

January 5, 2024

To: Board of Supervisors
From: C. McGarry
Re: Report for January 9, 2024 Board Meeting

- A. Welcome to new South District Supervisor Jessica Ligon!**
- B. Comprehensive Plan:** The project website is www.Nelson2042.com. Board and Planning Commission members have received final draft documents for review. The final draft of the 2042 Comprehensive Plan has been posted on the project website for public review and a press release issued regarding public review of the draft by the Planning Commission and Board of Supervisors. **(see attached)** Public Hearings have been scheduled, the first with the Planning Commission is on January 31st, 2024, at 7:00 PM., and the second with the Board of Supervisors is on March 20th, 2024, also at 7:00 PM. Both hearings will take place at Nelson County High School, 6919 Thomas Nelson Highway, Lovingston, Virginia 22949. Dissemination of this information is in progress.
- C. Nelson County Service Authority (NCSA) Term Engineering Contract:** County and NCSA staff are meeting with CHA, the contracted consultants on Wednesday, January 10th to establish the scope of the PERs for evaluation of the Lovingston water and wastewater system capacities, which will include evaluation of the Dillard Creek area for a water impoundment and treatment plant and revitalization/modernization of the old Lovingston wastewater treatment plant. Staff will advise the Board of the cost proposals for this work upon receipt.
- D. DSS Building:** The next work group meeting will be held on January 16th to review a preliminary floor plan and to discuss preliminary building interior and exterior design concepts. Staff has a zoom call scheduled with Davenport and Sands Anderson on financing options and timeline on January 11th.
- E. FY24-25 Budget:** The Agency request binder is being provided to the Board for review while staff develops the draft General Fund revenues and expenditures. A proposed budget calendar has been developed which includes General Fund budget introduction at the March 12th regular meeting, work-sessions to follow on Tuesdays and Thursdays through March and into April if necessary, public hearing at the May 14th regular meeting, and adoption and appropriation at the June 11th regular meeting. **(see attached)** These dates are subject to change pending Board input and rate of progress.
- F. Route 151 Corridor Study Update:** VDOT's online public survey on the updated plan concluded on January 2, 2024. Next steps will be coordinated between VDOT and staff.
- G. Piney River Solar, LLC Special Exception 2023-369 – Amherst County: NO CHANGE** This matter has been further deferred until February 20th.
- H. Staff Reports:** Department and office reports for November have been provided.



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FOR IMMEDIATE RELEASE

Media contact: Dylan Bishop, Nelson County Director of Planning and Zoning
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Nelson County Comprehensive Plan Public Review - Public is Invited to Attend

Nelson County, VA January 4, 2024

Nelson County is preparing to adopt the Nelson 2042 Comprehensive Plan and will conduct public hearings to review the Plan before adoption. A Comprehensive Plan is a broad statement about the community, looking 10 to 20 years ahead. It includes specific goals and strategies to achieve the goals set forth in the Plan.

The Comprehensive Plan addresses topics such as land use, development, natural environment, transportation, and resource utilization in the unincorporated areas of Nelson County. The policies defined in the plan will guide the County's future direction and priorities for growth, services, and land use regulation.

There will be two public hearings conducted to allow the public to voice their opinions about the Plan to the Planning Commission and Board of Supervisors. The first will be conducted with the Planning Commission on January 31st, 2024, at 7:00 PM. The second will be conducted with the Board of Supervisors on March 20th, 2024, also at 7:00 PM. Both meetings will take place at the Nelson County High School, 6919 Thomas Nelson Highway, Lovingston, Virginia 22949.

The Planning Commission will review the current draft at their regular meeting on January 24. Following the public hearing on January 31, they will review comments and make a recommendation on the Plan to the Board of Supervisors at their regular meeting on February 28. The Board of Supervisors will then review the Planning Commission's recommendation at their regular meeting on March 12, prior to their public hearing on March 20. Final adoption of the Plan is not scheduled until at least the Board's regular meeting on April 9, 2024.

Nelson County Director of Planning and Zoning notes, "As designed, this process has been an inclusive community effort. From the diagnostic analysis of Nelson County's existing comprehensive plan, to analysis of the existing conditions, along with robust input surveys, public workshops and listening sessions, we created a vision and goals. The Plan chapters and implementation strategies are complete. Now it is time for public review and refinement with these two public hearings."

The new plan builds on the 2014 Comprehensive Plan with public input, data collection, visioning, goal definition and strategies to ensure that the Plan translates into action. The plan includes demographic analysis of the County and contains chapters on: Land Use, Environment, Housing, Transportation, and Community Facilities, among other topics.

To review the plan and for more information about the process visit: www.nelson2042.com.

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***Fiscal Year 2024-2025 Proposed Budget Calendar**

 Indicates Regular Board Meeting	 Indicates Related to Taxes
 Indicates Budget Work Session	 Indicates Related to Budget Public Hearing

Provide Agency Workbook at Regular Board Meeting:	January 9, 2024
Introduce Budget at Regular Board Meeting:	Tuesday, March 12, 2024
Budget Work Session:	Thursday, March 14, 2024
Budget Work Session:	Tuesday, March 19, 2024
Budget Work Session:	Thursday, March 22, 2024
Budget Work Session:	Tuesday, March 26, 2024
*Decide if Changes to RE & PPTX are to be Made Authorize Public Hearing on Rates if Increased For April 11th (Per §58.1-3007 7 Day Notice)	
Board of Supervisors Regular Meeting: Authorize Budget Public Hearing for May 14th Set RE & PPTX Rates and PPTRA% Distribution (Per §58.1-3001) If No Increase	Tuesday, April 9, 2024
Additional Budget Work Session if Needed: Public Hearing on Increase in Tax Rates if Needed Set RE & PPTX Rates and PPTRA% Distribution (Per §58.1-3001) 8 Days' Notice from April 4th Notice Publication	Thursday, April 11, 2024
Budget Public Hearing Ad Sent to Paper for May 14th:	Friday, April 26, 2024
Budget Public Hearing Advertised for May 14th:	Notice Published Thursday, May 2, 2024 (Must be at least 7 days prior to public hearing per §15.2-2506 – 12 days' notice)
Tax Rates and PPTRA% Given to COR:	Friday, April 12, 2024
Board of Supervisors Regular Meeting: FY25 Budget Public Hearing (12 Days' Notice)	Tuesday, May 14, 2024 (Must be at least 7 days after the public hearing notice per §15.2-2506)
Tax Bills Sent Out by TR:	Week of May 13, 2024
Board of Supervisors Regular Meeting: FY25 Budget Adoption & Appropriation	Tuesday, June 11, 2024 (Must be at least 7 days after public hearing per §15.2-2506)

**Calendar may be adjusted based on the rate of progress of the Board's work on the budget.*

Code of Virginia
Title 15.2. Counties, Cities and Towns
Chapter 25. Budgets, Audits and Reports

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

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

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

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

Code of Virginia
Title 15.2. Counties, Cities and Towns
Chapter 25. Budgets, Audits and Reports

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

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

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

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

Code of Virginia
Title 58.1. Taxation
Chapter 30. General Provisions

§ 58.1-3001. When boards of supervisors to fix and order county and district taxes; funds not available, allocated, etc., until appropriated.

The governing body of each county shall, at its regular meeting in the month of January in each year, or as soon thereafter as practicable not later than a regular or called meeting in June, fix the amount of the county and district taxes for the current year. Any such governing body may provide that if any taxpayer owns tangible personal property of such small value that the local levies thereon for the year result in a tax of less than fifteen dollars, such tax may be collected as provided by ordinance or such property may be omitted from the personal property book and no assessment made thereon.

The imposition of taxes or the collection of such taxes shall not constitute an appropriation nor an obligation or duty to appropriate any funds for any purpose, expenditure or contemplated expenditure. No part of the funds raised by the general county taxes shall be considered available, allocated or expended for any purpose until there has been an appropriation of funds for that expenditure or purpose by the governing body either annually, semiannually, quarterly, or monthly. There shall be no mandatory duty upon the governing body of any county to appropriate any funds raised by general county taxes except to pay the principal and interest on bonds and other legal obligations of the county or district and to pay obligations of the county or its agencies and departments arising under contracts executed or approved by the governing body, unless otherwise specifically provided by statute. Any funds collected and not expended in any fiscal year shall be carried over to the succeeding fiscal years and shall be available for appropriation for any governmental purposes in those years.

Code 1950, § 58-839; 1950, p. 416; 1952, c. 423; 1958, c. 35; 1959, Ex. Sess., c. 52; 1984, c. 675; 1988, c. 430; 1989, c. 81; 1994, c. [252](#).

Code of Virginia
Title 58.1. Taxation
Chapter 30. General Provisions

§ 58.1-3007. Notice prior to increase of local tax levy; hearing.

Before any local tax levy shall be increased in any county, city, town, or district, such proposed increase shall be published in a newspaper having general circulation in the locality affected at least seven days before the increased levy is made and the citizens of the locality shall be given an opportunity to appear before, and be heard by, the local governing body on the subject of such increase.

Code 1950, §§ 58-846.1, 58-851; 1954, c. 465; 1959, Ex. Sess., c. 52; 1966, c. 231; 1970, c. 325; 1975, cc. 47, 48, 541; 1976, c. 567; 1979, c. 576; 1981, c. 143; 1984, c. 675.