044

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

Angela F Hicks, MGT
Nelson County Treasurer
84 Courthouse Sq
PO Box 100
Lovingston 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 covidreliefsupport@treasury.gov. If you have general questions about the Local Assistance and Tribal Consistency Fund please email 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
Treasury’s Portal - Log in.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 Lovingston 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 Lovingston and High Top towers. The following is a breakdown of the total cost.

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Antennas and Waveguide</td>
<td>$12,291.46</td>
</tr>
<tr>
<td>Installation Services</td>
<td>$36,274.58</td>
</tr>
<tr>
<td>Transmission Engineering Services – FCC Licensing and PCN</td>
<td>$ 3,643.00</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$52,209.04</td>
</tr>
</tbody>
</table>

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 Lovingston/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.
Wheeeeee!

From: Martin, Staci [mailto:smartin@virginia.org]
Sent: Thursday, April 13, 2023 1:52 PM
To: Maureen A Kelley <makenelley@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) | vtc.org | #LoveVA

[Virginia Is For Lovers](http://virginiaisforlovers.com)
Performance #1 Goal

550

Performance Goal Date
05/31/2024

Performance Outcome #2
$ Annual Sales

Performance Baseline (Now)
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 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 reimbursement. 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>; Maureen A Kelley <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>
Cc: Candy McGarry <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

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,
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

Second DMO Contact Name
Candy McGarry

Second DMO Contact Title
County Administrator

Second DMO Contact Email
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 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 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/
Upper 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

Spoke #6
Fruit Loop

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.

Target Markets (20 Points)

Target Market #1
Out-of-State Other

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 #2
Roanoke-Salem

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 #3
Richmond

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
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

<table>
<thead>
<tr>
<th>Media Channel Name</th>
<th>Marketing Item Descriptions (Including target markets/demographics)</th>
<th>Placement Dates</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><a href="http://www.nelsoncounty.com">www.nelsoncounty.com</a></td>
<td>webpage development and placement of videography and creative assets</td>
<td>7/1/2023</td>
<td>1000</td>
</tr>
<tr>
<td><a href="http://www.brewridgetrail.com">www.brewridgetrail.com</a></td>
<td>webpage development and placement of videography and creative assets</td>
<td>7/1/2023</td>
<td>1000</td>
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<tr>
<td><a href="http://www.nelson151.com">www.nelson151.com</a></td>
<td>webpage development and placement of videography and creative assets</td>
<td>7/1/2023</td>
<td>1000</td>
</tr>
<tr>
<td><a href="http://www.nelson29.com">www.nelson29.com</a></td>
<td>webpage development and placement of videography and creative assets</td>
<td>7/1/2023</td>
<td>1000</td>
</tr>
<tr>
<td>Facebook and Instagram</td>
<td>paid social media to Roanoke</td>
<td>1-3/2023</td>
<td>6500</td>
</tr>
<tr>
<td>Facebook and Instagram</td>
<td>paid social media to Richmond</td>
<td>1-3/2023</td>
<td>6500</td>
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</table>

Grand Total In-kind or Cash Match: 10500.00

VTC Reimbursable Marketing Plan

<table>
<thead>
<tr>
<th>Media Channel Name</th>
<th>Description (type, demographics, reach)</th>
<th>Placement Dates</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>DV Entertainment</td>
<td>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).</td>
<td>7/1/2023</td>
<td>15000</td>
</tr>
<tr>
<td>Facebook and Instagram paid social media</td>
<td>Paid social media to Raleigh-Durham, Roanoke and Richmond</td>
<td>7-9/2023</td>
<td>5000</td>
</tr>
</tbody>
</table>

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)

<table>
<thead>
<tr>
<th>VIFL Activation Type</th>
<th>Activation Details</th>
<th>Dates (If Applicable)</th>
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</thead>
<tbody>
<tr>
<td>Photography Opportunity</td>
<td>Asset will be shared with VTC's film office and used in all marketing campaigns</td>
<td>ongoing after 7/1/2023</td>
</tr>
<tr>
<td>Visitor Center has Virginia is for Lovers merchandise</td>
<td>VIFL merchandise is a big seller at the visitor center. We sell caps and wine glasses.</td>
<td></td>
</tr>
<tr>
<td>VIFL apparel on staff/performers</td>
<td>Visitor Center staff proudly wear their VIFL apparel at work, at events and during their leisure time.</td>
<td></td>
</tr>
<tr>
<td>Comp or Discount Lodging for Photography or Video Acquisition</td>
<td>Love Ridge Mountain Lodging is contributing the accommodations for the film shoot.</td>
<td>7-12/2023</td>
</tr>
</tbody>
</table>
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.
Absolutely!

<table>
<thead>
<tr>
<th>Post Date</th>
<th>Reference</th>
<th>Additional Reference</th>
<th>Description</th>
<th>Debit</th>
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<td>VTCARP</td>
<td></td>
<td>PREAUTHORIZED ACH CREDIT VIRGINIA TOURISM/PAYABLES</td>
<td></td>
<td>$82,000.00</td>
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<td>07/26/2023</td>
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<td>$0.00</td>
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</tbody>
</table>

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
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
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 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 forced 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.


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.


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

Adopted: July 11, 2023

Attest: _______________________, Clerk

Nelson County Board of Supervisors
ORDINANCE 2023-05
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF THE CODE OF NELSON COUNTY, VIRGINIA
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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 forced 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.


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.


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

Adopted: July 11, 2023

Attest: [Signature]

Nelson County Board of Supervisors
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
VIA

Rockfish Valley Senior Group
Rockfish Valley Fire Dept.
Afton, Va.

Linda Stater
Dir. of Finance & Human Resources
County Administration Office
P.O. Box 336
Luray, VA 22835

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 $12,000 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
Caralyn Grojan
President

Rockfish
1900 River Road
Faber, VA
(434) 381-9014
22938
Rockfish Valley Senior Group
Quarterly Report
(As of till June) 2023

The Rockfish Valley Free Dept allows the Senior Group to meet each Thursday of the month from 9:00 AM to 12:00 PM.

Information for the Quarter is as follows. The Group met 11 Thursdays, went to Caldonia, May 11, and June 8, 2023. 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 3rd Thursday of the month. They do not meet with the Group July-August.

The Senior Group engages in activities with their monthly5 Group people. A typical Thursday open with pledge to the U.S. Flag, Song, Memorial, America and hands prayer. Sign in, Boots, Coffee, and Donuts. $2.00 Donation from members for bingo prizes. Talk and Devotions with bingo prizes. (Recently engaged) 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 look since mid-August 2022. I put a new stove oven in and ran into problems. They had to run new lines, and need to make Electrical wiring still working so it's doing. Sandwiches and Laminated Dinners. The Group enjoys this time to socialize and get to know one another better.

May 2023

Savings

<table>
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<tr>
<th>Previous Balance</th>
<th>Ending Balance</th>
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<tbody>
<tr>
<td>$6,160.64</td>
<td>$6,160.64</td>
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Checking

<table>
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<tr>
<th>Previous balance</th>
<th>Withdrawals</th>
<th>Ending balance</th>
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<tbody>
<tr>
<td>$2,885.02</td>
<td>$820.07</td>
<td>$2,064.95</td>
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</table>

$4,045.66

Carolyn Brogan
1900 River Rd
Falls, WA 98938

(434) 361-9014
<table>
<thead>
<tr>
<th>Rockfish Senior Center</th>
<th>FY21</th>
<th>FY22</th>
<th>FY23</th>
<th>EST. FY24</th>
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<tr>
<td>Number of Meetings</td>
<td>$</td>
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<td>$45.00</td>
<td>$48.00</td>
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<tr>
<td>Number of meals served</td>
<td>$</td>
<td>-</td>
<td>-</td>
<td>$22.00</td>
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<tr>
<td>Number of potlucks</td>
<td>$</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Golden Corral = $12.29 a person</td>
<td>3 times</td>
<td>2 times</td>
<td>3 times</td>
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</tr>
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<td>Beginning bank account balances (Checking &amp;Savings)</td>
<td>$4,654.14</td>
<td>$16,733.14</td>
<td>$8,225.01</td>
<td>$1,137.53</td>
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<tr>
<td>County Funding</td>
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<td>$ -</td>
<td>$ -</td>
<td>$ -</td>
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<tr>
<td>Donations</td>
<td>$</td>
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<td>-</td>
<td>$600.00</td>
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<tr>
<td>Totals</td>
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<td>$16,733.14</td>
<td>$8,825.01</td>
<td>$13,504.53</td>
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<tr>
<td>Food Expense</td>
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<td>$6,604.00</td>
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<td>Gas Expense</td>
<td>COVID</td>
<td>$250.00</td>
<td>$275.00</td>
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<td>Cook Expense</td>
<td>3/20 - 6/21</td>
<td>$2,100.00</td>
<td>$1,300.00</td>
<td>$2,600.00</td>
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<tr>
<td>Cleaning Supplies</td>
<td>$</td>
<td>-</td>
<td>$250.00</td>
<td>$275.00</td>
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<tr>
<td>Total Expenses</td>
<td>$</td>
<td>-</td>
<td>$8,225.01</td>
<td>$7,687.48</td>
</tr>
</tbody>
</table>

Gas = $25/month  
Cook = $50/week  
Cleaning Supplies = $25/month  
Golden Corral = $12.29/person
PRESENTS

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

DESIGN PROPOSAL CAREFULLY CRAFTED FOR:

LOVINGSTON VILLAGE ASSOCIATION

Workshop

your way forward!

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

- Deeper Community & Target Audience Need
- Clarified Brand Attributes
- Redefining Core Value System
- 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 county’s 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.
**PROJECT BREAKDOWN:**

<table>
<thead>
<tr>
<th>TIMEFRAME</th>
<th># OF WORKSHOPS/ EVENTS</th>
<th>WORKSHOPS &amp; STRATEGY</th>
<th>DEVELOPMENT &amp; DELIVERABLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>TBD</td>
<td>1</td>
<td>8HRS</td>
<td>50HRS</td>
</tr>
</tbody>
</table>

$5,500

**INVESTMENT TOTAL:** $5,500

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 Teem US

Shannon Myers, Learning & Development
Spill Teem US

**OUR COMMITMENT TO SAFETY:**

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

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

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

PROPOSAL EFFECTIVE THROUGH AUG. 20, 2023
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
June 28, 2023

Mrs. Candice McGarry
PO Box 336
Lovingston, VA 22949

RE: Growth and Development

Dear Mrs. McGarry,

In addressing the future needs of the Lovingston, 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 Lovingston and Colleen communities very well over the years and will continue to do so 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 Lovingston 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
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 Lovingston 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 Lovingston collection system to the site is available and ready for service. The old Lovingston 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 Lovingston, Colleen and Piney River communities need for the future.

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

Sincerely,

George T. Miller, Jr.
Executive Director
## (1) New Vacancies/Expiring Seats & New Applicants:

<table>
<thead>
<tr>
<th>Board/Commission</th>
<th>Term Expiring</th>
<th>Term &amp; Limit Y/N</th>
<th>Incumbent</th>
<th>Re-appointment</th>
<th>Applicant (Order of Pref.)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>NO UPCOMING VACANCIES FOR CONSIDERATION UNTIL NOVEMBER</strong></td>
<td></td>
<td></td>
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## (2) Existing Vacancies:

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<tr>
<th>Board/Commission</th>
<th>Terms Expired</th>
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Proposed Amendment to County Code: Chapter 2, Administration, Article I, In General, Sec. 2-2 Safety Program (Ordinance O2023-06)
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.”
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.
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 (Lovingston 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 27th and August 3rd 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
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 (Lovingston 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.


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

Adopted: ________________  Attest: ____________________, Clerk

Nelson County Board of Supervisors
RESOLUTION R2023-48
NELSON COUNTY BOARD OF SUPERVISORS
AUTHORIZATION FOR PUBLIC HEARING
AMENDMENT OF THE CODE OF NELSON COUNTY, VIRGINIA
CHAPTER 2, ADMINISTRATION, ARTICLE 1, 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 Lovingston, Virginia. The purpose of the public hearing is to receive public input on an Ordinance proposed for passage to amend Chapter 2, Administration, Article 1, 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: [Signature]
Clerk
Nelson County Board of Supervisors
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.
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 (Lovingston 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 § 66-5 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 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.


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.
Proposed Amendment of the Articles of Incorporation of the Nelson County Service Authority (NCSA) (Resolution R2023-55)
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.
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 I, 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.
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 29th 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, Lovingston.

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
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
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: [Signature]
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
§ 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.


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.
§ 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.


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.


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.
§ 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.


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 27th and August 3rd 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
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)

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 26th, 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

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:

Reason(s) for request:
See Attached.

(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: [Signature]
Printed Name: Steve Groves

Signature: [Signature]
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.

○ Completed application and fee ($_______) received on

○ Hearing Notice published on

○ Planning Commission action: Date of Meeting / Hearing: 
  Recommendation:

○ Board of Supervisors action: Date of Hearing: ___________ Date of Decision:
  Action:

Nelson County Planning & Zoning Department

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

Nelson County Department of Planning & Zoning

Applicant: Silver Fox Lavender Farm, ("Silver Fox")

Special Use Permit/Reason(s) for Request:

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

REVISION DATE: 4/24/2019  REVISION #:1

1440 + 532 = 1932 sq. ft.
+ 16' porch = 768

(14' h) x (Total 54') = 272 sq. ft.
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 5' X 20'
   Parking Zone 1 = 46
   Parking Zone 2 = 75
   Parking Zone 3 = 75

Ownership and Contact Information:
Owner: Stephen and Suzanne Groves
877 Glenthorne Loop
Weyers Cave, VA 22986
Tax Map: 32A-5
Parcel No: 22-A-125
Acres: 12.89

Planning and Zoning Director:
VA Dept of Transportation:
VA Dept of Health:
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 58th 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
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