

BOARD OF
SUPERVISORS

THOMAS D. HARVEY
North District

ERNIE Q. REED
Central District

JESSE N. RUTHERFORD
East District

J. DAVID PARR
West District

DR. JESSICA LIGON
South District



CANDICE W. MCGARRY
County Administrator

AMANDA B. SPIVEY
Administrative Assistant/
Deputy Clerk

LINDA K. STATON
Director of Finance and
Human Resources

**AGENDA
NELSON COUNTY BOARD OF SUPERVISORS
JULY 9, 2024**

**THE REGULAR MEETING CONVENES AT 2:00 P.M. IN THE
GENERAL DISTRICT COURTROOM AT THE COURTHOUSE IN LOVINGSTON**

I. CALL TO ORDER

- A. Moment of Silence
- B. Pledge of Allegiance

II. PUBLIC COMMENTS

III. CONSENT AGENDA

- A. Resolution – R2024-46 Minutes for Approval
- B. Resolution – R2024-47 Budget Amendment
- C. Resolution – R2024-48 COR Personal Property Tax Refund
- D. Resolution – R2024-49 NCCDF Fee Waivers

IV. RECOGNITION OF RETIRING TREASURER ANGELA HICKS (R2024-50)

V. PRESENTATIONS

- A. VDOT Report
- B. Larkin Property Water and Sewer Capacity Phase I Engineering Report - CHA

VI. NEW & UNFINISHED BUSINESS

- A. Body Worn Camera MOU with Commonwealth Attorney (R2024-51)
- B. Sheriff's Department Requests
 - 1. DCJS Grant for Sheriff's Office Accreditation (R2024-52)
 - 2. Local Constitutional Officer Supplement Policy Amendment (R2024-53)
- C. Authorization of Participation in Kroger Opioid Abatement Settlement (R2024-54)
- D. 2025 Regional Housing Summit Sponsorship Request
- E. FY24-25 Salary and Classification System (R2024-55)
- F. Lovingston Sidewalk Improvements TAP Grant Memorandum of Agreement (R2024-56)

VII. REPORTS, APPOINTMENTS, DIRECTIVES AND CORRESPONDENCE

- A. Reports
 - 1. County Administrator's Report
 - 2. Board Reports
- B. Appointments
- C. Correspondence
- D. Directives

VIII. CLOSED SESSION PURSUANT TO 2.2-3711 (A)(3) & (A)(7)

IX. ADJOURNMENT (AN EVENING SESSION WILL NOT BE CONDUCTED)



BOARD OF SUPERVISORS

THOMAS D. HARVEY
North District

ERNIE Q. REED
Central District

JESSE N. RUTHERFORD
East District

J. DAVID PARR
West District

DR. JESSICA LIGON
South District

CANDICE W. MCGARRY
County Administrator

AMANDA B. SPIVEY
Administrative Assistant/
Deputy Clerk

LINDA K. STATON
Director of Finance and
Human Resources

**RESOLUTION R2024-46
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF MINUTES
(March 18, 2024)**

RESOLVED, by the Nelson County Board of Supervisors that the minutes of said Board meetings conducted on **March 18, 2024** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

Approved: July 9, 2024

Attest: _____, Clerk
Nelson County Board of Supervisors

March 18, 2024

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

Present: 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 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
Sheriff Mark E. Embrey, Nelson County Sheriff's Office
Susan F. Rorrer, Director of Information Systems

I. CALL TO ORDER

Mr. Parr called the continued meeting to order at 1:02 p.m. with four (4) Supervisors present and Mr. Harvey arriving shortly after.

II. FY25 GENERAL FUND BUDGET WORK SESSION (AS TIME ALLOWS)

A. Approval of Anthem Health Insurance Plans and Rates (R2024-18)

Ms. McGarry noted that the Board had some follow up on the Anthem Health Insurance Plans and Rates. She noted the prepared resolution reflected Option 1 that the Board had chosen at their last meeting. She explained that the resolution would make the plan adoption official and would allow staff to proceed with the health insurance renewal process.

Mr. Rutherford moved to adopt **Resolution R2024-18** as presented and Dr. Ligon seconded the motion. There being no further discussion, Supervisors approved the motion unanimously (4-0) by roll call vote and the following resolution was adopted:

RESOLUTION R2024-18
NELSON COUNTY BOARD OF SUPERVISORS
FY25 HEALTH INSURANCE RENEWAL AND ESTABLISHMENT OF RATES

WHEREAS, Nelson County participates in the Local Choice Health Benefits Program and the renewal deadline for the next plan year of July 1, 2024-June 30, 2025 is April 1, 2024, and

WHEREAS, premiums for the next plan year include an increase of 11% for the current Anthem Blue Cross Blue Shield plan offerings;

NOW THEREFORE BE IT RESOLVED, by the Nelson County Board of Supervisors that Nelson County's 2024-2025 health insurance plan year renewal rates be hereby established for active employees and retirees as follows and submitted to Local Choice by the renewal deadline of April 1, 2024:

March 18, 2024

Active Employees	FY25 (July 1, 2024-June 30, 2025)		
<u>Key Advantage 250</u>	Employee	County	Total
Single, Comprehensive	\$ 94.00	\$ 845.00	\$ 939.00
Dual, Comprehensive	\$ 616.00	\$ 1,122.00	\$1,738.00
Family, Comprehensive	\$ 1,167.00	\$1,369.00	\$2,536.00
Single, Preventative	\$ 92.00	\$ 826.00	\$ 918.00
Dual, Preventative	\$ 602.00	\$ 1,097.00	\$ 1,699.00
Family, Preventative	\$ 1,141.00	\$ 1,339.00	\$ 2,480.00

<u>Key Advantage 500</u>	Employee	County	Total
Single, Comprehensive	\$ 85.00	\$ 765.00	\$ 850.00
Dual, Comprehensive	\$ 557.00	\$ 1,015.00	\$ 1,572.00
Family, Comprehensive	\$ 1,056.00	\$ 1,239.00	\$ 2,295.00
Single, Preventative	\$ 83.00	\$ 746.00	\$ 829.00
Dual, Preventative	\$ 544.00	\$ 990.00	\$ 1,534.00
Family, Preventative	\$ 1,031.00	\$ 1,209.00	\$ 2,240.00

<u>High Deductible Health Plan</u>	Employee	County	Total
Single, Comprehensive	-	\$ 686.00	\$ 686.00
Dual, Comprehensive	\$ 402.00	\$ 867.00	\$ 1,269.00
Family, Comprehensive	\$ 803.00	\$ 1,047.00	\$ 1,850.00
Single, Preventative	-	\$ 665.00	\$ 665.00
Dual, Preventative	\$ 390.00	\$ 840.00	\$ 1,230.00
Family, Preventative	\$ 780.00	\$ 1,016.00	\$ 1,796.00

March 18, 2024

Retirees Not Eligible For Medicare (Before County Supplement)	
<u>Key Advantage 250</u>	Retiree
Single, Comprehensive	\$ 939.00
Dual, Comprehensive	\$1,738.00
Family, Comprehensive	\$2,536.00
Single, Preventative	\$ 918.00
Dual, Preventative	\$ 1,699.00
Family, Preventative	\$ 2,480.00

<u>Key Advantage 500</u>	Retiree
Single, Comprehensive	\$ 850.00
Dual, Comprehensive	\$ 1,572.00
Family, Comprehensive	\$ 2,295.00
Single, Preventative	\$ 829.00
Dual, Preventative	\$ 1,534.00
Family, Preventative	\$ 2,240.00

<u>High Deductible Health Plan</u>	Retiree
Single, Comprehensive	\$ 686.00
Dual, Comprehensive	\$ 1,269.00
Family, Comprehensive	\$ 1,850.00
Single, Preventative	\$ 665.00
Dual, Preventative	\$ 1,230.00
Family, Preventative	\$ 1,796.00

Retiree Medicare Plans (Before County Supplement)	
Advantage 65 (Dental & Vision)	\$218.00

B. March 15th Work Session Follow-up

a. Sheriff's Vehicles – Sheriff Embrey

7 Sheriff Vehicles and Equipment

Sheriff Mark Embrey was present to discuss his vehicle requests. He reported that the Sheriff's Office would be fully staffed on May 1st. He reviewed a list of current Sheriff's Office vehicles and indicated that four (4) vehicles would be retained for use as spare vehicles – one (1) Chevy Tahoe K-9 unit, and three (3) Ford Explorers. He noted that five (5) vehicles currently in the fleet were of no use to the Sheriff's Office due to high mileage and other issues. He indicated that he wished to return those vehicles to the County – one (1) Crown Victoria and four (4) Dodge Chargers. He reported that there was a sixth vehicle that he wished to turn over to the County, a Lexus 4-door sedan, which was seized under Asset Forfeiture.

Sheriff Embrey thanked the Board for the additional funding in December to bring on personnel. He noted that they were adequately staffed in the positions needed for levels of supervision. He also thanked the Board for the purchase of the two (2) Amherst County Patrol K-9 units. Sheriff Embrey reported that K-9 Bane was now in use and assigned to K-9 Handler Slate White. He noted that the K-9 program was working out well.

Mr. Rutherford asked how many miles should be expected on a vehicle for active deputies. Sheriff Embrey noted that they expected about 45,000 miles per year on a deputy's vehicle. He indicated that he would be looking at a vehicle replacement schedule of about three (3) years. Mr. Rutherford asked what how many vehicles per year the Sheriff expected to cycle out, with a fully staffed department. Sheriff Embrey indicated that the new norm would be to cycle no less than five (5) vehicles per year. Mr. Rutherford asked if seven (7) vehicles would get them caught up, and then five (5) vehicles every year after that. Sheriff Embrey noted that it would. Sheriff Embrey indicated that they wanted to phase out all sedans and stick with Ford Explorers going forward. He noted that the Explorers had more room and a higher safety rating. He reported that the three (3) vehicles purchased in the previous year under the prior administration were currently in Staunton getting outfitted.

Mr. Rutherford asked the timeframe from procurement to delivery of the vehicle. Sheriff Embrey noted it should be less than 30 to 60 days. He noted they were ordering through the Virginia Sheriffs Association where they could get Chrysler/Dodge through Bedford, or Ford through Sheehy in Richmond. He reiterated their preference for the package through Sheehy with Ford. Mr. Rutherford estimated that it took about one (1) month to get the vehicles outfitted. Sheriff Embrey agreed. He reported that they were ordering their equipment through Tidewater Police Supplies. He noted that they had gone away from Clear Communications since they were so backed up. He reported that they were working with a company in Staunton, AVS, which was created by former Clear employees. He noted that many other agencies in the area were also working with AVS. Sheriff Embrey explained that they went away from Clear, not due to lack of performance, rather they were unable to provide him with a schedule timeline for completing the outfitting, and they were in need of vehicles. He indicated that they still dealt with Clear for radio programming. Sheriff Embrey noted that Clear would come to Nelson to do the radio programming onsite.

March 18, 2024

Mr. Rutherford asked about the radios and whether they would continue with Motorola or go with Harris when the contract was up. Ms. Rorrer noted they were at the point of maintaining the radios and replacing the technology on certain schedules. She indicated that they were discussing and planning for when the County would want to move to a trunked radio system which would give greater capacity for more channels and more separation of different groups. She commented that in order to determine whether it would be cheaper to go with Motorola or Harris, they would have to find out. Ms. McGarry noted that all of the radios they were getting ready to distribute were Motorolas.

Dr. Ligon asked Sheriff Embrey how revenue generation was going. Sheriff Embrey noted he had not seen revenues come through General District Court, but they had been busy and the numbers were phenomenal. He indicated that he would have statistics for arrests, charges and summonses by March 31st. He reported that he would be holding his first town hall on April 3rd at the Nelson Center. Ms. McGarry reported that staff had projected \$

Ms. McGarry noted that budget had included four (4) Sheriff's vehicles. Mr. Rutherford noted if they fully funded the vehicle request, it would be an additional \$192,000 off of the Non-Recurring, which would bring Non-Recurring down from \$400,000 to \$200,000 or so. Ms. McGarry indicated that was correct. Ms. Staton noted that with the change in the Health Insurance, they had \$28,536 in savings that would go back to the Recurring Contingency. Mr. Rutherford asked how much one (1) Sheriff's vehicle would cost. Ms. McGarry noted that a fully equipped vehicle would be about \$65,000. Dr. Ligon asked if Sheriff Embrey needed seven (7) vehicles. Sheriff Embrey indicated that he would like to have seven (7) vehicles. He noted the vehicles that would be turned back over to the County, along with the spare vehicles coming out of regular use. Mr. Parr asked if there was anything on the return vehicle list that may fill either a Motor Pool or ECC First Response Vehicle.

Ms. McGarry noted that the County would use any functioning spare vehicles they got back. She indicated that she did not know if those vehicles were usable beyond the regional area. Sheriff Embrey noted that he could part with any of the vehicles marked to be kept as spares, with the exception of the K-9 Tahoe. Mr. Rutherford indicated that he could see getting closer to five (5) or six (6) vehicles, particularly if they are doing away with the Motor Pool vehicle and ECC Tahoe, with the Sheriff willing to cooperative with staff to fill the gap on the Motor Pool. Mr. Parr noted he was still concerned with the Motor Pool vehicle since it sounded like the ones coming from the Sheriff's Office may not fill the need. Mr. Rutherford asked what the Motor Pool vehicle would be used for. Ms. McGarry explained that the \$40,000 vehicle put in for Motor Pool would be for travel out of the area, and it would be for all County departments to use when needed. She noted that they did still have a 2014 Explorer and she thought it was still in decent shape. She indicated that the Explorer was reserved a lot for various departments.

Dr. Ligon asked if they could allocate a certain number of vehicles to the Sheriff and then circle back for more discussion after they saw the revenues. Ms. McGarry noted the revenues that are reported in court would not be an exact match to the revenue that the County would see. She indicated that there could be opportunities throughout the year where they would be able to make some one-time purchases for vehicles and different things. Mr. Rutherford noted he would be supportive of giving the Sheriff five (5) to six (6) vehicles and then the Sheriff could report back in the summer on revenues and the Board could determine whether they were able to make a one-time purchase. Dr. Ligon commented that the School number was big. Mr. Parr noted they currently had four (4) Sheriff's vehicles in the budget and he asked what the Board wished to do. Dr. Ligon, Mr. Parr, and Mr. Rutherford were all in favor of six (6) vehicles. Ms. McGarry agreed that the School number was big, but those were primarily funded through Recurring funds. She noted that the vehicles would be purchased with Non-Recurring funds that they were covering with one-time carryover from the current fiscal year to the next.

The Board was in consensus for six (6) Sheriff's vehicles.

Mr. Parr asked what the new vehicle funding amount was. Ms. Staton explained that the Sheriff's original request was \$448,000 for seven (7) vehicles. She noted that staff reduced that request by \$192,000 to four (4) vehicles at \$253,068. She reported that with the Board's addition of two (2) more vehicles, it brought the total funding for six (6) vehicles to \$384,000.

Mr. Rutherford asked for the current Non-Recurring funds amount. Ms. Staton reported that Non-Recurring was now \$313,288.

Ms. McGarry asked if vehicles were driven home nightly. Sheriff Embrey noted that they were. Ms. McGarry asked how they were doing with the vehicle idling. Sheriff Embrey commented that if he heard it, he asked them to shut it off, with the exception of the K-9 units. Mr. Parr noted that he was told that the reason for the vehicles left idling was because the radios did not work if they were outside the vehicle. Sheriff Embrey commented that he did not know about the radios. He explained that when the vehicles were off, the laptops disconnected, so when the deputies got back in their vehicles, they had to log everything back in, rather than being able to jump in the car and go when a call came in. Mr. Parr noted he had asked a State Trooper about the idling and that was when he heard about the radios. Sheriff Embrey indicated that the State Troopers used a different radio system. Ms. Rorrer explained that the State Troopers had radios that were dependent upon hitting a vehicular repeater that was in the car.

ECC First Response Vehicle

Ms. McGarry asked if they should return to make changes to the ECC vehicle and the \$40,000 Motor Pool vehicle. She noted it would offset what had just done. Mr. Rutherford noted that they could wait on the ECC vehicle. He suggested Adkins could acquire a retiring Explorer from the Sheriff's Office. The Board was in agreement to remove the ECC First Response Vehicle which provided a savings of \$72,500.

1 Motor Pool Vehicle

Ms. McGarry asked if the Board wanted to discuss the Motor Pool vehicle further. Dr. Ligon suggested they look at the Lexus from the Sheriff's Office. Ms. McGarry reported that the Lexus was older and not in the best shape. Ms. Spivey noted that it had been used by the former Major Cindrick to drive back and forth. Mr. Parr suggested that it may be a good time to put vehicles like that up for bid.

Animal Shelter Roof Replacement

Ms. McGarry reported that they could try and do roof replacement at the Animal Shelter during the current fiscal year, rather than waiting. She noted that since the roof was leaking, they would work to get it replaced sooner. The Board was in agreement to proceed with the roof replacement in the current fiscal year.

Ms. McGarry noted that they may have made up the difference in adding the two (2) Sheriff's vehicles after taking out the roof replacement expense and the ECC vehicle.

Mr. Rutherford asked what the County's total budget was. Ms. McGarry noted that it was about \$49 million.

b. Capital Outlay – Susan Rorrer

The Board discussed the following Capital Outlay items and funded the amounts indicated unless noted otherwise:

IT Network Server Replacement \$30,000

Ms. Rorrer explained that it was a routine server replacement based on the age of the server. She noted that the server operated as the County's domain controller, and it also managed backup processes and stored backup data. She indicated that she replaced the server every five (5) or six (6) years. She noted that it was not just for the hardware, but also the services from the vendor like assistance with configuration and setup of the server. Ms. Rorrer reported that she did not have a formal quote, rather the amount was a rough quote that she had received in past 30 to 60 days.

Circuit Court A/V Replacement \$18,000

Ms. Rorrer reported that the Circuit Court A/V Replacement was driven by the end of life/end of support for what was currently in the courtroom. She noted that the State was looking at two (2) prospective vendors to determine which system they were going to recommend for use in Virginia localities. She indicated that the \$18,000 amount was supposedly a worst case price scenario. She noted that the system did need to be replaced as the manufacturer was no longer supporting the cameras and equipment. She noted that they had managed to maintain a maintenance contract, in the event of serious issues. Ms. Rorrer indicated that they were waiting on the State for guidance, and then the system would need to be replaced.

IT Network Penetration Testing \$21,000

Ms. Rorrer explained that the network penetration testing was currently done annually, but they were looking at a solution where penetration testing and vulnerability scanning would be ongoing rather than just once per year. She noted that the testing and scanning was a requirement of the Local Election Security Standards from the Virginia Department of Elections. Dr. Ligon asked if the vendor was selected by the State. Ms. Rorrer indicated that the annual penetration testing and vulnerability scanning requirement was from the state, noting that there was a lengthy list of requirements from the state. She reported that the County was currently looking at a vendor that they were purchasing off of a procurement contract. Ms. McGarry explained that procurement could be done off of a State contract, or through cooperative procurement, which saved localities the time spent vetting vendors and negotiating the best pricing. Ms. Staton noted that the State allowed them to piggyback off of contracts. Mr. Rutherford asked if staff had recommended the expense. Ms. McGarry noted it was recommended as presented.

Phone System Configuration (Federal Standards) \$10,000

Ms. Rorrer explained that there were two (2) federal laws currently in place, Kari's Law and the Ray Baum Act, which were both related to being able to identify a caller's specific location when using a telephone system in a building. She commented that she believed they should already be doing it, but the County had a new maintenance provider for the phone system that was in the position to help them clean that up and come into compliance. She commented that other than complying with the law, it was a huge thing because they did not want to be in position where they had a delay in finding someone who was having an emergency. Dr. Ligon asked if it was specific to large buildings. Ms. Rorrer noted it was, but in the County's case, they had five (5) sites that were remote from the Courthouse and connected to the phone system by fiber.

Microwave Batteries DC Plant \$98,850

Ms. Rorrer explained that all of the microwave equipment basically all ran on battery power. She noted that commercial power came in and charged the batteries, and rectifiers converted the power to DC and supplied the equipment. She reported that the current DC plant systems were 13 years old and were at end of life and end of support. She noted that they were all put in with the microwave network and, they just

needed to be replaced. She indicated that a lot of the cost associated with the replacement was in the batteries. Mr. Reed asked where they were housed. Ms. Rorrer indicated that they were located at the various tower sites. She referenced Devil's Knob, Sugarloaf, and the Courthouse tower.

Dr. Ligon asked if there were any grants available to help with any of the costs since some of the items were related to state mandates. Ms. Rorrer noted that with the Department of Elections State Mandates, there was a new cyber security grant program. She commented that since its inception, the state had only decided that the first disbursement would be for them to come assess what they think the locality should spend the funds on that they would provide following the assessment. She noted that they had applied for the State to pay for the County to be assessed.

Replace CAD/Mapping Workstation \$6,000

Ms. Rorrer explained that it was the replacement of the computer aided dispatch (CAD) computer in the 911 center. She noted that was what the dispatchers used to track all of their units, calls, statuses, and to input call information. Mr. Rutherford referenced when his home caught on fire. He asked what the timeframe was from when a 911 address was produced to when it went into the CAD system. Ms. Rorrer noted that technically, it could happen fairly quickly. She estimated that once per month they pushed out mapping updates. He noted in the case of his home, his address did not come up in the CAD system. Ms. Rorrer noted that during that window of time, they may not have had a GIS person in that position.

Radio Improvements Wintergreen \$196,000

Ms. Rorrer noted this subject was a little complicated. She explained that Wintergreen had always had their own radio system. She noted that they were having difficulty maintaining their aging system. She indicated that Wintergreen had always relied on hand me down radio consoles from the County. Ms. Rorrer indicated that the County's current hand me down would not be a good solution for Wintergreen as it would be very expensive to install and space was also a limiting factor. She noted that there was also no guarantee as to how long that system would last them. She explained that Wintergreen's current system had more replacement parts available due to people hoarding parts as systems came out of other localities. She indicated that the County's system was more unique, so there were not a lot of spares around. She noted that they had been thinking about how they could spend money to benefit everyone as a whole moving forward, and was not potentially throwing money down the drain. Mr. Harvey suggested that the communications needed to all be the same. Ms. Rorrer commented that this would work towards having that. She explained that it would add two (2) radio console positions, which could potentially be reduced to one (1), except for the fact that they liked to try and maintain Wintergreen as a backup location in the event that the County had to abandon their 911 center. Ms. Rorrer noted that this would allow for someone to be able to operate from the Wintergreen location to carry on the processing of 911 calls and radio communications. She noted that this was the reasoning for the recommendation of the two (2) radio consoles. She explained that they would add the two (2) radio consoles and the County would connect them to the County's radio system over the fiber, rather than connecting them to Wintergreen's old, dying radio system.

Ms. Rorrer then explained that the County currently had base stations installed at that location that allowed Wintergreen to talk on the County's frequency. She noted that the only way that Wintergreen could talk on the County's station, was to have the base station at the gate house. She noted that the radio improvements would allow for the County to move the base stations from the Gate House at Wintergreen to the shelter at the Courthouse, to replace old base stations that the County was using. Ms. Rorrer estimated that \$11,000 of the funds would be used to move the base radios from the Gate House to the shelter at the

March 18, 2024

Courthouse. She noted that about \$176,000 would be the cost of the two (2) radio console positions and connecting them back to the County's 911 center and radio system.

Dr. Ligon asked how often the County updated their radio system. Ms. Rorrer noted it was complicated. She indicated that the radio consoles remained in use until their end of life. She noted that the proposed new consoles were the only way to add console positions for Wintergreen on the County system now. She commented that she thought Wintergreen was on board to just migrate to utilizing the County's radio system. She noted that from an engineering standpoint, she was not sure to what extent. She explained that Wintergreen used the radio for more than just public safety. She noted that all maintenance personnel were on the same system. She pointed out that it was probably more traffic than Nelson wanted to absorb on its existing frequencies.

Ms. Rorrer explained that trunking would allow County to utilize the frequencies they had, but carve out more channels where for example, the bus drivers could have their own channel. She noted that could only happen with trunking and the County was currently on a 1:1 transmit and receive frequency per channel. She reported that the Sheriff had a frequency, Fire and Rescue had a frequency, County Government had a frequency, and Nelson County Operations had a frequency. She noted that they were limited to four (4) frequencies. She indicated that moving to trunking might allow for them to have 50 different talkers that did not hear one another or walk over each other's traffic while they were communicating. Mr. Reed asked if trunking would allow Wintergreen to still have their internal system and then the County's system would deal with 911. Dr. Ligon assumed it would replace their internal system and then they would have a channel for Maintenance. Ms. Rorrer noted that ideally, Wintergreen would share some of the costs, and maybe offset some of the County's costs. She indicated that the question was how much Wintergreen had to contribute to the overall system.

Dr. Ligon asked how much the trunking cost. Ms. Rorrer noted that she had heard it was not as expensive as starting over, but she did not have a number. She commented that she thought trunking was the way for the County to go, noting that there would be some additional functionality and features that they could take advantage of. Ms. Rorrer noted that it would not happen overnight and it would take some planning. She stated that the radio improvements for Wintergreen were not a step where they were wasting money, it would improve things for Wintergreen and take them a little further down the road while they plan for a trunked radio system.

Dr. Ligon asked how long it would take to get information on trunking. She did not like the idea of spending \$196,000 in the next fiscal year and then trunking the following year. She noted that she would like more information. Ms. Rorrer noted that the equipment would still be good with the trunking. She estimated that it would take three (3) years to get trunking in place, and she noted that she did not even have a ballpark range on price. She guessed it could be in the millions of dollars.

Ms. Rorrer noted that they could alternatively choose to purchase one (1) console to put at Wintergreen that would talk to the County's system, or they could ask Wintergreen how much money they would be willing to contribute to offset the cost. Dr. Ligon noted that she liked both of those ideas, and she asked Mr. Rorrer to gather information on trunking. Mr. Reed asked if they were to have a strategic plan for a trunking system that would work, whether they would still need to deal with the cost of the consoles. Ms. Rorrer indicated that they would still need a radio console with a trunked system.

Ms. Rorrer noted that some changes had been made to Wintergreen as it related to what 911 calls they answered and what 911 calls were getting dispatched from Wintergreen partly due to staffing issues. Ms.

McGarry also noted that Wintergreen was having a hard time keeping up with the training and the new protocols for dispatch centers. Dr. Ligon asked for clarification on what the update would provide. Ms. Rorrer explained that Wintergreen would be talking to the County over the fiber and then the base radios would be moved to the Courthouse to allow the County to talk to Wintergreen on their system. Base radio would be moved so WTG could talk to the County on fiber. Dr. Ligon asked whether they were flagging the subject again. She noted that she was inclined to agree to one (1) console. She indicated that she would like to learn more about the trunking. Ms. McGarry noted they would not be wasting money by doing the consoles at \$196,000, and it would improve things until they proceeded with a trunking system. Ms. Rorrer commented that in the 911 world, it was always a bad idea to just have one, noting that it was best to have one and a backup. She noted that with the second console at Wintergreen, if another position was added in the County, that console could be moved to the Courthouse and put into use. Ms. McGarry noted that there were a lot of conversations taking place between County staff and WPOA (Wintergreen Property Owners Association) staff on how to make the EMS communications much better for everyone. Ms. Rorrer noted that Wintergreen was interested in partnering with the County to provide fire and rescue, and police to the County as well. She commented that it was becoming cost prohibitive for Wintergreen to do some of the things that they had historically done. Dr. Ligon asked if Wintergreen had been asked to contribute costs. Ms. McGarry noted those conversations were ongoing with staff.

Mr. Reed suggested they have a plan in place to move to a trunking system, determine the timeframe and costs associated with it, and then discuss a partnership scenario with Wintergreen to accomplish it. Ms. Rorrer indicated she had also considered whether Central Virginia Electric Cooperative would be a good partner on the radios, noting that she did not think they had radios communications throughout the County. Mr. Harvey suggested that they get a group together to determine the needs.

Mr. Parr commented that what he was hearing, was that the trunking option was a separate conversation from the \$196,000. He noted that the \$196,000 was money that would still be well spent, even if they did the trunking system. Ms. Rorrer reiterated that the money would be well spent now, or if they moved to trunking. She noted there were no guarantees that it would not need to be replaced before they got to trunking. Dr. Ligon commented that they still did not know when the current system would age out. Mr. Reed noted that they had never anything that even came close to guarantee on when something was going to age out, it just happened, and it happened when they notified the County that it was at the end of support. Ms. Rorrer noted that the product end of life was to be determined by the manufacturer, which determined when they would need to get on board with a new platform.

Mr. Parr, Mr. Reed, Mr. Rutherford and Mr. Harvey were in consensus to keep the \$196,000 in for the Radio Improvements at Wintergreen. Mr. Rutherford asked what additional information Dr. Ligon may want. He noted that the budget was ongoing and things could be changed or modified later on. She suggested that they needed to have a plan in place to move forward with the upgrades. Mr. Parr noted that they were all in agreement on that. The Board was in consensus to keep the \$196,000 in the budget.

Phone System Upgrade \$7,800

Ms. Rorrer explained that the \$7,800 would allow the County upgrade the phone system to be SIP capable so that they could lease SIP trunks rather than a PRI. She commented that it did not have to be done right away, but it was something that the County needed to position themselves for the future. Ms. Rorrer also noted that the County's current internet service provider (ISP) was Segra. She indicated that the County would be moving to Firefly as an ISP as soon as their contract was up with Segra, which was in a little over a year. Ms. Rorrer explained that the phone system upgrade did not require new equipment, it was licensing and configuration only. Dr. Ligon asked if they would be wasting money if they were making a switch to

March 18, 2024

Firefly in 2025. Ms. Rorrer indicated that it would not. She explained that Firefly would be providing internet only, not phone service. The Board was in consensus to fund as requested.

Department of Elections Security Compliance \$36,900

Ms. Rorrer explained that the request for year three (3) of a contract with Assura that helped the County to comply with local election security standards.

IT Network Event Logging Solution

Ms. Rorrer explained that the IT Network Event Logging Solutions was for compliance with logging requirements as part of the security standards. She noted that the County did not currently keep logs, hardly at all, because they were storage intensive. She commented that there was not enough space to store the logs to the extent that the County's cyber security insurance provider, or the State, would like for the County to maintain. She indicated that the purchase would provide the logging solution as well as the associated storage capacity requirements. Dr. Ligon asked if the new server would store all of the logs. Ms. Rorrer noted that it would possibly be stored on the Cloud. Mr. Rutherford asked to what level was the County providing its own servers and why, as opposed to outsourcing it. Ms. Rorrer noted that they were considering the Cloud more. She explained that previously, the County had preferred to maintain its own servers in house because they were not at risk of being unable to access something if the internet was down and it was also safer. She indicated that they would look more to the Cloud. She noted that she could not currently answer to what extent they could use the Cloud. She expressed concerns that having the County's active directory and domain controller on the Cloud would make the County vulnerable. Mr. Rutherford commented that having the servers maintained by the County made them vulnerable to data breaches. Dr. Ligon commented that it was almost safer in the Cloud. She asked if going to the Cloud would change the cost of the new server. Ms. Rorrer noted she could look into the options of using the Cloud for storage. Ms. Rorrer noted she could look into the options of using the cloud more. Mr. Rutherford noted using the Cloud could remove some liability from the County. Dr. Ligon asked if VACorp would have some suggestions. Dr. Ligon and Mr. Rutherford noted that they both moved their businesses to the Cloud. Mr. Rutherford asked to strongly consider cloud options. Dr. Ligon noted that there would be a few items they would have to spend money on. Ms. McGarry noted that staff could check with VACorp. Ms. McGarry noted that the County's entire financial system was on its own server.

The Board flagged the IT Network Event Logging Solution for \$12,000 for the time being.

BOS Meeting Streaming/Indexing/Transcription Solution

Ms. McGarry noted the meeting streaming solution from Granicus was quoted at \$76,000. Mr. Rutherford asked if they had considered duplicating the School Division's setup for meetings. Ms. Rorrer noted that IT staff had talked with Mike Cargill with the School Division to get some guidance. She noted that Mr. Cargill had a lot of experience with camera work. She noted that they did not have someone on County IT staff that had that knowledge and experience. Mr. Reed noted that Mr. Cargill also staffed the entire meeting.

Mr. Rutherford noted that the TJPDC used Owl Labs which was about \$1,000 for setup. He noted that it had voice detection and a 360 degree camera that turned to the individual speaking. He commented that it did allow for closed captioning. He suggested giving Owl Labs a try. He noted that the quality of the TJPDC meeting online was really good. Mr. Reed noted that sometimes, it did not get the right person on the screen while they were speaking, but otherwise it was pretty seamless.

Dr. Ligon suggested that the Board needed to come up with a list of things they wanted a company to provide and find that company. She asked what the true goal was. Ms. McGarry noted that it had not been driven as much by the Board. She commented that she was not sure how important it was to the Board that the County have an optimal streaming solution for the public. She noted that there had been a few outspoken people from the public that had said it was not a great experience. Mr. Parr asked if the public knew that it cost \$52,000 to set it up and \$21,000 per year to run it. Ms. McGarry noted that they may not know. Ms. Rorrer estimated that less than 10 people were watching the meetings. Mr. Reed commented that the last meeting was better than it had ever been, with having the new board and split screen. The Board was not in favor of funding the \$76,000 for the streaming solution.

Mr. Rutherford noted his only priority was to eliminate the user and allow for some automation using a system like Owl Lab. Ms. Rorrer noted that Granicus had warned against relying on YouTube to store the meeting videos, as they could remove videos due to content. Mr. Rutherford suggested downloading all of the videos. Dr. Ligon commented that if they had the minutes, that was all that was needed. Ms. McGarry confirmed that once they had the minutes, they could technically remove any recordings. Ms. Rorrer suggested that the Board could choose to put a smaller amount of funding in the budget to cover any small improvements to the setup. Mr. Reed commented that it did make sense to hold onto the videos until the minutes were approved. Mr. Rutherford noted that they did not want to actively delete the YouTube videos. Ms. McGarry agreed that she liked keeping the videos, but it did make it subject to FOIA (Freedom of Information Act). She noted that if you had it, you had to provide it; versus if the minutes are completed, they could get rid of the video and recordings that were not required to provide.

Marcus Alert System \$0

Ms. Rorrer explained that she had left \$20,000 in the budget for the Marcus Alert System, just in case there was a desire to proceed with having a mental health database that people could register to. She noted that it allowed for them to be able to track them, and in the event of a 911 call, they would know that person could potentially be there. She indicated that because of the County's population size, they were not required to comply with the small portion of the requirement. Ms. Rorrer commented that she did not see any reason to proceed with the Marcus Alert at the current time. Ms. McGarry commented that the current solution that had been discussed was to maintain a database within the CAD system. Ms. Rorrer noted that to her knowledge, they had not had anyone call wanting to register. The Board was in agreement to remove the \$20,000 for the Marcus Alert system.

IT Microwave Network Upgrade

Ms. Rorrer explained that the electronic elements of the IT Microwave Network System were upgraded last year. She noted during the upgrade, there was a link that failed between the Lovington tower and Hightop. She indicated that after extensive troubleshooting, it was determined that one of the antennas was bad, and there was funding available to replace both antennas and the wave guide. She noted that the proposed upgrade in the next fiscal year was this was to replace the remaining eight (8) antennas and wave guides which were about 13 years old. Dr. Ligon asked if the remaining towers were functioning within the proper parameters. Ms. Rorrer noted that they were currently within tolerance but they would start to have failures. She reported that the microwave carried all of the County's radio traffic and was essential for the Simulcast Radio System, which was where all of the towers broadcast time synced radio traffic. Dr. Ligon asked how long it would take to get an antenna. Ms. Rorrer noted it would probably take about six (6) months to get the antennas, waveguides and a crew to install them. Ms. McGarry commented that she felt that this fell into the guise of being proactive versus reactive. Dr. Ligon asked if all of the equipment was the same age. Ms. Rorrer confirmed that it was all installed as part of the original system. Ms. Staton noted that the cost

was about \$36,600 per antenna. Ms. Rorrer explained there were two (2) antennas per site. Dr. Ligon asked if it was feasible to have spare parts like the antennas and wave guides on hand. Ms. Rorrer noted that it could potentially happen. She indicated that it cost a lot of money to troubleshoot problems. Ms. Rorrer also noted the process to replace the antennas and relicense the frequencies with the FCC took time. Mr. Rutherford asked who installed the antennas. Ms. Rorrer explained that there was currently a contract with the manufacturer, Nokia, who subbed out the work to Backhaul Engineering out of Richmond.

The Board flagged the IT Microwave Network Upgrade at \$292,900 for the time being.

The Board took a brief recess.

Dr. Ligon expressed an interest in Land Use and the evaluation process. She noted some localities evaluate properties annually and the property owners are required to provide proof of land use. She recalled that when completing the forms for Nelson, it was honor based and a Board of people approved it. She noted that she did not have to prove that she made money on cattle, she just had to say how many cows she had. Dr. Ligon indicated in other localities, she even had to provide a copy of the check she received, in addition to applying annually. Ms. McGarry noted that the Board in Nelson did make site visits to verify that what was reported, was there. Dr. Ligon noted a lot of people were exiting the cattle industry. She suggested that if Nelson were to move to annually, the former cattle people may rent out their farms, rather than letting the land sit. She noted that the Saunders had given up beef cattle. She also reported that Bath County just switched to yearly and required proof. Dr. Ligon noted that Buckingham pushed for conservation easements for farmland. Mr. Rutherford noted that conservation easements ran in perpetuity. Ms. McGarry noted Agricultural and Forestal Districts may automatically qualify for land use, but she would have to check.

C. Expenditures Review continued
a. Agencies & Non-Departmental

Staff reviewed the following agency requests with the Board.

- Nelson County EMS Council

Ms. McGarry reported that the EMS Council was requesting an additional \$6,689 in funding for FY25, for a total of \$502,651, which was a 1.35 percent increase from last year. Dr. Ligon commented that when reviewing the disbursements, they were rewarding departments for being least efficient. She noted that Piney River had done a good job in switching their phone and internet over to Firefly to save money, while Roseland had not made any changes and they were paying twice as much, but they were being reimbursed for being least efficient. Ms. McGarry noted that the question of how things were reimbursed was an EMS Council question. She noted that a Fire or EMS only department received a base amount of \$11,000 while a combined Fire & Rescue agency received \$16,500 base amount. She noted that the other expenses shown were the actual expenses submitted from the previous year. Ms. McGarry explained that the County funding was provided in a lump sum to the EMS Council and it was then from there. Mr. Rutherford noted that it was perplexing that there was nearly \$20,000 in telephone expenses alone. He asked if that was just for phones, or possibly cell phones as well. Dr. Ligon noted that Piney River was far more active than Roseland and located just down the road, with a significantly less phone bill. Ms. Spivey noted that Roseland may not have had Firefly in the previous year. Dr. Ligon asked who helped the agencies become more efficient and better run. Mr. Rutherford suggested that the EMS Council may be able to approach Firefly regarding a deal for phone service for each of the agencies.

March 18, 2024

Dr. Ligon asked how Roseland Rescue was paying more for oxygen than Wintergreen. Ms. McGarry indicated that Roseland may pay for oxygen that was stored for other agencies.

Dr. Ligon commented that in 2018 the State came in and evaluated the EMS Council and said they needed to do better. She asked if they had done better. Ms. McGarry noted that Dr. Ligon was referencing the Assessment Report that VDEM (Virginia Department of Emergency Management) did in 2018. She commented that the Board was told that they needed to step in and have better management, but it never happened. She noted that maybe this was the year. Mr. Parr asked why Roseland Rescue's electric bill was so high. Mr. Rutherford noted that the building was highly inefficient. Dr. Ligon commented that by asking these questions, she did not mean that they needed less money, rather someone needed to advocate. Mr. Rutherford suggested that it be brought up to the Council. He noted that he did not know how the insurance portion worked. Dr. Ligon asked if Ms. McGarry would share the report with the rest of the Board. Ms. McGarry noted that she would. Mr. Rutherford noted the other utility costs for each department. He asked when the next meeting of the EMS Council would take place. Mr. Parr noted it was the next evening and he would be there as the Board representative on the Council. Mr. Rutherford asked why each agency got the same base amount. Dr. Ligon noted that Gladstone and Roseland did not really run any rescue calls. Mr. Rutherford asked if they had ambulances. Ms. McGarry noted that they both had rescue squads.

Mr. Harvey commented that they should be able to see who was running the calls. Ms. McGarry noted that John Adkins had the call data. Dr. Ligon noted that she had seen Roseland ambulance at Vito's but she had never seen them answering calls. Ms. McGarry explained that the volunteer squads rotated their equipment into with the Nelson EMS crew, and then they were paid mileage for loaded miles for when their vehicle was used.

Mr. Rutherford asked how the oxygen was handled and whether Rockfish might be getting their oxygen from Wintergreen. Mr. Parr noted that Rockfish did not have an oxygen line in the budget. He asked where that money flowed through. He asked if they were getting oxygen from another department, like Roseland possibly. He commented that the delivery may be going to Rockfish, but the bill was included in the Roseland bill. Ms. McGarry noted that was how she thought it might be working, but she could not swear to it. Mr. Parr noted that he would ask about that at the EMS Council meeting.

The Board decided to return to EMS Council later.

- Nelson County Health Department \$357,637

Ms. McGarry reported that the Health Department asked for \$111 more, which she noted that staff had included in the budget. Dr. Ligon asked if the State funded the Health Department at all. Ms. McGarry noted that they did. Dr. Ligon asked if the State paid rent. Ms. McGarry noted that they paid a portion of the rent, but a lot of it was local. She explained that the Department of General Services (DGS) negotiated the Health Department's lease directly with the property owner they were leasing from. Mr. Rutherford asked what the status of the Health Department was. Ms. McGarry reported that she had spoken to the new Director of the Health Department, Ryan McKay. She noted that Mr. McKay had said that the Heritage Center had been working out financing issues and had told the Health Department that the new move in date was July. Ms. McGarry commented that there was nothing happening at the Heritage Center currently and she thought that the contractor currently being used was waiting to be paid for the work done so far. Ms. McGarry noted that she thought that was about to happen as the financing was now in place. Ms. McGarry noted that Mr. McKay was skeptical of the building being ready in July. She indicated that a meeting was to be scheduled between her, Mr. McKay, DGS and the Heritage Center, to get a better idea on the timeline. Ms. McGarry noted that Mr. McKay had indicated that Blue Ridge Medical had been very

gracious in allowing them to stay as long as needed so far. She noted that a few of Blue Ridge Medical's accounting staff had been moved into the Health Department office area. Ms. McGarry reported that Nelson County's local share was 45 percent and the State's share was 55 percent. The Board was in agreement to fund the Health Department at \$357,637 as requested.

- Region Ten Community Services Board \$150,000

- Piedmont Virginia Community College \$2,117

Ms. McGarry noted that PVCC asked for \$396 less for a total of \$2,117.

- Thomas Jefferson Soil and Water Conservation District (TJSWCD) \$35,089

Ms. McGarry reported that the TJSWCD asked for \$1,022 more, which was a three (3) percent increase.

- Thomas Jefferson Planning District Commission (TJPDC) \$20,912

Ms. McGarry reported that the TJPDC requested a \$290 increase in funds.

- Jefferson Madison Regional Library (JMRL) \$382,965

Ms. McGarry reported that Jefferson Madison Regional Library had an increased request of \$23,395 from FY24. She explained that the increased share to the County's regional costs was \$1,389. She noted that there was an increase to Nelson's costs to run the Bookmobile services of \$490. She then reported that Nelson's local cost increase of \$18,490 included increases to address a local two (2) percent cost of living adjustment for staff, as well as a staff raise of either three (3) percent or five (5) percent, based on years of service. She noted that there was also a 7.9 percent increase in the Library's health insurance costs. Ms. McGarry explained that the increase also reflected the end of the credit that JMRL had provided to help staff with a minimum wage adjustment, the gap in the remaining FY24 was \$3,026. She noted that a lot of the increase involved compensation and health insurance.

- Thomas Jefferson EMS Council

Ms. McGarry reported that the Thomas Jefferson EMS Council had requested an additional \$500 over last year for a total of \$10,500. Mr. Harvey noted they were very important and provided a lot of grants. Ms. McGarry indicated that TJEMS also provided training for the agencies. The Board discussed TJEMS funding again after JABA.

- Jefferson Area Board on Aging (JABA) \$111,904

Ms. McGarry reported that JABA was asking for \$111,904, increase of \$5,329 over last year. She noted that JABA was looking to provide services to 100 more people in the coming year. She reported that JABA was currently serving 500 people. Mr. Reed was in favor of giving what was asked. He noted they had gone a few years at level funding. Dr. Ligon noted the aging population in Nelson and commented that

JABA could provide a lot to citizens in Nelson. Read stats for aging Nelson population. The Board was in favor of funding JABA the additional \$5,329 for a total of \$111,904 as requested.

- Thomas Jefferson EMS Council

Mr. Rutherford noted he had inquired as to how supportive TJEMS had been, and he not gotten good reviews. He commented that when the Board had reduced TJEMS's funding a few years ago, no one ever called to discuss the reduction in funding. Mr. Rutherford stated that he did not want to give them the additional \$500. He did not think that Nelson was getting the \$10,000 worth of support they were paying for. Mr. Harvey commented that they were using it for a good cause. Ms. McGarry reported that TJEMS had requested the additional \$500 due to economic conditions. Mr. Parr noted he would get more information at the Nelson County EMS Council. The Board decided to wait to discuss TJEMS funding until after Mr. Parr brought back additional information from the Nelson County EMS Council meeting.

- JAUNT \$90,179

Ms. McGarry reported that JAUNT had asked for \$13,644 less. She noted that JAUNT had indicated that the reduction was partly due to stabilizing demand, as well as internal operating efficiencies being implemented. She indicated that JAUNT had noted that there could be an opportunity to seek increased services if the County wished to continue the same level of funding. Ms. McGarry noted that she was not sure what JAUNT had in mind when they mentioned the potential for increased or additional services that the County could get. Ms. McGarry noted that she was unsure of the current state of JAUNT and asked whether they had a new Executive Director in place. She noted that Brad Burdette was the Chair of the JAUNT board, but she had not heard whether they hired a replacement. Mr. Reed noted that the TJPDC transportation study work was in process and could be helpful. Dr. Ligon commented that JABA's success hinged on JAUNT operating. Mr. Reed suggested that they could work with JAUNT to see what a proposed increase in services would look like, given the reduction in their request. Ms. McGarry noted they could do that. The Board was in agreement to fund JAUNT as requested.

- MACAA (Monticello Area Community Action Agency)

Ms. McGarry reported that MACAA had asked for \$38,665 which was \$2,665 more than the previous year. Ms. McGarry noted that staff had backed out the additional \$2,665 for the time being. Mr. Parr noted that MACAA had pulled out of the after school program and Head Start. Mr. Reed noted that it was not permanent. He reported that MACAA was having staffing issues. Mr. Parr commented that MACAA was not coming back as MACAA, rather someone else was taking it over and the current employees were having to reapply for their jobs and take about a \$6 per hour pay cut. Mr. Reed noted that the staff were transitioning from part-time to full-time. Mr. Parr noted that the Nelson County School System was having to pay their staff \$40 per hour to go and tutor 13 kids at Rockfish. He noted that MACAA employees were able to file for unemployment during summer break. Mr. Reed noted that MACAA had subbed the work out to another company. Dr. Ligon asked why they should fund MACAA at all if they were not doing anything. Mr. Reed noted that MACAA was looking to end their lease at the Nelson Center and move to Heritage Center which would increase their ability to start a childcare program. Mr. Rutherford noted that MACAA needed to let the Board know what was going on. The Board discussed the services that MACAA was providing to Nelson County. Ms. McGarry noted that MACAA leveraged local funds to get federal funds. Mr. Reed felt they should be supportive of MACAA. Mr. Rutherford noted that MACAA should have reached out to keep the County in the loop. Ms. McGarry suggested they could invite agencies to discuss their budget requests. The Board was in agreement to have Sarah Hanks come to speak.

- Shelter for Help \$8,926
- Foothills Child Advocacy Center \$9,255

Mr. Parr noted that Foothills had an 85 percent increase in their FY25 request. Mr. Rutherford explained that Foothills handled cases where children were victims of bad things, and helped facilitate the intake process in a safe environment. Mr. Parr asked how they came into play with Social Services. Mr. Reed noted that Social Services did not have the ability to do the intake because they did not have the necessary facilities, so Social Services referred cases to Foothills. Mr. Reed noted that the new Social Services building would have intake availability there, so at some point, Social Services would be providing their own intake. Ms. McGarry noted that in FY22, Foothills helped eight (8) Nelson County children who experienced abuse, and provided support for families. She reported that in FY23, that number increased by 250 percent to 28 children. Mr. Parr noted that increase was a direct result of drug use. Ms. McGarry reported that the cost for services was about \$3,085 per child. She noted that Foothills was expecting 30 children in the current fiscal year. Mr. Rutherford was in support of funding the request. The Board was in favor to add the requested \$4,255 in for a total of \$9,255.

- Offender Aid Restoration (OAR) \$12,907

Ms. McGarry reported that OAR had requested a \$1,062 increase in funding. She noted that they were asking for \$550 more for pre-trial services. She also noted that they were requesting a 10 percent increase to provide a cost of living increase, to strive for equitable and comparable compensation for staff. Dr. Ligon asked about OAR's services. Ms. McGarry explained that OAR was mandated to provide pre-trial services and did not have the ability or authority to decline new clients or stop providing services to current referrals from the court. She reported that pre-trial service to Nelson County had more than doubled in the last year. Mr. Rutherford suggested that Dr. Ligon reach out to the Sheriff and Commonwealth Attorney to find out more about OAR. Dr. Ligon noted she could reach out to some people for more information on services provided and report back. Ms. McGarry noted that for local probation, OAR was serving 30 people. Mr. Parr indicated that he was good with the staff recommendation to level fund at \$12,907. The Board was in agreement to level fund at \$12,907. Mr. Parr noted that if Dr. Ligon got more information, they could discuss it. Mr. Reed noted they could bump up the funding if needed.

- Economic Development Authority \$3,100
- Central Virginia Economic Development Partnership \$10,000
- Nelson County Community Development Foundation \$69,661
- Community Investment Collaborative (CVSBDC)

March 18, 2024

Ms. McGarry reported that Community Investment Collaborate CVSBDC had requested \$8,708 in funding for FY25. The Board decided to circle back to discuss this funding later.

- CASA \$3,500

- Gladstone Senior Center Meals \$15,000

Ms. McGarry reported that Gladstone Senior Meals was asking for \$20,000. Dr. Ligon asked where the increase came from. Ms. Staton noted that was what the Board gave to Gladstone last year. Ms. McGarry noted that was because Gladstone had reported that they had around 60 people. Dr. Ligon noted it was packed when she went. She commented that out of the group, there were possibly six (6) Nelson residents there that she knew out of 40 people. She noted that the food was good and she loved their sense of community. She commented that all of the seniors there were connected to Nelson in some way. She noted that the seniors were doing lots of fundraising for the Fire Department, which they admitted was not active. The Board reviewed the Gladstone Senior's and it was noted that the group would have about \$24,000 on hand at the end of FY25. Dr. Ligon noted that she would like to give them \$9,000, which was what was provided in the previous fiscal year. Mr. Reed and Mr. Parr suggested splitting the difference and funding Gladstone at \$15,000. The Board was in consensus to fund Gladstone Senior Meals at \$15,000.

- Rockfish Senior Center Meals \$12,367

Mr. Parr noted the request was an additional \$67. The Board was in favor of funding Rockfish Senior Meals at \$12,367 which included the additional \$67 requested.

- Virginia Institute of Government \$1,000

Ms. McGarry reported that the funds were due paid to the Virginia Institute of Government. She noted that Virginia Institute of Government provided a lot of technical assistance.

- Wintergreen Performing Arts \$9,000

- Habitat for Humanity – Piedmont Region \$2,500

b. Employee Compensation

The Board did not discuss employee compensation.

c. General Fund Transfers

The Board did not discuss General Fund Transfers.

D. Revenue Review

Mr. Rutherford commented that he wanted to keep the current tax rates in this fiscal year, the same going into the next fiscal year, for Real Estate, Personal Property, Machinery and Tools, and Mobile Home tax. Mr. Reed noted that he would like to discuss it further at the next meeting. Mr. Harvey asked when they needed to make a decision. Mr. Rutherford noted that they needed to decide by that Friday. Mr. Reed noted that he wanted to look at the revenue numbers before any decisions were made.

Mr. Parr asked how they were doing with the budget agenda. Ms. McGarry reported that they had gotten through Agencies and Non-Departmental. She noted that they would need to discuss Employee Compensation at some point, as well as General Fund Transfers. She indicated that they had talked about everything except the Social Services budget, Debt Service, and Schools. She noted that they would also need to discuss Revenue. Ms. Staton noted that they did have a few items to revisit as well. Mr. Rutherford noted that the Revenues would be a priority because of the deadlines. Ms. McGarry explained that the deadline was mainly pertaining to how they had to advertise, if there were to be an increase.

III. OTHER BUSINESS (AS MAY BE PRESENTED)

The Board had no other business to discuss.

IV. ADJOURN AND CONTINUE TO MARCH 20, 2024 AT 7 P.M. FOR A PUBLIC HEARING ON THE COMPREHENSIVE PLAN

At 4:12 p.m., Mr. Rutherford moved to adjourn and continue to Wednesday, March 20, 2024 at 7:00 p.m. for a public hearing on the Comprehensive Plan at Nelson County High School. Mr. Reed seconded the motion. There being no further discussion, Supervisors approved the motion by vote of acclamation and the meeting adjourned.



BOARD OF SUPERVISORS

THOMAS D. HARVEY
North District

ERNIE Q. REED
Central District

JESSE N. RUTHERFORD
East District

J. DAVID PARR
West District

DR. JESSICA LIGON
South District

CANDICE W. MCGARRY
County Administrator

AMANDA B. SPIVEY
Administrative Assistant/
Deputy Clerk

LINDA K. STATON
Director of Finance and
Human Resources

RESOLUTION R2024-47
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF FISCAL YEAR 2024-2025 BUDGET
July 9, 2024

I. Appropriation of Funds (General Fund)

	<u>Amount</u>	<u>Revenue Account (-)</u>	<u>Expenditure Account (+)</u>
\$	23,345.00	3-100-002404-0035	4-100-031020-7038
\$	32,233.00	3-100-002404-0035	4-100-031020-7049
\$	8,931.11	3-100-009999-0001	4-100-093100-9203
\$	64,509.11		

II. Supplemental Appropriation of Funds (School Fund)

	<u>Amount</u>	<u>Revenue Account (-)</u>	<u>Expenditure Account (+)</u>
\$	76,070.98	3-205-002404-4070	4-205-064600-6040
\$	52,801.99	3-205-003302-0096	4-205-064600-6040
\$	8,931.11	3-205-004105-0001	4-205-062100-9302
\$	137,804.08		

Adopted: _____

Attest: _____, Clerk
Nelson County Board of Supervisors

EXPLANATION OF BUDGET AMENDMENT

- I. Appropriations are the addition of unbudgeted funds received or held by the County for use within the current fiscal year budget. These funds increase the budget bottom line. The General Fund Appropriations of \$64,509.11 reflect requests of (1) \$23,345.00 appropriation request for FY25 Sheriff's Department SRO (School Resource Officer) State Grant funds awarded for Tye River Elementary School with local cash match of \$46,237.00; (2) \$32,233.00 appropriation request for FY25 Sheriff's Department SRO State Grant funds awarded for Nelson Middle School with local cash match of \$63,842.00; (3) \$8,931.11 to appropriate FY23 School Health Workforce Grant carry-over funds to be transferred to the School Fund for use in FY25. *The total appropriation request for this period is below the 1% of expenditure budget limit of \$735,468.39 for July.***
- II. 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 Supplemental School Fund Appropriations of \$137,804.08 reflect requests of (1) \$76,070.98 appropriation request for FY24 School Safety and Security Grant State funds received in FY24 for use in FY25; (2) \$52,801.99 appropriation request for FY25 School Safety and Security Grant Federal funds awarded for use in FY25; (3) \$8,931.11 appropriation request of FY23 School Health Workforce Grant carry-over funds to the FY25 School Fund budget. *The total appropriation request for this period is below the 1% of expenditure budget limit of \$735,468.39 for July.***



COMMONWEALTH of VIRGINIA

Department of Criminal Justice Services

The Honorable Jackson H. Miller
Director

Tracy Louise Winn Banks, Esq.
Chief Deputy Director

Washington Building
1100 Bank Street
Richmond, Virginia 23219
(804) 786-4000
www.dcjs.virginia.gov

May 30, 2024

Candy McGarry
County Administrator
84 Courthouse Square
Lovingsston, Virginia 22949

RE: 521288-FY25 - School Resource Officer Grants - SRO

Dear Candy McGarry:

Congratulations on being a recipient of the above referenced grant program! Your DCJS grant award number is **25-419-B** and was approved for a total award of **\$69,582**, funded through Award Number **2025-FREE-GRANT**. The project period is **7/1/2024** through **6/30/2025**.

Included with this letter is your Statement of Grant Award/Acceptance (SOGA), Special Conditions, Reporting Requirements, and Projected Due Dates. In addition, there may be "Action Item" Special Conditions related to your grant award called *Encumbrances* that require your immediate attention. If there are any, please submit those documents via the On-line Grants Management System (OGMS) at <https://ogms.dcjs.virginia.gov/>. Additionally, if you cannot access your grant in OGMS, your application may be under negotiation. Please check your email and/or spam for OGMS correspondence and follow up with your DCJS Grant Monitor.

If you have not previously done so, you must register to use this web-based system. The instructions on *Registering for a New Account* and *Submitting Action Item Encumbrances* are posted here <https://www.dcjs.virginia.gov/grants/ogms-training-resources> along with other resources and training videos. All registrants will be approved within 3 – 5 business days.

We will be happy to assist you in any way we can to assure your project's success. To indicate your acceptance of the award and conditions, please sign the included SOGA and return it electronically within the next 60 days to grantsmgmt@dcjs.virginia.gov. If you have questions, contact your DCJS Grant Monitor **Michelle Miles** at **804-225-1846** or via email at **Michelle.Miles@dcjs.virginia.gov**.

Sincerely,

A handwritten signature in black ink, appearing to read "Jackson H. Miller".

Jackson Miller

STATEMENT OF GRANT AWARD (SOGA)

Virginia Department of Criminal Justice Services

1100 Bank Street, 12th Floor

Richmond, Virginia 23219

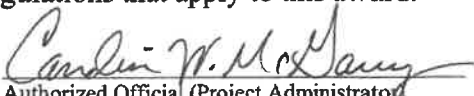
521288-FY25 - School Resource Officer Grants - SRO

Subgrantee:	Nelson
DCJS Grant Number:	25-419-B
Grant Start Date:	7/1/2024
Grant End Date:	6/30/2025
Indirect Cost Rate: _____%	*If applicable

Federal Funds:	
State Special Funds:	\$23,345
Local Match:	<u>\$46,237</u>
 Total Budget:	 \$69,582

Project Director	Project Administrator	Finance Officer
Jeremiah Templeton Lieutenant 94 Courthouse Square Lovingson, Virginia 22949 434-320-9543 jtempleton@nelsoncounty.org	Candy McGarry County Administrator 84 Courthouse Square Lovingson, Virginia 22949 434-263-7001 cmcgarry@nelsoncounty.org	Linda Staton Finance Director 84 Courthouse Square Lovingson, Virginia 22949 434-263-7136 lstaton@nelsoncounty.org

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

Signature: 
 Authorized Official (Project Administrator)

Title: County Administrator

Date: 6/10/2024



COMMONWEALTH of VIRGINIA

Department of Criminal Justice Services

The Honorable Jackson H. Miller
Director

Tracy Louise Winn Banks, Esq.
Chief Deputy Director

Washington Building
1100 Bank Street
Richmond, Virginia 23219
(804) 786-4000
www.dcjs.virginia.gov

May 30, 2024

Candy McGarry
County Administrator
84 Courthouse Square
Lovingston, Virginia 22949

RE: 521288-FY25 - School Resource Officer Grants - SRO

Dear Candy McGarry:

Congratulations on being a recipient of the above referenced grant program! Your DCJS grant award number is **25-1218-F** and was approved for a total award of **\$96,075**, funded through Award Number **2025-FREE-GRANT**. The project period is **7/1/2024** through **6/30/2025**.

Included with this letter is your Statement of Grant Award/Acceptance (SOGA), Special Conditions, Reporting Requirements, and Projected Due Dates. In addition, there may be "Action Item" Special Conditions related to your grant award called *Encumbrances* that require your immediate attention. If there are any, please submit those documents via the On-line Grants Management System (OGMS) at <https://ogms.dcjs.virginia.gov/>. Additionally, if you cannot access your grant in OGMS, your application may be under negotiation. Please check your email and/or spam for OGMS correspondence and follow up with your DCJS Grant Monitor.

If you have not previously done so, you must register to use this web-based system. The instructions on *Registering for a New Account* and *Submitting Action Item Encumbrances* are posted here <https://www.dcjs.virginia.gov/grants/ogms-training-resources> along with other resources and training videos. All registrants will be approved within 3 – 5 business days.

We will be happy to assist you in any way we can to assure your project's success. To indicate your acceptance of the award and conditions, please sign the included SOGA and return it electronically within the next 60 days to grantsmgmt@dcjs.virginia.gov. If you have questions, contact your DCJS Grant Monitor **Michelle Miles** at **804-225-1846** or via email at Michelle.Miles@dcjs.virginia.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Jackson Miller".

Jackson Miller

STATEMENT OF GRANT AWARD (SOGA)

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

521288-FY25 - School Resource Officer Grants - SRO

Subgrantee: Nelson
 DCJS Grant Number: 25-1218-F
 Grant Start Date: 7/1/2024
 Grant End Date: 6/30/2025

Indirect Cost Rate: _____% *If applicable

Federal Funds:
 State Special Funds: **\$32,233**
 Local Match: **\$63,842**

Total Budget: **\$96,075**

Project Director	Project Administrator	Finance Officer
Jeremiah Templeton Lieutenant 94 Courthouse Square Lovingson, Virginia 22949 434-320-9543 jtempleton@nelsoncouty.org	Candy McGarry County Administrator 84 Courthouse Square Lovingson, Virginia 22949 434-263-7001 cmcgarry@nelsoncounty.org	Linda Staton Finance Director 84 Courthouse Square Lovingson, Virginia 22949 434-263-7136 lstaton@nelsoncounty.org

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

Signature: *Candice W. McGarry*
 Authorized Official (Project Administrator)

Title: *County Administrator*

Date: *6/10/2024*

Mrs. Shannon Powell, Trustee
West District

Mrs. Janet Turner-Giles, Trustee
North District

Mrs. Margaret Clair, Vice Chair
Central District



Mr. Ceaser Perkins, Trustee
South District

Mr. George Cheape, Chair
East District

Dr. Amanda C. Hester
Division Superintendent

Nelson County Public Schools

July 3, 2024

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

Dear Mrs. McGarry,

I am writing to request a Supplemental Appropriation from funds carried over from the Fiscal Year 2024 Regular Operating Budget from the Nelson County Board of Supervisors for the following items:

- School Safety and Security Grant – State Funds Received 6/24 in the amount of \$76,070.98 and Federal Funds to be Reimbursed in the amount of \$52,801.99 for a total of \$128,872.98. Funds should be appropriated in Category 64000.
- School Health Workforce Grant – received in FY 23 and carried over until 8/1/24. Balance of grant is \$8,931.11 Funds should be appropriated to Category 62000

The total Supplemental Appropriation Request is \$137,804.09.

I appreciate your consideration of this request.

Respectfully,

A handwritten signature in black ink, appearing to read 'Amanda Hester'.

Amanda Hester, Ed.D.
Division Superintendent

~~From:~~ **School Health Services Workforce Grant (DOE)** <SchoolHealthServicesWorkforce.Grant@doe.virginia.gov>

Date: Fri, Jun 7, 2024, 4:56 PM

Subject: CDC Public Health Workforce Grant Close Out Report

To: School Health Services Workforce Grant (DOE) <SchoolHealthServicesWorkforce.Grant@doe.virginia.gov>

Cc: White, Na-keisha (DOE) <Na-keisha.White@doe.virginia.gov>

, cbreyerbonilla@deloitte.com <cbreyerbonilla@deloitte.com>, Granof, Julie <jgranof@deloitte.com>, White, Tracy (DOE) <Tracy.White1@doe.virginia.gov>

Hello,

As the CDC Public Health Workforce Grant nears the end of its period of performance, all participating school divisions will be required to complete the **Grant Close Out Report Package**. This report is intended to validate the accuracy and timelines of your reported expenditures. Additionally, it allows VDOE to derive insights from your engagement with the grant, encompassing encountered challenges, realized impacts, or noteworthy achievements. You will find the Grant Close Out Report Package attached to this email as a zip file. **All divisions will be using this same template.**

The report package will include:

- 1. The Grant Close Out Report Guidance:** This guidance provides detailed instructions for completing and submitting the Grant Close Out Report. It also includes information on the narrative and certification form. Please read through this guidance carefully to ensure that all steps are followed accurately, and deadlines are met.
- 2. Grant Close Out Narrative Report Form:** VDOE is requesting that school divisions that received funding from the *CDC Public Health Workforce Grant*, prepare and submit a narrative report as part of Grant Close Out Report package, providing information on grant implementation, summarizing accomplishments, overall impact of the grant on your school division, challenges faced, success stories, as well as lessons learned.
- Grant Close Out Cost Certification Form:** This form is designed as a spreadsheet to compile expenditures of funds received over the course of the grant. In this form you will find four tabs: a) Quarterly Report tab for May – August 2024, b) Grant Total Summary, c) Personnel Cost Details, and d) Non-Personnel Details. In addition to this data, the form also serves as a platform for summarizing the activities undertaken during the entire grant period (**July 1, 2021 to August 1, 2024**).

The final deadline to submit your Grant Close Out Report Package is **August 1, 2024**. Please note that all divisions that have received funding under this award must submit the final report.

School Health Services Workforce Grant
Grant balance = \$ 8,931.11



FY 2024 School Safety and Security Grant

The final FY 2024 state budget includes \$18.5 million in state and federal funding for the FY 2024 School Safety and Security Grants for public schools statewide. Detailed grant information is available in the [Guidelines for FY 2024 School Safety and Security Grants](#). Funds awarded for this one-time grant program will be available for use by divisions beyond FY 2024. The awarded grant funds may be used for equipment purchases and installations, software purchases, planning, and on-site training to improve the safety and security of public school buildings, including for purposes not authorized under the existing VPSA-funded School Security Equipment Grants program.

The Virginia Department of Education (VDOE) has awarded each school division base funding of \$50,000. The remainder of grant funds are allocated using various criteria including local composite index, number of school buildings/facilities and school buses, PK-12 enrollment, and data from divisions' responses on the May 2024 school safety survey relating to safety/security components present in schools. School divisions' awarded grant amounts can be found below.

The state funding will be paid to divisions by June 30, 2024, and division expenditures will be reported during FY 2025. School divisions are permitted to carryover and spend their state general fund grant allocation during FY 2025 and should complete expenditures of their general fund grant allocation by June 30, 2025. To ensure appropriate use of the state fund allocation, school division superintendents will submit a periodic Expenditure Certification Form to the VDOE Office of Support Services during FY 2025. School divisions' federal fund grant allocation must be obligated by December 31, 2024, and should be fully expended by December 31, 2025. The federal fund grant allocations will be made available on a reimbursement basis using the VDOE's OMEGA grants management application located in the [Single Sign-on Web Systems](#) (SSWS) portal.

Resources

School Divisions Awarded Amounts

[FY 2024 School Safety and Security Grant Allocations](#)

Guidelines for FY 2024 School Safety and Security Grant Program

[Guidelines for FY2024 School Safety and Security Grant Program](#)

Expenditure Certification Form

[Expenditure Certification Form](#)

Virginia Department of Education
 One-time FY 2024 School Safety and Security Grant (Item 136 DDD, Chapter 1, 2024 Sp. Session J)

Total State Funds Portion = \$10,500,000
 Enter Div. Base Amt. = \$50,000
 Remaining State Funds Amt. = \$3,950,000
 Total Federal Funds Portion = \$8,000,000

Div. No.	Division Name	Criteria Data and Point Values										Grant Amounts			
		1 - # Schools	2 - Composite Index	3 - # Buses	4 - Avg. % of Schools w/ Components Present	5 - PK-12 Enrollment	6 - PK-12 Enrollment	Floor State Grant Amount @ \$50,000 Per Division	Additional State Grant Amount	Total State Grant Amount (Project Code AP5E0120)	Federal Grant Amount (Project Code AP545290)	Total State + Federal Grant Amount			
001	ACCOMACK CO	11	0.3413	111	66%	4,726	57	\$50,000.00	\$30,038.61	\$78,038.61	\$56,787.05	\$134,825.65			
002	ALBEMARLE CO	26	0.6387	225	70%	13,935	10	\$50,000.00	\$98,090.04	\$80,990.04	\$62,764.63	\$143,754.67			
003	ALLEGHANY HIGHLANDS	8	0.2800	53	72%	2,835	61	\$50,000.00	\$30,006.23	\$80,006.23	\$60,772.10	\$140,778.33			
004	AMELIA CO	3	0.3652	45	56%	1,606	52	\$50,000.00	\$25,579.08	\$75,579.08	\$51,805.73	\$127,384.81			
005	AMHERST CO	10	0.3048	75	77%	3,965	45	\$50,000.00	\$22,135.74	\$72,135.74	\$44,831.88	\$116,967.62			
006	ARROWAY CO	4	0.2950	20	83%	2,372	50	\$50,000.00	\$24,595.27	\$74,595.27	\$49,813.20	\$124,408.47			
007	ARLINGTON	40	0.8000	179	78%	27,536	58	\$50,000.00	\$28,530.51	\$78,530.51	\$57,783.31	\$136,313.82			
008	AUGUSTA CO	22	0.3751	142	61%	10,144	10	\$50,000.00	\$32,957.66	\$82,957.66	\$66,749.69	\$149,707.35			
009	BATH CO	3	0.8000	15	11%	509	68	\$50,000.00	\$33,449.56	\$83,449.56	\$67,745.95	\$151,195.52			
010	BEDFORD CO	20	0.3132	164	44%	9,061	62	\$50,000.00	\$30,498.13	\$80,498.13	\$61,768.37	\$142,266.50			
011	BLAND CO	2	0.3531	18	44%	783	72	\$50,000.00	\$35,417.19	\$85,417.19	\$71,731.01	\$157,148.19			
012	BOTETOURT CO	12	0.4091	100	34%	4,488	79	\$50,000.00	\$36,892.90	\$86,892.90	\$74,719.80	\$161,612.70			
013	BRUNSWICK CO	5	0.4314	55	38%	1,395	73	\$50,000.00	\$35,909.09	\$85,909.09	\$72,727.27	\$158,636.36			
014	BUCHANAN CO	9	0.2850	69	63%	2,378	61	\$50,000.00	\$30,006.23	\$80,006.23	\$60,772.10	\$140,778.33			
015	BUCKINGHAM CO	7	0.3273	37	40%	1,966	52	\$50,000.00	\$25,579.08	\$75,579.08	\$51,805.73	\$127,384.81			
016	CAMPBELL CO	14	0.2913	116	49%	7,896	90	\$50,000.00	\$44,271.48	\$94,271.48	\$89,663.76	\$183,935.24			
017	CAROLINE CO	7	0.3613	83	49%	4,564	75	\$50,000.00	\$36,892.90	\$86,892.90	\$74,719.80	\$161,612.70			
018	CARROLL CO	10	0.2898	52	77%	3,444	53	\$50,000.00	\$26,070.98	\$76,070.98	\$52,801.99	\$128,872.98			
019	CHARLES CITY CO	2	0.5852	17	67%	930	62	\$50,000.00	\$35,417.19	\$85,417.19	\$71,731.01	\$157,148.19			
020	CHESTERFIELD CO	5	0.2551	53	67%	1,705	61	\$50,000.00	\$30,006.23	\$80,006.23	\$60,772.10	\$140,778.33			
021	CHESTERFIELD CO	66	0.3546	689	55%	64,183	72	\$50,000.00	\$35,417.19	\$85,417.19	\$71,731.01	\$157,148.19			
022	CLARKE CO	5	0.5728	33	51%	1,924	52	\$50,000.00	\$25,579.08	\$75,579.08	\$51,805.73	\$127,384.81			
023	CRAIG CO	2	0.3362	8	50%	470	52	\$50,000.00	\$25,579.08	\$75,579.08	\$51,805.73	\$127,384.81			
024	CULPEPER CO	12	0.3394	119	66%	8,368	62	\$50,000.00	\$30,498.13	\$80,498.13	\$61,768.37	\$142,266.50			
025	CUMBERLAND CO	2	0.3060	18	78%	1,233	42	\$50,000.00	\$20,660.02	\$70,660.02	\$41,843.09	\$112,503.11			
026	DICKENSON CO	4	0.2301	60	58%	1,883	61	\$50,000.00	\$30,006.23	\$80,006.23	\$60,772.10	\$140,778.33			
027	DINWIDDIE CO	8	0.2912	69	50%	4,258	63	\$50,000.00	\$30,990.04	\$80,990.04	\$62,764.63	\$143,754.67			
028	ESSEX CO	3	0.4675	25	78%	1,163	42	\$50,000.00	\$20,660.02	\$70,660.02	\$41,843.09	\$112,503.11			
029	FAIRFAX CO	207	0.6556	1335	36%	180,970	88	\$50,000.00	\$43,287.67	\$93,287.67	\$87,671.23	\$180,958.90			
030	FAUQUIER CO	19	0.5824	182	68%	10,845	62	\$50,000.00	\$30,498.13	\$80,498.13	\$61,768.37	\$142,266.50			
031	FLOYD CO	5	0.3513	58	44%	1,713	73	\$50,000.00	\$27,727.27	\$77,727.27	\$54,535.36	\$132,262.63			
032	FLUVANNA CO	5	0.4027	90	62%	3,372	55	\$50,000.00	\$27,054.79	\$77,054.79	\$54,794.52	\$131,849.32			
033	FRANKLIN CO	14	0.3982	150	56%	6,160	57	\$50,000.00	\$28,038.61	\$78,038.61	\$56,787.05	\$134,825.65			
034	FREDERICK CO	21	0.4141	239	69%	14,172	10	\$50,000.00	\$32,957.66	\$82,957.66	\$66,749.69	\$149,707.35			

035	GILLES CO	6	5	0.2791	20	26	2	48%	50	3,499	5	\$50,000.00	\$40,336.24	\$80,336.24	\$81,693.65	\$172,029.89
036	GLOUCESTER CO	9	5	0.3975	12	87	3	58%	30	5,016	5	\$50,000.00	\$27,054.79	\$77,054.79	\$84,794.52	\$131,849.32
037	GOOCHLAND CO	7	5	0.8000	8	54	3	75%	20	2,572	3	\$50,000.00	\$19,184.31	\$69,184.31	\$38,954.30	\$108,038.61
038	GRAYSON CO	7	5	0.3526	12	36	2	63%	30	1,576	3	\$50,000.00	\$25,579.08	\$75,579.08	\$51,805.73	\$127,384.81
039	GREENE CO	5	5	0.3505	12	57	3	51%	30	2,818	3	\$50,000.00	\$26,070.98	\$76,070.98	\$52,801.99	\$128,672.98
040	GREENSBORO CO	3	5	0.3341	12	32	2	78%	20	2,027	3	\$50,000.00	\$20,660.02	\$70,660.02	\$41,843.09	\$112,503.11
041	HALIFAX CO	11	5	0.3038	12	141	5	74%	30	4,578	5	\$50,000.00	\$28,038.61	\$78,038.61	\$56,787.05	\$134,825.65
042	HANOVER CO	24	10	0.4741	12	272	5	54%	30	16,818	10	\$50,000.00	\$32,997.66	\$82,997.66	\$66,749.69	\$149,707.35
043	HENRICO CO	75	15	0.4297	12	569	5	79%	20	50,464	10	\$50,000.00	\$30,498.13	\$77,054.79	\$54,794.52	\$131,849.32
044	HENRY CO	15	5	0.2179	20	143	5	91%	20	6,938	5	\$50,000.00	\$27,054.79	\$77,054.79	\$54,794.52	\$131,849.32
045	HIGHLAND CO	2	5	0.7745	8	8	2	33%	50	212	3	\$50,000.00	\$33,449.56	\$83,449.56	\$67,745.95	\$151,195.52
046	ISLE OF WIGHT CO	9	5	0.3880	12	69	3	75%	20	5,994	5	\$50,000.00	\$22,135.74	\$72,135.74	\$44,831.88	\$116,987.62
048	KING GEORGE CO	5	5	0.3805	12	67	3	58%	30	4,544	5	\$50,000.00	\$27,054.79	\$77,054.79	\$54,794.52	\$131,849.32
049	KING AND QUEEN CO	3	5	0.4075	12	13	2	78%	20	855	3	\$50,000.00	\$25,579.08	\$75,579.08	\$51,805.73	\$127,384.81
050	KING WILLIAM CO	4	5	0.3063	12	43	2	58%	30	2,106	3	\$50,000.00	\$20,660.02	\$70,660.02	\$41,843.09	\$112,503.11
051	LANCASTER CO	4	5	0.8000	8	31	2	53%	30	1,020	3	\$50,000.00	\$23,611.46	\$73,611.46	\$47,820.67	\$121,432.13
052	LEE CO	11	5	0.1714	20	73	3	68%	30	2,971	3	\$50,000.00	\$35,417.19	\$85,417.19	\$71,731.01	\$157,148.19
053	LOUDOUN CO	100	15	0.5450	12	762	5	71%	20	82,028	10	\$50,000.00	\$23,119.55	\$73,119.55	\$46,824.41	\$119,943.96
054	LOUISIANA CO	6	5	0.5263	12	119	5	87%	20	5,211	5	\$50,000.00	\$39,362.43	\$89,362.43	\$79,701.12	\$169,053.55
055	LUNENBURG CO	4	5	0.2604	20	31	2	25%	50	1,582	3	\$50,000.00	\$35,417.19	\$85,417.19	\$71,731.01	\$157,148.19
056	MADISON CO	5	5	0.4624	12	38	2	42%	50	1,671	3	\$50,000.00	\$35,417.19	\$85,417.19	\$71,731.01	\$157,148.19
057	MATHEWS CO	3	5	0.5453	12	19	2	44%	50	841	3	\$50,000.00	\$35,417.19	\$85,417.19	\$71,731.01	\$157,148.19
058	MECKLENBURG CO	7	5	0.4050	12	122	5	40%	50	3,938	5	\$50,000.00	\$37,876.71	\$87,876.71	\$76,712.33	\$164,589.04
059	MIDDLESEX CO	3	5	0.6324	8	27	2	73%	30	1,226	3	\$50,000.00	\$23,611.46	\$73,611.46	\$47,820.67	\$121,432.13
060	MONTGOMERY CO	20	5	0.4214	12	89	3	54%	30	9,991	10	\$50,000.00	\$28,514.32	\$78,514.32	\$59,775.84	\$139,290.16
062	NELSON CO	4	5	0.5888	12	56	3	67%	30	1,495	3	\$50,000.00	\$36,270.98	\$86,270.98	\$72,801.99	\$158,872.98
063	NEW KENT CO	5	5	0.4244	12	62	3	58%	30	3,536	5	\$50,000.00	\$27,054.79	\$77,054.79	\$54,794.52	\$131,849.32
065	NORTHAMPTON CO	4	5	0.4793	12	49	2	31%	50	1,334	3	\$50,000.00	\$35,417.19	\$85,417.19	\$71,731.01	\$157,148.19
066	NORTHUMBERLAND CO	3	5	0.6971	8	22	2	26%	50	1,633	3	\$50,000.00	\$33,449.56	\$83,449.56	\$67,745.95	\$151,195.52
067	NOTTOWAY CO	5	5	0.2860	20	31	2	78%	20	1,818	3	\$50,000.00	\$24,595.27	\$74,595.27	\$49,813.20	\$124,408.47
068	ORANGE CO	10	5	0.4115	12	73	3	39%	50	5,082	5	\$50,000.00	\$36,892.90	\$86,892.90	\$74,719.80	\$161,612.70
069	PAGE CO	9	5	0.3163	12	67	3	56%	30	3,011	5	\$50,000.00	\$27,054.79	\$77,054.79	\$54,794.52	\$131,849.32
070	PATRICK CO	7	5	0.2511	20	67	3	89%	20	2,379	3	\$50,000.00	\$25,087.17	\$75,087.17	\$50,809.46	\$125,896.64
071	PITTSYLVANIA CO	20	5	0.2511	20	184	5	34%	50	7,861	10	\$50,000.00	\$44,271.48	\$94,271.48	\$89,663.76	\$193,935.24
072	POWhatan CO	5	5	0.5146	12	60	3	53%	56	4,222	5	\$50,000.00	\$27,054.79	\$77,054.79	\$54,794.52	\$131,849.32
073	PRINCE EDWARD CO	5	5	0.3644	12	52	3	29%	50	1,816	3	\$50,000.00	\$35,909.09	\$85,909.09	\$72,727.27	\$158,636.36
074	PRINCE GEORGE CO	8	5	0.2404	20	84	3	79%	20	6,181	5	\$50,000.00	\$26,070.98	\$76,070.98	\$52,801.99	\$128,872.98
075	PRINCE WILLIAM CO	97	15	0.3739	12	917	5	82%	20	90,654	10	\$50,000.00	\$30,498.13	\$80,498.13	\$61,768.37	\$142,286.50
077	PULASKI CO	7	5	0.3366	12	55	3	68%	30	4,361	5	\$50,000.00	\$27,054.79	\$77,054.79	\$54,794.52	\$131,849.32
078	RAPHANNOCK CO	2	5	0.8000	8	16	2	56%	30	774	3	\$50,000.00	\$23,611.46	\$73,611.46	\$47,820.67	\$121,432.13
079	RICHMOND CO	4	5	0.3050	12	22	2	28%	50	1,374	3	\$50,000.00	\$35,417.19	\$85,417.19	\$71,731.01	\$157,148.19
080	ROANOKE CO	28	10	0.3643	12	148	5	78%	20	13,803	10	\$50,000.00	\$28,038.61	\$78,038.61	\$56,787.05	\$134,825.65
081	ROCKBRIDGE CO	7	5	0.4530	12	62	3	73%	30	2,496	3	\$50,000.00	\$26,070.98	\$76,070.98	\$52,801.99	\$128,872.98
082	ROCKINGHAM CO	25	10	0.3679	12	172	5	49%	50	11,570	10	\$50,000.00	\$42,795.77	\$92,795.77	\$86,674.97	\$179,470.73
083	RUSSELL CO	13	5	0.2329	20	60	3	44%	50	3,454	5	\$50,000.00	\$40,828.14	\$90,828.14	\$82,689.91	\$173,518.06
084	SCOTT CO	14	5	0.1893	20	61	3	67%	30	4,274	5	\$50,000.00	\$30,990.04	\$80,990.04	\$62,764.63	\$143,764.67
085	SHERMAN CO	10	5	0.3952	12	114	5	54%	30	5,693	5	\$50,000.00	\$28,038.61	\$78,038.61	\$56,787.05	\$134,825.65



BOARD OF SUPERVISORS

THOMAS D. HARVEY
North District

ERNIE Q. REED
Central District

JESSE N. RUTHERFORD
East District

J. DAVID PARR
West District

DR. JESSICA LIGON
South District

CANDICE W. MCGARRY
County Administrator

AMANDA B. SPIVEY
Administrative Assistant/
Deputy Clerk

LINDA K. STATON
Director of Finance and
Human Resources

**RESOLUTION R2024-48
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF COMMISSIONER OF REVENUE REFUNDS**

RESOLVED, by the Nelson County Board of Supervisors that the following refunds, as certified by the Nelson County Commissioner of Revenue and County Attorney pursuant to §58.1-3981 of the Code of Virginia, be and hereby are approved for payment.

<u>Amount</u>	<u>Tax Category</u>	<u>Payee</u>
\$3,220.16	2021-2023 Personal Property Tax & Vehicle License Fee	Jason A. Lyman & Kristen Audra Atkins 6568 Plank Road Afton, VA 22920

Approved: July 9, 2024

Attest: _____, Clerk
Nelson County Board of Supervisors

COUNTY OF NELSON
KIMBERLY T GOFF
COMMISSIONER OF REVENUE
PO BOX 246
LOVINGSTON, VA 22949

Phone: 434-263-7070
Fax: 434-263-7074
Email: kgoff@nelsoncounty.org

June 12, 2024

Mr. J. David Parr, Chairman
Nelson County Board of Supervisors
PO Box 336
Lovington, VA 22949

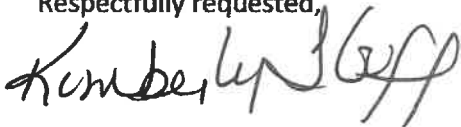
RE: LYMAN JASON A
ATKINS KRISTEN AUDRA
6568 PLANK RD
AFTON VA 22920

RE: 2021 TESLA MODEL Y #6243. VEHICLE IS IN ALBEMARLE BUT WAS INCORRECTLY GARAGED IN NELSON IN DMV.

This letter shall serve as a written request for 2021-2023 personal property tax and vehicle license fee refund in the amount of \$3,220.16 to be issued to the above referenced taxpayer.

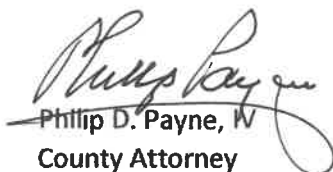
TAX			VLF		
2021	2022	2023	2021	2022	2023
\$1,021.03	\$1,487.35	\$595.53	\$38.75	\$38.75	\$38.75

Respectfully requested,



Kimberly T Goff
Commissioner of Revenue

The undersigned has reviewed the request of the Commissioner and consents to the refund requested above.



Philip D. Payne, IV
County Attorney

Code of Virginia

Title 58.1. Taxation

Subtitle III. Local Taxes

Chapter 39. Enforcement, Collection, Refunds, Remedies and Review of Local Taxes

Article 5. Correction of Assessments, Remedies and Refunds

§ 58.1-3981. Correction by commissioner or other official performing his duties

A. If the commissioner of the revenue, or other official performing the duties imposed on commissioners of the revenue under this title, is satisfied that he has erroneously assessed such applicant with any such tax, he shall correct such assessment. If the assessment exceeds the proper amount, he shall exonerate the applicant from the payment of so much as is erroneously charged if not paid into the treasury of the county or city. If the assessment has been paid, the governing body of the county or city shall, upon the certificate of the commissioner with the consent of the town, city or county attorney, or if none, the attorney for the Commonwealth, that such assessment was erroneous, direct the treasurer of the county, city or town to refund the excess to the taxpayer, with interest if authorized pursuant to § 58.1-3918 or in the ordinance authorized by § 58.1-3916, or as otherwise authorized in that section. However, the governing body of the county, city or town may authorize the treasurer to approve and issue any refund up to \$10,000 as a result of an erroneous assessment.

B. If the assessment is less than the proper amount, the commissioner shall assess such applicant with the proper amount. If any assessment is erroneous because of a mere clerical error or calculation, the same may be corrected as herein provided and with or without petition from the taxpayer. If such error or calculation was made in work performed by others in connection with conducting general assessments, such mistake may be corrected by the commissioner of the revenue.

C. If the commissioner of the revenue, or other official performing the duties imposed on commissioners of the revenue under this title, is satisfied that any assessment is erroneous because of a factual error made in work performed by others in connection with conducting general reassessments, he shall correct such assessment as herein provided and with or without petition from the taxpayer.

D. An error in the valuation of property subject to the rollback tax imposed under § 58.1-3237 for those years to which such tax is applicable may be corrected within three years of the assessment of the rollback tax.

E. A copy of any correction made under this section shall be certified by the commissioner or such other official to the treasurer of his county, city, or town.

F. In any action on application for correction under § 58.1-3980, if so requested by the applicant, the commissioner or other such official shall state in writing the facts and law supporting the action on such application and mail a copy of such writing to the applicant at his last known address.

Code 1950, § 58-1142; 1956, c. 598; 1958, c. 585; 1960, c. 547; 1974, c. 362; 1975, c. 257; 1977, c. 99; 1980, c. 657; 1982, c. 332; 1984, c. 675; 1995, c. 108; 1998, c. 529; 1999, cc. 624, 631, 677; 2020, cc. 240, 644; 2022, c. 286.

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.



BOARD OF
SUPERVISORS

THOMAS D. HARVEY
North District

ERNIE Q. REED
Central District

JESSE N. RUTHERFORD
East District

J. DAVID PARR
West District

DR. JESSICA LIGON
South District

CANDICE W. MCGARRY
County Administrator

AMANDA B. SPIVEY
Administrative Assistant/
Deputy Clerk

LINDA K. STATON
Director of Finance and
Human Resources

RESOLUTION R2024-49
NELSON COUNTY BOARD OF SUPERVISORS
SUPPORT OF HOUSING OPPORTUNITIES-FEE WAIVERS FOR
NELSON COUNTY COMMUNITY DEVELOPMENT FOUNDATION
HOUSING PROJECTS

WHEREAS, historically the County has demonstrated its affirmative support for increasing housing opportunities by working with NCCDF to reduce the cost of housing projects by waiving tipping fees at the transfer station for debris generated by these projects; and

WHEREAS, in addition, the County previously agreed to waive connection (not installation) fees to County-operated water and sewer systems as part of CDBG or other grant-funded projects, and/or allow a 24-month payment period for connection fees on NCCDF-owned property,

NOW THEREFORE BE IT RESOLVED, that in support of increasing housing opportunities, the Nelson County Board of Supervisors does hereby continue to waive tipping fees up to five hundred dollars (\$500.00) at the County transfer station for debris generated by NCCDF projects, and allow a 24-month payment period for connection fees to county-operated water and sewer systems on NCCDF-owned property; and that this support be reviewed for adoption annually at each July meeting of the Board of Supervisors going forward.

Approved: January 9, 2024

Attest: _____, Clerk
Nelson County Board of Supervisors

BOARD OF
SUPERVISORS

THOMAS D. HARVEY
North District

ERNIE Q. REED
Central District

JESSE N. RUTHERFORD
East District

J. DAVID PARR
West District

DR. JESSICA LIGON
South District



CANDICE W. MCGARRY
County Administrator

AMANDA B. SPIVEY
Administrative Assistant/
Deputy Clerk

LINDA K. STATON
Director of Finance and
Human Resources

**RESOLUTION R2024-05
NELSON COUNTY BOARD OF SUPERVISORS
SUPPORT OF HOUSING OPPORTUNITIES-FEE WAIVERS FOR
NELSON COUNTY COMMUNITY DEVELOPMENT FOUNDATION
HOUSING PROJECTS**

WHEREAS, historically the County has demonstrated its affirmative support for increasing housing opportunities by working with NCCDF to reduce the cost of housing projects by waiving tipping fees at the transfer station for debris generated by these projects; and

WHEREAS, in addition, the County previously agreed to waive connection (not installation) fees to County-operated water and sewer systems as part of CDBG or other grant-funded projects, and/or allow a 24-month payment period for connection fees on NCCDF-owned property,

NOW THEREFORE BE IT RESOLVED, that in support of increasing housing opportunities, the Nelson County Board of Supervisors does hereby continue to waive tipping fees up to five hundred dollars (\$500.00) at the County transfer station for debris generated by NCCDF projects, and allow a 24-month payment period for connection fees to county-operated water and sewer systems on NCCDF-owned property; and that this support be reviewed for adoption annually at each July meeting of the Board of Supervisors going forward.

Approved: January 9, 2024

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

BOARD OF
SUPERVISORSTHOMAS D. HARVEY
North DistrictERNIE Q. REED
Central DistrictJESSE N. RUTHERFORD
East DistrictJ. DAVID PARR
West DistrictDR. JESSICA LIGON
South DistrictCANDICE W. MCGARRY
County AdministratorAMANDA B. SPIVEY
Administrative Assistant/
Deputy ClerkLINDA K. STATON
Director of Finance and
Human Resources

RESOLUTION R2024-50
NELSON COUNTY BOARD OF SUPERVISORS
RESOLUTION RECOGNIZING THE COUNTY SERVICE OF
ANGELA F. HICKS

WHEREAS, Mrs. Angela F. Hicks, Treasurer, is retiring as of August 1, 2024 after having served the citizens of Nelson County for more than thirty (30) years; and

WHEREAS, Mrs. Hicks began her employment with the County in the early 1990's working part-time for Parks and Recreation, as well as the Commissioner of Revenue's office, before being hired by Treasurer J. Marvin Davis to work as a part-time office clerk in April 1993. She was then promoted to full-time in 1996, working her way up to Deputy Treasurer III and Chief Deputy I under Treasurer Erma Sue Harris and then was successfully elected as Treasurer of Nelson County in November of 2011; and

WHEREAS, Mrs. Hicks achieved excellence in her role as Treasurer by serving as an active member in the Treasurer's Association of Virginia, serving as the Central District Chair, as well as Chair of the Certification Review Committee. In 2014, Mrs. Hicks attained the designation of Master Governmental Treasurer from UVA's Weldon Cooper Center for Public Education and the Virginia Treasurer's Association, which was the first for the Nelson County Treasurer's Office; and

WHEREAS, under the leadership of Mrs. Hicks, the Nelson County's Treasurer's Office became accredited for the first time in 2015; maintaining that accreditation to date, and with the support of Mrs. Hicks, two of her three Deputy Treasurers have also become certified as Master Governmental Deputy Treasurers; and

WHEREAS, Mrs. Hicks has worked to add more convenient payment options for Nelson County's citizens which include: credit card payment, online payment, and a payment drop box at the Courthouse entry, to serve the citizens outside of regular office hours; and

WHEREAS, Mrs. Hicks has done an excellent job at managing the County's accounts and investments to carefully ensure the County's good standing for years to come;

NOW, THEREFORE, BE IT RESOLVED, that the Nelson County Board of Supervisors does hereby honor Mrs. Angela F. Hicks with great appreciation for her dedicated and steadfast service to Nelson County and its citizens throughout her tenure, and

BE IT FURTHER RESOLVED, that Mrs. Hicks will be missed both personally and professionally and the Board wishes her and her family continued health, happiness, and prosperity upon her well-deserved retirement.

Adopted: July 9, 2024

Attest: _____, Clerk
Nelson County Board of Supervisors



BOARD OF
SUPERVISORS

THOMAS D. HARVEY
North District

ERNIE Q. REED
Central District

JESSE N. RUTHERFORD
East District

J. DAVID PARR
West District

DR. JESSICA LIGON
South District

CANDICE W. MCGARRY
County Administrator

AMANDA B. SPIVEY
Administrative Assistant/
Deputy Clerk

LINDA K. STATON
Director of Finance and
Human Resources

**RESOLUTION R2024-51
NELSON COUNTY BOARD OF SUPERVISORS
INCREASE IN LOCAL FUNDING FOR FY25 BODY WORN CAMERA
MEMORANDUM OF UNDERSTANDING – COMMONWEALTH’S ATTORNEY’S OFFICE**

PREAMBLE:

In 2019, the budget language approved by the 2019 General Assembly (Chapter 854, Item 70) required that localities implementing the use of body worn cameras could provide either: (1) one full-time equivalent entry-level Assistant Commonwealth's Attorney, at a salary no less than that established by the Compensation Board for an entry-level Commonwealth's Attorney, at a rate of one Assistant Commonwealth's Attorney for up to 75 body worn cameras employed for use by local law enforcement officers, and one Assistant Commonwealth's Attorney for every 75 body worn cameras employed for use by local law enforcement officers, thereafter OR (2) with the consent of the Commonwealth's Attorney, a locality may provide their Commonwealth's Attorney's office with additional funding, using a different formula than stated above, as needed to accommodate the additional workload resulting from the requirement to review, redact and present footage from body worn cameras.

WHEREAS, since 2019, in lieu of hiring an additional Assistant Commonwealth’s Attorney, the County and its Commonwealth’s Attorney’s office have maintained a Memorandum of Agreement providing additional local funding to accommodate the additional workload resulting from the requirement to review, redact, and present footage from body worn cameras; and

WHEREAS, the Commonwealth’s Attorney wishes to amend the existing Memorandum of Agreement with the County to increase the amount of local funding provided in FY25 to \$57,318; an increase of \$25,000 from \$32,318, provided pursuant to the FY24 Agreement; and

WHEREAS, beginning July 1, 2024 the minimum Compensation Board salary for another Assistant Commonwealth’s Attorney is \$75,705;

NOW, THEREFORE, BE IT RESOLVED, that in lieu of hiring another Assistant Commonwealth’s Attorney to accommodate the additional workload resulting from the requirement to review, redact, and present footage from body worn cameras, the Nelson County Board of Supervisors does hereby approve the requested increase in local funding of \$25,000 for a total of \$57,318, to be provided as prescribed by the Commonwealth’s Attorney in the FY25 Body Worn Camera Memorandum of Agreement; and

BE IT FURTHER RESOLVED, that the FY25 Memorandum of Agreement be filed as required with the State Compensation Board by the Commonwealth’s Attorney’s office.

Approved: _____

Attest: _____, Clerk
Nelson County Board of Supervisors



OFFICE OF
THE COMMONWEALTH'S ATTORNEY
NELSON COUNTY



COMMONWEALTH'S ATTORNEY
DANIEL L. RUTHERFORD

DEPUTY COMMONWEALTH'S ATTORNEY
ERIK A. LAUB

84 COURTHOUSE SQUARE
POST OFFICE BOX 447
LOVINGSTON, VIRGINIA 22949

ASSISTANT COMMONWEALTH'S ATTORNEY
BENJAMIN A. BELILES

(434) 263-7010 (telephone)
(434) 263-7013 (facsimile)

MEMORANDUM

TO: Mrs. Candy McGarry
Nelson County Administrator

FROM: Nelson County Commonwealth's Attorney

DATE: July 3, 2024

SUBJECT: Body Worn Camera MOU

History: In 2019, the General Assembly passed a bill mandating that each locality fund a full time Assistant Commonwealth's Attorney if a Police Department or Sheriff's Office utilizes body worn cameras. This is in addition to the Assistant Commonwealth's Attorney provided by the Compensation Board. This is required as the footage involved in every case must be reviewed by the Office of the Commonwealth's Attorney if it relates to a criminal charge. In 2019, the Nelson County Sheriff's Office utilized 18 body worn cameras.

At the time, the salary would have been \$56,781.00, which is established by the Compensation Board. On June 11, 2019, I agreed that my office would receive \$25,118.00 in employee supplements in exchange for the County of Nelson not having to fund a full time position, which saved the County over \$31,663.00.

In 2020, the supplement was increased by \$7,200.00 to a total of \$32,318.00, and has remained at that rate.

Current Status. For FY 2025, every locality is still mandated to provide a full time Assistant Commonwealth's Attorney for body worn cameras. As of July 1, 2024, the minimum required salary for an Assistant Commonwealth's Attorney is \$75,705.00.

The current breakdown of the supplements under the current body worn camera MOU are as follows:

00001 ATTY \$0.00 – Commonwealth's Attorney
00002 AAI- \$2,500.00
00003 CPII- \$19,500.00
00004 ATTI- \$0.00
00005 SEC- \$10,718.00

Request: For FY 2025, I am requesting a \$25,000.00 increase to the body worn camera MOU supplement to fund a part-time position. This request would increase the total supplement to \$57,318.00, which is less than the full time salary of \$75,705.00 (not calculated are the savings from not having to pay for insurance and retirement benefits from a full time position).

I have been grateful to the County for the outstanding working relationship we have. My office works diligently to be good stewards of Nelson County taxpayers' money. When I was mobilized in January 2023, the County graciously funded a part-time position, and I successfully worked with the Compensation Board to fully reimburse the County. Additionally, for Fiscal Year 2024, I have transferred \$29,863.29 in unassigned vacancy savings to the County of Nelson.

If you have any questions concerning this Memorandum, please do not hesitate to contact me at my office at 263-7010, or email me at drutherford@nelsoncounty.org. I remain,

Very truly yours,



Daniel L. Rutherford
COMMONWEALTH'S ATTORNEY
NELSON COUNTY

From: [Candy McGarry](#)
To: [Amanda Spivey](#)
Subject: FW: Body Worn Camera ATTI Position
Date: Thursday, June 27, 2024 3:35:33 PM

Amanda,

See below for the July BOS meeting, thanks!

From: Candy McGarry
Sent: Thursday, June 13, 2024 5:13 PM
To: Daniel Rutherford <drutherford@nelsoncounty.org>
Subject: RE: Body Worn Camera ATTI Position

It looks like we won't have an evening session in July – I can present the request but can anyone from your office come in case there are questions that I'm not able to answer? Alternatively, a pre-emptive request letter/memo on the work involved with these BWCs would be good. Thanks!

From: Daniel Rutherford
Sent: Thursday, June 13, 2024 5:01 PM
To: Candy McGarry <CMcGarry@nelsoncounty.org>
Subject: RE: Body Worn Camera ATTI Position

Sounds good, I do have a jury trial on July 9 in Circuit Court. I may need the request to be at the evening session so I can attend.

Daniel

From: Candy McGarry
Sent: Thursday, June 13, 2024 2:57 PM
To: Daniel Rutherford <drutherford@nelsoncounty.org>; Linda Staton <lstaton@nelsoncounty.org>
Subject: RE: Body Worn Camera ATTI Position

Daniel, you must be reading my mind as just the other day I thought about needing an updated BWC agreement for FY25. While I fully understand that this option is still more cost effective than hiring another ATTI and makes financial sense; your request requires additional unbudgeted local funding for your department and will need BOS approval. We can put this on the 2pm agenda for the July 9th meeting for the Board's consideration and I kindly request your presence to review the request with them at the meeting. We'll confirm back to you that we've gotten it scheduled, thanks!

From: Daniel Rutherford
Sent: Thursday, June 13, 2024 2:27 PM
To: Candy McGarry <CMcGarry@nelsoncounty.org>; Linda Staton <lstaton@nelsoncounty.org>
Subject: Body Worn Camera ATTI Position

Candy,

I am working on our BWC funding agreement. I would like to increase it to a total funding of \$57,318.00 with a break down as follows:

00001 ATTY (Rutherford)	- \$0	(unchanged)
00002 AAll (Campbell)	- \$2,500.00	(unchanged)
00003 CPII (Laub)	- \$19,100.00	(unchanged)
00004 ATTI	- \$0	(unchanged)
00005 SEC (Birckhead)	- \$10,718.00	(unchanged)
00006 ATTI (Part-time)	- \$25,000.00	(New)

Total Funding is \$57,318.00

Beginning July 1, 2024, the minimum Compensation Board salary for an Assistant Commonwealth's Attorney (ATTI) is \$75,705, which is up from \$73,500. I am looking at keeping Mr. Benjamin Beliles as a part-time employee. Even with this increase, my request is still below another full time salary of a ATTI which we are entitled to have as the Sheriff's Department utilizes BWC. I am going to continue to pay Mr. Benjamin Beliles with vacancy savings through July, but my 00004 position should be filled by August 1, 2024.

Let me know if you need anything else from me.

Thanks!

Daniel

Daniel L. Rutherford
Nelson County Commonwealth's Attorney
P.O. Box 447
84 Courthouse Square
Lovingston, VA 22949
Tele: (434) 263-7010
Fax: (434) 263-7013

**OVERVIEW OF COMPENSATION BOARD
FY25 BUDGET PRIORITIES AND POLICIES
JUNE 7, 2024**

New Positions, FY25

- **New Positions:**

Additional positions and funding have been approved by the 2024 General Assembly for FY25, as follows:

- 29 new Assistant Commonwealth’s Attorney positions effective July 1, 2024;
- 18 new paralegal positions in Commonwealth’s Attorneys’ offices, funded effective July 1, 2024.

Due to the impact on recent years’ workload data of the pandemic and a freeze on the position reallocation policy in previous years, no constitutional officer programs have funded positions available for reallocation in FY25, except for emergency corrections positions that are reallocated annually based upon changes in jail inmate populations. Based on ongoing changes in jail populations and corrections staffing standards for jail overcrowding, a total of 23 emergency corrections positions will be removed and reallocated in FY25, effective July 1, 2024.

- No jail expansion projects are scheduled for completion in FY25. Jails with positions allocated in FY24 for new or expanded capacity have such positions included in base funding for FY25.

Permanent Salaries, FY25

- **FY25 Salaries:** The FY25 budget provided June 7, 2024, provides the base salary amounts approved for FY25, effective July 1, 2024.
 - These amounts **DO** include across-the-board percentage-based increases approved by the 2024 General Assembly to be provided in the base salaries on July 1, 2024.

Salary Increases during FY25: The 2024 General Assembly has approved salary increases to be effective July 1, 2024 of 3% across-the-board for all constitutional officers and their Compensation Board funded permanent staff positions. Implementation of this increase requires the governing authority to use the increased funds to support salary increases for constitutional officers and their employees, such that localities must provide salary increases of at least 3% of Compensation Board salary levels in FY25 in order to meet legislative intent. The Compensation Board will increase the minimum and maximum salaries of its pay bands for constitutional officer employees by 3% effective July 1, 2024.

There are no performance-based increases approved for FY25. **New Compensation Board base salary amounts effective July 1, 2024 are shown in the June 7 budget.**

- **Automatic Regrades from Grade 7 to 8 for Sworn Deputies and Jail Officers (RBL):** Automatic re-grades from grade 7 to grade 8 for deputy sheriffs and regional jail officers occur on the first of the month on or after the one-year anniversary of the date of hire into a grade 7 position and are accompanied by a 4.56% salary increase.
- **Withholding of Salary increases for Circuit Court Clerks:** Language in the Appropriation Act requires the Compensation Board to withhold across-the-board salary increases from circuit court clerks identified by the Auditor of Public Accounts as having not taken corrective action on internal control matters that could be reasonably expected to lead to the loss of revenues or assets or otherwise compromise fiscal accountability. Such audit findings repeated over multiple audit cycles will result in notification by the Auditor of Public Accounts and subsequent withholding of salary increases. Note that beginning in FY25, the Compensation Board may take into consideration the size of the office of a circuit court clerk and its staffing capacity and determine whether there are extenuating circumstances under which any salary increases should not be withheld. When remediation of such findings is verified by the Auditor of Public Accounts, salary increase amounts withheld will be restored prospectively.

Career Development Programs, FY25

The 2024 General Assembly did not approve additional funding to support further participation in any career development program in FY25. However, salary increases for newly funded participation in FY25 are approved effective July 1, 2024 in some cases where existing funds have accrued through attrition of former funded participants. Salary increases for newly funded participants using existing program funding through attrition are included in the salaries listed in the FY25 budget provided on June 7, 2024.

- **Sheriffs' Career Development Programs:** The Career Development Program includes two tracks: one for sheriffs whose offices are accredited by certain law enforcement standards committees/associations and one for sheriffs achieving certification with Virginia Commonwealth University. For FY25, 49 officers have qualified for the Career Development Program and have received a 9.30% salary increase effective July 1, 2024, including 6 newly funded officers using funds from attrition of former participants. Existing funding is sufficient to fund all Sheriffs newly certified for FY25.
- **Master Deputy/Jail Officer Programs:** Funding is available for participation in the Master Deputy/Jail Officer programs for offices certifying their participation through FY25. For future participation by additional offices, budget language still requires that any office wishing to opt-in to participate in the Master Deputy/Jail Officer programs will need to notify the Compensation Board by July 1 that they have established the Program in their office, recognizing that additional funds will need to be requested for appropriation to the Compensation Board by the General Assembly.
- **Career Prosecutor Program:** Funding is available for current participants in the Career Prosecutor Program. A total of 141 Career Prosecutors continue to be funded in the program in FY25, and 3 new Career Prosecutors are funded in the program in FY25 effective July 1, 2024 through available attrition

savings. Existing funding is insufficient to fund 38 Career Prosecutors newly certified for FY25.

- **Treasurers and Commissioners of the Revenue Career Development Programs:** Funding is available for current participants in the Treasurers and Commissioners of the Revenue’s Career Development Programs. A total of 70 Treasurers and 61 Commissioners continue to be funded in the programs in FY25, and 4 new Treasurers and 4 new Commissioners are funded in the programs in FY25 effective July 1, 2024 through available attrition savings. Existing funding is insufficient to fund 1 Commissioner newly certifying for FY25.
- **Deputy Treasurers and Deputy Commissioners of the Revenue Career Development Programs:** Funding is available for current participants in the Deputy Treasurers and Deputy Commissioners of the Revenue’s Career Development Programs. A total of 204 Deputy Treasurers and 217 Deputy Commissioners continue to be funded in the programs in FY25 and 19 new Deputy Treasurers and 36 new Deputy Commissioners are funded in the program in FY25 effective July 1, 2024 through available attrition savings. Existing funding is insufficient to fund 21 Deputy Treasurers newly certified by their Officers for FY25.
- **Circuit Court Clerks’ Career Development Plan:** Funding is available for current participants in the Circuit Court Clerks’ Career Development Program. A total of 22 Circuit Court Clerks continue to be funded in the program in FY25, and 4 new Circuit Court Clerks are funded in the program in FY25 effective July 1, 2024 through available attrition savings. Existing funding is sufficient to fund all Circuit Court Clerks newly certified for FY25.
- **Deputy Circuit Court Clerks Career Development Plan:** Funding is available for current participants in the Deputy Circuit Court Clerks’ Career Development Program. A total of 157 Deputy Circuit Court Clerks continue to be funded in the program in FY25, and 17 new Deputy Circuit Court Clerks are funded in the program in FY25 effective July 1, 2024 through available attrition savings. Existing funding is insufficient to fund 16 Deputy Circuit Court Clerks newly certified by their Clerk for FY25.

Other Funding Items, FY25

- **Technology Trust Funds:** The 2022 General Assembly approved complete restoration of funds to offset previous general fund budget reductions beginning in FY23 for the general operating budgets of Circuit Court Clerks’ offices; consequently, the Compensation Board will no longer need to utilize a like amount of Technology Trust Funds (TTF) to offset general operating budget reductions from FY24 and beyond.
- **Office Equipment Funding:** No funding has been provided for office equipment in the approved budget for Constitutional Officers for FY25. For Sheriffs and Regional Jails, requests for Livescan/upgrades previously considered by the Compensation Board through the budget approval process will now be considered on an individual basis and presented as a docket request item at the Compensation Board’s regularly scheduled monthly board meetings. Sheriffs and Superintendents are reminded that the Board may

consider one-time transfers of an office's accrued vacancy savings to fund its livescan/upgrade needs. (Note for Clerks: Technology Trust Funds are not a part of your base budget funds and budgeting is handled separately in the months of August and September).

- **Training Events:** Additional allowance funding is not available for the reimbursement of attendance at non-Compensation Board-sponsored training events such as VALECO and the Association's annual meeting. However, attendance at these events is considered a reimbursable expense if funds are available in your budget. All Officers will continue to be reimbursed for the approved travel-related expenses associated with attending Compensation Board-sponsored training events such as Lawful Employment and New Officer Training.

Transfer Policy, FY25

- **Vacancy Savings:** Policies restricting transfers of accumulated vacancy funds to other budget categories for one-time use for all Constitutional Officers are not required for FY25 at this time.
 - Officers who wish to leave permanent positions vacant for the entire fiscal year and transfer the funds to temporary salaries or office expenses should submit their requests to the Compensation Board not later than July 10 for Compensation Board action on July 25. Offices requesting to transfer annual salary amounts for medical and food service contracts must provide information regarding the costs of such contracts. **Offices requesting to transfer annual salary amounts from Behavioral Health Case Manager positions must provide information regarding how these case management services are being provided in the jail with the transferred funds utilized in another budget category.**
- **Turnover:** Turnover funds are not currently restricted and can be used by all offices for restoration to prior base salary amounts for positions with salaries reduced due to previous across-the-board budget reductions, through April 15, 2025 and prior to the May 1 setting of the budget for a subsequent fiscal year.
- **Base transfers:** Base budget transfers of turnover funds to other budgeted categories may be considered under special circumstances in FY25. Base budget transfers within other budget categories can be requested by all offices but require Compensation Board action.
- **One-time transfers:** One-time transfers can be made by all offices as follows:
 - From Vacancy Savings, Temporary or Office Expenses to Equipment (not in the base) but transfers require Compensation Board action;
 - Between Temporary and Office Expenses or from Vacancy savings to one of these categories, not to exceed \$10,000 per month (not in the base); amounts requested for transfer above \$10,000 per month require Compensation Board action.

Other Funding Policies, FY25

- **5% Salary Amount and Transition of 5% VRS Member Contribution to Officer/Employee related to Chapter 822, 2012 Acts of Assembly (SB497 of 2012 General Assembly) – Non-Supplanting Language:** While not a matter of Compensation Board policy, during the reconvened session of the 2013 General Assembly, a Governor’s amendment was approved preventing local governments from using Compensation Board funding to supplant local funds provided for the salaries of constitutional officers and their employees under the provisions of Chapter 822, 2012 Acts of Assembly, who were affected members in service on June 30, 2012. In accordance with the provisions of SB497 from the 2012 Session of the General Assembly (aka Chapter 822, 2012 Acts of Assembly), localities provided a 5% salary increase (unless phasing-in) on July 1, 2012 to constitutional officers and their employees to offset the transition of the payment of the 5% member contribution to VRS for retirement premiums from the locality to the employee. Any Compensation Board funded salary increase funds cannot be used to offset the 5% salary increase amount (or phase-in amount) funded by the locality in association with this VRS contribution change. This language regarding non-supplanting of local funds does not apply to any salary supplement amounts provided by localities that exceed the 5% increase related to the VRS member contribution amount, nor does it apply to employees hired into a Compensation Board funded position after July 1, 2012 (or after July 1, 2010 if “plan 2” employees have been required to pay their own 5% member contribution since that time).
- **Required Data Submissions:** Language was approved by the 2014 General Assembly requiring that all law enforcement agencies receiving funding from the Compensation Board (including local and regional jails) provide the necessary data and meet the necessary data requirements to participate in the Statewide Automated Victim Information and Notification System (SAVIN), administered for the Commonwealth’s jails through the Virginia Center for Policing Innovation.
- **Constitutional Officers’ VRS Retiree Health Care Credit Premium Recovery:** Included in the Appropriation Act for FY25 is continued language requiring that 100% of the unfunded amount of the Compensation Board’s payment for the retiree health care credit premium on behalf of Constitutional Officers and their employees to the Virginia Retirement System be recovered from payments made to localities. The recovery amount is estimated at a statewide total of \$1,705,251 and the Compensation Board is appropriated base funding of just under \$1.71 million in FY25 to pay the difference between the recovery amount and the estimated premium amount of \$3.41 million in FY25. Distribution of the recovery amount for the retiree health care credit is based upon a prorated amount projected for each office based upon prior year actual costs, and does not include recoveries on behalf of Directors of Finance, Regional Jails, or localities not participating in the Virginia Retirement System. Changes in estimated costs for FY25 based upon actual FY25 costs may result in a change to each office’s estimated recovery amount. Each office’s related cost is anticipated to be recovered from the July payroll reimbursement amount prior to fund transfer to the locality.

- **Division of Risk Management Liability Insurance/Surety Bond Premium Recovery:** Included in the Appropriation Act for FY25 is continued language requiring that 100% of the amount of the Compensation Board’s payment for liability insurance and surety bond premiums on behalf of Constitutional Officers and their employees to the Division of Risk Management (DRM) be recovered from payments made to localities. Since FY17, budget language requires that DRM identify premium amounts by office, incorporating factors such as claims history, staffing, and average daily jail populations, and results in a different distribution of premium recovery amounts by office than the previous distribution based upon staffing levels. For FY25, the total VARISK general liability premium will remain unchanged, however, every office’s proportion of the total will change somewhat in FY25 based upon these factors; some offices will see an increase in their premium amounts, while other offices will see a decrease. Estimates of the FY25 recovery amounts reflecting these changes were provided on March 22, 2024. Each office’s related cost is anticipated to be recovered from the July payroll reimbursement amount prior to electronic transfer of funds to the locality. However, budget language allows for recoveries to occur in more than one month if necessary.
- **Body Worn Camera Local Funding Language:** The 2019 General Assembly approved language based on a recommendation of the 2018 Body Worn Camera study work group establishing guidelines for staffing requirements by localities for Commonwealth's Attorneys' offices to provide funding to support one Assistant Commonwealth's Attorney for every 75 body worn cameras employed by local law enforcement officers, but allows for any locality to implement alternative staff funding with the consent/agreement of the Commonwealth's Attorney. Any agreed upon funding formula between the impacted Commonwealth's Attorney and the locality employing body worn cameras shall be filed with the Compensation Board by July 1 of each year and shall remain in effect unless modified by the agreement of both parties until June 30th of the following year. Additional information regarding reporting for this requirement for FY25 will be provided in a separate communication.
- **Withholding of Reimbursements:** Language in the Appropriation Act provides that the Compensation Board is authorized to withhold reimbursements due the locality for sheriff and jail expenses upon notification from the Superintendent of State Police that there is reason to believe that crime data reported by a locality to the Department of State Police in accordance with §52-28, Code of Virginia, is missing, incomplete or incorrect. Upon subsequent notification by the Superintendent that the data is accurate, the Compensation Board shall make reimbursement of withheld funding due the locality when such corrections are made within the same fiscal year that funds have been withheld.

 - **Withholding language** was also approved by the 2015 General Assembly and amended by the 2016 General Assembly to provide that the Compensation Board is also authorized to withhold reimbursements due the locality for sheriff and jail expenses if a Sheriff fails to self-certify his or her compliance with the information transmittal requirements for the Sex Offender and Crimes Against Minors Registry. Any funds withheld shall be reimbursed once the

Sheriff makes the proper certification regarding compliance when the certification is made within the same fiscal year that funds have been withheld.

- **June Payroll Shift:** Based upon action by the 2002 General Assembly, the Compensation Board's reimbursement cycle for fiscal year payroll and expenses was permanently changed. While the Compensation Board has always reimbursed expenditures one month in arrears, prior to FY02 it included an accelerated schedule in June to reimburse both May and June expenditures prior to the end of the fiscal year. In FY02, localities did not receive a reimbursement for June expenditures. Instead, June 2002 expenditures were reimbursed in the month of July 2002, or the beginning of FY03. In FY03, localities received reimbursements for the months of June through May. Since FY04, this reimbursement schedule has remained the same, with localities receiving reimbursement payments for the months of June through May in the months of July through June. This has not changed the budget cycle for the fiscal year, however, which is still established on a fiscal year cycle, beginning July 1 and ending June 30. Because of this change, officers should keep in mind that expenditures in the month of June of each year will be reimbursed out of budgeted funds available for the following fiscal year and could result in a delay in reimbursement of expenditures in the later months of the fiscal year.

Requests for Additional Compensation Board Funding

- Due to funding limitations, requests for additional funding in any budget category are unlikely to be approved during FY25. The Compensation Board reserves the right to make future budget adjustments as may be necessary to limit expenditures in the case of reduced appropriation balances that emerge at a later date.

Exceptions

- The Compensation Board will consider exceptions to these policies upon written request of Constitutional Officers, Finance Directors or Jail Superintendents.

If you have further questions, please contact a member of the Compensation Board staff:

County Sheriffs – Brian Bennett – 804-225-3443, brian.bennett@scb.virginia.gov;
City Sheriffs and Regional Jails - Donna Foster – 804-225-3435,
donna.foster@scb.virginia.gov;

Commonwealth’s Attorneys and Circuit Court Clerks – Paige Christy – 804-225-3475,
paige.christy@scb.virginia.gov;

Treasurers, Commissioners of the Revenue & Finance Directors – Joan Bailey – 804-225-3351, joan.bailey@scb.virginia.gov;

Clerks’ Technology Trust Funds – Charlotte Lee – 804-225-3366,
charlotte.lee@scb.virginia.gov

All Officers

Bill Fussell – 804-225-3321, william.fussell@scb.virginia.gov

Local Governments

Charlotte Lee – 804-225-3366, charlotte.lee@scb.virginia.gov; or
Robyn de Socio – 804-225-3439, robyn.desocio@scb.virginia.gov

July 21, 2023

Tyrone Nelson, Chairman
Commonwealth of Virginia
Compensation Board
Post Office Box 710
Richmond, Virginia 23218-0710

In re: Report of FY24 Funding to Support Body Worn Camera Workload

Dear Chairman Nelson:

The Commonwealth's Attorney and Nelson County Board of Supervisors, in reference to the above-captioned matter, agree, effective July 1, 2023 as follows:

1. The following full-time existing positions (as of July 1, 2023) in the Commonwealth's Attorney's office will receive additional salary in FY24 specifically for addressing workload resulting from body worn cameras:

1. 00005 SEC- \$10,718.00
- ii. 00002 AAI- \$2,500.00
- m. 00003 CPII- \$19,100.00
- iv. 00004 CPII- \$0
- v. 00001 **ATTY-\$0**

2. The total funding is **\$32,318.00**. The salary increase generated by such funding shall be in addition to any general pay raise which the Board of Supervisors might approve.

3. The effective date of the additional funding is July 1, 2023.

4. Seventeen (17) body worn cameras will be employed for use by the Nelson County Sheriff's Department in FY24.

5. There is no funding for additional personnel or for part-time or other personnel or non-personnel specifically for addressing workload resulting from body worn cameras.

6. Prior to FY20, there has been no previous funding for the Commonwealth's Attorney's office specifically for addressing workload resulting from body worn cameras.

This agreement shall remain in effect until June 30, 2024, unless modified or amended by written agreement of both parties.

[Signatures on Following Page]



Daniel L. Rutherford
Commonwealth's Attorney



Candice W. McGarry
County Administrator,
for the Board



SHERIFF
M.E. EMBREY

NELSON COUNTY SHERIFF'S OFFICE

An equal opportunity employer
P.O. Box 36, 84 COURTHOUSE SQUARE, LOVINGSTON, VIRGINIA 22949 ~ BUSINESS 434.263.7050 ~ FAX 434.263.7056

V I B

July 3, 2024

To: Nelson County Board of Supervisors
From: Sheriff Mark E. Embrey
RE: July 9th, 2024 BOS Meeting Consideration Requests

Supervisors,

The following correspondence is in reference to (2) separate requests that I respectfully ask you to consider, both of which will greatly benefit our office moving forward.

As each of you are aware, I intend to pursue Accreditation Status for the Nelson County Sheriff's Office through the Virginia Department of Criminal Justice Services (DCJS) under VLEPSC Standards. Neighboring law enforcement agencies such as Albemarle, Augusta, Amherst, and Wintergreen have already achieved this status, so I feel it is imperative that Nelson County reaches this standard as well. It is my intentions to initiate this process prior to December 31, 2024, with optimistic aspirations of reaching this milestone by December 31, 2026. If successful, our office will have a higher likelihood of securing future State and Federal Grant monies which will provide our Department with equipment, training, and other necessities, without draining our annual fiscal budget.

Earlier this year, our office applied for a State Grant through the Virginia Department of Criminal Justice Services that was specific to State Accreditation. This grant provided for 75% Federal Funding with a 25% local cash match. In the application for the grant, I specifically requested funding for:

- 1) A Full-time Employee dedicated solely to the Accreditation Process



SHERIFF
M.E. EMBREY

NELSON COUNTY SHERIFF'S OFFICE

An equal opportunity employer

P.O. BOX 36, 84 COURTHOUSE SQUARE, LOVINGSTON, VIRGINIA 22949 ~ BUSINESS 434.263.7050 ~ FAX 434.263.7056

- 2) A 12-month subscription to Power DMS (A computer software program that aids an agency in the Accreditation Process)
- 3) A computer that would be utilized by the Full-time employee for Accreditation duties and responsibilities.

This grant is only valid for 15 months, with federal funding becoming effective July 1, 2024 and concluding on September 30, 2025.

In early June, I received correspondence from Mr. Jackson Miller, Director of DCJS, confirming that our office was awarded this grant. The total award for the grant received is \$92,156.00, which breaks down to \$69,117 of Federal funding and \$23,039.00 as a local match. The total award fully funds all (3) items that I requested in the previous paragraph. Shortly after receiving Mr. Miller's correspondence, I received a phone call from a representative with DCJS's Accreditation Department who congratulated our office on this grant award. This representative referred me to a local individual whom they felt would be an excellent candidate to assist our agency achieve Accreditation Status, if placed into this awarded position.

On Tuesday, June 4, 2024, I met with the referred candidate, Ms. Jolie Hewitt, at the Nelson County Sheriff's Office. Ms. Hewitt is a rising senior at Liberty University who is pursuing her Bachelor's of Science Degree in Criminal Justice. Ms. Hewitt is presently working in a **Part-Time** capacity as an 'Accreditation Manager' with the Town of Altavista Police Department. With Ms. Hewitt's guidance, the Town of Altavista is nearing Accreditation Status.

Since meeting with Ms. Hewitt on June 4th, I have had several additional conversations with her regarding any assistance she may be able to render to our agency concerning her knowledge of the Accreditation Process. Ms. Hewitt has indicated that she would like to assist the Nelson County Sheriff's Office in the same **Part-Time** capacity that she has been providing her services to the Town of Altavista Police Department. Based upon Ms. Hewitt's collegiate work schedule, she would be available to provide twenty-hours per week to our agency, effective immediately, at an hourly wage of \$18.00. Ms. Hewitt's time would be dedicated to current policy



SHERIFF
M.E. EMBREY

NELSON COUNTY SHERIFF'S OFFICE

An equal opportunity employer

P.O. BOX 36, 84 COURTHOUSE SQUARE, LOVINGSTON, VIRGINIA 22949 ~ BUSINESS 434.263.7050 ~ FAX 434.263.7056

review and re-write, in accordance with VLEPSC Standards. During Ms. Hewitt's 15-month tenure, she will also be tasked with training Ms. Taylor Martin, our Department's current Evidence Technician, on the Accreditation Process and VLEPSC Standards. It is my intentions that at the conclusion of Ms. Hewitt's tenure on September 30th, 2025, Ms. Martin will be fully trained and capable of assuming the role as our Department's Accreditation Manager, while maintaining her current capacity as an Evidence Technician.

On Wednesday, July 3, 2024, I spoke with Ms. Nicole Phelps, Grant Monitor for this specific grant, by telephone. I've explained to Ms. Phelps about our Agency's intentions for filling this awarded grant position with a Part-Time employee, rather than a Full-time employee, as what has been presently awarded. Pursuant to Ms. Phelps's guidance and direction, our office has submitted an 'Amendment' request to DCJS on this date, amending our request from a Full-time employee to a Part-time employee, at an hourly wage of \$18.00, maintaining the local cash match of (25%). At this time, I am awaiting DCJS approval for this request. If approved, a new Statement of Grant Award/Acceptance (SOGA) will be sent to our office for signature.

I firmly believe that Ms. Hewitt's experience will greatly benefit our agency, and her knowledge will help our office meet the goals that I have set forth for this Department. I look forward to answering any and all questions related to this position and my request to have it funded.

My second request is in reference to current County Policy concerning the "Use of Local Supplement Compensation by Constitutional Offices", which is defined by a memorandum dated August 14, 2017. According to Paragraph 3 of this memorandum, 'Local supplement funding' may ***only*** be utilized by Constitutional Officers in the "***Recruitment***" of new employees. I respectfully request the Board to 'reconsider' allowing Constitutional Officers the opportunity to utilize the usage of 'Local supplement funding' for adjustments to the compensation of current employees for the purposes of "***Retention***".



NELSON COUNTY SHERIFF'S OFFICE

An equal opportunity employer

P.O. Box 36, 84 COURTHOUSE SQUARE, LOVINGSTON, VIRGINIA 22949 ~ BUSINESS 434.263.7050 ~ FAX 434.263.7056

SHERIFF
M.E. EMBREY

Retention of employees is one of the most difficult tasks facing Law Enforcement Administrators nationwide. The Nelson County Sheriff's Office is presently fully-staffed, and I have not yet been faced with 'retention' concerns within my first seven months in office. At some point during my tenure, however, I will be presented with a situation where an employee may be seeking to leave the Department for a more financially 'attractive' opportunity at a neighboring agency. In the event that this situation arises, I would like to have the authority as an elected Constitutional Officer, to utilize available 'Local supplement funding' in an attempt to 'Retain' the employee with the agency. This amendment to the current policy, would be a major factor in alleviating any potential, future retention issues.

I humbly and respectfully appreciate any and all consideration that you may provide to each of my requests. I look forward to answering any and all questions related to each.

Very Respectfully,

A handwritten signature in blue ink, appearing to read "Mark E. Embrey".

Mark E. Embrey
Sheriff, Nelson County



BOARD OF SUPERVISORS

THOMAS D. HARVEY
North District

ERNIE Q. REED
Central District

JESSE N. RUTHERFORD
East District

J. DAVID PARR
West District

DR. JESSICA LIGON
South District

CANDICE W. MCGARRY
County Administrator

AMANDA B. SPIVEY
Administrative Assistant/
Deputy Clerk

LINDA K. STATON
Director of Finance and
Human Resources

**RESOLUTION R2024-52
NELSON COUNTY BOARD OF SUPERVISORS
DEPARTMENT OF CRIMINAL JUSTICE SERVICES (DCJS) GRANT ACCEPTANCE
SHERIFF’S DEPARTMENT ACCREDITATION**

WHEREAS, the County has been awarded a grant through the Department of Criminal Justice Services (DCJS) for the Sheriff’s Department pursuit of accreditation status; and

WHEREAS, this grant provides 75% federal funding of \$69,117 and requires a 25% local cash match of \$23,039 for a total of \$92,156, inclusive of a temporary Part-Time position that will end at the conclusion of the grant on September 30, 2025; and

WHEREAS, the local cash match requested of \$23,039 is not currently budgeted in the FY25 budget and therefore requires Board of Supervisors approval; and

WHEREAS, in order to accept the grant, the County Administrator must certify acceptance of the grant including commitment of the required 25% local cash match by signing the DCJS issued Statement of Grant Award (SOGA) within sixty (60) days of DCJS notification (May 24, 2024);

NOW, THEREFORE, BE IT RESOLVED, that upon favorable consideration of Sheriff Embrey’s request for the Board’s commitment of the 25% local cash match of \$23,039, the Nelson County Board of Supervisors hereby authorizes the County Administrator to accept this grant by signing and returning requisite Statement of Grant Award to DCJS, indicating commitment of the said local cash match and adherence to all grant related federal and state laws and regulations.

Approved: _____

Attest: _____, Clerk
Nelson County Board of Supervisors



COMMONWEALTH of VIRGINIA

Department of Criminal Justice Services

The Honorable Jackson H. Miller
Director

Tracy Louise Winn Banks, Esq.
Chief Deputy Director

Washington Building
1100 Bank Street
Richmond, Virginia 23219
(804) 786-4000
www.dcjs.virginia.gov

May 31, 2024

Candy McGarry
County Administrator
84 Courthouse Square
Lovingsston, Virginia 22949

RE: 525887 - Byrne/Justice Assistance Grant Program- Public Safety Based-Programs

Dear Candy McGarry:

Congratulations on being a recipient of the above referenced grant program! Your DCJS grant award number is **528496** and was approved for a total award of **\$92,156**, funded through Award Number(s) **2019-MU-BX-0026, 2020-MU-BX-0035, and/or 15PBJA-21-GG-00258-MUMU**. The project period is **7/1/2024** through **9/30/2025**.

Included with this letter is your Statement of Grant Award/Acceptance (SOGA), Special Conditions, Reporting Requirements, and Projected Due Dates. In addition, there may be "Action Item" Special Conditions related to your grant award called *Encumbrances* that require your immediate attention. If there are any, please submit those documents via the On-line Grants Management System (OGMS) at <https://ogms.dcjs.virginia.gov/>. Additionally, if you cannot access your grant in OGMS, your application may be under negotiation. Please check your email and/or spam for OGMS correspondence and follow up with your DCJS Grant Monitor.

If you have not previously done so, you must register to use this web-based system. The instructions on *Registering for a New Account* and *Submitting Action Item Encumbrances* are posted here <https://www.dcjs.virginia.gov/grants/ogms-training-resources> along with other resources and training videos. All registrants will be approved within 3 – 5 business days.

We will be happy to assist you in any way we can to assure your project's success. To indicate your acceptance of the award and conditions, please sign the included SOGA and return it electronically within the next 60 days to grantsmgmt@dcjs.virginia.gov. If you have questions, contact your DCJS Grant Monitor **Nicole Phelps** at **804-786-1577** or via email at Nicole.Phelps@dcjs.virginia.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Jackson Miller".

Jackson Miller

STATEMENT OF GRANT AWARD (SOGA)

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

525887 - Byrne/Justice Assistance Grant Program- Public Safety Based-Programs
--

Subgrantee:	Nelson		
DCJS Grant Number:	528496		
UEI Number:	XSCRKWJHKVQ5		
Grant Start Date:	7/1/2024	Grant End Date:	9/30/2025
Federal Grant Number:	2019-MU-BX-0026, 2020-MU-BX-0035, and/or 15PBJA-21-GG-00258-MUMU		
Federal Awardee:	BJA		
Federal Catalog Num.:	16.738		
Project Description:	To strengthen Crime Control		
Federal Start Date:	10/01/2018, 10/01/2019, and/or 10/01/2020		
ICR:			

Federal Funds:	\$69,117
State Funds:	
Local Match:	<u>\$23,039</u>
Total Budget:	\$92,156

Project Director	Project Administrator	Finance Officer
Jeremiah Templeton Lieutenant 94 Courthouse Square Lovingson, Virginia 22949 434-320-9543 jtempleton@nelsoncounty.org	Candy McGarry County Administrator 84 Courthouse Square Lovingson, Virginia 22949 434-263-7001 cmcgarry@nelsoncounty.org	Linda Staton Finance Director 84 Courthouse Square Lovingson, Virginia 22949 434-263-7136 lstaton@nelsoncounty.org

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

Signature: _____
Authorized Official (Project Administrator)

Title: _____

Date: _____



BOARD OF
SUPERVISORS

THOMAS D. HARVEY
North District

ERNIE Q. REED
Central District

JESSE N. RUTHERFORD
East District

J. DAVID PARR
West District

DR. JESSICA LIGON
South District

CANDICE W. MCGARRY
County Administrator

AMANDA B. SPIVEY
Administrative Assistant/
Deputy Clerk

LINDA K. STATON
Director of Finance and
Human Resources

**RESOLUTION R2024-53
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF 2017 LOCAL SUPPLEMENT POLICY
FOR CONSTITUTIONAL OFFICES**

WHEREAS, at their August 8, 2017 regular meeting, the Board of Supervisors approved policy changes pertaining to the application of local salary supplements for Constitutional Offices; and

WHEREAS, these changes were further memorialized through the Board's adoption of **Resolution R2017-49** Local Salary Supplements for the Registrar and Constitutional Offices, with one of those changes being to allow Constitutional Offices to utilize local supplement funds, that may become available during the fiscal year due to personnel changes, in the recruitment of new employees during the fiscal year of the vacancy; and

WHEREAS, Sheriff Embrey has requested that the local supplement policy for Constitutional Offices be amended to allow the use of local supplement funds, that may become available during the fiscal year due to personnel changes, in the recruitment of new employees *and also the retention of current employees* during the fiscal year of the vacancy;

NOW, THEREFORE, BE IT RESOLVED, upon favorable consideration of Sheriff Embrey's request, the County's "Salary and Classification System" is hereby amended to incorporate governance of local salary supplements for the Registrar and Constitutional Offices effective immediately as follows:

For the purposes of this amendment, references to the Compensation Board shall also mean the State Board of Elections as it pertains to the salary of the General Registrar. References to Constitutional Officers shall be inclusive of the General Registrar.

Local salary supplements for Constitutional Officers and their full time staff are intended to provide equitable annual salary adjustments for these employees with those of other full time Nelson County personnel. The supplement is subject to annual approval by the Board of Supervisors and shall apply in each year to those employees hired or beginning employment before July 1st of the fiscal year.

The percentage of annual local supplement shall be based on the approved Compensation Board salary in effect on June 30th of the prior fiscal year (Compensation Board and local supplement). In addition to the local supplement percentage calculated on July 1st, prior year supplement amounts in effect on June 30th of the prior fiscal year will be included in the total supplement amount.

Should the annual salary adjustment in the Appropriation Act and approved by the Compensation Board result in greater compensation over the course of the fiscal year than the percentage of salary adjustment approved by the Nelson County Board of Supervisors plus any prior year supplement in effect on June 30th, the salaries of those constitutional employees shall be paid at the salary established by the Compensation Board. Employees who were employed in a full time Compensation Board position on June 30, 2012 and remain in the same position class shall be entitled to maintain the 5% salary adjustment required to offset the reinstatement of the 5% employee contribution payment to the Virginia Retirement System (VRS) mandated in Chapter 822 of the 2012 Acts of Assembly.

Salary adjustments approved by the Compensation Board beyond the annual across-the-board adjustment shall be regarded in the following manner, *unless otherwise stipulated by the Compensation Board*:

- (a) Compensation Board salary adjustments that do not exceed the total annual salary (Compensation Board and local supplement) being paid to the employee will not result in a pay adjustment. In cases where the salary adjustment results in an annual salary greater than the total salary currently being paid, the employee's salary will be adjusted to equal the Compensation Board salary.
- (b) Compensation Board salary adjustments that result in a reduction of the Compensation Board salary, such as in the case of a demotion, will be compensated at the approved Compensation Board salary effective on the date of the Compensation Board salary reduction.

Exceptions:

- (a) Career Development Program participation that results in an increase in Compensation Board approved salary: The increase in salary resulting from such certification shall not result in a decrease of local supplement in effect at the time of the approved salary increase. A copy of the certification must be provided to the governing body.
- (b) Situations where a position or group of positions are no longer funded by the Compensation Board or an across-the-board reduction in funding is applied to Compensation Board salaries: Such situations shall be subject to review and consideration by the Board of Supervisors on a case by case basis.

The impact to local supplement for any other Compensation Board salary adjustment not specifically addressed herein shall be subject to review and approval by the Board of Supervisors on a case by case basis.

Upon termination from employment of a Compensation Board employee with an earned supplement, budgeted supplement funds may be applied to the salaries of new hires as a means of recruitment or to the salaries of existing employees as a means of retention; provided funds are utilized within the fiscal year budget that the vacancy occurs. Such use of supplement funds is subject to review and consent by the designated administrator of the salary and classification system. The designated administrator may elect at their discretion to have the Board of Supervisors consider any particular request for use of supplement funding.

Approved: _____

Attest: _____, Clerk
Nelson County Board of Supervisors



BOARD OF
SUPERVISORS

THOMAS D. HARVEY
North District

LARRY D. SAUNDERS
South District

ALLEN M. HALE
East District

THOMAS H. BRUGUIERE, JR.
West District

CONSTANCE BRENNAN
Central District

STEPHEN A. CARTER
Administrator

CANDICE W. McGARRY
Administrative Assistant/
Deputy Clerk

DEBRA K. McCANN
Director of Finance and
Human Resources

RESOLUTION R2017-49
NELSON COUNTY BOARD OF SUPERVISORS
LOCAL SALARY SUPPLEMENTS FOR THE REGISTRAR
AND CONSTITUTIONAL OFFICES

WHEREAS, Title 15.2-2507 of the Code of Virginia requires a locality to appropriate as part of its annual budget or in amendments thereto amounts for salaries for its constitutional officers that are not less than those established for such offices in the locality by the Compensation Board;

NOW, THEREFORE, BE IT RESOLVED by the Nelson County Board of Supervisors that the local government's "Salary and Classification System" is hereby amended to incorporate governance of local salary supplements for the Registrar and Constitutional Offices as follows:

For the purposes of this amendment, references to the Compensation Board shall also mean the State Board of Elections as it pertains to the salary of the General Registrar. References to Constitutional Officers shall be inclusive of the General Registrar.

Local salary supplements for Constitutional Officers and their full time staff are intended to provide equitable annual salary adjustments for these employees with those of other full time Nelson County personnel. The supplement is subject to annual approval by the Board of Supervisors and shall apply in each year to those employees hired or beginning employment before July 1 of the fiscal year.

The percentage of annual local supplement shall be based on the approved Compensation Board salary in effect on June 30 of the prior fiscal year (Compensation Board and local supplement). In addition to the local supplement percentage calculated on July 1, prior year supplement amounts in effect on June 30 of the prior fiscal year will be included in the total supplement amount.

Should the annual salary adjustment in the Appropriation Act and approved by the Compensation Board result in greater compensation over the course of the fiscal year than the percentage of salary adjustment approved by the Nelson County Board of Supervisors plus any prior year supplement in effect on June 30, the salaries of those constitutional employees shall be paid at the salary established by the Compensation Board. Employees who were employed in a full time Compensation Board position on June 30, 2012 and remain in the same position class shall be entitled to maintain the 5% salary adjustment required to offset the reinstatement of the



BOARD OF
SUPERVISORS

THOMAS D. HARVEY
North District

LARRY D. SAUNDERS
South District

ALLEN M. HALE
East District

THOMAS H. BRUGUIERE, JR.
West District

CONSTANCE BRENNAN
Central District

STEPHEN A. CARTER
Administrator

CANDICE W. McGARRY
Administrative Assistant/
Deputy Clerk

DEBRA K. McCANN
Director of Finance and
Human Resources

5% employee contribution payment to the Virginia Retirement System (VRS) mandated in Chapter 822 of the 2012 Acts of Assembly.

Salary adjustments approved by the Compensation Board beyond the annual across-the-board adjustment shall be regarded in the following manner:

- (a) Compensation Board salary adjustments that do not exceed the total annual salary (Compensation Board and local supplement) being paid to the employee will not result in a pay adjustment. In cases where the salary adjustment results in an annual salary greater than the total salary currently being paid, the employee's salary will be adjusted to equal the Compensation Board salary.
- (b) Compensation Board salary adjustments that result in a reduction of the Compensation Board salary, such as in the case of a demotion, will be compensated at the approved Compensation Board salary effective on the date of the Compensation Board salary reduction.

Exceptions:

- (a) Career Development Program participation that results in an increase in Compensation Board approved salary: The increase in salary resulting from such certification shall not result in a decrease of local supplement in effect at the time of the approved salary increase. A copy of the certification must be provided to the governing body.
- (b) Situations where a position or group of positions are no longer funded by the Compensation Board or an across-the-board reduction in funding is applied to Compensation Board salaries: Such situations shall be subject to review and consideration by the Board of Supervisors on a case by case basis.

The impact to local supplement for any other Compensation Board salary adjustment not specifically addressed herein shall be subject to review and approval by the Board of Supervisors on a case by case basis.



BOARD OF
SUPERVISORS

THOMAS D. HARVEY
North District

LARRY D. SAUNDERS
South District

ALLEN M. HALE
East District

THOMAS H. BRUGUIERE, JR.
West District

CONSTANCE BRENNAN
Central District

STEPHEN A. CARTER
Administrator

CANDICE W. McGARRY
Administrative Assistant/
Deputy Clerk

DEBRA K. McCANN
Director of Finance and
Human Resources

Upon termination from employment of a Compensation Board employee with an earned supplement, budgeted supplement funds may be applied to the salaries of new hires provided funds are utilized within the fiscal year budget that the vacancy occurs. Such use of supplement funds is subject to review and consent by the designated administrator of the salary and classification system. The designated administrator may elect at his discretion to have the Board of Supervisors consider any particular request for use of supplement funding.

Adopted: September 12, 2017

Attest:  Clerk,
Nelson County Board of Supervisors



BOARD OF
SUPERVISORS

THOMAS D. HARVEY
North District

LARRY D. SAUNDERS
South District

ALLEN M. HALE
East District

THOMAS H. BRUGUIERE, JR.
West District

CONSTANCE BRENNAN
Central District

STEPHEN A. CARTER
County Administrator

CANDICE W. MCGARRY
Administrative Assistant/
Deputy Clerk

DEBRA K. MCANN
Director of Finance and
Human Resources

14 August, 2017

To: D. McCann, Director, Finance and HR
From: S. Carter, County Administrator
Re: Personnel (Compensation)

Please be hereby advised of the following actions taken by the Board of Supervisors in session on August 8, 2017:

1. Supplement Policy Related to Certifications Obtained by Constitutional Officers and Employees of Constitutional Officers through the State Compensation Board: The Board approved there will be no reduction in County provided supplemental compensation for increases in compensation that officers and employees of local Constitutional Offices attain through successful completion of state certification programs that result in compensation adjustments through the State Compensation Board. The Board's decision did not include a retroactive provision. As such, this change in the County's supplement policy is effective as of August 8, 2017. However, the Constitutional Officer and employee, who have currently completed state certifications, as of 8-8-17, shall have their previously adjusted County supplemental compensation fully restored and in addition thereto are to receive the full amount of the additional compensation from the State Compensation Board that has been approved and allocated pursuant to their respective completion of state certifications.

2. Supplement Policy Related to Additional Compensation for Sheriff's Department Employees: The Board approved there will be no reduction in County provided supplemental compensation for the employees of the Sheriff's Department, who have been certified by the State Compensation Board to receive additional state compensation (either \$80.00 or \$60.00 per number of years of service certified), effective with the August 2017 pay period.

3. Use of Local Supplement Compensation by Constitutional Offices: The Board approved the use of local supplement compensation funding, which may become available during the fiscal year due to personnel changes, by the County's Constitutional Offices for use "only" in the recruitment of new employees. The Board's approval did not encompass the use of local supplement compensation funding for adjustments to the compensation of current Officers or employees of Constitutional Offices.

4. Amendment/Revision of County's Supplement Policy: Given the Board's decisions, as denoted herein, related to the local Supplement Policy, it will be necessary to amend/revise the policy to address these changes and such additional content, as may also be required, to insure the policy's provisions are clear, concise and easily understood (interpreted). The Department of Finance and HR will work with the County Administrator's office in the drafting of the necessary (required) policy changes so that the amended/revise policy can be presented to the Board for approval consideration, as immediately as possible.

Please advise should you require clarification or additional information on the subject(s) of this communication.

Cc: Board of Supervisors
Constitutional Officers



BOARD OF SUPERVISORS

THOMAS D. HARVEY
North District

ERNIE Q. REED
Central District

JESSE N. RUTHERFORD
East District

J. DAVID PARR
West District

DR. JESSICA LIGON
South District

CANDICE W. MCGARRY
County Administrator

AMANDA B. SPIVEY
Administrative Assistant/
Deputy Clerk

LINDA K. STATON
Director of Finance and
Human Resources

RESOLUTION R2024-54

NELSON COUNTY BOARD OF SUPERVISORS

APPROVAL OF THE COUNTY’S PARTICIPATION IN THE PROPOSED SETTLEMENT OF OPIOID-RELATED CLAIMS AGAINST KROGER AND ITS RELATED CORPORATE ENTITIES, AND DIRECTING THE COUNTY ATTORNEY TO EXECUTE THE DOCUMENTS NECESSARY TO EFFECTUATE THE COUNTY’S PARTICIPATION IN THE SETTLEMENT

WHEREAS, the opioid epidemic that has cost thousands of human lives across the country also impacts the Commonwealth of Virginia and its counties and cities, including the County of Nelson, by adversely impacting the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse services, and other services by Nelson County’s various departments and agencies; and

WHEREAS, the Commonwealth of Virginia and its counties and cities, including Nelson County, have been required and will continue to be required to allocate substantial taxpayer dollars, resources, staff energy and time to address the damage the opioid epidemic has caused and continues to cause the citizens of the Commonwealth and Nelson County; and

WHEREAS, a settlement proposal has been negotiated that will cause Kroger to pay over a billion dollars nationwide to resolve opioid-related claims against it; and

WHEREAS, the County has approved and adopted the Virginia Opioid Abatement Fund and Settlement Allocation Memorandum of Understanding (the “Virginia MOU”), and affirms that this pending settlement with Kroger shall be considered a “Settlement” that is subject to the Virginia MOU, and shall be administered and allocated in the same manner as the opioid settlements entered into previously with opioid distributors McKesson, Cardinal Health, and AmerisourceBergen, opioid manufacturers Janssen Pharmaceuticals, Teva Pharmaceuticals, and Allergan, and retail pharmacy chains CVS, Walgreens, and Walmart;

WHEREAS, the County Attorney has reviewed the available information about the proposed settlement and has recommended that the County participate in the settlement in order to recover its share of the funds that the settlement would provide;

NOW THEREFORE BE IT RESOLVED that the Nelson County Board of Supervisors, this ___ day of _____, 2024, approves of the County’s participation in the proposed settlement of opioid-related claims against Kroger and its related corporate entities, and directs the County Attorney to execute the documents necessary to effectuate the County’s participation in the settlement, including the required release of claims against Kroger.

Adopted: _____, 2024

Attest: _____, Clerk
Nelson County Board of Supervisors

From: [Candy McGarry](#)
To: [Amanda Spivey](#)
Subject: FW: IMPORTANT -- PLEASE READ -- Multistate opioid settlement with Kroger -- Approval and sign-on process
Date: Monday, June 17, 2024 12:52:59 PM
Attachments: [DRAFT RESOLUTION \(June 2024\) for non-litigating cities and counties - Approval of Settlement with Kroger.docx](#)
Importance: High

Amanda,

See below and attached for the July 9th BOS meeting. We can discuss if this is a consent agenda item or new business next week. Thanks!

Candy

From: Beshere, Thomas M. [mailto:TBeshere@oag.state.va.us]
Sent: Friday, June 14, 2024 3:40 PM
To: Beshere, Thomas M. <TBeshere@oag.state.va.us>
Subject: IMPORTANT -- PLEASE READ -- Multistate opioid settlement with Kroger -- Approval and sign-on process

Counsel and Administrators:

On behalf of the Office of the Attorney General of Virginia, I am writing to provide information to you about the multistate opioid settlement that has been reached with the retail pharmacy chain Kroger. By now, you probably have received an initial notice about the settlements from Rubris, the implementation administrator for this settlements. (If you have not received this initial notice, please let me know and I will contact Rubris to make sure they have the correct contact information for your locality.)

You will soon be receiving (possibly as soon as early next week) another notification from Rubris, accompanied by a sign-on form that you will need to complete and submit in order to join and participate in this settlement. The notice from Rubris will include instructions on how to complete and submit the form.

In the meantime, I am attaching a draft resolution for your board or council to approve your locality's participation in the settlement, and authorize a responsible official to complete, sign, and submit the participation form.

Once again, the amount of funds that will flow to Virginia and its localities from the Kroger settlement depends on maximizing participation by as many local government subdivisions as possible. We achieved 100% participation in the previous multistate opioid settlements with opioid distributors McKesson, Cardinal Health, and AmerisourceBergen, opioid manufacturers Johnson & Johnson, Teva, and Allergan, and retail pharmacy chains CVS, Walgreens, and Walmart. We hope to achieve the same 100% participation rate for the Kroger settlement as well.

The deadline for submitting your participation forms is August 12, so please put the attached resolution on the agenda for your next board meeting, then complete and submit the participation forms as soon as possible.

As always, please feel free to contact me directly if you have any questions.

Thank you,
Tom Beshere

Thomas M. Beshere
Assistant Attorney General
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
(804) 823-6335 Office
TBeshere@oag.state.va.us
<http://www.ag.virginia.gov>



Thomas M. Beshere | Assistant Attorney General
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
O: (804) 823-6335 | M: | F:
TBeshere@oag.state.va.us
<https://www.oag.state.va.us>



Regional Vision • Collaborative Leadership • Professional Service

Dylan Bishop
Director of Planning and Zoning
P.O. Box 558
Lovingsston, VA 22949

June 13, 2024

Re: Request for Financial Sponsorship for the
2025 Regional Housing Summit: From Crisis to Solution

Dear Dylan,

I hope this letter finds you well. With gratitude for your previous sponsorship of RHP Summits, I am writing to seek your financial sponsorship for the Central Virginia Regional Housing Partnership's upcoming Housing Summit, scheduled to take place in March of 2025. The first Housing Summit was held in 2019, and focused on the needs related to housing in our region. The second Housing Summit, in 2023, began developing our understanding of the issues. This third Housing Summit will focus on solutions – where are we seeing success around the country, and how might we replicate these opportunities?

As you are aware, housing is a major concern for the residents of Nelson County. Many households pay 30-50% of their income on housing alone, others' homes are aging and becoming dilapidated, and others have trouble finding stable and safe housing at all. Our region desires to attract younger families, professionals, and employers, but struggles to provide the housing and infrastructure for such economic growth.

While the shortage of housing and other issues are clear, the focus of the Regional Housing Summit is to find **solutions that work for our specific communities**, so that in the coming years, we can see the rates of housing challenges decrease. The summit will provide a platform for open dialogue, knowledge sharing, and the creation of actionable strategies to ensure that all residents have access to affordable and secure housing.

To ensure the event's success, we are seeking financial sponsorship from your office. Your support will be crucial in covering the cost of hosting the summit, including attracting high quality speakers, venue rental, refreshments, and promotional materials. Specifically, we are requesting a sponsorship of \$2500, which will greatly assist in ensuring the summit's effectiveness and reach.



Regional Vision ▪ Collaborative Leadership ▪ Professional Service

In return for your generous sponsorship, and depending on what level you are able to fund, we are pleased to offer the following benefits:

Recognition: Your office will be prominently recognized as a key sponsor in all summit materials, including brochures, banners, and the event program.

Promotional Opportunities: Your sponsorship will be acknowledged in all promotional activities, including social media campaigns, press releases, and community outreach efforts.

Complimentary Attendance: Complimentary registration for representatives from your office to attend the summit and engage with other stakeholders.

We believe that the active involvement and financial support of our local government are essential to addressing the housing crisis effectively. Your sponsorship will not only demonstrate a commitment to improving housing conditions but also inspire other organizations to contribute to this vital cause.

Please find attached a sponsorship benefits package for your review. We would be delighted to discuss this further at your convenience and address any questions or suggestions you might have.

Thank you for considering our request for financial sponsorship. We look forward to your positive response and to the possibility of working together to address this critical issue.

Warm regards,

A handwritten signature in black ink, appearing to read "L. Talun".

Laurie Jean Talun, on behalf of the Central Virginia Regional Housing Partnership
Thomas Jefferson Planning District Commission

Sponsorship Amounts:

\$5,000 – Networking Sponsor

- Sponsorship of one meal
- Eight full summit registrations including all meals
- Logo on all summit materials
- Vendor table in pre-function area

\$2,500 - Breakout Sponsor

- Sponsorship of breakout session
- Two full summit registrations including all meals
- Logo on all summit materials
- Vendor table in pre-function area

\$1,000 - Partnership Sponsor

- Sponsorship of breaks
- One full summit registration including all meals
- Logo on all summit materials
- Vendor table in pre-function area

If your organization would like to participate in this event as a sponsor, please complete the enclosed form. If you have any questions, please contact Laurie Jean Talun, the TJPDC Regional Housing and Community Development Grants Manager, at litalun@tjpd.org or (434) 422-4080. We appreciate your consideration and the assistance your organization may offer.



Regional Vision ▪ Collaborative Leadership ▪ Professional Service

Housing Summit: From Crisis to Solution Sponsorship Form

If you are interested in being a sponsor for March's event, please complete the following:

Company or Organization Name: _____

Address: _____
Street

City State Zip Code

Contact Person: _____

Contact Phone: _____

Contact Email: _____

Sponsorship Amount:

- Networking Sponsor (\$5,000)**
- Sponsorship of one meal
 - Eight full summit registrations including all meals
 - Logo on all summit materials
 - Vendor table in pre-function area

- Breakout Sponsor (\$2,500)**
- Sponsorship of breakout session
 - Two full summit registrations including all meals
 - Logo on all summit materials
 - Vendor table in pre-function area

- Partnership Sponsor (\$1000)**
- Sponsorship of breaks
 - One full summit registration including all meals
 - Logo on all summit materials
 - Vendor table in pre-function area

Other Amount _____

Please make checks payable to the **Thomas Jefferson Planning District Commission**.

Once your paperwork is submitted, you will receive an email from Laurie Jean Talun, the TJPDC Regional Housing and Community Development Grants Manager. This email will have instructions on how to submit your company logo for display on all summit materials and registration information. This form can be mailed to:

Thomas Jefferson Planning District Commission
C/O Laurie Jean Talun
PO Box 1505
Charlottesville, VA 22902-1505

Thank you. We sincerely appreciate your support.



BOARD OF SUPERVISORS

THOMAS D. HARVEY
North District

ERNIE Q. REED
Central District

JESSE N. RUTHERFORD
East District

J. DAVID PARR
West District

DR. JESSICA LIGON
South District

CANDICE W. MCGARRY
County Administrator

AMANDA B. SPIVEY
Administrative Assistant/
Deputy Clerk

LINDA K. STATON
Director of Finance and
Human Resources

RESOLUTION R2024-55
NELSON COUNTY BOARD OF SUPERVISORS
FY2024-2025 AMENDMENT OF SALARY AND CLASSIFICATION SYSTEM

WHEREAS, implementation of appropriate compensation practices is instrumental to the County’s ability to attract, motivate, and retain qualified employees, and

WHEREAS, the conduct of a classification and compensation study through Management Advisory Group International, Inc. (MAG) was completed in 2023 in order to perform a periodic employee compensation review; and

WHEREAS, two of the three recommended components of the Management Advisory Group International, Inc. (MAG) classification and compensation study were implemented July 1, 2023; with the remaining third component being equity/market adjustments to recognize employee service years in current position and applicable education; and

WHEREAS, the Board of Supervisors in the adoption and appropriation of its FY25 budget, included funding for employee salary adjustments consisting of either a three percent (3%) salary increase or applicable equity/market adjustment resulting from the MAG classification and compensation study; whichever is greater,

NOW THEREFORE BE IT RESOLVED, by the Nelson County Board of Supervisors that the local government’s “Salary and Classification System” is hereby amended to incorporate the following:

Salary adjustments shall be hereby authorized for non-probationary Nelson County personnel (full-time and regular part-time) employed pursuant to the County’s salary classification and pay plan, effective on July 1, 2024. Employee compensation adjustments will be based upon the greater of three percent (3%) of current salary, or applicable equity/market adjustments resulting from the 2023 MAG classification and compensation study relative to the employee’s salary at June 30, 2024. The applicable salary increase as of July 1, 2024 for Nelson County full-time and regular part-time personnel shall be calculated based upon the salary in effect on June 30, 2024.

Additionally, the greater of a three percent (3%) salary adjustment or applicable equity/market adjustment resulting from the 2023 MAG classification and compensation study relative to the employee’s salary at June 30, 2024, shall be authorized for all regular part-time employees and all full-time employees employed by a Constitutional Officer, inclusive of the Officer and Registrar. The applicable salary increase as of July 1, 2024 for all Constitutional Officers and their Compensation Board funded permanent staff positions shall be calculated based upon the salary in effect on June 30, 2024 (Compensation/Electoral Board and local supplement).

Finally, in order to endeavor to maintain competitive market rate salaries, as of July 1, 2024, the pay ranges assigned to each position within the pay and classification system shall be increased by one half of the salary adjustment rate, 1.5% for FY25. Probationary employees as of July 1, 2024 that are at the minimum of their assigned pay range, shall be moved to the new minimum of their assigned pay range within the pay and classification system. Upon successful completion of their probationary period, these employees shall receive the remaining salary increase of 1.5% for FY25 in order to provide a total salary increase of 3% based upon their salary as of June 30, 2024.

Adopted: _____, 2024

Attest: _____, Clerk
Nelson County Board of Supervisors



BOARD OF
SUPERVISORS

THOMAS D. HARVEY
North District

ERNIE Q. REED
Central District

JESSE N. RUTHERFORD
East District

J. DAVID PARR
West District

DR. JESSICA LIGON
South District

CANDICE W. MCGARRY
County Administrator

AMANDA B. SPIVEY
Administrative Assistant/
Deputy Clerk

LINDA K. STATON
Director of Finance and
Human Resources

**RESOLUTION R2024-56
NELSON COUNTY BOARD OF SUPERVISORS
AUTHORIZATION TO ENTER INTO AGREEMENT WITH VDOT
TO ACCEPT FY24/25 TRANSPORTATION ALTERNATIVES PROGRAM
GRANT FUNDING FOR THE FRONT STREET SIDEWALK IMPROVEMENT PROJECT**

WHEREAS, Nelson County submitted a project application to request federal funding to assist in constructing sidewalks in Lovingston to improve pedestrian safety; and

WHEREAS, the Commonwealth Transportation Board awarded \$2,500,000 in funding to Nelson County for the Front Street Sidewalk Improvement project as part of the Transportation Alternatives Program; and

WHEREAS, during the grant application process, the County of Nelson indicated a commitment to provide the required 20% local match and any balance of estimated project costs over the maximum allowable of \$3,125,000; and

WHEREAS, the required 20% local match for this award is \$625,000 and the Transportation Alternative Program grant provisions require a local commitment of completion of the entire project; including the balance of estimated project costs currently estimated to be \$751,495; and

WHEREAS, the County desires to have VDOT administer the project;

NOW, THEREFORE, BE IT RESOLVED, that Nelson County hereby agrees to enter into the attached Project Administration Agreement with the Virginia Department of Transportation to administer the Front Street Sidewalk Improvement project in Lovingston; providing oversight that ensures the project is developed in accordance with all state and federal requirements for design and construction of a federally funded transportation project, to commit to the provision of the required 20% local match and completion of the entire project, and that if Nelson County subsequently elects to cancel this project, the County agrees to reimburse the Virginia Department of Transportation for the total amount of costs expended by the Department through the date the Department is notified of such cancellation. Nelson County also agrees to repay any funds previously reimbursed that are later deemed ineligible by the Federal Highway Administration; and

BE IT FURTHER RESOLVED, by the Nelson County Board of Supervisors that said Board hereby authorizes the County Administrator to execute the attached Project Administration Agreement by and between Nelson County and the Virginia Department of Transportation for the Front Street Sidewalk Improvement project in Lovingston.

Approved: _____

Attest: _____, Clerk

Nelson County Board of Supervisors



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
1401 EAST BROAD STREET
RICHMOND, VIRGINIA 23219-2000

Stephen C. Brich, P.E.
Commissioner

July 1, 2024

Ms. Candy McGarry
84 Courthouse Square
Lovington, VA 22949
SENT VIA EMAIL: cmcgarry@nelsoncounty.org

RE: Front Street Sidewalk Improvements
County of Nelson – UPC 125458

Dear Ms. McGarry,

Congratulations! The Commonwealth Transportation Board (CTB) at its June meeting approved \$2,500,000 in Transportation Alternatives Program (TAP) funding for Front Street Sidewalk Improvements.

The VDOT Lynchburg District will send you the project agreement to establish the project, which you will need to review, sign, and return no later than January 1, 2025.

The CTB has implemented a number of new policies for the Transportation Alternatives Program, and it is important that you are aware of these policies as you work toward project delivery:

- Agreements must be executed by the locality and returned to VDOT within six months, by January 1, 2025.
- TAP projects are monitored for reasonable progress, which VDOT has defined as having expended at least 50% of preliminary engineering funds by year two and reaching the right-of-way phase, if applicable, by year three.
- Projects must reach construction, which begins at advertisement, by the fourth year from award. Projects that are receiving their first allocation of TAP funding with this award cycle must reach advertisement by June 30, 2028. Existing projects do not receive a time extension with a subsequent award of funds.
- Federal TAP funding is capped at \$2.5 million per project. Any amount over \$3.125 million (80% federal/20% local match) must be covered by local funds or another eligible source of funding.
- Projects awarded in this cycle received 100% of the requested amount. Therefore, any project that received funding in the FY25/26 cycle is not eligible to apply for additional funding through a future TAP application process. If additional funding is needed to deliver a project, consult with the VDOT Lynchburg District about the TAP transfer process.

New projects may not incur reimbursable project expenses prior to the full execution of the project agreement and federal authorization to proceed. Refer to the Locally Administered Projects (LAP) Manual for more information.

For specific details regarding the TAP program and locally administered projects, refer to the following resources:

- TAP Manual: https://www.vdot.virginia.gov/media/vdotvirginiagov/doing-business/for-localities/funding-programs/transportation-alternatives/Transportation-Alternatives-Program-Guide_acc023-10-26.pdf
- CTB TAP Policy: <https://www.ctb.virginia.gov/resources/2023/july/res/2.pdf>
- LAP Manual: <https://www.vdot.virginia.gov/doing-business/technical-guidance-and-support/technical-guidance-documents/locally-administered-projects-manual/>

LAD is holding a statewide Local Programs Workshop from September 17-19, 2024 at the Hotel Roanoke & Conference Center. Please consider registering for this workshop as sessions will provide guidance for successful implementation of locally administered projects, including TAP projects. Registration will open soon. Details are available on the LAD website at: <https://www.vdot.virginia.gov/doing-business/for-localities/local-programs-workshop/>

The Department looks forward to working with you and celebrating the successful completion of your TAP project.

Sincerely,



Russell Dudley
Director, Local Assistance Division

CC: Chris Winstead, PE, VDOT Lynchburg District
Terry R. Short, Jr., AICP, VDOT Local Assistance Division
Brittany Voll, ENV SP, CTPA, VDOT Local Assistance Division

**VDOT ADMINISTERED – LOCALLY FUNDED
PROJECT ADMINISTRATION AGREEMENT**

Project Number	UPC	Local Government
EN24-062-859	125458	County of Nelson

THIS AGREEMENT, is hereby made and effective the date of the last (latest) signature set forth below, by and between the County of Nelson hereinafter referred to as the LOCALITY and the Commonwealth of Virginia, Department of Transportation, hereinafter referred to as the DEPARTMENT. The DEPARTMENT and the LOCALITY are collectively referred to as the “Parties.”

WITNESSETH

WHEREAS, the LOCALITY has expressed its desire to have the DEPARTMENT administer the work required to construct certain improvements within the Locality as described in Appendix C (the “Project”) and has agreed to fully or partially fund the Project as set forth in this Agreement; and

WHEREAS, the funds as shown in Appendix A have all been allocated to pay the costs of the Project; and

WHEREAS, the Parties have concurred with administering the Project in accordance with the program specific requirements shown in Appendix B, based on the allocated funding for the Project as shown in the Appendix A; and

WHEREAS, the LOCALITY has requested that the DEPARTMENT design and construct the Project in accordance with the scope of work described in Appendix C, and the DEPARTMENT has agreed to perform such work; and

WHEREAS, the Parties have concurred in the DEPARTMENT's administration of the Project identified in this Agreement, including Appendices A, B, and C, and in accordance with applicable federal, state, and local law and regulations; and

WHEREAS, the LOCALITY's governing body has, by resolution, which is attached hereto, authorized its designee to execute this Agreement and has demonstrated the LOCALITY'S commitment to providing local funding for the Project.

NOW THEREFORE, in consideration of the premises and mutual covenants and agreements contained herein, the parties hereto agree as follows:

- A. The representations, covenants, and recitations set forth in the foregoing recitals are material to this Agreement and are hereby incorporated into and made a part of this Agreement as though they were fully set forth in this Section A.

B. The DEPARTMENT shall:

1. Complete the work of the Project as identified in Appendix C, advancing such diligently as all weather, local, and other conditions reasonably permit, and in conformance to the schedule established by the Parties, which schedule shall be adjusted as needed to address impacts to the performance of the work beyond the control of the DEPARTMENT.
2. Perform or have performed, and remit all payments for, all preliminary engineering (PE), right-of-way acquisition (Right of Way), construction, contract administration, and inspection services activities for the Project as required.
3. Provide the LOCALITY a payment schedule for the LOCALITY's share of estimated Project costs for PE, Right of Way, and construction, in accordance with the tabulation provided in Appendix A.
4. Remit invoices to the LOCALITY for sums owed by LOCALITY to the DEPARTMENT in accordance with the amounts and schedule set forth in Appendix A.
5. Provide the LOCALITY with a summary of Project expenditures.
6. Notify the LOCALITY of additional Project expenses resulting from unanticipated circumstances and provide detailed estimates of additional costs associated with those circumstances. The DEPARTMENT will make all efforts to contact the LOCALITY prior to performing activities associated with those unanticipated circumstances.
7. Upon completion of the Project, reconcile LOCALITY payments (based on LOCALITY's estimated share of costs) against actual Project costs allocable to the LOCALITY, and reimburse the LOCALITY for any overpayments by the LOCALITY or remit an invoice to LOCALITY for any underpayment or amounts still owed by the LOCALITY.

C. The LOCALITY shall:

1. Remit payments to the DEPARTMENT in accordance with the amounts and schedule provided in Appendix A, or within 30 days of receipt of an invoice issued by the DEPARTMENT, as applicable.
2. Provide, or have others provide, maintenance of the Project upon completion, unless otherwise agreed to by the DEPARTMENT. Where the Project results in physical construction, the LOCALITY will continue to operate and maintain the Project in accordance with the final constructed design as approved by the DEPARTMENT. The LOCALITY agrees that any modification of the approved design features, without the approval of the DEPARTMENT, may, at the discretion of the DEPARTMENT, result in restitution either physically or monetarily as determined by the DEPARTMENT.

- D. Nothing in this Agreement shall obligate the Parties hereto to expend or provide any funds in excess of funds agreed upon in this Agreement or as shall have been included in an annual or other lawful appropriation. State and federal Project funding is limited to those

identified in the Appendix A of this Agreement and is allocable only upon LOCALITY'S compliance with all requirements of this Agreement. In the event the cost of all or part of the Project is anticipated to exceed the allocation shown on Appendix A, the Parties agree to cooperate in seeking additional funding for the Project or to terminate the Project before Project costs exceed the allocated amount. Any requested increase in federal or state funding is subject to DEPARTMENT policy and procedures applicable to the funding source and is not guaranteed.

- E. The Parties mutually agree and acknowledge, in entering this Agreement, that the individuals acting on behalf of the Parties are acting within the scope of their official authority and capacity and the Parties agree that neither Party will bring a suit or assert a claim against any official, officer, or employee of either party, in their individual or personal capacity for a breach or violation of the terms of this Agreement or to otherwise enforce the terms and conditions of this Agreement. The foregoing notwithstanding, nothing in this subparagraph shall prevent the enforcement of the terms and conditions of this Agreement by or against either Party in a competent court of law.
- F. The Parties mutually agree that no provision of this Agreement shall create in the public, or in any person or entity other than the Parties, rights as a third party beneficiary hereunder, or authorize any person or entity, not a party hereto, to maintain any action for, without limitation, personal injury, property damage, breach of contract, or return of money, or property, deposit(s), cancellation or forfeiture of bonds, financial instruments, pursuant to the terms of this Agreement or otherwise. Notwithstanding any other provision of this Agreement to the contrary, unless otherwise provided, the Parties agree that the LOCALITY or the DEPARTMENT shall not be bound by any agreements between either party and other persons or entities concerning any matter which is the subject of this Agreement, unless and until the LOCALITY or the DEPARTMENT has, in writing, received a true copy of such agreement(s) and has affirmatively agreed, in writing, to be bound by such Agreement.
- G. Nothing in this Agreement shall be construed as a waiver of the LOCALITY's or the Commonwealth of Virginia's sovereign immunity.
- H. Should the project be cancelled due to action or inaction by the LOCALITY, the LOCALITY shall be responsible for reimbursement of all funds in accordance with § 33.2-214 of the Code of Virginia (1950), as amended. The LOCALITY will also be responsible for any costs associated with claims and liabilities associated with the early termination of any construction contract(s) or improvement(s) issued pursuant to this Agreement and shall promptly reimburse the DEPARTMENT for all costs incurred or expended by it in connection with the Project.
- I. This Agreement may be terminated by either Party upon 60 days advance written notice to the other Party. Eligible expenses incurred through the date of termination shall be reimbursed to the DEPARTMENT within 60 days subject to the limitations established in this Agreement.

- J. THE LOCALITY and DEPARTMENT acknowledge and agree that this Agreement has been prepared jointly by the Parties and shall be construed simply and in accordance with its fair meaning and not strictly for or against any Party.
- K. THIS AGREEMENT, when properly executed, shall be binding upon both Parties, their successors and assigns.
- L. THIS AGREEMENT may be modified in writing only upon mutual agreement of the Parties.

The remainder of this page is BLANK

IN WITNESS WHEREOF, each Party hereto has caused this Agreement to be executed by their duly authorized representatives, acknowledging and agreeing that any digital signature affixed hereto shall be considered as an original signature for all purposes and shall have the same force and effect as an original signature.

COUNTY OF NELSON, VIRGINIA:

Signature _____ Date _____

County Administrator

Title _____

NOTE: The official signing for the LOCALITY must attach a certified copy of his or her authority to execute this Agreement.

COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION:

Signature _____ Date _____

Chief of Policy, Commonwealth of Virginia, Department of Transportation

Attachments

- Appendix A
- Appendix B
- Appendix C

Appendix A - VDOT Administered

Version: Original

Prepared Date: 7/1/2024

Project Details

UPC:	<input type="text" value="125458"/>	State Project #:	<input type="text" value="EN24-062-859"/>	CFDA #:	<input type="text" value="20.205"/>	Locality UEI #:	<input type="text" value="XSCRKWJHKVQ5"/>
Locality:	<input type="text" value="County of Nelson"/>	Address:	<input type="text" value="84 Courthouse Square, Lovingsston, VA 22949"/>				
Work Description:	<input type="text" value="CONSTRUCT SIDEWALKS IN THE TOWN OF LOVINGSTON TO IMPROVE PEDESTRIAN SAFETY"/>					Project Location (Zip +4):	<input type="text" value="24553-3311"/>

Project Points of Contact

<u>Locality Project Manager</u>	<u>VDOT Project Manager</u>
Name: Candy McGarry	Name: Brian Casto
Phone: 434-263-7000	Phone: 434-856-8276
Email: cmcgarry@nelsoncounty.org	Email: Brian.Casto@VDOT.Virginia.gov

Project Financing			
Allocated Funds Type	Allocated Funds	Local %	Local Share Total
Transportation Alternatives	\$3,125,000	20%	\$625,000
Local Funds	\$751,495	100%	\$751,495
			\$0
			\$0
			\$0
			\$0
			\$0
			\$0
			\$0
			\$0
Funding Totals	\$3,876,495		\$1,376,495

Project Estimate	
Phase	Cost
Preliminary Engineering	\$ 378,000
Right of Way and Utilities	\$ 1,061,241
Construction	\$ 2,437,254
Total Estimate	\$ 3,876,495

Note - The funds order is not indicative of the actual spend order of funds on the project.

Payment Schedule				
FY25	FY26	FY27	FY28	Total Payment
\$ 75,600	\$ 212,248	\$ 1,088,647		\$ 1,376,495.00

Payment Terms

- At PE Authorization, VDOT will invoice the LOCALITY for their share of the project costs. The LOCALITY shall make one lump sum payment in the amount of \$ **75,600**, to VDOT, no later than 30 days after receipt of VDOT's invoice.
- At RW Authorization, VDOT will invoice the LOCALITY for their share of the project costs. The LOCALITY shall make one lump sum payment in the amount of \$ **212,248**, to VDOT, no later than 30 days after receipt of VDOT's invoice and prior to the occurrence of any right of way acquisitions.
- At Construction Award, VDOT will invoice the LOCALITY for their share of the project costs. The LOCALITY shall make one lump sum payment in the amount of \$ **1,088,647**, to VDOT, no later than 30 days after receipt of VDOT's invoice, and prior to the occurrence of any Construction work.

This Appendix A supersedes all previous versions signed by VDOT and the LOCALITY for the Project.

Authorized Locality Official	Date
Candy McGarry	
Printed Name of Locality Official	
County Administrator	
Title of Locality Official	

Authorized VDOT Official	Date
Jay Brown	
Printed Name of VDOT Official	
Director of Program Management	
Title of VDOT Official	

This attachment is certified and made an official attachment to this document by the Parties to this Agreement.

VDOT Administered Agreement

Appendix B – Special Funding Program Conditions and Requirements

Project Number	UPC	Local Government
EN24-062-859	125458	County of Nelson

SMART SCALE

Administration of this Project, including but not limited to the Project estimate, schedule and commitment to funding, is subject to the requirements established in the Commonwealth Transportation Board’s (CTB’s) most current *Policy for Implementation of the SMART SCALE Project Prioritization Process*, the applicable requirements of the Code of Virginia, and VDOT’s applicable *Instructional and Informational Memoranda*.

Without limiting the foregoing, this Project has been selected through the Smart Scale (HB2) application and selection process and will remain in the Six-Year Improvement Plan (SYIP) as a funding priority unless certain conditions set forth in the CTB’s most current *Policy for Implementation of a Project Prioritization Process* arise. Pursuant to the CTB’s *Policy for Implementation of a Project Prioritization Process*, this Project will be re-scored and/or the funding decision re-evaluated if any of the following conditions apply: a change in the scope, an estimate increase, or a reduction in the locally/regionally leveraged funds. Applications may not be submitted in a subsequent SMART SCALE prioritization cycle to account for a cost increase on a previously selected Project.

This Project shall be initiated and at least a portion of the Project's programmed funds expended within one year of the budgeted year of allocation or funding may be subject to reprogramming to other projects selected through the prioritization process. In the event the Project is not advanced to the next phase of construction when requested by the CTB, the LOCALITY or the localities within the metropolitan planning organization may be required, pursuant to § 33.2-214 of the Code of Virginia, to reimburse the DEPARTMENT for all state and federal funds expended on the Project.

Transportation Alternatives Program

This Project shall be administered in accordance with VDOT’s most current *Transportation Alternatives Program Guide*.

Without limiting the foregoing, CTB policy for allocations from the Transportation Alternatives Programs requires that the Project must be advertised or otherwise under construction within four years of the initial Project allocation or otherwise be subject to deallocation, unless prior Department approval has been provided.

The DEPARTMENT shall conduct all environmental studies necessary to complete an environmental document in compliance with the National Environmental Policy Act, unless otherwise agreed to in writing and attached to this Agreement. The LOCALITY is responsible for implementing any environmental commitments resulting from the environmental studies. In

addition, the LOCALITY is responsible for obtaining any water quality permits and conducting any required hazardous materials due diligence efforts. VDOT's estimated cost for the environmental studies and submissions will be provided to the LOCALITY and deducted from the Project funds.

Regional Surface Transportation Program (RSTP)

Allocated Regional Surface Transportation Program funds must be obligated within 12 months of allocation and expended within 36 months of the obligation.

Congestion Mitigation Air Quality (CMAQ)

Allocated Congestion Mitigation and Air Quality Program funds must be obligated within 12 months of allocation and expended within 36 months of the obligation.

Revenue Sharing

This Project shall be administered in accordance with VDOT's most current *Revenue Sharing Program Guidelines*.

Without limiting the foregoing, the Project shall be initiated such that at least a portion of the Revenue Sharing Funds are expended within one year of allocation. For any project that has not been initiated within one year, the CTB has the discretion to defer consideration of future allocations until the Project moves forward. Further, if the Project has not been initiated within two fiscal years subsequent to the allocation of Revenue Sharing Funds, the Revenue Sharing Funds for the Project may be subject to deallocation from the Project at the discretion of the CTB.

State of Good Repair (SGR) Bridge

Project estimate, schedule, and commitment to funding are subject to the requirements established in the CTB's *State of Good Repair Program Prioritization Process Methodology*, the Code of Virginia, and VDOT's *Instructional and Informational Memoranda*.

Projects receiving funding under this program must initiate the Preliminary Engineering or the Construction Phase within 24 months of award of funding or become subject to deallocation. In the event the Project is not advanced to the next phase of construction, the LOCALITY may be required, pursuant to § 33.2-214 of the Code of Virginia, to reimburse the Department for all state and federal funds expended on the Project.

This Project has been selected through the State of Good Repair application and selection process and will remain in the SYIP as a funding priority. Pursuant to the CTB's *State of Good Repair Program Prioritization Process Methodology*, this Project will be re-scored and/or the funding decision re-evaluated if any of the following conditions apply: a change in the scope, an estimate increase, or a reduction in the locally/regionally leveraged funds. Applications may not be submitted in a subsequent annual State of Good Repair prioritization cycle for the same bridge structure to account for a cost increase on a previously selected Project.

State of Good Repair (SGR) Paving

Project estimate, schedule, and commitment to funding are subject to the requirements established in the CTB’s *State of Good Repair Program Prioritization Process Methodology*, the Code of Virginia, and VDOT’s *Instructional and Informational Memoranda*.

Projects receiving funding under this program must be advertised within twelve months of award funding or be subject to deallocation. In the event the Project is not advanced to the next phase of construction, the LOCALITY may be required, pursuant to § 33.2-214 of the Code of Virginia, to reimburse the Department for all state and federal funds expended on the Project.

This Project has been selected through the State of Good Repair application and selection process and will remain in the SYIP as a funding priority. Pursuant to the CTB’s State of Good Repair Program Prioritization Process Methodology, this Project will be re-scored and/or the funding decision re-evaluated if any of the following conditions apply: a change in the scope, an estimate increase, or a reduction in the locally/regionally leveraged funds. Applications may not be submitted in a subsequent annual State of Good Repair prioritization cycle for the same roadway segment to account for a cost increase on a previously selected Project.

Economic Access

This Project shall be administered in accordance with VDOT’s most current *Economic Development Access Program Guide*.

Airport Access

This Project shall be administered in accordance with VDOT’s most current *Airport Access Program Guide*.

Recreational Access

This Project shall be administered in accordance with VDOT’s most current *Recreational Access Program Guide*.

Highway Safety Improvement Program (HSIP)

This project is funded with federal-aid Highway Safety Improvement Program (HSIP) funds. These funds must be obligated within 12 months of allocation and expended within 36 months of the obligation.

Local Funds

All local funds included in Appendix A have been formally committed by the LOCALITY board or council, subject to appropriation.

Authorized Locality Official Signature and Date

Candy McGarry

Printed Name of Locality Official

VDOT Administered Projects

Appendix C – Detailed Scope of Services

Project Number	UPC	Local Government
EN24-062-859	125458	County of Nelson

Detailed Project Scope of Services
<p>VDOT is performing the entire project development and delivery. This includes, but is not limited to: Survey, environmental coordination, road design, drainage design, RW acquisition, utility relocation, public involvement, advertisement and managing and administration of the construction contract.</p> <p>The estimate in PCES and included in the agreement request form is from Smart Portal project application.</p>

 Authorized Locality Official Signature and Date

Candy McGarry

 Printed Name of Locality Official

County Administrator

 Title of Locality Official

 Authorized VDOT Official Signature and Date

Jay Brown

 Printed Name of VDOT Official

Director of Program Management

 Title of VDOT Official



Transportation Alternatives Project



Project Scorecard

App ID: 10404

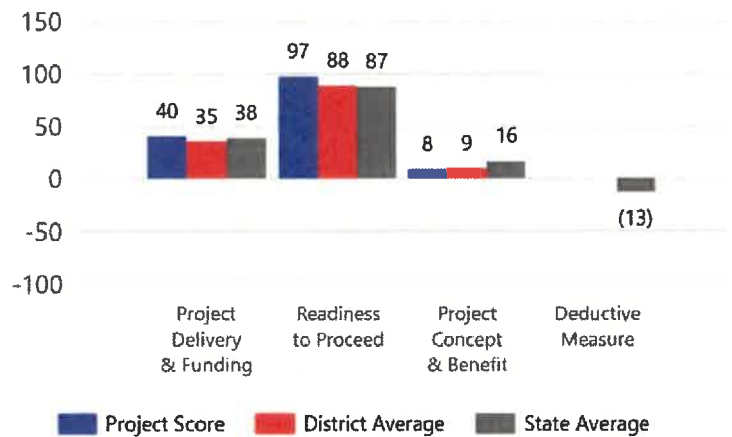
Nelson County

Front Street Sidewalk Improvements

Lynchburg District

This project will construct accessible sidewalk and improve existing sidewalk on the west side of Front Street between Main Street (southern terminus) and Theater Drive (northern terminus). Improvements and accessible sidewalk construction on the east side of Front Street, as well as the addition of up to eight higher-visibility stamped-concrete crosswalks within the project area will occur in a future, second phase. In the first phase (the subject of this application), the sidewalk will be widened to meet standards. Curb ramps with a detectable warning surface will be installed. Curb extensions and bump-outs (to reduce pedestrian crossing distance) will be constructed at all locations where future crosswalks will be added (in phase two). Vegetation/landscaping planned for the curb extensions and bump-outs is intended to improve pedestrian safety, prevent erosion, and provide stormwater management. Additional improvements include replacing driveway ramps that do not meet ADA standards and removing obstructions - namely, utility poles - from the sidewalk and relocating those utilities to a less obtrusive area. (The aforementioned work to take place on the west side of the street only.) Construction survey and permitting costs are included in the project costs. PE phase expenses for both west and east sides of the street are included in this application's project costs.

145 PROJECT MERIT SCORE MAX SCORE: 250	#1 RANK OF 2 DISTRICTWIDE
	#42 RANK OF 98 STATEWIDE
UNDERSERVED COMMUNITIES #1 RANK OF 2 DISTRICTWIDE #19 RANK OF 98 STATEWIDE	
TA Requested Funds: \$2,500,000 Total Project Cost: \$3,876,495	



PROJECT MAP



PROJECT CATEGORY

Facilities for Bicycles and Pedestrians

SERVES A SCHOOL EXISTING PROJECT

No No

FUNDING ELIGIBILITY

<5,000
Statewide

APPLICATION NOTES

A portion of the project area includes existing sidewalks in good condition, which are not eligible to be replaced under the Transportation Alternatives program. Eligibility is limited to the new sidewalks and ADA improvements.

(1) New Vacancies/Expiring Seats & New Applicants :					
Board/Commission	Term Expiring	Term & Limit Y/N	Incumbent	Re-appointment	Applicant(s)
JABA Board of Directors	7/15/2024	2 Year Term / No limit	Ernie Reed	Y	Ernie Reed
(2) Existing Vacancies:					
Board/Commission	Terms Expired				
Board of Building Code Appeals	6/30/2024	4 year term / No limit	Kenneth Taylor	N	Jason Taylor
Nelson County Social Services Board - Central District	6/30/2024	4 year term / 2 term limit	Darlene Smith (T2)	N	
Albemarle Charlottesville Regional Jail Authority	6/30/2024	1 year term / No limit	Robert Barton	N	
	*Position can be Board or Citizen member				
Nelson County Service Authority Board - West District	6/30/2024	4 Year Term / No limit	David Hight	Y	David Hight Marshall Saunders

JEFFERSON AREA BOARD FOR AGING BOARD OF DIRECTORS

2 Members

Term Expiration

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

July 15, 2024

Dana E. Quillen
21 Aistrop Ln.
Faber, VA 22938
H (540) 241-5054
Painterdana21@gmail.com

July 15, 2025

Term(s) of Office: 2 years: July 16th – July 15th

Meeting: Fourth Monday of every other month at noon

Place: Varies

Membership: 4 members appointed by Council, 4 by Albemarle County, 2 each by Fluvanna, Nelson, Greene & Louisa Counties.

Purpose: The JABA Board is responsible for developing a comprehensive and coordinated system for services for all persons 60 and over. JABA acts as an advocate for seniors' interests and as a resource for agencies, organizations and individuals. JABA provides information referral/tracking service and transportation to improve links between older persons and existing services.

Contact: Jefferson Area Board for Aging
674 Hillsdale Drive, Suite 9
Charlottesville, VA 22901
Email: info@jabacares.org
Phone: (434) 817-5222
Fax: (434) 817-5230

LOCAL BOARD OF BUILDING CODE APPEALS

<u>NAME & ADDRESS</u>	<u>TERM ENDING</u>
R. Carlton Ballowe (Former Builder) 19218 Thomas Nelson Hwy Faber, VA 22938 434-263-6285 (H) 434-996-7796 (W) catbalu1@aol.com	JUNE 30, 2024
Kenneth H. Taylor (Cabinetry) 2415 Arrington Road Arrington, V A 22922 (434) 263-5564	JUNE 30, 2024
Ben Butler (Builder) 81 Bryant Mountain Rd. Roseland, VA 22967 (434) 531-8888 caplerhomes@msn.com	JUNE 30, 2024 *(Unexpired term, appointed 7/13/2021)
Robin Meyer (Architect) 15 Orchard Rd. Charlottesville, VA 22903 (434) 987-4112 robinmeyer32@gmail.com	JUNE 30, 2026
Robert L. Yoder (Architect) 80 Tuckahoe LN Nellysford, VA 22958 (757) 675-1449 BobYoderArchitect@gmail.com	JUNE 30, 2026

LOCAL BOARD OF BUILDING CODE APPEALS

Establishment:

Established per Section 36-105, of the Code of Virginia, 1950 as amended and Section 119 of the Virginia Uniform Statewide Building Code effective March 1, 2011 and Ordinance O2011-05 adopted August 9, 2011

Term:

Four year terms except for the first three initial appointees' terms shall expire on June 30, 2012. The remaining two appointees' terms shall expire June 30, 2014. Members may be re-appointed without limitation. A member 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 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.

Composition:

Members of the LBBCA shall be selected by the Board of Supervisors on the basis of their ability to render fair and competent decisions regarding application of the USBC and shall to the extent possible, represent different occupational or professional fields relating to the construction industry. At least one member should be an experienced builder; at least one member should be a licensed architect or professional engineer, and at least one member should be an experienced property manager. Employees and officials of the locality shall not serve as members of the LBBCA.

Summary of Duties:

To rule on disagreements between the local enforcers of the Virginia Statewide Fire Prevention Code ("the SFPC") or the Virginia Uniform Statewide Building Code ("the USBC") and those persons being regulated under the codes. The power of the local board of appeals is to, when presented with an appeal, rule on the application of the SFPC or USBC by the enforcing agency or to rule on the enforcing agency's denial of a modification request. In exercising these powers, the local board of appeals may reverse or affirm, wholly or partly, or modify any decision under review as well as to determine whether an appeal is properly before them

Meetings:

The LBBCA shall meet at least once annually to assure a duly constituted board, appoint officers as necessary, and receive such training on the USBC as may be appropriate or necessary from staff of the locality. Members are compensated \$75 per meeting.

DIVISION 2. LOCAL BOARD OF BUILDING CODE APPEALS

Sec. 4-33. Establishment of appeals board.

There is hereby established within the building inspection department a local board of building code appeals (the "LBBCA") to hear and decide appeals of decisions of the building official concerning the application of the Uniform Statewide Building Code ("USBC").

(Ord. No. O2011-05, 8-9-11)

Sec. 4-34. Membership of LBBCA.

The LBBCA shall consist of five (5) members who need not reside in Nelson County appointed by the board of supervisors for, except as provided below, four-year terms. The first three (3) initial appointees' terms shall expire on June 30, 2012. The remaining two (2) appointees' terms shall expire June 30, 2014. Members may be reappointed without limitation. A member 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 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. A member missing three (3) consecutive meetings, or three (3) meetings at any time within any twelve-month calendar period, shall be subject to summary removal by the board of supervisors. The LBBCA shall meet at least once annually to assure a duly constituted board, appoint officers as necessary, and receive such training on the USBC as may be appropriate or necessary from staff of the locality.

(Ord. No. O2011-05, 8-9-11)

Sec. 4-35. Officers and qualifications of members.

The LBBCA shall annually select one (1) of its members to serve as chairman. When the chairman is not present at an appeal hearing, the members present shall select an acting chairman. The county administrator shall appoint a secretary to the LBBCA to maintain a detailed record of all proceedings. Written records of current membership, including a record of the current chairman and secretary, shall be maintained in the local building official's office. Members of the LBBCA shall be selected by the board of supervisors on the basis of their ability to render fair and competent decisions regarding application of the USBC and shall to the extent possible, represent different occupational or professional fields relating to the construction industry. At least one (1) member should be an experienced builder; at least one (1) member should be a licensed architect or professional engineer, and at least one (1) member should be an experienced property manager. Employees and officials of the locality shall not serve as members of the LBBCA.

(Ord. No. O2011-05, 8-9-11)

Sec. 4-36. Conduct of members.

No member shall hear an appeal in which that member has a conflict of interest in accordance with the State and Local Government Conflict of Interests Act (Section 2.2-3100 et seq. of the Code of Virginia). Members shall not discuss the substance of an appeal with any other party or their representatives prior to any hearings.

(Ord. No. O2011-05, 8-9-11)

Sec. 4-37. Right of appeal; filing of appeal application.

Any person aggrieved by the local building department's application of the USBC or the refusal to grant a modification to the provisions of the USBC may appeal to the LBBCA. The applicant shall submit a written request for appeal to the LBBCA within thirty (30) calendar days of the receipt of the decision being appealed. The application shall contain the name and address of the owner of the building or structure and in addition, the name and address of the person appealing, when the applicant is not the owner. A copy of the building official's decision shall be submitted along with the application for appeal and maintained as part of the record. The application shall be marked by the LBBCA to indicate the date received. Failure to submit an application for appeal within the time limit established by this section shall constitute acceptance of a building official's decision.

Notwithstanding the foregoing, decisions of the local building official with respect to amusement devices, as that phrase is defined in the Virginia Amusement Device Regulations, shall be appealed pursuant to such regulations.

(Ord. No. O2011-05, 8-9-11)

Sec. 4-38. Meetings and postponements.

The LBBCA shall meet within thirty (30) calendar days after the date of receipt of the application for appeal, except that a longer time period shall be permitted if agreed to by all the parties involved in the appeal. A notice indicating the time and place of the hearing shall be sent to the parties in writing to the addresses listed on the application at least fourteen (14) calendar days prior to the date of the hearing, except that a lesser time period shall be permitted if agreed to by all the parties involved in the appeal. When a quorum of the LBBCA is not present at a hearing to hear an appeal, any party involved in the appeal shall have the right to request a postponement of the hearing. The LBBCA shall reschedule the appeal within thirty (30) calendar days of the postponement, except that a longer time period shall be permitted if agreed to by all the parties involved in the appeal.

(Ord. No. O2011-05, 8-9-11)

Sec. 4-39. Hearings and decision.

All hearings before the LBBCA shall be open meetings and the appellant, the appellant's representative, the locality's representative and any person whose interests are affected by the building official's decision in question shall be given an opportunity to be heard. The chairman shall have the power and duty to direct the hearing, rule upon the acceptance of evidence and oversee the record of all proceedings. The LBBCA shall have the power to uphold, reverse or modify the decision of the official by a concurring vote of a majority of those present. Decisions of the LBBCA shall be final if no further appeal is made. The decision of the LBBCA shall be by resolution signed by the chairman and retained as part of the record of the appeal. Copies of the resolution shall be sent to all parties by certified mail. In addition, the resolution shall contain the following wording:

"Any person who was a party to the appeal may appeal to the State Review Board by submitting an application to such Board within 21 calendar days upon receipt by certified mail of this resolution. Application forms are available from the Office of the State Review Board, 600 East Main Street, Richmond, Virginia, 23219, (804) 371-7150."

(Ord. No. O2011-05, 8-9-11)

Sec. 4-40. Appeals to the state review board.

After final determination by the LBBCA in an appeal, any person who as a party to the appeal may further appeal to the state review board. In accordance with Section 36-98.2 of the Code of Virginia for state-owned buildings and structures, appeals by an involved state agency from the decision of the building official for state-owned buildings or structures shall be made directly to the state review board. The application for appeal shall be made to the state review board within twenty-one (21) calendar days of the receipt of the decision to be appealed. Failure to submit an application within that time limit shall constitute an acceptance of the building official's decision. For appeals from a LBBCA, a copy of the building official's decision and the resolution of the LBBCA shall be submitted with the application for appeal to the state review board. Upon request by the office of the state review board, the LBBCA shall submit a copy of all pertinent information from the record of the appeal. In the case of appeals involving state-owned buildings or structures, the involved state agency shall submit a copy of the building official's decision and other relevant information with the application for appeal to the state review board. procedures of the state review board are in accordance with Article 2 (Section 36-108 et seq.) of Chapter 6 of Title 36 of the Code of Virginia. Decisions of the state review board shall be final if no further appeal is made.

(Ord. No. O2011-05, 8-9-11)

Sec. 4-41. Appeal fee.

An appeal fee of two hundred fifty dollars (\$250.00) must be tendered with the filing of each appeal to the LBBCA.

(Ord. No. O2011-05, 8-9-11)

Sec. 4-42. Member compensation, reimbursement.

Each LBBCA member shall be compensated by the county for each meeting attended as determined by resolution of the board of supervisors and shall be reimbursed for actual expenses on a schedule and in accordance with procedures established by the county administrator.

(Ord. No. O2011-05, 8-9-11)

Secs. 4-43—4-50. Reserved.

NELSON COUNTY BOARDS AND COMMISSIONS APPLICATION FORM

Subject: Appointments - Statement of Interest Form

Completing this form is one way to indicate your interest in being considered for appointment to some of the Boards, Commissions and Committees appointed by the Board of Supervisors. All appointments remain at the discretion of the Board of Supervisors.

Please complete and mail this form to:

Nelson County Board of Supervisors
Attention: Candice W. McGarry, Clerk of Board
Post Office Box 336
Lovingston, VA 22949

or fax to (434) 263-7004 or email aspivey@nelsoncounty.org

Date 6-21-24

Mr. Mrs. Ms.

Name: Jason K Taylor

List a maximum of three (3) Boards on which you are interested in serving.

1. Building Appeals
2. _____
3. _____

Home Address: 2149 North Fork Rd
Montebello U.A.

Occupation: Construction Employed by: owner/Taylor Cabinets Inc.

Home Phone No.: 540-377-9864 Business Phone No.: 434-263-6001

Fax No.: _____ E-Mail Address: Taylorcabinets1@verizon.net

Do you live in Nelson County? Yes No

Are you currently a member of a County Board, Commission, Committee or Authority? Yes No

If yes, list the Board(s):

What talent(s) and/or experience can you bring to the Board(s)?

32 years expericene in all phases of
building construction

What do you feel you can contribute to the Board(s) and to the community that may not be evident from information already on this form?

Please use this space for any additional information you would like to provide:

Lived in Nelson my entire Life
Attended Nelson school's
Buisness owner in Lovington For over 20 years

A resume or separate sheet with additional information may be included.

ATTENDANCEREQUIREMENTS

Section 2-153, Absences, Chapter 2, Administration, Article V. Appointments for Boards and Commissions of the Nelson County Code, an appointee of the Board of Supervisors who either (a) fails, during a calendar year, to attend seventy-five percent of the regular meetings of the board or commission of which he/she is a member, or (b) is absent for three consecutive regular meetings, shall be deemed to have tendered his/her resignation from such position. The Board of Supervisors may accept such resignation by appointing another person to fill the position.

In light of the above, will you be able to attend at least 75% of the regular meetings of the boards to which you may be appointed?

Yes No

NELSON COUNTY BOARDS AND COMMISSIONS APPLICATION FORM

Subject: Appointments - Statement of Interest Form

Completing this form is one way to indicate your interest in being considered for appointment to some of the Boards, Commissions and Committees appointed by the Board of Supervisors. All appointments remain at the discretion of the Board of Supervisors.

Please complete and mail this form to:

Nelson County Board of Supervisors
Attention: Candice W. McGarry, Clerk of Board
Post Office Box 336
Lovington, VA 22949

or fax to (434) 263-7004 or email aspivey@nelsoncounty.org

Date 07/02/24

Mr. Mrs. Ms.

Name: Greg Winkler

List a maximum of three (3) Boards on which you are interested in serving.

1. Board of Building Code Appeals
2. _____
3. _____

Home Address:

16 East High Street
Stuarts Draft VA 24477

Occupation: Architect Employed by: Wassenaar + Winkler

Home Phone No.: 540-292-2102 Business Phone No.: 540-941-3567

Fax No.: — E-Mail Address: greg@wpluswdesign.com

Do you live in Nelson County? Yes No

Are you currently a member of a County Board, Commission, Committee or Authority? Yes No

If yes, list the Board(s):

I serve on the Waynesboro Board of Building Code Appeals.

What talent(s) and/or experience can you bring to the Board(s)?

Licensed architect working locally for 20 years.
Member of the Nelson County Homebuilders Association.

What do you feel you can contribute to the Board(s) and to the community that may not be evident from information already on this form?

Contribute perspective from a design professional
working in Nelson County and surrounding counties/cities.

Please use this space for any additional information you would like to provide:

A resume or separate sheet with additional information may be included.

ATTENDANCE REQUIREMENTS

Section 2-153, Absences, Chapter 2, Administration, Article V. Appointments for Boards and Commissions of the Nelson County Code, an appointee of the Board of Supervisors who either (a) fails, during a calendar year, to attend seventy-five percent of the regular meetings of the board or commission of which he/she is a member, or (b) is absent for three consecutive regular meetings, shall be deemed to have tendered his/her resignation from such position. The Board of Supervisors may accept such resignation by appointing another person to fill the position.

In light of the above, will you be able to attend at least 75% of the regular meetings of the boards to which you may be appointed?

Yes No

NELSON COUNTY SOCIAL SERVICES BOARD

<u>NAME, ADDRESS & PHONE</u>	<u>TERM (July – June) 4 Years, 2 Term Limit</u>
Edith Napier – West District 43 Napier Loop Arrington, VA 22922 (434) 996-9403 Emnw739@aol.com	July 1, 2022 – June 30, 2026 (Reg. Term 1)
Brad Johnson – East District 2016 Wheelers Cove Rd Shipman, Va. 22971 H (309) 824-1503 W (434) 872-2766 Bjavin@msn.com	July 1, 2022 – June 30, 2026 (Reg. Term 2)
Diane Harvey - North District 10921 Rockfish Valley Hwy Afton, VA 22920 W (540) 456-6379 harveyasc@gmail.com	July 1, 2021 – June 30, 2025 (Reg. Term 2)
Claudia Van Koba – South District 1033 Falling Rock Drive Amherst, VA 24521 (H) 434-263-4596 (C) 434-907-5836 Email: Claudia_van_koba@yahoo.com	July 1, 2023 – June 30, 2027 (Reg. Term 1)
Darlene Smith – Central District 115 Deer Run Nellysford, VA 22958 PH: (434) 361-1258 bspaving@verizon.net	July 1, 2020 – June 30, 2024 (Reg. Term 2)
J. David Parr- BOS Liaison 250 Firehouse Road Piney River, VA 22964 H: (434) 277-5265	January 2024 – December 31, 2024

Authority: Established by the Code of Virginia §63.2-300 et seq.

Membership: 5 Members appointed by Election District.

Term: 4 Years, July 1 – June 30. **2 term limit**

Summary of Duties: To provide, either directly or through the purchase of services subject to the supervision of the Commissioner and in accordance with regulations adopted by the Board, any or all child welfare services herein described when such services are not available through other agencies serving residents in the locality such as: Protecting the welfare of all children including handicapped, homeless, dependent, or neglected children; preventing or remedying, or assisting in the solution of problems that may result in the neglect, abuse, exploitation or delinquency of children; preventing the unnecessary separation of children from their families by identifying family problems, assisting families in resolving these problems and preventing the break up of the family where preventing the removal of a child is desirable and possible; restoring to their families children who have been removed by providing services to the families and children; placing children in suitable adoptive homes in cases where restoration to the biological family is not possible or appropriate; and assuring adequate care of children away from their homes in cases where they cannot be returned home or placed for adoption.

The local board is also authorized and, as may be provided by regulations of the Board, shall provide rehabilitation and other services to help individuals attain or retain self-care or self-support and such services as are likely to prevent or reduce dependency and, in the case of dependent children, to maintain and strengthen family life.

Meetings: Regular meetings are held monthly on the third Tuesday of each month at 1:00 PM at the Dept. of Social Services building in Lovingsston. Members are compensated \$75 per meeting plus mileage paid at the existing State mileage rate.

NELSON COUNTY SERVICE AUTHORITY

NAME, ADDRESS & PHONE

TERM 4 Years, No Limits

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

July 1, 2022 – June 30, 2026

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

July 1, 2022 - June 30, 2026

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

July 1, 2022 -June 30, 2026

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

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

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

July 1, 2020 - June 30, 2024

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

Membership: 5 Members appointed by Election District.

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

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

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

Closed Session Form Motion

1. Motion to Convene in Closed Session

FORM MOTION FOR CONVENING CLOSED MEETING

“I move that the Nelson County Board of Supervisors convene in closed session to discuss the following as permitted by Virginia Code Sections 2.2-3711-

(A)(3) - “Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.” ; and,

(A)(7) - “Consultation with legal counsel and briefings by staff members pertaining to actual litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body” – Litigation pertaining to the Region 2000 Services Authority.”

(A)(8) - "Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter."

2. Conduct Closed Session

3. Motion to Reconvene in Public Session

4. Motion to Certify Closed Session

CERTIFICATION MOTION AFTER RECONVENING IN PUBLIC SESSION:

(Requires recorded roll call vote)

“I move, pursuant to the requirements of Chapter 37, Virginia Freedom of Information Act and Section 2.2-3712 of the Code of Virginia, that the Nelson County Board of Supervisors certify that to the best of each member’s knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body.”