

**Virginia:**

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

Present: J. David Parr, West District Supervisor – Chair  
Ernie Q. Reed, Central District Supervisor – Vice Chair  
Thomas D. Harvey, North District Supervisor  
Jesse N. Rutherford, East District Supervisor  
Dr. Jessica L. Ligon, South District Supervisor  
Candice W. McGarry, County Administrator  
Amanda B. Spivey, Administrative Assistant/Deputy Clerk  
Linda K. Staton, Director of Finance and Human Resources  
Maureen Kelley, Director of Tourism and Economic Development  
Jerry West, Director of Parks and Recreation  
Emily Hjulstrom, Planner

**I. CALL TO ORDER**

Mr. Parr called the meeting to order at 2:01 p.m. with five (5) Supervisors present to establish a quorum.

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

Addition: Introduction of new hire

Jerry West introduced Nelson County Parks and Recreation’s new Recreation Specialist, Jacob Floyd. Mr. West reported that Mr. Floyd started with the department on March 8<sup>th</sup>. He noted that Mr. Floyd was a Nelson native who participated in the County’s programs as a youth. He noted that Mr. Floyd was excited to oversee the County’s recreation programs in a professional role. Mr. West reported that Mr. Floyd would be graduating in May from Liberty University where he was currently finishing up his last class online for a degree in Sports and Recreation Management. Mr. West noted that Mr. Floyd was also helping coach Varsity Baseball at Nelson County High School this spring. Mr. West indicated that it was an intense interview process. He noted that they were excited to have Mr. Floyd on board and he commented that he would do great work for the County.

**II. PUBLIC COMMENTS**

*Hank Gibb - Nellysford, VA*

Mr. Gibb stated that he was an Aqua customer, representing the Aqua customers in Nellysford. He noted that the Aqua customers appreciated the Board's interest in their efforts to take issue with Aqua’s request for rather onerous rate increases. He noted his appreciation to Mr. Reed for his efforts to get the issue before the Board. Mr. Gibb explained that they were a small part of Aqua in Virginia with 450 customers. He stated that Aqua was requesting a statewide revenue increase of 34 percent for water and 21 percent for sewer, which he noted was about a \$6.97million. He reported that the Aqua rates at Wintegreen would increase 52 percent and 25 percent respectively. He noted that they felt the increase was not justified or supported. Mr. Gibb reported that they were mounting a comments campaign, and had submitted 150 comments out of the 450 customers represented. He noted that they wanted to add a letter of comment from Nelson County, a comment similar those submitted by Middlesex and Powhatan. Mr. Gibb restated that the Aqua customers were simply asking Nelson County’s support for the concern about fair treatment for a portion of its residents. He noted that the County’s support of their efforts was much appreciated.

*William Percy - Lovingston, VA*

Mr. Percy requested that the Board of Supervisors reconsider the program to use speed control in the school zones via video cameras. He reported that another company interested in addressing the subject to the Board. He noted it would be an opportunity for the Board to look at a competitive scenario with similar offerings, which included school bus stop arm enforcement. He suggested that they consider it as a safety program to reduce the speed in the school zones during those times of day. Mr. Percy noted there had been debate as to whether the County would be responsible for those violators that do not pay the fee. He commented that there may have been some confusion that led to the denial of the previous program. He noted that this would afford them the opportunity to look at a competitive bid. Mr. Percy also asked the Board to consider a proposal to VDOT for a Smart Scale evaluation to consider the intersection at Route 29 and Callohill for an overpass. He noted that the Callohill business park would add quite a bit of traffic to that intersection.

Steve Bayne - Nellysford, VA

Mr. Bayne stated that he had a summary request regarding the fiscal budget and process. He asked that the County live within its means with respect to expenditures and debt. He asked that the County partner with Nelson County schools, and not just write a blank check. He asked that the County ensure that it has fiscally responsible reserves for operating and cap ex requirements. Mr. Bayne also asked that the County overall ensure that Nelson County is efficient for its residents and the Board’s constituents.

**III. CONSENT AGENDA**

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

A. Resolution – **R2024-13** Minutes for Approval

**RESOLUTION R2024-13  
NELSON COUNTY BOARD OF SUPERVISORS  
APPROVAL OF MINUTES  
(October 10, 2023, November 16, 2023, December 4, 2023 and December 12, 2023)**

**RESOLVED**, by the Nelson County Board of Supervisors that the minutes of said Board meetings conducted on **October 10, 2023, November 16, 2023, December 4, 2023 and December 12, 2023** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

B. Resolution – **R2024-14** Budget Amendment

**RESOLUTION R2024-14  
NELSON COUNTY BOARD OF SUPERVISORS  
AMENDMENT OF FISCAL YEAR 2023-2024 BUDGET  
March 12, 2024**

<b>I. Appropriation of Funds (General Fund)</b>			
	<u><b>Amount</b></u>	<u><b>Revenue Account (-)</b></u>	<u><b>Expenditure Account(+)</b></u>
	\$ 15,000.00	3-100-003303-0055	4-100-032010-5508
	\$ 66,524.00	3-100-002404-0015	4-100-032020-5648
	\$ 18,321.68	3-100-002404-0002	4-100-032020-5650
	\$ 2,763.80	3-100-002404-0001	4-100-031020-5419
	\$ 4,613.63	3-100-002404-0009	4-100-022010-1006
	\$ 10,765.12	3-100-003303-0036	4-100-022010-1006
	\$ 30,000.00	3-100-001899-0030	4-100-081020-7056
	\$ 147,988.23		
 <b>II. Transfer of Funds (General Fund Non-Recurring Contingency)</b>			
	<u><b>Amount</b></u>	<u><b>Credit Account (-)</b></u>	<u><b>Debit Account (+)</b></u>
	\$ 10,000.00	4-100-999000-9905	4-100-091030-5617
	\$ 11,000.00	4-100-999000-9905	4-100-091030-5617
	\$ 20,531.91	4-100-999000-9905	4-100-091050-7014
	\$ 23,022.68	4-100-999000-9905	4-100-091050-7085
	\$ 64,554.59		

C. Resolution – **R2024-15** FY25 Creative Communities Partnership Grant

**RESOLUTION R2024-15  
NELSON COUNTY BOARD OF SUPERVISORS  
VIRGINIA COMMISSION OF THE ARTS  
FY24-25 CREATIVE COMMUNITIES PARTNERSHIP GRANT**

**BE IT RESOLVED**, by the Nelson County Board of Supervisors that said Board endorses the County’s submission of an application to the Virginia Commission of the Arts for 2024-2025 Creative Communities Partnership Grant funding (formerly Local Government Challenge Grant).

**BE IT FURTHER RESOLVED**, said application includes a local match of \$4,500.00 to be confirmed upon formal adoption of Nelson County’s Fiscal Year 2024-2025 Budget by the Board of Supervisors.

D. Resolution – **R2024-16** Opposition to Aqua Virginia Rate Increase

**RESOLUTION R2024-16  
NELSON COUNTY BOARD OF SUPERVISORS  
OBJECTION TO AQUA VIRGINIA, INC. RATE INCREASE**

**WHEREAS**, Aqua Virginia Inc. (“Aqua”), a state-wide, investor-owned water and sewer utility company, owns and operates a water and wastewater system in the Nellysford area of Nelson County; and

**WHEREAS**, Aqua is a utility company whose rates are regulated by the Virginia State Corporation Commission (“Commission”) and has filed a rate case in the Commission, Application of Aqua Virginia, Inc. for an Increase in Rates, Case No. PUR-2023-00073, seeking an increase in water and sewer rates; and

**WHEREAS**, Aqua is seeking an increase in its water revenues of \$5,214,892 and an increase in wastewater revenues of \$1,696,121, for a combined increase of \$6,911,013; and

**WHEREAS**, the requested increases constitute an approximate 33.88 percent increase in water revenues and a 21.08 percent increase in wastewater revenues, for a combined increase of 29.49 percent with potentially much greater impacts on certain individual customers in Nelson County; and

**WHEREAS**, this increase in rates would have deleterious effects on the County and its citizens and appears unjustified based on the filings made in the aforementioned case.

**NOW THEREFORE, BE IT RESOLVED**, that the Nelson County Board of Supervisors calls upon the staff of the Commission and the Office of the Attorney General Office of Consumer Counsel to investigate the application carefully and thoroughly analyze the basis therefor, if any.

**BE IT FURTHER RESOLVED**, that the Nelson County Board of Supervisors authorizes and directs the County Administrator to file this resolution with the Virginia State Corporation Commission as Nelson County’s objection to Aqua Virginia’s proposed rate increase.

E. Resolution – **R2024-17** Virginia Main Street Annual Compliance

**RESOLUTION R2024-17  
NELSON COUNTY BOARD OF SUPERVISORS  
RESOLUTION IN SUPPORT OF CONTINUED PARTICIPATION IN THE  
VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT’S  
EXPLORING MAIN STREET PROGRAM**

**WHEREAS**, the Virginia Department of Housing and Community Development (DHCD) has established the Virginia Main Street Program, which provides technical assistance, consulting services, training and grant funding to communities of all sizes with different levels of experience in, and commitment to, commercial district revitalization; and

**WHEREAS**, interested cities, towns and counties that are exploring the Virginia Main Street program designation may participate as an affiliate through the Exploring Main Street tier, wherein Lovingston is currently best suited and currently participates as an affiliate member; and

**WHEREAS**, participation in the Virginia Department of Housing and Community Development’s Exploring Main Street Program continues to be of benefit to Nelson County and the Lovingston community; and

**WHEREAS**, Lovingston understands that participation as an affiliate community does not guarantee selection as a Virginia Main Street Community, and the County will be able to receive affiliate community services from the Exploring Main Street Program as long as the requirements stated in the Program Guidelines are met; and

**WHEREAS**, as a matter of program compliance, the Exploring Main Street Program guidelines require a resolution of support from the Governing Body be maintained on file with DHCD;

**NOW THEREFORE, BE IT RESOLVED**, that the Nelson County Board of Supervisors hereby supports Lovingston’s continued participation in the Exploring Main Street Program, and

**BE IT FURTHER RESOLVED**, the Nelson County Board of Supervisors hereby assigns the Director of Tourism and Economic Development to serve as the County’s liaison to the Virginia Main Street Program.

**IV. PROCLAMATION – AMERICAN RED CROSS MONTH (P2024-01)**

Mr. Rutherford read aloud **Proclamation P2024-01** made a motion to approve it as presented. Mr. Harvey seconded the motion. There being no further discussion, Supervisors approved the motion by vote of acclamation and the following proclamation was adopted:

**PROCLAMATION P2024-01  
NELSON COUNTY BOARD OF SUPERVISORS  
MARCH IS AMERICAN RED CROSS MONTH**

**WHEREAS**, During American Red Cross Month in March, we recognize the compassion of people in Nelson County and reaffirm our commitment to care for one another in times of crisis; and

**WHEREAS**, this generous spirit is woven into the fabric of our community and advances the humanitarian legacy of American Red Cross founder Clara Barton — one of the most honored women in our country’s history — who nobly dedicated herself to alleviating suffering; and

**WHEREAS**, today, kindhearted individuals in our community exemplify Barton’s commitment as they step up through your American Red Cross, Central Virginia Chapter to provide a beacon of hope for our neighbors in need; and

**WHEREAS**, through their voluntary and selfless contributions, they make a lifesaving difference in people’s darkest hours —More than 250 Red Cross volunteers provided 134 Central Virginia families with shelter, food, and comfort after a home fire; helped collect and process more than 18,000 blood donations for hospital patients; supported hundreds of military families, veterans and caregivers through the unique challenges of service; and helped save lives through providing nearly 14,000 residents with first aid, CPR and other skills training; and

**WHEREAS**, the Nelson County Board of Supervisors hereby recognizes this month of March in honor of all those who lead with their hearts to serve people in need, and we ask everyone to join in this commitment to strengthen our community.

**NOW, THEREFORE BE IT RESOLVED**, that the Nelson County Board of Supervisors do hereby proclaim March 2024 as Red Cross Month. We encourage all citizens of Nelson County, Virginia to reach out and support its humanitarian mission.

**V. PRESENTATIONS**  
A. VDOT Report

Robert Brown of VDOT reported the following:

Mr. Brown reported that the data has been collected for the traffic study on 151. He noted that the data was still in raw form, and the traffic engineers were in the process of reviewing the counts as well as the previously conducted speed studies. He indicated that they hoped to have final conclusions in April.

Mr. Brown reported that he had not yet received any recommendations back for extending the 45 mph speed limit on Route 29 south of Lovingston. He noted that VDOT was working on their pedestrian study on Route 29 in Lovingston at the Main Street intersection. He commented that they had collected some good data and there appeared to be a lot more pedestrians crossing there than they originally thought. He noted they were working on recommendations for that.

Mr. Brown reported on Route 674 (Jenny's Creek Road), noting that the culvert was ordered and had to be fabricated. He indicated that they were expecting to have the culvert delivered at the beginning of April, and it would take a few weeks to install it and have the road reopened.

Mr. Brown reported that the truck restriction signs for the Tye River Road underpass had been ordered but had not been received yet. He hoped the signs would be in soon so that the project could be completed.

Mr. Brown noted that brush cutting operations were taking place along Route 151 toward Route 250. He reported that they were working on improving sight distances at entrances. He noted it was slow going, but they were making good progress and it was going to look a lot better.

Mr. Brown reported that they needed to set a date for the public hearing on the Secondary Road Six Year Plan for FY25-30. He noted that the public hearing was typically done in May, which would put them at May 14<sup>th</sup>. Ms. McGarry indicated that the Board could authorize the public hearing for May 14<sup>th</sup> at their April meeting.

Mr. Rutherford:

Mr. Rutherford noted that he and Mr. Brown needed to pick a date to meet at Laurel and Peavine. He also asked about Front Street, noting that Mr. Brown had indicated that there was nothing that could be done to mediate speeders coming through, with the exception of the Sheriff's Office setting up there. He asked if a four-way stop was possible. Mr. Brown noted that the engineers found that a four-way stop was not necessary at the Front and Main Street intersection. Mr. Parr noted it would be better if no one parked in front of the antique store in the no parking area. Mr. Rutherford asked if that would be enforced by the Sheriff's Office. Mr. Brown confirmed that it would. Mr. Rutherford asked if the Callohill intersection would be studied for Smart Scale. Mr. Brown noted he was not sure. Mr. Rutherford asked to get some correspondence regarding Callohill.

Dr. Ligon:

Dr. Ligon had no VDOT issues to report.

Mr. Reed:

Mr. Reed thanked Mr. Brown for the report. He reported that he had a request from the residents along Old Ridge Road (Route 700) by Wood Ridge Brewery. He noted that a few years ago, they had discussed the possibility of getting the road paved, but he could not remember the process for having the road considered. He asked for the process to have road considered to be paved. He asked if there was a possibility to make that happen. Mr. Brown noted that Old Ridge Road had been looked at before, but he did not think there was a designated/platted right of way in there. He explained that the only avenue for Old Ridge to become a state maintained road, would be through VDOT's Revenue Sharing program. He noted that in the current year, they were doing Smart Scale, and next year would be the Revenue Sharing program. He indicated that the County could apply for Revenue Sharing on behalf of the Homeowners Association (HOA). He noted that it did not have to be the entire road, it could be any portion. Mr. Reed suggested up to Laurel Lane would be good, most of the residences were beyond that. Mr. Brown noted that he would look into it. He recalled that closer to Laurel Lane there were likely some utility conflicts, but nothing they could not overcome. Mr. Reed asked Mr. Brown to see if Revenue Sharing would be an option. Mr. Brown asked someone could check to see if there was an established platted right of way on Old Ridge Road, he noted that would be a good place to start. Ms. McGarry noted that could be done. She also noted that the minutes could be pulled from when this was previously discussed.

Mr. Parr:

Mr. Parr noted the May Six Year Plan and asked if Mr. Brown wanted any notes on roads that the Board would like to add for consideration. Mr. Brown explained that they would do the Six Year Plan, but they also had a secondary list called the Rural Rustic Unpaved Road List. He noted that when the Board received requests, they sent them to VDOT and the roads were placed on the Rural Rustic Unpaved Road List. He noted that the list is where the projects are pulled from to go into the Six Year Plan. Mr. Brown explained that when they received new requests, they were prioritized by the Board. Mr. Brown asked the Board to send any requests to him or to Ms. McGarry. He noted that he would send the Board a list well before the public hearing. Mr. Parr asked if Mr. Brown could take a look at Bradley Lane and Spy Run Gap the next time he was in that area. He noted that there was more traffic coming through and a lot more wear and tear on the roads. Ms. McGarry noted that staff would like to get the list from Mr. Brown and include it in the April Board packet for the Board to review it and discuss it in April. She explained that when they authorized the public hearing in April, they would be authorizing that list to be published.

Dr. Ligon noted that Mr. Barton had requested VDOT to look at Findlay Gap Drive in reference to the Sturt property. She asked if she could get the information from that evaluation and how much it would cost. Mr.

Brown noted a complete estimate had not been completed yet. He noted that they had looked at the road and done some assessments but they had not inventoried the assets to see what would have to be replaced. He indicated that the biggest thing would be determining what to do at the stream fords. He noted that they could look into that again.

B. VDOT Smart Scale Pre-Applications – Carson Eckhardt

Mr. Carson Eckhardt of VDOT provided a report on the 151 study and Smart Scale. He reported on the Route 151 update, noting that the second public hearing was held on November 1<sup>st</sup>. He noted that it was generally well received and the feedback from the public indicated that they were supportive of the alternatives that VDOT pushed forward for the study. Mr. Eckhardt also noted that the feedback would help form the basis of what would be submitted for the upcoming round of Smart Scale. He reported that the public survey period ran from December to January with 829 participants and over 1,000 comments on the survey, with over 7,000 responses to the questions. He noted that following the next steps from the public survey, they would be refining the alternatives, which would then be pushed into the current round of Smart Scale. He indicated that they would work to detail the estimates and sketches, and the final study would follow shortly after.

Mr. Eckhardt reported that the first intersection being submitted to Smart Scale was Route 151 and Tanbark. He noted that it had a proposed roundabout alternative, which was well received from the public. He indicated that it had VTrans support, noting that it was a safety intersection and there was transit access. He noted that it was 115 for PSI (potential for safety improvement) ranking. He explained that if the intersection had a PSI ranking, it meant that VDOT and OIPI determined that there was a need for an improvement. Mr. Eckhardt showed a preliminary concept sketch of what the roundabout would look like at Route 151 and Tanbark. Mr. Eckhardt explained that the concept sketch would be further refined during the Smart Scale period.

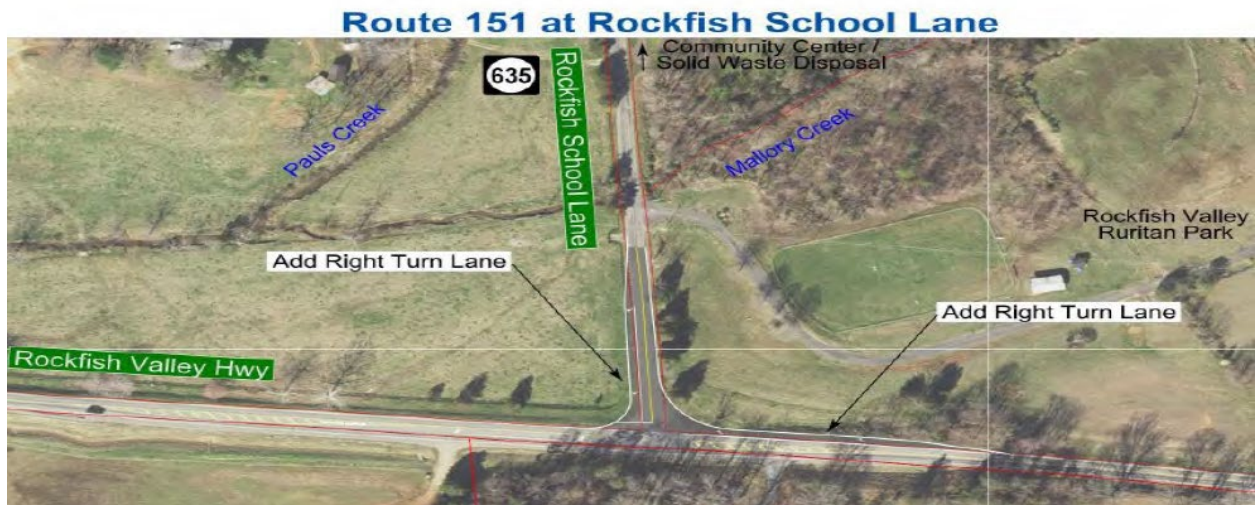


Mr. Eckhardt then reported on the next intersection being submitted to Smart Scale, which was Route 151 and Mill Lane. He noted that intersection did have VTrans support but it did not have PSI points. He reported on the problems at the intersection which included access management and sight distance concerns. He noted that the proposed solutions would be to add a dedicated northbound left turn lane and to modify access to the gas station on 151. He also noted that the costs would be updated with the final application, along with the project sketch.





Mr. Eckhardt then reviewed the intersection at Route 151 and Rockfish School Lane, which he noted did not have VTrans support, but he noted that they could push it into Smart Scale due to the fact that it was part of the 151 Corridor study. He indicated that OIPI may try to fight the intersection application, but he noted that his feeling was to go ahead and put it in Smart Scale if it was a problem intersection. He noted that they would see if it scored well. He reported that it had the need from the Corridor study. He showed the proposed improvements at Route 151 and Rockfish School Lane.



Mr. Eckhardt reported that Round 6 of Smart Scale would be a little different than previous rounds. He explained that Round 6 had a heavy emphasis on internal review and validation from VDOT and DRPT. He noted that for any projects put into the Smart Scale system for Round 6, the data had to be up to date for the internal review process, in order for VDOT to check off on the project submission. Mr. Eckhardt reviewed the upcoming schedule for Smart Scale. He reported that on March 1, 2024, the pre-app period would open, and then on April 1, 2024, the pre-app period would close. He noted that all supporting documentation was due for all applications on July 15, 2024. He then reported that on August 1, 2024, Round 6 full applications would be due.

Mr. Reed asked about the schedule, noting that the pre-apps closed in a few weeks. He asked how important it was that the County got something in during the pre-app period. Mr. Eckhardt explained that the projects had to be put in during the pre-app stage. He noted that the TJPDC would be submitting the project applications on the County's behalf. Mr. Eckhardt explained that the Tanbark application was already in the portal. He noted that VDOT would be meeting with the Nelson County planners and the TJPDC the following week to discuss the other two submissions.

Mr. Harvey asked what they hoped to accomplish. Mr. Eckhardt explained that they hoped to reduce crashes, noting there were a lot of rear end collisions on 151 due to vehicles having to stop and turn onto Mill Lane. He noted the hope was to reduce crashes and the roundabout would also reduce speed on the 151 corridor. Mr. Harvey asked Mr. Eckhardt where he was getting his information on accidents. Mr. Eckhardt noted the information was from the consultants doing the study. Mr. Harvey asked if the consultants had been out to Nelson. Mr. Eckhardt indicated that the consultants had been present for the

public input meeting. Mr. Harvey commented that he did not think that the information was valid. Mr. Harvey then commented that they were just rushing it through.

Ms. McGarry made note that there would be some budget work sessions scheduled to take place prior to the date that pre-applications were due in the portal. She indicated that if needed, they could discuss the pre-applications more during the work sessions.

### C. Parks and Recreation Upcoming Projects – Jerry West

Mr. West reported the following:

- We have kicked off 2 new campaigns enhance both the Piney River Trailhead of the Virginia Blue Ridge Railway Trail as well as the Blue Ridge Tunnel.

- Cover The Caboose

- Nelson County Parks and Recreation has teamed up with the Fleetwood Harmony Masonic Lodge No. 92 to raise funds to construct a cover over the Piney River Caboose.
- The Caboose sits at the Piney River Trailhead of the Virginia Blue Ridge Railway Trail. It had been used in the area for many years before being decommissioned in 1960 to make way for newer steel, bay window cabooses. In the 2010's Nelson native, the late Ted Hughes sought after the caboose where it had been sitting in Rapidan, VA to return it to its glory and be placed alongside the now Virginia Blue Ridge Railway Trail adjacent to the Piney River Depot. Mr. Hughes along with many friends completed the restoration of the caboose in its current location during 2019.
- It is the goal of Nelson County Parks and Recreation to minimize weathered wear to the caboose by constructing a structure over the caboose which will help preserve it and extend the pristine lifespan made possible by Mr. Hughes and crew.
- Donations can be made to the Fleetwood Harmony Masonic Lodge in the form of cash, check or online by card. Please indicate "Cover The Caboose" on all donations.
- Mail donations to: Fleetwood Harmony Masonic Lodge No. 92, PO Box 172, Lovingston, VA 22949 or drop off to the Nelson County Parks and Recreation Department office located in The Nelson Center.
- Donation Tiers (including benefits at each level)
  - \$100: Brakeman – Limited Edition PRVA Sticker available only to CTC Sponsors
  - \$250: Conductor – Limited Edition PRVA Sticker available only to CTC Sponsors and Name on Plaque
  - \$500: Iron Horse – Limited Edition PRVA Sticker available only to CTC Sponsors, Name on Plaque, Engraved Glass. 2 Tickets to Completion Reception
  - \$1000: Club 1914 – Limited Edition PRVA Sticker available only to CTC Sponsors, Name on Plaque, Engraved Glass, 4 Tickets to Completion Reception
- Each ticket to the reception will also receive a complementary engraved glass.
- "Club 1914" Corporate sponsors will have the opportunity to have their logo on a banner displayed at reception and will remain at the trail for 12 months following the reception.
- All donors of \$100 or more will be included on a plaque to be displayed on site.

- Blue Ridge Tunnel: Western Portal Stone

- The Crozet Tunnel Foundation has kicked off a fundraising campaign to return and display the Western Portal Stone to the Western Trail of the Blue Ridge Tunnel Trail.
  - This two-piece portal stone, or plaque, once filled the now-empty space you see at the highest point of the western portal entry arch. It features the names of public figures important to the tunnel's planning and completion in the 1850's. The western portal stone was placed in the early 1900's, well after the tunnel was first built in the 1850's. However, historic photos tell us that the plaque likely broke into several pieces almost immediately after installation.
  - The stone was removed from the tunnel around 1970 and moved to VMI where it was planned to be permanently displayed in a ceremony during



their Founders Day program that year. However, plans fell through when Albert Sincolf, C&O Railroad public affairs manager fell ill and the ceremony was cancelled. The stones have been sitting on a pallet at VMI ever since.

- The VMI Museum has agreed to gift the portal stones back to the Blue Ridge Tunnel Foundation and Nelson County to be on permanent display outside of the Western Portal.
- While all monetary donations are welcome, donors of \$1000 and above will receive a custom engraved brick that will be incorporated into the interpretive display of the portal stones. Financial supporters who contribute above \$2500 will receive a brick and 2 VIP passes to a private unveiling ceremony followed by a reception at a local vineyard.

Mr. West asked all to support each of the campaigns. He noted that the Parks and Recreation page on the County’s website had additional information on each of the fundraising campaigns.

D. FY25 Budget Introduction and Proposed Schedule

Ms. McGarry noted that she agreed with Mr. Bayne's comments under the Public Comment section. She noted that those were the principles by which they worked within to develop and approve a budget for Nelson County. She thanked all of the County’s departments and Constitutional offices for their budget submissions, which included their hopes and wishes for the next fiscal year, while keeping in mind the greater picture and the County’s overall responsibilities. Ms. McGarry also thanked the County’s Finance Department and County Admin staff for their hard work in getting the budget ready. She noted that it was a snapshot in time and a starting point. She commented that she looked forward to working with the Board through the budget process.

Ms. McGarry reported the following information on the FY25 Revenues:

**FY25 Revenues – Introduced Budget 3/12/24**

- Revenues = Expenditures at **\$49,487,653**
- No changes in tax rates or fees have been incorporated:
  - o Real Estate/Mobile Home Tax Rate - \$.65/\$100 value  
100% Value of Penny in RE Tax = **\$321,707**
  - o Personal Property Tax Rate - \$2.79/\$100 value
  - o Machinery & Tools Tax Rate - \$1.25/\$100 value
  - o Transient Occupancy Tax – 7% as of July 1, 2024
- High School renovation and DSS building project Bond Anticipation Note proceeds and expenditures have not yet been incorporated into the budget.

**FY25 Revenues by Category Compared to FY24 Amended Budget through February 2024 and FY24 Budget Projections:**

	<u>FY24 Amended Budget</u>	<u>FY24 Projected Budget</u>	<u>FY25 Estimated Budget</u>	<u>\$ Change FY24 Amended Budget</u>	<u>% Change</u>	<u>\$ Change FY24 Projected Budget</u>	<u>% Change</u>
<b>Local</b>	\$ 38,070,221	\$ 39,246,797	\$ 39,668,527	\$ 1,598,306	4.20%	\$ 421,730	1.07%
<b>State</b>	\$ 5,273,382	\$ 5,293,188	\$ 4,895,240	\$ (378,142)	-7.17%	\$ (397,948)	-7.52%
<b>Federal</b>	\$ 1,731,120	\$ 1,742,236	\$ 1,346,459	\$ (384,661)	-22.22%	\$ (395,777)	-22.72%
<b>Other</b>	\$ 6,690,916	\$ 6,982,439	\$ 3,577,427	\$ (3,113,489)	-46.53%	\$ (3,405,012)	-48.77%
<b>Total</b>	<b>\$ 51,765,639</b>	<b>\$ 53,264,660</b>	<b>\$ 49,487,653</b>	<b>\$ (2,277,986)</b>	<b>-4.40%</b>	<b>\$ (3,777,007)</b>	<b>-7.09%</b>

**FY25 Local Revenue Factors (Compared to FY24 Amended Budget):**

- A slight increase of 1.39% in Real Estate Taxes is expected due to natural growth = \$285,390. **The FY25 value of the penny in Real Estate Tax at 100% collection is \$321,707**

- A decrease of -22.7% in Public Service Tax is expected due to a decrease in the assessed values of Public Service Corporations including rolling stock between tax year 2022 and 2023 = (\$295,291)
- A decrease of -1.2% in Personal Property Taxes is utilized due to a decline in overall vehicle values from tax year 2023 to 2024 (PP Book as of March 7th as compared to April 17th) = (\$71,902); \$100,000 in tax revenue was added in anticipation of some increase between now and April. 2025 tax year Personal Property Taxes are estimated including an increase of 1%.
- Local Sales and Use taxes are included at no change and have not yet been provided by the State; this should be received sometime in March.
- An increase in Meals and Lodging Taxes of 17.7% and 26.0% respectively is expected = \$707,026, FY24 Meals tax projections are higher than budgeted and the Lodging tax rate was increased from 5% to 7% effective July 1, 2024. A 10% reduction factor was applied to anticipated TOT collections to allow for a possible decline in short term rentals or overall bookings.
  - o Meals tax increase = \$239,026
  - o Lodging tax increase = \$468,000
- An increase in Building Permit Fees of 26.3% is anticipated by the Building Inspections department = \$72,726
- A significant increase in Interest earnings of 169.2% is expected in comparing FY25 (\$1,345,860) to the amended budget of FY24 (\$500,000), due to the low estimate budgeted in FY24 and inflationary economic conditions precipitating the persistence of higher interest rates over the past year = \$845,860. The FY24 projection for interest earnings is \$1,373,610 which is slightly higher, by 2.06% than the estimate for FY25. These rates are expected to maintain current levels or drop slightly over the next year (-2.06% or -27,750).

**FY25 State Revenue Factors (Compared to FY24 Amended Budget):**

- A 3.7% increase in salary and benefits reimbursements from the State Compensation Board for their proportionate share of covered positions is included and includes a full year of the 2% salary increase provided in December 2023. The General Assembly's recommended budget contains a 3% salary increase for State supported local offices; the State reimbursement for this salary increase is TBD and will offset an associated increase in expenditures to some degree.
- A 6.0% increase in State reimbursements for expenditures related to the Children's Services Act (CSA) is expected = \$77,600. The State share of these expenditures is 68.68% and local share is 31.32%.
- An increase of 3.9% is anticipated in reimbursement for Department of Social Services costs due to a higher level of staffing expected in FY25 = \$39,934. The non-local portion of their budget is funded by 40% State funds. The General Assembly's recommended budget contains a 3% salary increase for State supported local offices; the State reimbursement for this salary increase is TBD and will offset an associated increase in expenditures to some degree.
- Other Categorical Aid from the State includes grants received during the year which fluctuates between fiscal years. These include Fire Funds, Four-for-Life funds, State appropriated project funds, Tourism and Economic Development grants, Library of Virginia grants, and other Sheriff's Department grants; which at the beginning of the new fiscal year show a decrease of -74.6% = (\$579,357). These grants are appropriated within the budget when awarded or received.

**FY25 Federal Revenue Factors (Compared to FY24 Amended Budget):**

- A significant reduction of -22.2% in ARPA Grant funds from FY24 to FY25 = -\$424,000
- A 5.9% increase is anticipated in reimbursement for Department of Social Services costs due to higher overall expenditures related to an anticipated higher level of staffing = \$59,899. The non-local portion of their budget is funded by 60% Federal funds.

**FY25 Other Revenue Factors (Compared to FY24 Amended Budget):**

- Other revenues have decreased from last fiscal year -46.53% = -\$3,113,489. This is primarily because FY24 utilized a higher level of Year Ending Balance or Carry Over funds, consisting of \$2.8 Million in ARPA funds carried forward for the NCHS Roof Project, \$2.6M in Capital Outlay and funding of \$399,920 of Non-recurring contingency plus other appropriations throughout the fiscal year. Additionally, the Broadband Authority transferred \$300,000 to the General Fund during FY24, which is not being utilized and is carried forward to FY25.
- The FY25 Year Ending Balance (FY24 Revenues > Expenditures) utilizes \$3,577,427 consisting of:
  - o \$1,533,840 in FY24 net expenditure savings anticipated including:
    - Departmental Operations: -\$381,006
    - Non-Departmental Operations: -\$291,323
    - Unspent Capital Outlay: -\$63,887
    - Capital Projects: -\$149,570
    - Contingencies: -\$648,054
  - o \$1,499,021 in FY24 net revenue increase anticipated including:
    - Local: \$1,176,576 (Recordation Tax, Meals Tax, Court Fines, & Interest Earnings)
    - State: \$19,806 (State Shared Expenses & CSA Reimbursement)
    - Federal: \$11,116 (CARES Act, SCAAP, Misc.)
    - Other: \$291,523 (Insurance recoveries, cancelled checks, NCBA Transfer)
  - o On the expenditure side, these funds are the balance of ARP funds from the NCHS Roof project which can be used with no restrictions, funding of Capital Outlay expenditures, carry forward of unspent FY24 miscellaneous funds, non-recurring costs and non-recurring contingency. Additionally, \$350,000 in fund balance is proposed to be used for replacement of the Piney River pump station.

Mr. Rutherford asked what the original transient occupancy tax (TOT) revenue number was when it was approved, he commented that he thought it was around \$700,000. Ms. McGarry noted that amount sounded close, but she would have to look it up. Mr. Rutherford commented that it would be helpful to see a spreadsheet of what the year-to-year revenues looked like in a constant fashion. He offered his assistance if needed. Ms. McGarry commented that she thought it would be good to look at the data going forward, not including the pandemic. Mr. Rutherford noted it would provide good metrics and they would be able to see what factors could affect changes.

Ms. Staton reviewed the following FY25 expenditure information:

**FY25 Expenditures – Introduced Budget 3/12/2024**

**Summary:**

The introduced budget for FY25 is \$49,487,637, a decrease of \$2,277,984 or 4.40% less than the FY24 amended budget. Revenues projected for FY25 are estimated at an equivalent decrease from FY24 balancing the budget.

**Employee Salaries and Benefits:**

- New Full-Time Positions proposed and funded:
  - o Assistant Director of Special Projects for Tourism and Economic Development salary & benefits at \$82,417
  - o Family Services Specialist IV, Senior Worker salary and benefits at \$79,143 (state funding requires a 76% local match of \$60,149)
- 2% COLA increase to salary and benefits for FT and PT employees at \$176,716

- Implement third and final stage of (MAG) Pay Study, equity adjustments of salaries and benefits at \$76,768
- 11.0% Health Insurance increase for Key Advantage 500 & Key Advantage 250 plans with an estimated budget of \$90,000 (TBD); option to add a High Deductible Health Plan included in rate projections to offer lower rates for employees and County
- Overall VRS employer contribution rate is decreasing from 11.47% to 10.77%; short-term disability rates are decreasing from 0.85% to 0.74%
- \$15,669 earmarked for estimated increase in Worker's Comp Premium (TBD)

**Other Expenditures:**

- Incremental increases in utilities, fuel, mileage, postage, telecommunications, maintenance service contracts, and repairs and maintenance, and equipment
- Year #2 of Adult Drug Court expenditures covered through four-year federal Department of Justice (DOJ) grant at the direction of the Commonwealth Attorney's Office; second year funding FY25 is \$171,794
- Regional Jail operational increase of \$229,018, includes \$31,740 in Debt Service for the Bond Anticipation Note issued to cover Architectural and Engineering services related to the renovation project. The County's 5-year average census increased from 14.74% in FY24 to 15.87% of the total. The 5-year average census determines the percentage share for each member jurisdiction.
- Paid EMS increase of \$216,609; this includes the additional \$195,000 required in salaries and benefits due to transitioning to 24/72 shift scheduling changes presented to the Board at the January 9, 2024 meeting, \$25,000 for increasing mileage costs, \$15,000 for increased medical supply costs, and \$10,000 for repair and maintenance costs of older transport units; one option for potential increase in revenue recovery to offset these costs is to increase transport rates
- Capital Outlay of \$2,247,243 covered by Carryover Funds from Year End Balance (FY24 Revenues > FY24 Expenditures) includes \$391,511 for Emergency Services Vehicles, \$256,000 for four (4) Law Enforcement vehicles, \$40,000 and \$72,500 for Motor Pool and County EMS Response Vehicle, \$292,900 for IT Microwave Network Upgrade (replacement of 8 antennas), \$196,000 to improve Emergency Services radio communications with Wintergreen, \$260,000 to replace Transfer Station tipping floor, \$140,000 for Parks and Recreation Master Plan, and \$151,200 to replace Voting Machine Equipment
- Level funding of most Agency requests in FY25; exceptions being JMRL (Regional Library), Nelson EMS Council, and Community Investment Collaborative
- Transfer to Debt Service of \$3,935,284 includes \$610,000 toward the County's debt capacity building strategy not included in FY24
- Level funding of School Nurses; formal request is pending from the School Division
- Level funding in operational budget for School Division of \$18,379,837; additional request TBD once state budget is resolved and Schools submit a formal request
- County's ARPA carry-over funds of \$128,138, the balance of funds not required for NCHS roof project
- Increase in Transfer to VPA Fund (Social Services Departmental Costs) of \$79,143 for additional cost to add a Family Services Specialist IV, Senior Worker (state funding requires a 76% local match of \$60,149)
- Transfer to Reassessment Fund of \$100,000 for next reassessment

**Contingencies:**

- Recurring Contingency of \$482,693
- Non-recurring Contingency of \$441,288
- Total all Contingency funds for FY25 = \$923,981

Mr. Rutherford noted that the State budget was not yet complete and he asked if there was a speculative difference in funding for the School system. Ms. Staton noted there were three (3) different options in funding difference. Mr. Rutherford indicated that the funding shortage options were \$1.8 million, \$2.4 million and \$2.6 million. Ms. Staton confirmed that the range was \$1.8 million to \$2.6 million. She noted that was a pretty wide range. She indicated that once there was a better understanding of where it was leaning, they would have a better ability to act.

Ms. McGarry added that staff was trying to be more proactive versus reactive when it came to maintaining County assets. She noted that the Board may see that reflected a little bit in the County's expenditure budget, in terms of slightly higher maintenance contracts, and some higher repairs and maintenance costs. She commented that staff felt that money spent on the front end for maintenance would save the County some money in the long run.

The Board and staff discussed potential dates to hold budget work sessions. Ms. McGarry indicated that if decisions were made to authorize any tax increases, the Board would have to authorize the public hearing before March 25<sup>th</sup> so that it could be properly advertised for an April 11<sup>th</sup> public hearing. The Board decided on the following dates for the first three work sessions:

- March 15<sup>th</sup> at 1p.m.
- March 18<sup>th</sup> at 1p.m.
- March 22<sup>nd</sup> at 9:30 a.m.

Ms. McGarry noted that one of the first things they would need to discuss, would be the County's health insurance renewal. She indicated that staff would be presenting the options. Mr. Rutherford commented that the high deductible plan sounded like a good addition. Ms. McGarry agreed, noting that it provided options. Dr. Ligon commented that every work place she had been in, that had the high deductible plan, the employer contributed partially to the health savings plan, which she noted, was not always a savings for the employer. Ms. McGarry noted there would be an option to establish the Health Savings Account (HSA), and the Board could decide whether the County would contribute to it, or it could be set up for the employees to contribute to their accounts as means to save for the deductible. Mr. Rutherford commented that he knew some people who would probably utilize the Health Savings Account as a long term investment for themselves. Dr. Ligon commented that her accountant would call a HSA the best retirement plan of all time. She noted that after someone turned 65, they could use those funds however they wanted. Mr. Rutherford commented that the high deductible plan was a good option to provide.

**VI. NEW & UNFINISHED BUSINESS**

**A. Shipman Historic District Cost Share Grant Application**

Ms. Kelley reported that the Board had allocated \$16,000 to do the entire project at their meeting on March 14, 2023, which was to complete the nomination for Shipman as a designated Historic District. She noted that the first phase had been completed. Ms. Kelley explained that her ask for the meeting was to obtain the Board's permission to apply for a second cost share grant. She noted that the first phase of the project completed a Preliminary Information Form and some survey work. She explained that the second phase would finish out the survey work and possibly allow for the addition of a few properties that had not been included in the first phase. She noted that the consultant who was hired by the Department of Historic Resources would complete the nomination to the State and National Register of Historic Places for the Village of Shipman. Ms. Kelley reiterated that the request was to apply for a second cost share grant through the Department of Historic Resources. Ms. McGarry noted the Board could approve the request by formal vote, or by consensus, because the funding was already in place. The Board was in consensus to proceed with the application for the cost share grant.

**B. Comprehensive Plan – Planning Commission's Recommendations**

Ms. Hjulstrom noted that they were wrapping up the Comprehensive Plan. She provided the following report:

The Planning Commission conducted a public hearing for the 2042 Comprehensive Plan Update on January 31<sup>st</sup>, 2024. On February 28<sup>th</sup>, the Planning Commission met at their regular meeting to review



all comments and to make a recommendation to the Board, including any recommended revisions or updates to the 2042 Comprehensive Plan.

The Planning Commission voted unanimously (6-0) to recommend approval of the 2042 Comprehensive Plan with the following revisions/amendments:

1. Table 3.1 p. 32 – Check boxes for steep slopes and floodplain for Montebello
  2. P. 36-41 – Remove Montebello from ‘Rural Destination’ and add to ‘Rural Areas’ and ‘Conservation Areas’
  3. P. 41 Montebello – in description, add references to Priest and Three Ridges Wilderness areas and access to primitive recreation
  4. P. 149 Local Assets – add Priest and Three Ridges Wilderness areas and state fish hatchery
  5. P. 67 indicate that railway runs through the county but doesn’t currently serve its residents
  6. P. 90 Housing Quality and Maintenance – take out “..., and 37.9% of homes are considered vacant. This is relatively high compared to the statewide vacancy rate of 11%.”
- Ms. Hjulstrom explained that the reason for the #6 amendment was because the number was heavily influenced by Wintergreen condos and residences.
7. P. 171 – Tuckahoe Clubhouse “Serves as the community center for the Wintergreen area...”
  8. P. 172 – Sentara does not offer dermatology
  9. Glossary – definition of “easement” should be “conservation easement”
  10. Add “by-right” definition to glossary
  11. Add strategy #16 to P. 50 “Discourage the use of large scale development in Montebello through zoning.”

The Board of Supervisors will be holding a public hearing regarding the 2042 Comprehensive Plan Update at the Nelson County High School on March 20<sup>th</sup>, 2024.

Ms. Hjulstrom noted that the Board could make a decision to approve the Comprehensive Plan at their April 9<sup>th</sup> meeting. Mr. Parr asked if there was a definition of by-right. Ms. Hjulstrom indicated that they did not currently have a definition of by-right, but she noted that they could come up a staff recommended definition. She commented that by-right was pretty well known terminology in Planning language. Ms. Hjulstrom noted that staff could see if other localities had an existing definition for by right and possibly use part of their definition. She commented that by right essentially meant that a particular use was permitted in a defined zone, by right, it was not something that required special permission. She pointed out that by right use may still require other agency approvals, but the use itself would not be subjective by the Board. She commented that it would be great to add the by right definition to the Comprehensive Plan, as well as the Zoning Ordinance.

Mr. Rutherford noted that during the Planning Commission’s public hearing, there was an echo that made it hard for the Planning Commissioners to hear at times. He asked if that could be resolved. Ms. Hjulstrom noted that one of the issues with the microphone at the high school was that the speaker had to be right on the microphone in order to be heard. She commented that she was not sure how the sound was for those in the audience. Mr. Rutherford indicated that it seemed to only be an issue for the Planning Commissioners. He asked that the issue be worked through, prior to the Board’s public hearing at the high school. Ms. Hjulstrom indicated that they would see what they could do to fix it.

The Board took a brief recess.

## **VII. REPORTS, APPOINTMENTS, DIRECTIVES AND CORRESPONDENCE**

### **A. Reports**

#### **1. County Administrator’s Report**

Ms. McGarry noted the new Promethean screen in the meeting room. She thanked the County’s IT department, and the School Division’s IT department, for collaborating and helping the County to get a great deal on the new technology.

Ms. McGarry provided the following report:

- A. Comprehensive Plan:** The project website is [www.Nelson2042.com](http://www.Nelson2042.com). The Board has reviewed the Planning Commission's recommendation today and will hold its public hearing on March 20<sup>th</sup> at 7pm at NCHS. Final adoption of the Plan will not be scheduled until at least the Board's regular meeting on April 9, 2024.
- B. Gladstone TAP Applications/Award:** The Board previously authorized the submittal of FY25/26 Transportation Alternative (TA) Program grant funding pre-applications for further funding of the Gladstone Depot Relocation and Restoration Project, which received an initial funding award in September of 2022. The pre-application was screened in for submittal of a final application due October 2, 2023. In September 2023, VDOT advised that the County needed to have the following eligibility issues addressed prior to the application deadline; which was impossible. In November, they then advised that we could submit them by December 31, 2023 or the application would be screened out:
1. A formal letter on DHR letterhead that states that moving of the depot and interior modifications to the depot building will not degrade/undermine the historic integrity of the structure.
  2. An updated letter from CSX is needed that includes a new achievable relocation timeline. The original letter dated April 29, 2019 states that the Depot must be moved by June 30, 2020.

County Staff worked with Friends of Gladstone Depot who were able to secure #2 before the December 31<sup>st</sup> deadline; however, #1 was not attainable in the timeframe allowed, even though DHR staff was more than willing to help- the information needed to complete their review was too extensive. The current FY25-26 application was screened out by Central Office Local Assistance Division in January 2024 and VDOT is highly recommending the cancelation of UPC 121612, the selected FY23-FY24 TAP Application, to keep the project from appearing on FHWA's Financial Integrity Evaluation & Review (FIRE) Report due to the project's inability to progress and lack of billings. They noted that if the County cancels this funding, it would be accessible in the future, but if FHWA reclaims the funds, the County would not have access to them in the future for this project. No expenditures have occurred to date, so there are no concerns with potential payback related to cancelation. **I am herein recommending these funds be canceled immediately to preserve their future accessibility for this project and ask for the Board's concurrence.**

Ms. McGarry indicated that staff would continue to look for funding and other ways to move and restore the depot. Mr. Rutherford noted that with Lovington also having a TAP grant application and he suggested that concluding Gladstone's TAP grant may help Lovington's application look competitive. Mr. Reed asked if there was going to be any incentive to try and get DHR's review of the possible degradation of the historic integrity. He asked if they may want to reapply in the future. Ms. McGarry commented that she thought it would be beneficial to continue to have DHR make the determination, and then they would have it for future funding purposes. She noted they could proceed with that. The Board was in consensus to cancel the TAP funds from UPC 121612.

- C. Lovington Front Street Sidewalk Improvements TAP Grant:** This application has scored very well for potential funding and is now in the Commonwealth Transportation Board's arena for funding consideration and inclusion in the Six Year Improvement Plan. This project includes widening of sidewalks on the west side of Front street between Main Street and Theater Drive in order to meet accessibility standards. Curb ramps with detectable warning surfaces will be installed and curb extensions and bump-outs will be constructed at future crosswalk locations. Additional work includes replacing driveway ramps that don't meet ADA standards and utility pole relocation from the sidewalk area so they are unobstructed. Citizens are encouraged to contact State CTB members to advocate for this project; their contact information can be provided by County Administration or found on the CTB website. The Board and public will be advised of future important CTB meeting/public hearing dates.

TAP Grant Funds Requested: \$2,500,000 (Maximum) with a Local Match Requirement: \$625,000 (20%) and project costs over \$3,125,000.

Mr. Rutherford stated that whenever they could also justify infrastructure improvements such as water or sewer, in the event that a sidewalk was in that area, additional support from other entities saying if this is underway, this could promote a more cost effective way to improve infrastructure. He suggested that he, Mr. Reed and Robert McSwain could work to determine whether there was any infrastructure underneath the sidewalks and roads in Lovington. He noted that the more support they could garner from the community, businesses and quasi-government entities, the more chances the grant would have to come through. Robert McSwain commented that the sewer line ran behind the homes in Lovington, but he noted that the water lines could be in that area.

- D. Route 151 Through Truck Restriction: No Change.** I am still working on getting the required information together for the Board's consideration of authorizing a public hearing on a Route 151 through truck restriction. Some questions regarding the process were submitted to VDOT; specifically, I have asked if the Board can request that VDOT perform an assessment of Route 151 for the through truck restriction prior to holding a public hearing on the matter. I have also asked if the beginning termini of the route to be restricted can start at the intersection of Route 250 and Route 151 in Albemarle County or if it has to begin and end in Nelson County. The proposed beginning and ending termini of the route to be restricted is a requirement for the public hearing notices. In a follow up conversation about this with Robert Brown last week, he indicated that he thought we would need the cooperation and concurrence of Albemarle County since he thought the beginning termini would have to be at the Route 250/Route 151 intersection. Mr. Brown was not sure at that time if VDOT could do the through truck restriction assessment of Route 151 prior to the Board authorizing a public hearing but he said he would inquire.
- E. 24-Hour Library Kiosk in Nellysford:** The ribbon cutting ceremony will be held on Wednesday March 13<sup>th</sup> at 3pm at the site with Chair Parr and Vice Chair Reed in attendance. Light refreshments will be served.
- F. Piney River Solar, LLC Special Exception 2023-369 – Amherst County:** The Special Exception permit was denied by the Amherst County Board of Supervisors.
- G. Staff Reports:** Department and office reports for February/March have been provided.

Mr. Reed noted the public hearing on the Comprehensive Plan and wanted clarification on the process. He asked if they were to consider the recommendations from Planning Commission or discuss any other recommendations, when that discussion would take place. Ms. McGarry noted that the Board could choose to schedule a separate work session, or they could choose to have discussion at the next regular Board meeting on April 9<sup>th</sup>. Mr. Reed noted that he had a recommendation from his constituents, regarding a word definition in the glossary. He explained that it had to do with single and multiple dwellings, and adding view sheds to the concerns in trying to preserve them. Ms. McGarry asked if the Board was comfortable with having discussions and review of the Comprehensive Plan recommendations on April 9<sup>th</sup>. She suggested that the Board send any comments to staff to be compiled into a list for review at the meeting on April 9<sup>th</sup>. She noted they could adopt the Plan at another meeting. Mr. Rutherford asked how quickly they would move on to zoning. Ms. McGarry noted that she was unsure, but that was also a question on her mind. Mr. Rutherford commented the he felt it should happen pretty quickly. Ms. McGarry agreed.

## 2. Board Reports

### Dr. Ligon:

Dr. Ligon had nothing to report.

### Mr. Reed:

Mr. Reed reported that he and Dr. Ligon met with Marta Keane, Jefferson Area Board on Aging (JABA). He noted that he had also met Dorothy Wilson, JABA's new Aging Services Coordinator at the Nelson Center for Nelson County. He reported that the Hat and Black Creek meeting with DEQ was going forward, with a possible watershed approach to deal with phosphorus and cooperation from landowners. He noted there would be at least one more meeting on Hat and Black Creek. Mr. Reed also reported that he and Dr. Ligon attended the Gladstone meeting on the proposed solar facility.

Mr. Reed reported that the TJPDC had a big discussion about the problems with rural transportation that the metropolitan transit authority does not quite address. He noted he was looking to have more opportunities to address that directly with TJPDC. Mr. Reed reported that during the TJPDC meeting, they also discussed land trusts. He noted that he was still trying to get more information on land trusts. He commented that it would take a community wide conversation to move anywhere on it. He noted that, at some point, they would need to come up with some sort of strategy to start making something like land trusts a reality in Nelson County.

Mr. Reed reported that he saw Mamma Mia at the High School and noted that it was great to see everybody get together. He then noted that the Service Authority was moving forward on getting some federal Rural Development money for the Lovingson sewer improvements. He reported that they were hoping to have the Wintergreen Wastewater Treatment Plant completed by the end of the year. Mr. Rutherford asked what the final cost ended up being. Mr. Reed noted it was around \$17 million.

Mr. Reed also reported that he attended the EDA meeting where they were give a presentation for \$25 million School renovation project financing that would pass through the EDA. He noted that no action was taken, it was just a presentation only.

Mr. Rutherford:

Mr. Rutherford reported that he was unable to attend the TJPDC. He noted that the Line of Duty Benefits (LODA) had kept him busy lately. He reported on the process noting that the bill failed. Mr. Reed asked if there would be an opportunity to bring it back in the future. Mr. Rutherford said yes, and indicated that every stakeholder was interested in sponsoring it again. He noted there were a lot of politics that had to be played between now and December.

Mr. Reed expressed his gratitude for all that Mr. Rutherford and Mr. Parr had done on LODA, and he hoped for better results next time. Mr. Rutherford thanked Ms. Ann Mische for being present and keeping the community members apprised. He noted that Ms. Mische spoke in front of committee as well. Mr. Rutherford commented that LODA was a non-partisan issue that was made into a partisan issue.

Mr. Harvey:

Mr. Harvey had nothing to report.

Mr. Parr:

Mr. Parr reported that he attended the EMS Council on February 20<sup>th</sup>. He noted that the knox box equipment had been received and was ready to be installed in the school buildings. He reported that they also discussed planning an active shooter drill. He noted they were also hoping to work with North Branch School to determine how they may be impacted if an active shooter situation were to happen, and how the County could assist. He noted that the drill may involve some volunteers to act as victims.

Dr. Ligon asked if the volunteer vouchers were discussed during the EMS Council meeting, particularly how they were going to address volunteers who were not residents in Nelson County. Mr. Parr commented that they did discuss that the County did not have much leeway to work with for non-resident volunteers, in being able to offer them the same tax breaks as Nelson County residents. Mr. Parr asked if staff had reached out to any adjoining localities to see what they were offering. Ms. Spivey reported that she reached out to both Appomattox and Amherst counties. She noted that both counties provided the volunteer benefit that they offered to their residents, to volunteers who live in their locality but serve in Nelson. She noted that she was not sure how something more equitable would work. Mr. Parr commented that it was good to know that the volunteers' localities were recognizing them as volunteers, even though that volunteer work was in an adjoining county. Mr. Parr commented that the volunteers seemed to understand and it was not an issue for them, noting that the volunteers were not serving for a tax credit or free County sticker. He indicated that he wished they could do more for those non-resident volunteers, noting there were quite a few between Roseland and Piney River that lived in Amherst County. He noted that the good thing was, that they were getting the same thing as any other Amherst resident that volunteered in an Amherst agency. He commented that there may be a few volunteers in Buckingham, but mainly Appomattox and Amherst were the biggest ones.

Ms. McGarry asked if any other follow up was needed from staff on the subject. Mr. Parr indicated that he would speak with the EMS Council to find out how many Nelson volunteers lived in other counties. Ms. Spivey reported that she did send a request to the EMS Council President, asking how many out of County volunteers Nelson had. She noted that she had not gotten anything, but it was in process. Mr. Parr noted maybe the information would also include which County the volunteers were from. He indicated if they were somewhere other than Appomattox or Amherst, maybe there could be follow up to those localities as well.

Mr. Parr reported that he had attended a community meeting in Montebello earlier in the day. He commented that it was a nice get together, and concerns were shared over the Comprehensive Plan, as well as suggestions. He noted that some previous concerns were reflected in the recommendations from the Planning Commission, which was good. He reported that the Montebello community members were pleased that they were heard.

Mr. Parr then reported on the DSS building and noted that they were moving forward with discussions with the architects. He noted that an onsite meeting was one week ago to look at storm water concerns and get a visual on where the building was proposed to be situated.

He noted that the EDA had their meeting on February 26<sup>th</sup>, which he and Mr. Reed both attended. He commented that he felt there was support from all except one EDA member, who said there was another location option, but he had not heard anything further about where that may be. He noted that if it was the location that they thought it was, it had already been explored by the County for another project, and it did

not prove economically feasible. He commented that he thought the presentation was well received and supported by the EDA. He noted that the EDA would have another meeting coming up soon.

Mr. Parr then reported that he attended Sheriff Embrey's pinning ceremony for the full department, which was a fantastic event. He noted that everyone from Dispatch to the Sheriff, and everyone in between were in attendance, along with the State Police, Ms. McGarry and Mr. Rutherford. He commented that it was a wonderful event to showcase the employees and their families. He noted it would be an annual event going forward.

B. Appointments

Ms. Spivey reported that there had not been any applications received for the upcoming vacancies.

MACAA Board of Directors

She noted that Mr. Sandquist was not interested in serving another term on the MACAA Board of Directors. She indicated that they were advertising the position.

Ag and Forestal District Advisory Committee

Ms. Spivey reported that they had a position on the Ag and Forestal Advisory Committee expiring in May. She noted that she had reached out to the incumbent, Sunny Taylor, and was waiting to hear back. She also indicated that the position had been advertised, and noted that the position was a landowner position, it could be any landowner in the County interested in serving.

Economic Development Authority

Ms. Spivey reported that there was still a vacancy on the EDA following Natt Hall's passing. She noted that the vacancy had been advertised and no applications had been received to date. Mr. Parr asked if the EDA appointments were by district. Ms. Spivey indicated that the EDA appointments were County wide.

C. Correspondence

The Board had no correspondence.

D. Directives

Mr. Rutherford indicated that he had a member moving away that served on the Electoral Board, and was also responsible for starting the Quarry Gardens. Mr. Rutherford asked if it would be possible to draft something for him to be read at the next meeting. He noted that he would draft up something to be placed on the Consent Agenda. The Board was in consensus.

**VIII. CLOSED SESSION PURSUANT TO §2.2-3711 (A)(7) & (A)(8)**

Ms. McGarry noted that the Closed Session on the agenda for the meeting was not going to occur. She noted that it would likely be rescheduled for the April meeting during the evening session.

**IX. ADJOURN AND CONTINUE TO \_\_\_\_\_ FOR A BUDGET WORK SESSION, AN EVENING SESSION WILL NOT BE CONDUCTED.**

At 4:12 p.m., Mr. Rutherford made a motion to adjourn and continue to March 15<sup>th</sup> at 1 p.m. for a budget work session. Mr. Reed seconded the motion. There being no further discussion, Supervisors approved the motion by vote of acclamation and the meeting adjourned.