

April 8, 2025

Virginia:

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

Present: J. David Parr, West District Supervisor – Chair
Ernie Q. Reed, Central District Supervisor – Vice Chair
Jesse N. Rutherford, East District Supervisor
Dr. Jessica L. Ligon, South District Supervisor
Candice W. McGarry, County Administrator
Amanda B. Spivey, Administrative Assistant/Deputy Clerk
Grace E. Mawyer, Director of Finance and Human Resources
Dylan M. Bishop, Director of Planning and Zoning

Absent: Thomas D. Harvey, North District Supervisor

I. CALL TO ORDER

Mr. Reed called the meeting to order at 2:00 p.m. with four (4) Supervisors present to establish a quorum. Mr. Harvey was absent.

- A. Moment of Silence – Attendees observed a moment of silence.
- B. Pledge of Allegiance – Mr. Rutherford led in the Pledge of Allegiance.

II. PUBLIC COMMENTS

Erin Harris- Virginia Cooperative Extension

Ms. Harris stated that she was the 4-H agent for the County and for Virginia Cooperative Extension and also serving in the role of unit coordinator. Ms. Harris said she was present to introduce Kim Bryant, who had some notes she would like to share.

Kim Bryant – Virginia Cooperative Extension

Ms. Bryant said that she was the Associate Extension agent for Nelson County, having started in November. She said that new extension agents in Virginia are encouraged to take time to learn—and since November, she has attended a new agent orientation in Virginia Tech, the Virginia Cooperative Extension Winter Conference, the Virginia Farm to Table Conference, the Mid-Atlantic Fruit Grower Convention in Hershey, Pennsylvania, and a new agent onboarding session. Ms. Bryant reported that they had hosted fruit school for 28 Southern Virginia fruit growers as well as a grape disease management workshop for 12 growers. Ms. Bryant mentioned that she taught a propagation class for Master Gardeners of Nelson County and their training class of 12. She said that she hosted her first orchard meeting at Carter Mountain Orchard for a group of 33 and she recently completed the Virginia Master Cattleman Program.

Ms. Bryant stated that to improve communication within the community, they began sending out their monthly newsletter in January by email and they began building an address list to physically mail information, as well as using social media. Ms. Bryant said they are now reaching more than 800 people on their mailing list. She said they planted vegetables at the Extension Center to showcase container gardening, and she invited everyone to visit. Ms. Bryant said this is another way they can reach out to everyone with whatever space they have available, indoors or outdoors. She said that they are also currently working with the Nelson Amherst Beef Producers, the Nelson Beekeepers, the Gladstone Community Center, the Blue Ridge Medical Center, and 4-H and FFA. She noted that she had a great team with Erin Harris and Cindy MacRae. Ms. Bryant thanked everyone for their continued support of Virginia Cooperative Extension.

Stephen Bayne - Nellysford, VA

Mr. Bayne stated that the resolution to establish the 2025 tax rates was included in today's agenda and packet. He suggested that this was premature and inconsistent with the FY25-26 budget next steps. He said that the public hearing for the FY25-26 budget was currently planned for the meeting on May 13th, and the Board may make budgetary changes after the public hearing and the public sentiment expressed during that meeting. Mr. Bayne stated that such changes may include a reduction in expenditure that may in turn provide the opportunity to reduce the real estate tax rate from 65 cents. He stated that if the resolution to establish 2025 tax rates occurred today, that would unnecessarily restrict and limit the Board's options and actions, particularly after hearing from County residents on May 13th. Mr. Bayne stated that the

resolution to establish 2025 tax rates should instead occur after the public hearing so that the Board may first hear fully from County residents.

Edith Napier - Arrington, VA

Ms. Napier said she remembered being at the hearing when the original permit was granted to build a warehouse for storing vehicles of military personnel traveling overseas. Ms. Napier said the Board was told that the property was right in the middle of a community. She said that during the public hearing for the original permit that it had been stated that the storage buildings would not adversely affect the community because the cars would be stored inside the building. She said there were two African-American churches in close proximity to the property and she urged respect for the community and places of worship. Ms. Napier stated that nobody mentioned anything to her church regarding the current permit application. She said the community should be respected, and she had predicted this day would come when someone would want to change the use of the property. Ms. Napier said that the proposed special events, public establishments, and sale of alcohol would have a negative impact on the community. She urged the Board to consider the community and asked them to reject the application or give time for community consultation. She said that if it were next door to their church, they would not want it to happen. Ms. Napier stated that one neighbor with a severe heart condition could be adversely affected. She asked for the Board to respect the community and not approve the special permit.

There were no others wishing to speak and the Public Comments period was closed.

III. CONSENT AGENDA

Mr. Reed noted that the Board would be reading some of the resolutions and proclamations on the Consent Agenda aloud. Mr. Parr read **Resolution R2025-23** Public Safety Telecommunicators Week aloud and members of Dispatch were recognized by Mr. Reed. Dr. Ligon read **Resolution R2025-24** Animal Care and Control Appreciation Week aloud. Mr. Reed recognized the Animal Control officers present. Dr. Ligon noted that Kevin Wright was recognized as Animal Control Officer of the Year. Mr. Reed read aloud **Resolution R2025-25** April is Fair Housing Month. Mr. Parr acknowledged that not all members of Animal Control and Dispatch could be present due to being on call. He thanked them all for the work they do. Mr. Parr then read aloud **Resolution R2025-26** April is Child Abuse Prevention Month. Mr. Rutherford read aloud **Proclamation P2025-02** Month of the Military Child.

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

A. Resolution – R2025-19 Minutes for Approval

**RESOLUTION R2025-19
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF MINUTES
(October 8, 2024)**

RESOLVED, by the Nelson County Board of Supervisors that the minutes of said Board meetings conducted on **October 8, 2024** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

B. Resolution – R2025-20 FY25 Budget Amendment

RESOLUTION R2025-20
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF FISCAL YEAR 2024-2025 BUDGET
April 8, 2025

I. Appropriation of Funds (General Fund)			
	<u>Amount</u>	<u>Revenue Account (-)</u>	<u>Expenditure Account (+)</u>
\$	2,795.00	3-100-001901-0032	4-100-031020-3038
\$	1,838.43	3-100-003303-0107	4-100-031020-1013
\$	53.74	3-100-001901-0033	4-100-031020-3039
\$	31,319.76	3-100-002404-0048	4-100-032030-3016
\$	31,319.76	3-100-002404-0048	4-100-032030-3016
\$	67,326.69		
II. Transfer of Funds (General Fund Departmental)			
	<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
\$	5,430.45	4-100-022010-1001	4-100-022010-5401
\$	5,430.45		
III. Transfer of Funds (General Fund Recurring Contingency)			
	<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
\$	31,500.00	4-100-999000-9901	4-100-013010-1010
\$	2,410.00	4-100-999000-9901	4-100-013010-2001
\$	250.00	4-100-999000-9901	4-100-013010-3007
\$	3,500.00	4-100-999000-9901	4-100-013010-5201
\$	8,000.00	4-100-999000-9901	4-100-013010-5401
\$	5,000.00	4-100-999000-9901	4-100-013010-5413
\$	1,400.00	4-100-999000-9901	4-100-013010-5501
\$	320.00	4-100-999000-9901	4-100-013010-5503
\$	3,000.00	4-100-999000-9901	4-100-013020-1002
\$	230.00	4-100-999000-9901	4-100-013020-2001
\$	250.00	4-100-999000-9901	4-100-013020-3007
\$	150.00	4-100-999000-9901	4-100-013020-5201
\$	200.00	4-100-999000-9901	4-100-013020-5401
\$	75.00	4-100-999000-9901	4-100-013020-5503
\$	56,285.00		

C. Resolution – R2025-21 Establishment of 2025 Tax Rates

RESOLUTION R2025-21
NELSON COUNTY BOARD OF SUPERVISORS
ESTABLISHMENT OF 2025 TAX RATES

RESOLVED, by the Nelson County Board of Supervisors, pursuant to and in accordance with Section 58.1-3001 of the Code of Virginia, 1950, that the tax rate of levy applicable to all property subject to local taxation, inclusive of public service corporation property, shall remain effective until otherwise re-established by said Board of Supervisors and is levied per \$100 of assessed value as follows:

Real Property Tax	\$0.65
Tangible Personal Property	\$2.79
Machinery & Tools Tax	\$1.25
Manufactured Home (Mobile Home) Tax	\$0.65

D. Resolution – R2025-22 Tax Refund

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**RESOLUTION R2025-22
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF PROPERTY TAX 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 §58.1-3219.5 of the Code of Virginia, be and hereby are approved for payment.

<u>Amount</u>	<u>Tax Category</u>	<u>Payee</u>
\$7,000.50	Real Property	Thomas E. Rutenberg 90 Club Highland Nellysford, VA 22958

E. Resolution – R2025-23 Public Safety Telecommunicators Week

**RESOLUTION R2025-23
NELSON COUNTY BOARD OF SUPERVISORS
NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK
April 13-19, 2025**

WHEREAS, emergencies can occur at any time that require law enforcement, fire or emergency medical services; and

WHEREAS, when an emergency occurs the prompt response of law enforcement, firefighters and paramedics is critical to the protection of life and preservation of property; and,

WHEREAS, the safety of our first responders is dependent upon the quality and accuracy of information obtained from citizens who telephone into the Nelson County Emergency Communications Center; and

WHEREAS, Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services; and

WHEREAS, Public Safety Telecommunicators are the single vital link for our deputies and firefighters by monitoring their activities by radio, providing them information and insuring their safety; and

WHEREAS, each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year;

NOW THEREFORE BE IT RESOLVED, that the Nelson County Board of Supervisors declares the week of April 13-19, 2025 as National Public Safety Telecommunicators Week in Nelson County, in honor of the men and women whose diligence and professionalism keep our county and citizens safe.

F. Resolution – R2025-24 Animal Care and Control Appreciation Week

**RESOLUTION R2025-24
NELSON COUNTY BOARD OF SUPERVISORS
ANIMAL CARE AND CONTROL APPRECIATION WEEK**

WHEREAS, the National Animal Care & Control Association (NACA) is committed to setting the standard of professionalism in animal welfare and public safety through training, networking, and advocacy; and

WHEREAS, animal care and control professionals dedicate their lives to the health and safety of at-risk and helpless animals; and

WHEREAS, animal care and control professionals work to rescue and protect animals from injury, disease, abuse, and starvation; and

WHEREAS, NACA has designated the second full week of April as Animal Care and Control Officer Appreciation Week; and

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WHEREAS, federal, state, and local government officials throughout the nation take this time to recognize, thank, and commend all animal care and control professionals for the dedicated services they perform and for fulfilling the commitment to providing the highest and most efficient level of customer service;

NOW, THEREFORE BE IT RESOLVED, that the Nelson County Board of Supervisors does hereby recognize April 13-19, 2025, as **ANIMAL CARE AND CONTROL APPRECIATION WEEK** in Nelson County, and we call this observance to the attention of our citizens.

G. Resolution – R2025-25 April is Fair Housing Month

**RESOLUTION R2025-25
NELSON COUNTY BOARD OF SUPERVISORS
APRIL 2025 IS FAIR HOUSING MONTH**

WHEREAS, April is Fair Housing Month and marks the 57th anniversary of the passage of the federal Fair Housing Act (Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988); and

WHEREAS, the Fair Housing Act provides that no person shall be subjected to discrimination because of race, color, national origin, religion, sex, disability, or familial status in the rental, sale, financing or advertising of housing) and the Virginia Fair Housing Law also prohibits housing discrimination based on elderliness); and

WHEREAS, the Fair Housing Act supports equal housing opportunity throughout the United States; and

WHEREAS, fair housing creates healthy communities and housing discrimination harms us all;

NOW THEREFORE BE IT RESOLVED, that the Nelson County Board of Supervisors supports equal housing opportunity and seeks to affirmatively further fair housing not only during Fair Housing Month in April, but throughout the year.

H. Resolution – R2025-26 April is Child Abuse Prevention Month

**RESOLUTION R2025-26
NELSON COUNTY BOARD OF SUPERVISORS
APRIL IS CHILD ABUSE PREVENTION MONTH**

WHEREAS, preventing child abuse and neglect is a community problem that depends on involvement among people throughout the community; and

WHEREAS, child maltreatment occurs when people find themselves in stressful situations, without community resources, and don't know how to cope; and

WHEREAS, the majority of child abuse cases stem from situations and conditions that are preventable in an engaged and supportive community; and

WHEREAS, all citizens should become involved in supporting families in raising their children in a safe, nurturing environment; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships created among families, social service agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community.

NOW THEREFORE BE IT RESOLVED, that the Nelson County Board of Supervisors do hereby recognize April as Child Abuse Prevention Month and call upon all citizens, community agencies, faith groups, medical facilities, and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and neglect and strengthening the communities in which we live.

I. Proclamation – P2025-02 Month of the Military Child

**PROCLAMATION P2025-02
NELSON COUNTY BOARD OF SUPERVISORS
APRIL 2025 IS THE MONTH OF THE MILITARY CHILD**

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WHEREAS, the Department of Defense has consistently acknowledged the vital role of military children and youth; and

WHEREAS, the resilient young individuals demonstrate unwavering commitment, adaptability, and courage in the face of unique challenges; and

WHEREAS, military children contribute significantly to the strength and resilience of our military families and communities; and

WHEREAS, their sacrifices often go unnoticed, yet they play an essential role in supporting the military's mission; and

WHEREAS, the Month of the Military Child provides an opportunity to celebrate their achievements, honor their past, cherish the present, and shape a brighter future; and

THEREFORE, let it be known that we recognize and appreciate the contributions of military children and youth, and we commit to providing them with quality care and positive youth development, and

BE IT RESOLVED, that the Nelson County Board of Supervisors does hereby proclaim April 2025 as the Month of the Military Child.

IV. PRESENTATIONS

A. VDOT Report

Robert Brown of VDOT, reported that they were making progress with their emergency pipe repair on 151. Mr. Brown said they started a few weeks ago and had about 100 feet of new pipe under the road. He stated that hopefully they would finish up in a couple of weeks. He said they had also just started an emergency slope repair on 151 just past Bland Wade. He explained that VDOT had to do a lot of preliminary work done to the point their contractor could come in there and start some soil nailing work. Mr. Brown said they also repaired a pipe on Route 778 at a private entrance. He reported that they had pretty much finished up most of the debris from the ice storm. He noted that there was a fair amount of debris on the southeast side of the County, but most of that had been addressed. He stated that they were working on some drainage issues in Gladstone on Route 656 to fix a drainage problem under the road. Mr. Brown reported that they did plan on doing a litter pickup on May 1st for their primary routes. He stated they are busy patching potholes on 29, and he hoped they could do some other pavement work because the roads took a beating due to the cold weather.

Supervisors then discussed the following VDOT issues:

Mr. Rutherford:

Mr. Rutherford had no VDOT issues to discuss.

Dr. Ligon:

Dr. Ligon mentioned that coming off of Oak Ridge Road onto Route 29, every morning she sees five (5) or six (6) drivers dropping down into a pothole in the median when they are going to the crossover into the left lane and heading southbound. She said while drivers technically should not be right there, they are dropping off the pavement and flinging gravel.

Mr. Parr:

Mr. Parr thanked Mr. Brown for the work VDOT had done on the private entrance on Lowesville Road, as that seemed to resolve the issue there.

Mr. Reed:

Mr. Reed had no VDOT issues to discuss.

B. Social Services Building Final Design – PMA Architecture

Jeff Stodghill of PMA Architecture was present to provide an update on the Social Services building.

Mr. Stodghill reported that the drawings were complete for the building and the site at this point. He stated they were working on pulling specifications together. He said originally, they had hoped to be before the Board this month asking for authorization to bid the project, but they still had not received comments from VDOT, and as of yesterday, they had just received comments from DEQ. Mr. Stodghill explained that they needed to get through those comments to ensure there was nothing else required in the project. He said he felt pretty confident in talking to the civil engineer today, that they would be at a point by the end of the month where they would have those comments back, and they did not anticipate anything significant being added to the project.

Mr. Stodghill said that currently, VDOT had asked for a sidewalk along Main Street and that had been integrated into the project. He stated that it was being worked out, and by the end of the month, they would have it together. He said they were expecting comments from the County site plan review and building plan review this week, and those elements should come together. Mr. Stodghill stated that next month, they would be requesting authorization to bid, and they would also have a date to issue the drawings. He said they are getting very close to being able to move into the pricing and get the project under construction. He stated he had provided an update of the budget, saying that the last time he was there in October and presented the budget, their own internal budgeting showed the project appeared to be on budget.

Mr. Stodghill said in November, they had an independent cost estimate done that showed they were still within that budget. He stated that between November and now, they rearranged some elements in that budget, added a contingency for escalation, and included some elements for window treatments and additional testing necessary during construction. He said the bottom line was that they were still within the budget, despite the uncertainty during bidding. Mr. Stodghill stated there was a lot of bad news circulating, but he said the good news was that last week, PMA had a project bid with the Department of Conservation and Recreation, and it came in right on their numbers. He said they have had good success recently in seeing these estimates perform within predictions, and there should be good interest in this project.

Mr. Rutherford asked if any builder with a commercial designation was allowed to bid the project, or if there were further requirements.

Mr. Stodghill responded that it was really the County's policies, and as long as they were a Class A contractor and could meet the bonding, there were two (2) things that would be required of performance and payment bonds if the contract was awarded, and typically a bid bond was requested. He said that usually means that contractors are able to bid and bond a project. He said that was typically 5 percent requiring a letter of credit, or a bid bond. He said it was a publicly advertised bid, it would be open to anybody, and he encouraged the Supervisors to have constituents look for the bid advertisement. Ms. McGarry stated that part of the bid package would include asking for qualification statements, references, and listings of projects that they had completed.

Mr. Rutherford said they typically found themselves caught with the same three (3) contractors—Jamerson-Lewis, English, or Blair Construction. He said it would be nice to diversify it as best they could, but he also understood that requirements were sometimes a limiting factor.

Mr. Stodghill stated that the project was big enough to get good interest, but not too big to scare off contractors from Lynchburg, Charlottesville, or even Roanoke.

Mr. Reed commented that the addition of a sidewalk was a good addition and he liked the fact they still had some contingency to play with.

C. Move Safely Blue Ridge – Draft Comprehensive Safety Action Plan (R2025-29)

Dylan Bishop, Director of Planning and Zoning, reported that the Thomas Jefferson Planning District Commission (TJPDC) received federal grant funds from the Safe Streets for All (SS4A) program to develop a regional safety action plan. She noted that the Board of Supervisors adopted a resolution in February of 2024, and the TJPDC along with the consultant Kimley-Horn established a working group with County staff and the other localities in the region to develop the Move Safely Blue Ridge Regional Safety Action Plan. She noted that they were present to report on the process.

Mr. Gorjan Gjorgjievski addressed the Board and stated that he was a regional planner at TJPDC and was there to present the draft safety action plan which was developed with the assistance of all of their project partners. He also requested that the Board adopt the plan should it align with their expectations. Mr. Gjorgjievski stated that his discussion would include the background of the Safe Streets for All program, Nelson County's leadership commitment, the planning process, the emphasis areas in the high-injury network, public engagement, proposed solutions, and next steps. He said that Move Safely Blue Ridge was the region's plan to reduce road fatalities and serious injuries for all road users, no matter their mode of transportation.

Mr. Gjorgjievski said the bipartisan infrastructure law passed in 2021 established the SS4A program, which was a federal program that supports the United States Department of Transportation National Roadway Safety Strategy with its goal of zero fatalities by 2050 using a safe system approach. He stated that the regional plan covers counties within the Thomas Jefferson Planning District, including Albemarle, Fluvanna, Greene, Louisa, and Nelson, as well as the City of Charlottesville. Mr. Gjorgjievski said the region's plan was focused specifically for the jurisdiction so it also could be classified as a super local plan.

Mr. Gjorgjievski stated that from 2018 to 2022, during which 173 people were killed on the County's roadways. He said Nelson County recognized this and adopted a resolution on February 13, 2024 to reduce the total number of fatalities and serious injuries by half by 2045. He said the Board's leadership choice was a key step toward fulfilling the goal because adoption of the plan would position Nelson County to be able to apply for implementation funding in future SS4A rounds and other funding.

Mr. Gjorgjievski stated that the planning process for the project was established by the Thomas Jefferson Planning District Commission and partners, including working group members and VDOT. He said the working group members were specifically identified for this project as jurisdictional staff. Mr. Gjorgjievski thanked Amanda Spivey, Ms. Bishop, and VDOT, including Rick Youngblood and Carson Eckhardt, for their valuable input. He said the planning process was divided into four (4) key components and three (3) rounds of public engagement, serving as a foundation for development of the final comprehensive safety action plan.

Mr. Gjorgjievski said the crash data from 2018 to 2022 was structured around 13 identified emphasis areas, which were the key factors that contributed to fatalities and serious injuries in the region. He stated that these emphasis areas corresponded with each other, meaning that if someone was driving under the influence, was not wearing a seatbelt, and had a roadway departure, they would be classified in all three (3) emphasis areas. He said that the project team used the emphasis areas to inform decisions on needs and potential solutions for the project. He stated that the project team developed the high-injury network methodology, which showed the highest concentration of crashes on the County's roadway network. He said that from 2018 to 2022, 75% of the fatal, serious, and minor injury crashes occurred on just 7% of the County's roadways. Mr. Gjorgjievski stated that three rounds of public engagement were crucial in the development of the plan.

He said in round one, they identified the region's values, issues, and opportunities, and in round two, they engaged on strategies and collaborated with partners. Mr. Gjorgjievski stated that round three was the current round, which was focused on the development and review of the draft comprehensive safety action plan. He reported that during round 1, they kicked off the project with a Regional Safety Summit, which had staff from all participating jurisdiction present, as well as police, emergency services and other partners. He said public engagement in Nelson County included key locations such as the Nelson County Food Pantry and the Lovingson Farmer's Market, as well as a public meeting at the Nelson Center. Mr. Gjorgjievski said round two involved asking the public about solutions that would have the most impact on transportation safety. He thanked the Nelson County Sheriff's Department, the First Responders Team, and the Unity and Community Ministry for allowing them to attend their meetings and gain feedback. Mr. Gjorgjievski stated that they also hosted a roundtable discussion with the Virginia Farm Bureau, discussing transportation safety for farm vehicles. Mr. Gjorgjievski said topics included potential solutions, issues, and opportunities for improvement.

Mr. Gjorgjievski stated that the potential solutions for the project would not have been able to be recommended without the help of County staff and VDOT. He thanked their partners for thoroughly reviewing the details of these solutions. Mr. Gjorgjievski said that none of the projects would conflict with VDOT's work, rather they would support it. He stated that the first recommended solutions were spot-specific improvements. He reported that there are five (5) spot improvements, with more detail in the Comprehensive Safety Action Plan document.

Project ID	Location	Countermeasure
N-1	US 29 & Tye Brook Rd	<ul style="list-style-type: none">Construct RCUT
N-2	Route 151 & Lowesville Rd	<ul style="list-style-type: none">Improve advance warning on Lowesville RdImprove sight distance by clearing trees
N-3	US 29 in Colleen	<ul style="list-style-type: none">Improve pavement markings in the crossoversConduct a speed study to create a reduced speed limit zoneExtend turn lane onto Colleen RdReplace TWLTL with physical median
N-4	US 29 through Lovington	<ul style="list-style-type: none">Close crossover at Main StConstruct RCUT at Northside LnConduct a speed study to extend the reduced speed limit zone and include curb and gutter
N-5	US 29 & Route 6	<ul style="list-style-type: none">Offset left-turn lane off US 29 northbound to provide better sight distanceConstruct RCUTConsider Tidbit Trail as an alternative route for turning movementsConduct a speed study to reduce speed limits on US 29

He said that on US-29 and Tye Brook Road, the potential solution was to construct a restricted-crossing U-turn, and on Route 151 and Lowesville Road, improve the warning on Lowesville Road, and enhance the sight distance by clearing vegetation. Mr. Gjorgjievski stated that on US-29 in Colleen, the improvements included better pavement markings on the crossovers, conducting a speed study to create reduced speed limit zones, extending the turn lane onto Colleen Road, and replacing the two-way left turn lane with a physical median.

Mr. Gjorgjievski stated that on US-29 through Lovington, the solutions included closing the crossover at Main Street, constructing a restricted-crossing U-turn (RCUT) at Northside Lane, conducting a speed study to extend the reduced speed limit zone, and include curb and gutter enhancements. Mr. Gjorgjievski said that the improvement on US-29 on Route 6 involved offsetting the left turn lane of US-29 Northbound to provide better sight distance, constructing a restricted-crossing U-turn, considering Tidbit Trail as an alternative route for turning movements, and conducting a speed study for reduced speed limits.

Mr. Reed asked if there were any considerations for the 151 corridor, as all those presented so far were along the Route 29 corridor. Mr. Gjorgjievski confirmed that there were none in the Afton and Nellysford area of 151.

Mr. Rutherford said there were issues with pedestrians crossing 29, and he did not want to see them close the crossover from Main Street, because there were a lot of individuals who used that for commerce every day to access 56, as opposed to going to the stoplight and coming in that direction. He said he was not necessarily sold on the first two improvements presented under N-4 and asked if this essentially translated into going to Smart Scale. Mr. Gjorgjievski responded yes, but indicated that the main goal of the Draft Comprehensive Safety Action Plan, once adopted, was to enable Nelson County to apply for implementation funding in future rounds of the Safe Streets and Roads (SS4A) program.

Mr. Rutherford said he had no problem addressing the Main Street scenario and further down near the stoplight. He said that he would like to visit those two particular solutions as ideas, because as the Board has interacted with VDOT for Smart Scale, they had looked at the RCUT concept, and there was not really one that was that feasible. He said he would much rather focus on the entrance at the stoplight more so than the Northside entrance, and focus on the pedestrian traffic coming from the apartments into Lovington.

Mr. Gjorgjievski assured the Board that he was here to present the plan but also to receive their input.

Mr. Rutherford said he has an office on Tidbit Trail, and he had often said that figuring out how to send northbound traffic to Tidbit and go that direction would definitely be a safer move. He added that he was not sure how that math translated and the traffic counts and so forth, but he was not necessarily against that, because people trying to make a left at that intersection was a tough thing.

Mr. Parr noted N-5 and the suggested RCUT. He asked if there was already an RCUT at 29 and 6 that was cut from the plans. Ms. McGarry and Mr. Rutherford confirmed that there had been. Mr. Rutherford said the Board had voted on it and then VDOT nixed it. Ms. McGarry indicated that VDOT had determined it wasn't feasible.

Mr. Parr asked if VDOT was involved in this plan. Mr. Gjorgjievski confirmed that VDOT had been part of the draft comprehensive safety action plan.

Mr. Rutherford said he had not heard them say they wanted to shut down the Main Street intersection yet. Dr. Ligon noted that the fire department was located across 29 from the Main Street entrance and they did not want to slow them down from being able to respond to calls.

Mr. Rutherford stated that he was very interested in seeing how they could utilize the plan in cooperation with VDOT, and he wanted like to address those first two bullets on N-4 more specifically. He added that he was not sold on closing the crossover at Main Street or constructing the RCUT at Northside. He acknowledged that he did get some complaints from people who are concerned they are going to get rear-ended with traffic coming in. He commented that he did not know how they could amend the plan other than just saying they wanted to amend it. Mr. Gjorgjievski said they could definitely revisit it.

Mr. Gjorgjievski reported that the project team also looked at systemic improvements for the entire roadway network in the County. He stated that edge-line treatment and installing center-line rumble strips were included to deter distracted driving and roadway departures. He said they planned to install advanced warning signs and pavement markings at intersections to improve driver awareness.

Mr. Gjorgjievski stated that the team examined policies and programs which were non-engineering solutions. He said red-light cameras at intersections, high-visibility saturation for law enforcement to control impaired driving, and FarmZone educational campaigns were key solutions. He explained that adopting this plan would help Nelson County apply for future funding sources such as the Safe Streets and Roads for All Implementation funding, Smart Scale, the Highway Safety Improvement Program, and Revenue Sharing.

Mr. Gjorgjievski said the team planned annual updates on crash data on the Move Safely Blue Ridge website to further align with current safety transportation trends and further refine their strategies. He stated that these processes and policies guided by the comprehensive safety action plan, the project aimed to create a safer and more efficient transportation network in Nelson County and the region.

Mr. Reed commented that he was looking at the areas of high-crash segments indicated on Page 21, specifically the one on 151/Lowesville. He noted that other segments from that page did not make the cut for some reason. Mr. Reed stated that traffic safety along the 151 corridor in his district was one of the highest priorities of the community he represented, and particularly for the North District in the County. He asked what the best way to interact would be if they had things they wanted revisited, considered, or commented on to be included in the report.

Mr. Gjorgjievski responded that they could reach out to him by email, and he confirmed that the final plan must be adopted by all jurisdictions by June 30, 2025. He added that the sooner they could provide feedback, the better, and his team would appreciate a comprehensive view of the entire plan but mainly, a review of the specific projects mentioned. He explained that the projects included in the safety action plan would be available to be funded in future rounds.

V. NEW & UNFINISHED BUSINESS

A. Authorization for Public Hearing on FY26 Budget (R2025-27)

Grace Mawyer, Director of Finance, presented the authorization for public hearing of the FY25-26 budget.

Ms. Mawyer noted State Code Authorization Title 15.2, Sections 2503 and 2506.

Ms. Mawyer stated that the proposed tax rates for 2025 are not changed from the 2024 rates, and all tax rates were levied per \$100 of assessed value:

- For real estate, the proposed tax rate is 65 cents.
- For mobile and manufactured homes, the proposed tax rate is 65 cents.
- The personal property tax rate is proposed at \$2.79.
- The proposed machinery and tools tax rate is \$1.25.

Ms. Mawyer presented the FY26 budget summary by fund:

- General Fund – \$51,088,536.
- Debt Service Fund – \$6,784,074.
- Capital Fund (including the DSS building project) – \$8,932,180.
- Broadband Fund – \$273,638.
- Piney River Water and Sewer Fund – \$513,033.
- School Fund - \$33,879,480.

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- School Capital Fund (High School Project) - \$22,065,327.
- School Cafeteria Fund - \$391,628.
- School Textbook Fund - \$556,868.
- VPA Fund (DSS Operating funds) - \$2,111,235.

Ms. Mawyer state that the total budget amount is \$126,595,999.

She stated that their next steps for this meeting would be to adopt the proposed Resolution R2025-27, authorizing a public hearing on the budget to be held on May 13th at 7 p.m. She said that on April 24, 2025 and May 1, 2025, the FY25-26 detailed public hearing notice would be given in accordance with State Code 15.2-2506. She indicated that on May 13, 2025, during their regular meeting, there would be a detailed staff presentation on the budget, followed by a public hearing starting at 7 p.m. She noted that on June 10, 2025, during the regular meeting, the Board would consider adoption and appropriation of the FY25-26 budget via resolution.

Ms. Mawyer reported that the Board may make budgetary changes between the budget public hearing and budget adoption and appropriation, and the public would receive notice of any additional work sessions that are scheduled. Mr. Reed confirmed that the purpose of the resolution was to schedule the public hearing and be able to hear back from the public about the draft budget so far.

Dr. Ligon moved to approve **Resolution R2025-27** and Mr. Parr 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 R2025-27
NELSON COUNTY BOARD OF SUPERVISORS
AUTHORIZATION FOR PUBLIC HEARING ON FY26 BUDGET

BE IT RESOLVED, by the Nelson County Board of Supervisors, that pursuant to §15.2-2503, and §15.2-2506 of the Code of Virginia 1950 as amended that a public hearing on the FY26 Budget is hereby authorized to be held on Tuesday, May 13, 2025 at 7:00 PM in the General District Courtroom of the Courthouse in Lovingson, Virginia.

B. Establishment of 2025 Personal Property Tax Relief (R2025-28)

Ms. McGarry reported that the presentation involved the establishment of the 2025 personal property tax relief, which was the percentage tax rate discount on personal property. She indicated that they must do this by state code, and the authorization for that is Section 58.1-3524. Ms. McGarry noted that the code section also provided the history of the tax relief. She said for the tax year 2006 and thereafter, counties would be reimbursed by the state for providing the required tangible personal property tax relief as set forth in the code section.

Ms. McGarry explained that in 2006, \$950 million in tax relief was divvied up between the counties, cities, and towns in the Commonwealth based upon their pro rata share of their actual payments for tax year 2005, as compared to the actual payments to all counties, cities, and towns in 2005. She noted that this amount would be the same for each subsequent tax year. She said that at that time, the annual amount of tangible personal property tax relief provided to the County by the state was determined to be \$1,708,030.

Ms. McGarry said state code mandates that a tax relief rate for qualifying vehicles be annually established to receive this tax relief reimbursement from the state. She said that pursuant to that code section, proposed Resolution 2025-28, 2025 Personal Property Tax Relief, establishes the percentage reduction in rate used for distribution of the County's personal property tax relief amount of the \$1.7 million, and this would be for qualifying vehicles under the statute. She stated that the County's financial system used this percentage to calculate the amount of relief distributed, given the amount of current tax levied and the qualifying vehicles as categorized by the Commissioner of Revenue within the accounting system.

Ms. McGarry reported that in the 2024 tax year, the percentage relief was set at 43% to utilize available funding within the proposed FY25 budget to provide more relief. She said that for the tax year 2024, personal property tax relief percentage of 43% distributed approximately \$1,886,362, which was \$178,332 greater than the \$1.7 million in relief received from the state. She noted that \$1,736,216 of this was the initial distribution calculated, and then throughout the year they distributed \$150,146 through supplemental changes by the Commissioner of Revenue to the tax base through their monthly DMV downloads.

Ms. McGarry reported that for the 2025 tax year, staff was recommending a distribution percentage of 38%, to equal the \$1,708,030 received from the state. She said the 38% rate was expected to distribute \$1,155,050 at the beginning of 2025, and would allow for a distribution of \$152,980 throughout 2025 as supplemental changes to the tax base are made by the Commissioner.

Ms. McGarry presented several PPTRA distribution examples.

PPTRA Distribution Examples

% PPTRA Relief	\$ PPTRA Distribution 4-2-25 Book Edit - Feb DMV	\$ PPTRA Allowance for 2025 Adjustment	Anticipated Local Funds Utilized
2025 At 2024 Rate - 43%	\$1,755,994	≈\$150,146	\$198,110
2025 - 38%	\$1,555,050	\$152,980	\$0
2025 - 37%	\$1,515,122	\$192,908	\$0

** For 2025 each 1% of PPTRA relief distributes ≈\$40,000*

Ms. McGarry explained that the top box showed what percentage relief did in total. She stated that the first line in that box is what a distribution rate of, or discount rate of, 43% would look like. Ms. McGarry said this would distribute \$1,755,994 but would not provide any allowance for future distribution throughout the year. She said if they used \$150,146, which was what was distributed in 2024, extrapolating that to 2025, the anticipated local funds utilized would then be \$198,110. She said the second example showed the 2025 rate at 38%, with a distribution of \$1,555,050, and that would allow \$152,980 for distribution throughout the year with expected anticipated local funds of \$0 utilized.

Ms. McGarry said if they were to go to a 37% rate for 2025, they would distribute \$1,515,122 at the beginning of the year, and then that would allow for \$192,908 to be distributed throughout 2025 with no impact to local funding. She stated that for about each 1% of PPTRA relief distributed, that would be about \$40,000.

Ms. McGarry indicated that the bottom box showed the effective tax rate and minimum annual tax impact.

PPTRA Effective Tax Rates & Maximum Annual Tax Impact

% PPTRA Relief	Effective Tax Rate per \$100 Value - 2025 100% Rate = \$2.79	Effective Annual Tax on Maximum of 1 st \$20,000 in Value/\$Change
2024 Rate - 43%	57% - \$1.59	\$318
2025 - 38%	62% - \$1.73	\$346/\$28 (\$14/billing)
2025 - 37%	63% - \$1.76	\$352/\$34 (\$17/billing)

** Each 1% of PPTRA relief ≈ \$.03 in effective tax rate*

Ms. McGarry said for a 2024 rate of 43%, this was an effective tax rate of \$1.59, or 57% of the 100% rate of \$2.79. She stated that the effect on the annual tax of maximum of the first \$20,000 in value would be \$318. She said if the County went with a 38% discount rate in 2025, this would mean paying 62% or \$1.73 of the \$2.79, which would translate to an annual bill of \$346 or \$28 more in 2025 than in 2024. She stated that this is split between two tax billings for \$14 more per billing.

Ms. McGarry said the next example was the 37%, with a discount rate paying 63% of the \$2.79 for \$1.76, and then a bill would be \$35—or \$34 higher than in 2024 for \$17 split between two billing periods. She stated that each 1% of the PPTRA relief equals about a three-cent effective tax rate. Ms. McGarry said the distribution of PPTRA per state code 58.13-524 was as follows:

- Qualified vehicles with an assessed value of \$1,000 or less will be eligible for 100% tax relief.
- Qualified vehicles with an assessed value of \$1,001 to \$20,000 will be eligible for the 38%, recommended tax relief.

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- Qualified vehicles with an assessed value of \$20,001 or more shall be eligible to receive the 38% tax relief only on the first \$20,000 of assessed value.

Ms. McGarry said all other vehicles which did not meet the definition of qualifying, such as those for business use vehicles, farm use vehicles, motorhomes, etc., would not be eligible for any form of tax relief under the program.

Ms. McGarry said the next steps would be to obtain any input from staff. She stated that staff would be recommending approval of Resolution 2025-28 that sets the 2025 percentage PPTRA relief at 38%. She noted that this percentage would be what the Commissioner of Revenue would use when generating the final 2025 personal property tax levy book. Ms. McGarry said should the Board approve a percentage PPTRA that appears to require local funding, staff would just need direction on the source of those funds.

Mr. Rutherford asked what the rate was in prior years, historically, other than last year's 43%.

Ms. McGarry responded that it has gone back and forth between 38% and 39%.

Mr. Rutherford asked if one percentage point was about \$40,000. Ms. McGarry confirmed that it was.

Mr. Rutherford asked what the typical level is for local funds to bridge the gap, as they had to utilize \$198,000 to bridge the gap.

Ms. McGarry confirmed that last year, it was \$1,886,362, which ended up needing a difference of \$178,332.

Dr. Ligon recalled that they had identified one-time funding last year to put toward the additional tax relief.

Mr. Parr moved to approve **Resolution R2025-28** 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 R2025-28
NELSON COUNTY BOARD OF SUPERVISORS
2025 PERSONAL PROPERTY TAX RELIEF**

WHEREAS, the Personal Property Tax Relief Act of 1998, Va. Code § 58.1-3524 has been substantially modified by the enactment of Chapter 1 of the Acts of Assembly, 2004 Special Session I (Senate Bill 5005), and the provisions of Item 503 of Chapter 951 of the 2005 Acts of Assembly; and

WHEREAS, the Nelson County Board of Supervisors has adopted an Ordinance for Implementation of the Personal Property Tax Relief Act, Chapter 11, Article X, of the County Code of Nelson County, which specifies that the rate for allocation of relief among taxpayers be established annually by resolution as part of the adopted budget for the County.

NOW THEREFORE BE IT RESOLVED that the Nelson County Board of Supervisors does hereby authorize tax year 2025 personal property tax relief rates for qualifying vehicles as follows:

- Qualified vehicles with an assessed value of \$1,000 or less will be eligible for 100% tax relief;
- Qualified vehicles with an assessed value of \$1,001 to \$20,000 will be eligible for **38%** tax relief;
- Qualified vehicles with an assessed value of \$20,001 or more shall be eligible to receive **38%** tax relief only on the first \$20,000 of assessed value; and
- All other vehicles which do not meet the definition of "qualifying" (business use vehicle, farm use vehicle, motor homes, etc.) will not be eligible for any form of tax relief under this program.

BE IT FINALLY RESOLVED that the personal property tax relief rates for qualifying vehicles hereby established shall be effective January 1, 2025 through December 31, 2025.

C. Lovington Volunteer Fire Department Fireworks Funding Request

Ms. McGarry stated that the Lovington Volunteer Fire Department was requesting \$12,000 for the fireworks show on the 4th of July. She said the firework technician they intend to use was Mike Durbin with Francisco Display Fireworks (Virginia Skypainters). She said that they did not yet have an official quote finalized. She noted that the quote would include Mr. Durbin's time, the materials used and the insurance costs. She indicated that should the finalized quote come in less than \$12,000, the Committee and Chief agreed that any unused monies would be returned to the County. She said the display would be held at the

high school and would last about 20–25 minutes, and all necessary technical precautions would be taken. She said that due to school construction, they were still finalizing the viewing area.

Mr. Reed commented that it was a great community event, and it was good to have it back at the high school.

Mr. Daniel Johnson of Lovington Volunteer Fire Department was present. Mr. Johnson said that once they had nailed down the school's construction schedule, they would finalize details of viewing area location and other details, including a final total.

Mr. Rutherford moved to approve \$12,000 for the Fourth of July fireworks show held by the Lovington Volunteer Fire Department, with any remainder returned to the County. Mr. Parr seconded the motion. There being no further discussion, Supervisors approved the motion unanimously (4-0) by roll call vote.

VI. REPORTS, APPOINTMENTS, DIRECTIVES AND CORRESPONDENCE

A. Reports

1. County Administrator's Report

1. **DSS Building Project** – Ms. McGarry said they had received an update on the DSS building project earlier in the meeting, and final site plan reviews were in process and nearing completion. Ms. McGarry said that due to the current pending status, the financing bid schedule would be modified but would still coincide with the key VRA summer pool bond financing dates. She presented a revised timeline:
 - May 1st is still the Virginia Resource Authority financing application due date.
 - On May 13th, Davenport will present the plan of finance with the VRA summer pool and the Board will be asked to authorize bidding on the project.
 - PMA will also present extensively on May 13th.
 - May 13th through June 30th is the project bid period for receiving and reviewing bids.
 - At their June 10 meeting, the Board will consider approval of the financing resolution and documents. Ms. McGarry said the documents set the maximum principal amount of borrowing, which will set the ceiling for the project. She stated the Board may need to consider the maximum principal amount of borrowing and have a cushion in place in the resolution.
 - The Board will be asked to approve the construction contract on July 8th.
 - The VRA bond sale is July 29th, and the tentative closing date is August 6th.
 - The high school renovation project key dates are April 22nd for the VPSA bond sale, April 24th for the bond document signing, and May 6th for the executed closing documents due to VPSA.
 - The tentative closing of bonds is May 13th.
2. **FY26 Budget** – Ms. McGarry noted that the FY26 budget public hearing authorization is set for 7 p.m. on May 13th, as recommended today.
3. **Regional Water Supply Planning** – Ms. McGarry, Supervisor Reed, and Service Authority Board Member Robert McSwain had attended the Regional Water Supply Planning kickoff meeting for the Middle James River II Regional Planning Unit (RPU), held in Altavista on March 24th. DEQ is offering grant funds of about \$8,800 per RPU to help RPUs get started in the planning process. CVPDC will apply for these funds on behalf of the RPU, which can be used for eligible purposes related to the planning process, such as conducting regional meetings or hiring a consultant to work on the plan. Subsequent discussions will be held with CVPDC regarding their leadership of the planning process, which will entail the CVPDC membership voting affirmatively for them to do so. Future funding for these plans is unknown and may ultimately be a local responsibility. Regional Water Supply Plans are due to be submitted to DEQ by October 10th, 2029. She noted that they were just getting started and would have more to report as this moves forward.
4. **Follow-up from CHA and Larkin Phase 1 Well Evaluation and Dillard Creek Flow Evaluation** – Ms. McGarry noted that Jeff Brantley met with CHA staff on-site this past Friday to evaluate access to the property and any potential tree removal that may be necessary for them to do the resistivity testing and ultimately provide for drill rig access to the identified and mapped testing sites. She indicated that Mr. Brantley had reported back and he did not think that outside tree removal help would be necessary and scheduling of the actual resistivity testing is to be determined.
5. **Piney River Phase II Pump Station** – Ms. McGarry reported that the pump station is currently down with the pump motors out for repair and pumping and hauling of the wastewater is being performed. She noted that the time frame for the motor repair is pending from the shop and Mr. Brantley said he may be able to temporarily bypass the pump station as a workaround until the pump station is back online.

The County is currently working to secure an engineer’s review of the new pump station specifications before placing that order. Along those lines, the County and Service Authority staff will be meeting later in the month to discuss the Piney River Phase II system, inclusive of the Phase II Pump Station replacement plans and plans for moving towards the Service Authority’s ownership of that system. This will include some preliminary discussion and review of near future rate adjustments for that system.

6. **Ambulance Transport Billing Status:**

A special thanks goes out to Deputy Chief Mike Riddle of NEMS for his work on this issue. NEMS staff have worked through the billing issues for the last year and they want me to emphasize through no fault of their own, and this is true, they did nothing to contribute to this issue, but they found approximately 760 transport reports that did not get billed.

- It was determined that when the NEMSIS guidelines changed last year, the filtering of reports also changed and excluded several reports that should have been billed. NEMSIS is the national organization that sets guidelines for collecting, storing, and sharing EMS data and maintains the national EMS database. So once this was determined, they were able to compare the billing reports from the billing company with what they had sent in to be billed from the EMS transport end.
- Reports that did not get billed last year were resubmitted and should now be in the process of being billed and collected. They will continue to review the reports from January and February of this year to ensure that those have in fact been billed as well. And from a revenue receipt standpoint, the collections are almost at expected year-to-date levels now, so that is being recovered.

Mr. Parr asked if staff had gotten any feedback on the billing system. Ms. McGarry noted that they usually only received feedback when something was not going well, and she had not gotten any feedback on the billing system. Dr. Ligon noted they had talked in a prior meeting about possibly shopping around and she asked if staff had done any price comparisons. Ms. McGarry indicated that staff had not done any checking on that.

7. **Investment of County Funds** – Ms. McGarry, Treasurer Hull, and Grace Mawyer had met with Davenport, the County’s financial advisors, and Atlantic Union Municipal Advisors (AUMA), a subsidiary of Atlantic Union Bank (AUB), to discuss their investment in asset management services. Both offer similar services based on cash flow analysis and current investment practices; however, the County currently has its commercial accounts with Atlantic Union Bank, which offers their investment asset management services in house and is able to provide some incentives, such as renegotiation of banking fees, restructuring and lengthening of current accounts to maximize interest earned, and interest rate incentive associated with account restructuring.

- Ms. McGarry reported that Ms. Hull was currently working with AUB and AUMA on this, and a presentation to the Board by the director of their fixed income unit for AUMA is being planned for possibly June or July. Revised reports include the current investment mix, which totals \$28,673,988 in several different investment accounts which are the Atlantic Union Bank operating account. She reported that \$1.2 million is non-interest bearing. She also noted that there was an Atlantic Union Bank sweep account, which is a money market account, with about \$9.1 million at an interest rate of 2%.
- Ms. McGarry noted that the Virginia local government investment pool accounts, or LGIP, had \$7.8 million earning 4.43% interest. She then reported that the VIP stable NAV liquidity pool, which was a similar tool as LGIP, had \$6.9 million at 4.45% interest earnings. She also indicated that there were multi-bank securities and a fixed income account, and noted that these were CDs that had different interest rates with about \$3.4 million in those, and those earnings rates ranged from 3% to 4%. She noted staff would come back to the Board with more information in June or July.

Current Investment Mix Totaling \$28,673,988

Investment Account	Amount	Interest Rates
Atlantic Union Bank Operating account	\$1,279,196	Non-interest Bearing
Atlantic Union Bank Sweep Account (Money Market)	\$9,139,985	2% interest rate
Virginia Local Government Investment Pool (LGIP)	\$7,836,655	4.43% interest rate
VIP Stable NAV Liquidity Pool	\$6,981,924	4.45% interest rate
Multi-Bank Securities, Inc. Fixed Income Account - these are CD’s that have different interest rates	\$3,436,228	Ranges from 3%-4%

Mr. Rutherford commented that with CHA and the well, he recalled in their prior discussions that other localities are being required to do a receptivity test before they start looking into water-related improvements. He said this was likely something they have to do, and they could send well drillers out to go find the water for a much better price.

Ms. McGarry responded that she thought they could, and any funding mechanism is going to require engineering.

8. **Wintergreen Fire Marshal** – Ms. McGarry said Mr. Rutherford had spoken with State Fire Marshal Billy Hux regarding Wintergreen’s request, and he is amenable to coming to a Board meeting to discuss this. Staff and Chief Sheets will coordinate a meeting in the next couple of months with Mr. Hux and then designate Board members prior to bringing this back for the Board's reconsideration. She noted that Mr. Reed had expressed in interest in this, and Mr. Rutherford would also like to be involved.
9. **Meals and Lodging Task Collection and Lodging Entity Tracking** – Ms. McGarry referenced the charts as attached for February and March. She said the number of lodging units is 826, up from 816 for March, based on the previous report. She said that Glen Yi, the County’s GIS specialist, is working on plotting all the registered STRs in the County and developing an interactive map, which should prove to be an excellent tool in the short-term rental ordinance conversation. She said as soon as that is fully developed, staff could release it to the Board for review and comment or any additional elements to add. She noted that the Board had received all the department and office reports from March to April.

Ms. McGarry concluded her report by echoing the Board's comments and congratulations to Mr. Wright for winning his Animal Control Officer of the Year Award, and she thanked the Animal Control department. She also commended the telecommunicators and dispatchers for their hard work and recognition.

The Board thanked Ms. McGarry for her report.

2. Board Reports

Mr. Parr:

Mr. Parr had nothing to report.

Dr. Ligon:

Dr. Ligon stated that at the recent Planning Commission meeting, they began addressing short-term rental ordinance changes. She also said that the Commission hoped the County would spend the extra \$2,500 on the 151 overlay district—in addition to the 29, Lovington, and R-3 overlay districts—as the Commission felt the 151 corridor was not well represented.

Mr. Reed stated that he had spoken with Ms. Bishop earlier that day, and she would be bringing a proposal forward for the 151 overlay district.

Mr. Rutherford:

Mr. Rutherford reported that he had a Planning District Commission meeting recently, and it was a brief one without a lot of activity. He stated that he and Mr. Reed had attended the Central Virginia Regional Housing Partnership conference recently, which was productive and well attended by regional localities. He said that there was a lot of good discussion as it relates to housing costs and high interest rates, and what this looks like in a rural context. He noted that the local study begins this month, so they should be getting some data over the next year. He also reported that in addition to the joint School Board meeting and their budget work sessions, he attended the Sheriff's Town Hall at the Rockfish Community Center, which had fairly good attendance and lots of positive feedback about enforcement on 151. He said that he and Dr. Ligon were currently pursuing their Planning Commissioner certifications, which he felt was valuable.

Dr. Ligon stated all the County’s entities—including the Planning Commission—needed to be elevated in their work, particularly in their work with the EDA. She added that it was her mission when she was elected to empower the EDA, fund them, and try to get some momentum there. She concurred with Mr. Rutherford that the timing was good with their work on zoning and comprehensive planning, noting that the second Commission meeting was the first full one with the new members.

Mr. Reed:

Mr. Reed reported that the regional housing summit was extremely valuable, and he thanked the TJPDC and others involved in putting that even together. He also mentioned that the Sheriff's Town Hall at the Rockfish Community Center was positive, and he thanked Mr. Rutherford for attending.

Mr. Reed said that the Regional Water Supply Plan meeting that Ms. McGarry talked about in her report was important, and he wanted to share some information because there had been many questions about getting that information updated. Mr. Reed reported that the last revision was done in 2017 and noted that they were in a different planning unit/RPU with the Middle River than they were with TJPDC. He said this was interesting because they might be more familiar with issues that cover the TJPDC area, and many of the reports and support they receive for their planning department came from TJPDC; however, they shared the same watershed in the middle part of the James River with Amherst County, Appomattox County, Campbell County, Bedford County, and Lynchburg—so it made sense for them to work together on regional planning.

Mr. Reed stated that he had been meeting with constituents, both at their request and at his, to discuss the short-term rental scenario. He said there was no shortage of interest, input, and ideas on that subject. Mr. Reed noted that he was looking forward to being more involved as they progressed.

B. Appointments

Mr. Reed noted that there had been one appointment to the EDA, but Ms. Spivey indicated that candidate Margaret Clair withdrew her request due to scheduling conflicts with that obligation. She said they would continue to accept applications for the EDA, which was a countywide—not a district—seat. She indicated that they were also looking for applicants for the Board of Zoning Appeals for the alternate position, which was also a countywide position.

C. Correspondence

The Board had no correspondence to discuss.

D. Directives

Mr. Rutherford stated that he had done some more studying since the last work session. He offered his assistance and any help needed with following-up on the Tunnel Foundation as it related to improvements at the Tunnel trail.

Mr. Rutherford stated that the primary budget issue of concern was the school bus situation and the need for more buses, which could be accomplished by substituting some of the recurring funding and set it up as a “bus fund.” He said that he had called his School Board member but did not get a chance to talk to him about this. He emphasized that the bus situation was dire and needed attention. He noted he was not sure if he would propose something for the current budget session, and he was in the beginning stages of finding out details and seeing what the schools might be amenable to. Mr. Parr commented that he and George Cheape had a conversation regarding the reallocation of some of the recurring funding to help purchase buses and he seemed open to the idea.

VII. CLOSED SESSION PURSUANT TO 2.2-3711(A)(1) – PERSONNEL

Mr. Reed indicated that they would take a short break before the Board entered into closed session.

Mr. Rutherford moved 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)(1) - “Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body;” – Personnel. Mr. Parr seconded the motion. There being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion.

Supervisors conducted the closed session and upon its conclusion, Mr. Rutherford moved to reconvene in public session. Mr. Parr seconded the motion and there being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion.

Upon reconvening in public session, Mr. Rutherford moved that the Nelson County Board of Supervisors certify that, in the closed session just concluded, nothing was discussed except the matter or matters specifically identified in the motion to convene in closed session and lawfully permitted to be discussed under the provisions

of the Virginia Freedom of Information Act cited in that motion. Mr. Parr seconded the motion and there being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion.

VIII. OTHER BUSINESS (AS PRESENTED)

The Board directed Ms. Mawyer to include in the FY26 budget, a salary increase for Ms. McGarry, to bring her salary to \$160,000. Ms. McGarry expressed her appreciation for the raise. Mr. Reed thanked Ms. McGarry for all of her work.

Mr. Rutherford noted the discussion of the Schools utilizing some of the funds for buses. He asked for staff to look at this further and for the Board members to reach out to their School Board members.

The Board discussed the \$36,000 in family assistance fund amount provided by Margaret Clair from the Nelson Community Development Foundation (NCCDF). Mr. Rutherford suggested sticking with the \$25,000 amount and asked if Ms. Clair could look at the administrative costs at that amount of total funding.

The Board determined that no budget work session was needed at this time.

IX. ADJOURN AND CONTINUE - EVENING SESSION AT 7PM

At 4:58 p.m., Mr. Rutherford moved to adjourn and reconvene at 7:00 p.m. and Mr. Parr seconded the motion. There being no further discussion, Supervisors approved the motion unanimously (4-0) by roll call vote and the meeting adjourned.

EVENING SESSION 7:00 P.M. – NELSON COUNTY COURTHOUSE

I. CALL TO ORDER

Mr. Reed called the meeting to order at 7:00 p.m., with four (4) Supervisors present to establish a quorum. Mr. Harvey was absent.

II. PUBLIC COMMENTS

There were no persons signed up to speak under Public Comments.

III. PUBLIC HEARINGS

A. Special Use Permit #25-0019 – Banquet Hall

Consideration of a Special Use Permit application requesting County approval to allow a banquet hall use within an existing structure at 99 Morse Lane in Arrington. The subject property is further identified as Tax Map Parcel #76-10-3, is 3.275 acres, and owned by James and Crystal Harris.

Ms. Bishop said that this is a request for a special-use permit to allow banquet hall use within an existing structure of property zone A1 agriculture. She stated that the Planning Commission heard this at their meeting in February. She noted that this is located at 99 Morse Lane and Arrington in the South District, owned by Crystal and James Harris. She reported that the property had an approved special-use permit from 2010 for long-term indoor vehicle storage, which was approved by the Board of Supervisors on May 11, 2010. She stated that there are two (2) existing warehouses on the property currently serving the storage garage use.

Ms. Bishop reported that the applicants were proposing to convert a portion of one of the warehouses to be used as an event space. She noted that banquet halls, in the ordinance, are defined as “a facility for hosting public and or private events, including but not limited to weddings, receptions, social events or parties and workshops, use as a venue for social, cultural, recreational, and/or educational activities.” She said that banquet halls did not include lodging.

Ms. Bishop stated that the area is residential in nature with some commercial and institutional uses, such as the Heritage Center, which was now home to the Health Department. She noted that the zoning in the vicinity is A-1 and there were no floodplains on the property. She said that the property is accessed by an existing entrance on Morse Lane. She stated that VDOT reviewed the request and determined the existing entrance to be sufficient for the proposed use. She noted that parking requirements in the zoning ordinance indicate one space for each 100 square feet of area. Ms. Bishop reported that the floor area of the proposed event space is approximately

4,200 square feet, requiring at least 42 parking spaces. She said there is an existing gravel parking lot with 50 spaces and additional parking if necessary.

Ms. Bishop stated that there was existing septic and spring-fed water on the property. She reported that the applicant is working with Old Dominion Engineering to complete a capacity assessment. She noted that the Health Department indicated they have been in contact and do not believe the proposal will add any additional load onto the existing septic system. Ms. Bishop said that the property is located in a rural area on the future land use map. She stated that the core concepts ensure protection of the county's rural landscape and economy by maintaining open space, scenic views, and agricultural uses. She noted that rural areas comprise the majority of the county, and alterations and retrofits to existing developments to enhance resiliency and conform to current standards are encouraged, while expansion is not.

Ms. Bishop presented a GIS view of the property, showing the warehouses and the Heritage center. She said that special use permit review criteria states that the use “shall not change the character or established pattern of development, use shall be in harmony with other uses permitted by right, and should not adversely affect the use of neighboring property.” She noted that the property must be adequately served by public or private water and sewer and “shall not result in the destruction, loss, or damage of any significant feature.” She stated that at their meeting in February, the Planning Commission voted 4-0 to recommend approval of this special use permit for a banquet hall at 99 Morse Lane.

Ms. Bishop offered to answer questions.

Dr. Ligon asked if the study on the occupancy was in process.

Ms. Bishop responded that the applicants were working with Old Dominion Engineering to perform a capacity assessment but they would not be required to fulfill any of those obligations unless the special use permit is approved. She indicated that they are also having to work with a registered design professional on the building code aspect of the building to change the use to an assembly use. She noted that the applicants wanted to make sure the special use permit gets approved first before proceeding with changing the building code use.

Mr. Reed opened public hearing.

The applicant, Crystal Harris, explained that they have taken the front part of one of the existing warehouses and cleared it out to make it a “personal space” to begin with, and now have decided to start renting it out and holding events there to generate revenue and add on to the existing revenue there. She confirmed that the architect has already made the necessary drawings, which had been sent to Jeremy Marrs, the building official.

Dr. Ligon asked about the number of people that would use the building. Ms. Harris stated that it would be 300, and the space was right under 5,000 square feet. Dr. Ligon asked if there were existing rules for occupancy and the parking requirements. Ms. Bishop responded that the only parking requirements were related to floor area, and were not linked to occupancy unless there were fixed seats—which there were not.

Mr. Reed asked if adjacent property owners were notified. Ms. Bishop confirmed that they were notified by mail, as required. Mr. Parr asked if anyone had heard from constituents on the project. Dr. Ligon said they had heard some concerns earlier today regarding the proximity to the church.

Mr. Reed opened the public hearing. There were no persons wishing to speak and the public hearing was closed.

Dr. Ligon stated that she did a drive-by before the Planning Commission meeting and did not feel it was going to change the character of the area. She reiterated the concerns stated about the proximity to the church and wondered if they would consider not operating during church hours. She said that this was not necessarily a proposed condition, just a point of discussion.

Mr. Rutherford said there was nothing that would prohibit the applicants from allowing a church to rent this facility from them, so he would not want them to limit that. He said this was more about them being good neighbors and maybe not doing something from 9 a.m. to 12 p.m. on Sunday. He agreed with the applicant that the noise from Route 29 would be louder than an event there, and he did not see the need for a condition.

Mr. Reed noted that the Planning Commission does not recommend adding any conditions.

The Board discussed the proposed conditions and it was noted that the property owners were agreeable to the conditions as suggested.

Dr. Ligon moved to approve **Special Use Permit #25-0019** for a banquet hall in A-1 on 99 Morse Lane.

Mr. Parr seconded the motion. There being no further discussion, Supervisors approved the motion unanimously (4-0) by roll call vote.

B. FY26-31 Six-Year Secondary Road Plan

Robert Brown of VDOT reported that after the work session, he took the comments back that were made and incorporated them into a revised six-year plan, also changing the unpaid road priority list based on discussions. He stated that they wanted to get Lonesome Pine Road and Findlay Gap Road into the plan. Mr. Brown reported that they could not get Findlay Gap into the plan due to budgeting in the last year, but they were able to get Lonesome Pine Road included in the last year of the six-year plan. He said they placed Findlay Gap as priority number 3 below Spring Valley Road on the unpaved road priority list, as instructed.

PRIORITY	UPC	ROUTE	STREET NAME	START LOCATION	START STATE MILEPOINT	END LOCATION	END STATE MILEPOINT	LENGTH	ESTIMATE	PLANNED CN SEASON
2.01	121342	623	DAVIS CREEK ROAD	DEAD END	0.880	RTE 625	2.640	1.700	\$ 399,168	2024
2.02	125857	646	HUNTING LODGE RD	RTE 604	2.200	RTE 645	4.200	2	\$400,000	2025
2.03	125858	674	JENNYS CREEK RD	RTE 56	1.430	0.60 MILES SOUTH OF RTE 151	2.630	1.2	\$250,000	2025
2.04	125863	640	WHEELERS COVE RD	1.50 MILE SOUTH OF RTE 620	5.800	RTE 620	7.300	1.5	\$300,000	2026
2.05	125860	667	FORK MOUNTAIN RD	1.29 MILE NORTH OF RTE 56	1.300	2.29 MILE NORTH OF RTE 56	2.300	1	\$225,000	2026
2.06	125862	613	BERRY HILL RD	1.10 MILE SOUTH OF RTE 788	4.750	RTE 788	5.750	1	\$200,000	2027
2.07	125859	606	BUFFALO STATION RD	RTE 626	0.050	1.4 MILE EAST OF RTE 626	1.450	1.4	\$260,000	2027
2.08	125864	764	WALK AROUND LN	RTE 628	0.000	DEAD END	0.600	0.6	\$150,000	2028
2.09	125866	648	EAGLE MOUNTAIN DRIVE	RTE 703	1.000	RTE 56	1.500	0.5	\$150,000	2028
2.10	125865	721	GREEN FIELD DR	.70 MILES NORTH OF RTE 626	1.500	2.8MILE NORTH OF RTE 626	3.600	2.1	\$450,000	2029
2.11	125861	629	GULLEYSVILLE LN	DEAD END	0.000	RTE 634	1.270	1.27	\$200,000	2030
2.12	T30520	649	LONESOME PINE ROAD	RTE 771	0.320	RTE 694	1.120	0.8	\$150,000	2030
6.01	122046	NELSON COUNTYWIDE - TRANSPORTATION SERVICES								
6.02	T18804	NELSON COUNTY UNPAVED ROAD FUNDING								

Nelson County
Rural Rustic Draft Priority List - FY26/31

PRIORITY	ROUTE	NAME	FROM	TO	LENGTH	TC - VPD	COST
1	780	Toms Lane	RTE 674 Cow Hollow	Dead End	0.40	60	\$ 120,000.00
2	634	Spring Valley Rd	RTE 616 Hickory Creek Rd	Dead End	1.00	180	\$ 300,000.00
3	647	Findlay Gap	RTE 722 Keys Church Rd	1.20 Mi East	1.20	220	\$ 400,000.00
4	681	Pigeon Hill Rd	RTE 680 Cub Creek Rd	RTE 769	1.56	80	\$ 425,000.00
5	662	South Powell Island	0.68 Mi North RTE 739	1.45 Mi N 739	1.45	60	\$ 362,500.00

Mr. Brown stated that projects 1 through 10 were existing projects. He noted that Greenfield and Gulleysville were moved down to the bottom of the list, and Lonesome Pine Road was added as priority 12. Mr. Brown said that was the only addition to the six-year plan. He reported that Findlay Gap couldn't be included because it needs to be fully funded to be in the plan. He noted that next year, Findlay Gap could be moved to the plan and fully funded in FY31 and FY32, as they have not designated all of their paved road monies.

Mr. Brown said they have \$169,000 in FY31 that was not designated. He remarked it was not very important at the moment either way. He explained that priorities 6.01 and 6.02, the Nelson Countywide Transportation

Service, represent telecommunications money used for special projects on secondary roads and new sign installations. Mr. Brown said that money is secondary road money that can be allocated to projects when needed. He noted that it is generally reserved for transportation services and special projects.

He stated that he would be glad to answer any questions.

Mr. Reed opened the public hearing. There were no speakers, and the public hearing was closed.

Mr. Brown noted that they were a month early in the process this year and had not gotten their final allocations, but they would be very close to what was shown—perhaps off by a thousand dollars or two. He said that this is why they would not pass the resolution that night and would address it next month.

C. Ordinance O2025-02 – Amendment to Chapter 2, Administration, Article IV, School Board

Consideration of an ordinance proposed for passage to amend Sec. 2-125(k) to align the County code with Code of Virginia §24.2-506 and §24.2-507, which outline the number of qualified voters needed on candidate petitions and the relevant filing deadlines. §24.2-507 was updated in 2021 when primary elections in Virginia were changed from the second Tuesday in June to the third Tuesday in June.

Ms. McGarry reported that the proposed local code amendments were in conformance with the 2021 updates in state code that change the dates of primary elections in Virginia for being held on the second Tuesday to the third Tuesday in June. She said that this amends the local code to change the deadline for filing declarations and petitions for general elections in November to the third Tuesday in June from the second Tuesday in June. She stated that it also amends the local code to change the deadline for filing declarations and petitions for special elections to fill a vacancy to either, (1), at least 81 days before the election, and this is a change from at least 74 days, or (2); if the special election is being held at the second November election after the vacancy occurred, the deadline for filing declarations and petitions is changed to the third Tuesday in June from the second Tuesday in June before the November election. She showed what the proposed ordinance amendment O2025-02 language changes look like and indicated that it would be effective upon adoption. She indicated that staff recommended approval of the ordinance O2025-02.

Mr. Reed opened the public hearing. There were no speakers, and the public hearing was closed.

Mr. Parr moved to approve **Ordinance O2025-02 – Amendment to Chapter 2, Administration, Article IV, School Board**.

Mr. Rutherford seconded the motion. There being no further discussion, Supervisors approved the motion unanimously (4-0) by roll call vote and the following ordinance was adopted:

**ORDINANCE O2025-02
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF THE CODE OF NELSON COUNTY, VIRGINIA
CHAPTER 2, ADMINISTRATION, ARTICLE IV SCHOOL BOARD**

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

Amend

Sec. 2-125. – Election, terms, vacancies.

(k) In order to have his/her name placed on the ballot, each candidate shall file along with his/her declaration of candidacy a petition therefore, on a form prescribed by the State Board of Elections, signed by fifty (50) qualified voters in election districts containing one thousand (1,000) or fewer registered voters and one hundred twenty-five (125) qualified voters in any district containing more than one thousand (1,000) registered voters. The deadline for filing declarations and petitions for a general election in November is by 7:00 p.m. on the ~~second~~ **third** Tuesday in June, and the deadline for a special election held to fill a vacancy, either (i) at least ~~seventy-four~~ **eighty-one (74 81)** days before the election or (ii) if the special election is being held at the second November election after the vacancy occurred, by 7:00 p.m. on the ~~second~~ **third** Tuesday in June before that November election, pursuant to Section 24.2-506 and 24.2-507 of the Code of Virginia, 1950, as amended.

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

IV. OTHER BUSINESS (AS PRESENTED)

The Board had no other business to discuss.

V. ADJOURN AND CONTINUE TO APRIL 23, 2025 AT 5:00 P.M. FOR A JOINT WORK SESSION WITH THE PLANNING COMMISSION

At 7:21 p.m. Mr. Parr moved to continue the meeting to April 23, 2025 at 5:00 p.m. for a joint work session with the Planning Commission. Dr. Ligon seconded the motion. There being no further discussion, Supervisors approved the motion unanimously (4-0) by roll call vote and the meeting adjourned.