

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

Absent: Thomas D. Harvey, North District Supervisor
Jesse N. Rutherford, East District Supervisor

I. CALL TO ORDER

Mr. Reed called the meeting to order at 2:01 p.m. with three (3) Supervisors present to establish a quorum. Mr. Rutherford and Mr. Harvey were absent.

- A. Moment of Silence – Attendees observed a moment of silence.
- B. Pledge of Allegiance – Dr. Ligon led the Pledge of Allegiance.

II. PUBLIC COMMENTS

Joanne Clarkson - Piney River, VA

Ms. Clarkson stated that she had been unaware of the duplexes going up on St. James Church Road until she read the article in the *Nelson County Times* on August 21, and she has concerns about that given what other similar Section 8 housing in the area ended up looking like. She asked what the criteria was for people moving into the duplexes and who would monitor it. She emphasized that she is not against affordable housing but feels they need more transparency when these are proposed. She commented that people living on that road had no idea that the duplexes were going to be built there. Ms. Clarkson stated that she had no issue with the Board waiving the fees. She said she did not want to project to turn out the way that Piney River has. She suggested that the Board think about zoning. She noted that she owned property on both sides of Route 56 and she could put duplexes on that under A-1 without making any changes to the zoning. She indicated that she was advocating for a meeting with the Board of Supervisors, the Nelson County Community Development Foundation, the Nelson County Service Authority, the citizens of Piney River, and other stakeholders.

III. CONSENT AGENDA

Dr. Ligon moved to approve the Consent Agenda as presented. Mr. Parr seconded the motion. There being no further discussion, Supervisors approved the motion by roll call vote (3–0), and the following resolutions were adopted:

- A. Resolution – R2025-65 Minutes for Approval

**RESOLUTION R2025-65
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF MINUTES
(May 21, 2025, August 12, 2025 and August 19, 2025)**

RESOLVED, by the Nelson County Board of Supervisors that the minutes of said Board meetings conducted on **May 21, 2025, August 12, 2025 and August 19, 2025** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

- B. Resolution – R2025-66 FY26 Budget Amendment

September 9, 2025

RESOLUTION R2025-66
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF FISCAL YEAR 2025-2026 BUDGET
September 9, 2025

I. Appropriation of Funds (General Fund)

<u>Amount</u>	<u>Revenue Account (-)</u>	<u>Expenditure Account (+)</u>
\$ 30,008.00	3-100-009999-0001	4-100-022010-5419
\$ 10,000.00	3-100-002404-0060	4-100-081020-7061
\$ 649.95	3-100-003303-0107	4-100-031020-1013
\$ 965.64	3-100-003303-0107	4-100-999000-9905
\$ 1,541.31	3-100-003303-0107	4-100-999000-9905
\$ 2,376.96	3-100-003303-0107	4-100-999000-9905
\$ 7,359.41	3-100-003303-0051	4-100-999000-9905
\$ 3,126.67	3-100-002404-0035	4-100-999000-9905
\$ 4,612.17	3-100-001899-0008	4-100-091030-5202
\$ 2,298.08	3-100-001899-0008	4-100-091030-5202
\$ 7,862.93	3-100-001899-0008	4-100-091030-5202
\$ 18,085.60	3-100-002404-0002	4-100-032020-5650
\$ 230,125.60	3-100-009999-0001	4-100-091050-7085
\$ 37,054.81	3-100-001803-0020	4-100-999000-9905
\$ 19,497.00	3-100-009999-0001	4-100-091030-5657
\$ 1,242.90	3-100-001401-0002	4-100-031020-7017
\$ 376,807.03		

II. Transfer of Funds (General Fund Departmental)

<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
\$ 67,226.00	4-100-031020-7049	4-100-031020-7015
\$ 5,143.00	4-100-031020-7049	4-100-031020-2001
\$ 1,536.00	3-100-001401-0001	3-100-001401-0002
\$ 73,905.00		

III. Transfer of Funds (Capital Fund)

<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
\$ 305,191.84	4-110-094200-8350	4-110-094200-8324
\$ 305,191.84		

C. Resolution – R2025-67 Opioid Settlement Participation

RESOLUTION R2025-67
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF THE COUNTY’S PARTICIPATION IN THE PROPOSED SETTLEMENTS OF
OPIOID-RELATED CLAIMS AGAINST ALVOGEN, AMNEAL, APOTEX, HIKMA, INDIVIOR,
MYLAN, SUN, AND ZYDUS, AND DIRECTING THE COUNTY ATTORNEY TO EXECUTE THE
DOCUMENTS NECESSARY TO EFFECTUATE THE COUNTY’S PARTICIPATION IN THE
SETTLEMENTS

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, settlement proposals have been negotiated that will cause the opioid manufacturers Alvogen, Amneal, Apotex, Hikma, Indivior, Mylan, Sun, and Zydus (collectively, “the Manufacturers”) to pay an aggregate of approximately \$720 million dollars nationwide to resolve opioid-related claims against them; 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 each of the pending settlements with the Manufacturers 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, Walmart, and Kroger;

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

NOW THEREFORE BE IT RESOLVED that the Nelson County Board of Supervisors, this 9th day of September, 2025, approves of the County’s participation in the proposed settlements of opioid-related claims against the Manufacturers, and directs the County Attorney to execute the documents necessary to effectuate the County’s participation in the settlements, including the required release of claims against the Manufacturers.

IV. PRESENTATIONS

A. VDOT Report

Robert Brown, VDOT Residency Administrator provided the following report:

Mr. Brown reported that the final repair on Rockfish River Road/Route 617 is underway and should be completed within the next two weeks. He indicated that they had to complete a pipe replacement on Route 6 on Afton Mountain, and while it was not an emergency, paving is set to start on September 10 on Route 6 coming down from Route 250 to 151, so they went ahead and completed the pipe replacement in advance of the paving operations. He noted that the pipe replacement in Gladstone had been completed.

Mr. Brown indicated that there was a lot of ditching they wanted to accomplish throughout the County, with Cub Creek currently underway. He noted that VDOT would do one more cutting on the four-lane primaries, beginning October 14th, and it would be a total cut for the entire right of way and median.

Supervisors then discussed the following VDOT issues:

Dr. Ligon:

Dr. Ligon said a constituent had come to her regarding Arrington Road where the road had been cut into for a culvert and there were still cones present, to ask when the black top would be put back down. She stated that there was a near incident with a motorcycle on Keys Church Road, and she wondered if there should be a caution at the end of the road, as a lot of people use it as a cut-through over Eagle Mountain. Mr. Brown noted they would take care of putting up signs. Dr. Ligon also asked about the cost for some “Children at Play” signs for Gladstone. Mr. Brown responded that the signs cost between \$500 and \$800 each. Mr. Reed suggested that Dr. Ligon bring up the signs under Other Business for discussion. Mr. Brown noted that if the Board wanted to move forward with the signs, to let him know, and he would provide an agreement to be signed to proceed with the installation. Mr. Parr asked if having those signs was something standard in communities with concentrations of residential areas and lower speed limit areas. Mr. Brown responded that most of those requests are from urbanized areas. He noted that they tend to set a precedent once they are placed because once they put one up, they would have requests for others.

Mr. Parr:

Mr. Parr did not have any VDOT issues to report.

Mr. Reed:

Mr. Reed did not have any VDOT issues to report.

B. BRVGS Sister Cities Proposal – Brayden Murphy and Odin Clark-Cearley

NCHS Seniors Brayden Murphy and Odin Clark-Cearley were present to discuss their Sister Cities proposal. Mr. Murphy stated that he and Mr. Clark-Cearley would like to discuss bringing a “Sister City” to Nelson County, explaining that the goal is to establish a relationship with a foreign locality and help build a bridge between the two communities. Mr. Murphy said this helps establish both a formal and informal bond through

which they can trade business notes, government politics, and culture. He explained that this helped to create a bridge between the two cultures and it was designed so that each Sister City benefitted from it. Mr. Murphy explained that Sister City International is the organization that primarily organizes Sister Cities throughout the participating countries, with the highest elected official of each body coming together to make an agreement to become sister cities.

Mr. Clark-Cearley stated that having a Sister City can provide exposure to international culture within Nelson County and bring visitors to the local community. He noted that there would be countywide opportunities for involvement such as pen pals for kindergarten and elementary school students, course and culture days at the high school. He indicated that as an end goal, they envisioned a foreign exchange program. He emphasized that the startup costs for the program are nominal, whereas the benefits are long lasting.

Mr. Murphy explained that the first step is determining the criteria and determine which cities they want to become a Sister City or Friendship City with, then vet those ideas in terms of counties and cities that fit the criteria for a match with Nelson. He said they could include similar economic backgrounds, population density, and other characteristics that make them a good fit. He noted that the next step would be to reach out to foreign communities, then build the relationship. He noted that the formal agreement would then go through the Sister City International (SCI) organization. Mr. Murphy noted that SCI had a template agreement for both government bodies to sign and enter into.

Mr. Clark-Cearley explained that they were proposing a Nelson County Sister City Initiative (NCSCI) to serve as an appointed body, to ensure that the process goes smoothly. He noted it would be an organization that could host projects and manage schedules between different events that the SCI group would want to hold.

Mr. Murphy stated that they were not asking the Board for money or financial support. He indicated that they were seeking the Board's blessing and support for their project. Mr. Clark-Cearley reported that they did not have a budget for the project, noting there was a startup fee for Sister Cities International that was determined by the county's size. He noted that he and Mr. Murphy were prepared to pay that out of pocket as it was not very much. He explained that they would get to certain points during the project where things would have to go through he and Mr. Murphy, to the Board for review. Mr. Murphy noted that they would love for the Board to work alongside them through the project, but they were certainly not obliged to.

Mr. Parr asked if this was for a school project. Mr. Clark-Cearley confirmed that they are required to do a capstone project through the Blue Ridge Virtual Governor's School (BRVGS) that services the community. Mr. Parr asked about the estimated timeline. Mr. Clark-Cearley said it was hard to say for sure, he estimated that they could come to a formal agreement as friendship cities, which is an intermediary step between becoming sister cities, in a matter of a few months. He noted that they could find that they are not best suited for each other, and stepping down is an option to then take things slower. He commented that it could all happen in about eight months, or as soon as four months, it would just depend on the diplomacy. Mr. Parr asked if Mr. Murphy and Mr. Clark-Cearley as seniors were hoping to have this completed during their time in school, or if it would possibly carryover to another group of BRVGS students the following year. Mr. Murphy explained that with BRVGS, a part of the project objective was "leaving a legacy," so if they were unable to bring the project to completion, it could obviously continue after they graduate with the next group of students who would then be provided with the materials to move forward.

Mr. Parr commented that he thought it was a great idea. He asked if there would be any room for input from the Board on the city selection. Mr. Clark-Cearley noted that they would plan to come back to the Board with a list of potential cities of nominated cities to be discussed and voted on. Dr. Ligon asked how much the fee would be to participate. Mr. Clark-Cearley indicated that the fee was \$410. Mr. Murphy explained that the high school had multiple bodies like Youth Philanthropy Council and National Honor Society, that they could work with to cover any fees that come up. Mr. Clark-Cearley noted that they could apply for grants through those student organizations.

Mr. Reed commented that this is a great initiative that has a lot of benefits. He said that he would like them to not work in a vacuum and asked if there was a team of people beyond the two presenters.

Mr. Clark-Cearley responded that it begins with the two of them, but the Nelson County Sister City Initiative (NCSCI) would be an opportunity for other people to join the team. He noted that they had been talking with Charlottesville's Sister City Commissioner to see if they could intern with them to get a mentor/mentee relationship going. He commented that they pull a lot of interest from their peers as well, but that was only high school age students. Mr. Clark-Cearley said that they plan to request the startup fee from the Youth Philanthropy Council.

Mr. Reed said that was a great approach, and he asked that the two presenters provide an update in October and perhaps pose a slate of suggested Sister Cities. Mr. Clark-Cearley noted that they could return to provide updates.

Mr. Murphy agreed, stating that thus far they have looked at localities in northwestern Argentina, southeastern France, and northeastern Spain. Mr. Clark-Cearley noted that the reason for those suggestions, in part, is that they are agriculturally based like Nelson and had similar climates.

C. TJPDC 2025 Legislative Update – David Blount

Mr. David Blount commended the previous presentation and stated that he was before the Board to provide a legislative update related to the state budget and other legislative activities as they discuss development of the regional legislative program.

Mr. Blount reported that within the last month, the Governor had announced to close out FY25, there were excess revenues at the state level of about a half a billion dollars; when adding another \$900 million in savings as the result of some of the Governor’s vetoes from last spring, as well as other transfers, there would be an approximate \$1.7 billion revenue excess to build into the FY26 budget for the next 10 months or so. He said once the General Assembly begins looking at fiscal years 2027 and 2028 by developing a biennial budget for the next two fiscal years, things become more uncertain due to not knowing the impact of federal happenings, the state of the economy, and those effects on the state budget. He noted that some expenses and changes will impact the Supplemental Nutrition Assistance Program (SNAP) and Medicaid eligibility determination.

Mr. Blount stated that the situation may change by November, and by February, when the next biennial budget is being finalized, it could be different. He said that the legislature will probably exercise caution and will have to address required expenses as well as determine where to fill in gaps that may exist. He said they would have to consider the impact on state-level funding, which may trickle down to localities, K-12 education funding, health and human services, and public safety. He said he wanted to bring this information forward and that more will be known when the Governor introduces proposed budget amendments in December, followed by the General Assembly session starting in January.

Mr. Blount stated that this is probably the third year he has come before them and said they would be “playing defense” as local governments as it relates to land use authority. He noted that this was especially true last year, with much discussion around the energy issue and siting of solar facilities. He said that this year, those issues will still be discussed, but there may be broader discussions regarding energy storage, load capacities, and tax credits, which local governments will be monitoring. Mr. Blount said there was a lot of legislation last year on data centers, with the JLARC report released before the session. He reported that no legislation ultimately passed addressing data centers, but he expects to see many of those bills return, either in the same or alternate form, during the next General Assembly session. He added that housing affordability has been a priority topic for the legislature for several years, with proposals involving both incentives and requirements, and he expects those to continue.

Mr. Blount presented the regional legislative program for TJPDC and provided a short summary of the top three legislative priorities in the 2025 program. Mr. Blount said these priorities have been around for a number of years, including public education funding and having the state play a greater role in working with localities and supplementing funding for K-12. He stated that budgets and funding encompassed numerous things, noting that local governments want the state to partner in funding programs carried out locally, with avoidance of unfunded mandates and shifting costs from the state to localities. He noted that land use and growth management have become elevated priorities in the past several years, with emphasis on local authority making those decisions.

Mr. Blount stated that he is reviewing these priorities and the program as a whole in the coming weeks, and he wanted to get suggestions from this Board on priority items and any additions to the legislative positions section. He said he is glad to take suggestions in the coming weeks, with a draft to be sent out in early October and his return in November for approval.

Mr. Reed commented that this year is critical, with more people watching to see what direction things might shift after November, and he asked when Mr. Blount would return with the legislative program. Mr. Blount responded that he would be returning to their meeting in November, but it would be after the November elections.

Mr. Reed said they will also be discussing this further at the Virginia Association of Counties (VACo) meeting in November.

D. 2026 General Reassessment Update – Gary Eanes

Mr. Gary Eanes of Wampler Eanes Appraisal Group stated that his company was acquired by Vision Government Solutions, but nothing had changed in their approach. Mr. Eanes reported that by the end of this

year, they will have completed 167 reassessments across 54 different localities throughout Virginia and North Carolina, totaling over 2.8 million properties assessed.

Mr. Eanes explained that state law requires counties to reappraise at least every four years, but reassessments can also be conducted annually or biennially. Mr. Eanes said that if a county's population is below 50,000, it can opt for a six-year cycle. He stated that the state recommends at least a four-year interval, and noted that Nelson County has maintained this schedule for quite some time. Mr. Eanes explained that another reason for reassessment is the State Department of Taxation's review of property sales in the County; if the sales ratio drops below 70%, the department will request a reassessment. He said that some localities have had to conduct emergency assessments to raise the ratio above 70%. He stated that every percent the ratio drops results in lost funding from public utilities and similar sources, so the state prefers that market value stay close to 100%.

Mr. Eanes said that the first step in the process is to inspect properties that have sold within the County. He explained that each property is visited by a field inspector who brings the current property record cards, verifies information with the property owners, and leaves a card on the door if no one is home to indicate that an inspection occurred. He noted that he had spoken with individuals at the courthouse who mentioned seeing some inspectors on their ring cameras and Arlos around their properties.

Mr. Eanes explained that the County is divided into smaller areas for comparison - either market areas or neighborhoods, and Nelson County currently has 282 different market areas. He said that this division means properties are compared within their own communities—such as Arrington—rather than to areas like Afton Mountain or Wintergreen. Mr. Eanes explained that the County is split into named neighborhoods or areas, including Faber and Massies Mill. He stated that for rural areas, mailing addresses are used, while named subdivisions automatically become neighborhoods. He explained that a platted subdivision is considered its own market area, and they consider both mailing addresses and geographic boundaries when defining these.

Mr. Eanes commented that Arrington may be similar to Shipman in terms of market value, but the County tries to divide them to ensure fair comparisons—comparing Shipman to Shipman and Arrington to Arrington. Mr. Parr noted that he lived in Piney River but his address was Arrington, noting that he was on the opposite side of 29 from Arrington. He commented that even though someone has an Arrington post office address, they may not actually be located in Arrington geographically.

Mr. Eanes explained that the County is divided up into tax maps, and they will follow corridors such as 151, up 29, over to Gladstone, etc.—so it is much more than just the zip code. He explained that their appraisers utilize the GIS system to do reviews while they are out in the field to determine how much frontage a property has, such as waterfront. Mr. Eanes stated that they can also locate other structures on the property that cannot be seen from the road or from the house. He explained that the goal of the mass appraisal process is to conduct accurate and equitable appraisals, and he said the primary tool used to measure this is the sales ratio study.

He explained that if a house is assessed at \$80,000 and sells for \$100,000, for example, then the assessment is only at 80% —which gets close to the 70% threshold that the state prefers to avoid. He noted the three methods used to determine real estate values. For the cost approach method, He said they determine what buildings would cost new and then consider depreciation to determine how much value the buildings have lost. He explained that with the income approach, for income-producing properties, such as shopping centers and apartments, they look at the income the property is producing. Mr. Eanes noted that the sales comparison/market approach was the most reliable method because it involves comparing similar houses and areas.

Mr. Eanes stated that once the reassessment is complete, property owners are notified and a hearing is offered if property owners wish to review their records. He said if property owners disagree with the findings, his group conducts informal hearings; property owners may appeal to the County-appointed Board of Equalization, consisting of County citizens, or they can go to them directly. He pointed out that if the property owner is not satisfied with that board's response, they can appeal to the Circuit Court.

Mr. Eanes explained that the Commissioner of Revenue is basically responsible for maintaining the records. He said that once the assessors' work is done, transfers still happen, as well as name and address changes. He emphasized for the public's benefit that the Commissioner of Revenue nor the Board is responsible for the reassessment. He said it is their company that handles the reassessment, and the values are based on what neighbors are buying and selling their homes for, and property values are just one part of it. He explained that just because someone receives a notice this fall indicating their property has increased by 20 or 40 percent, it does not mean their taxes will increase by the same percentage.

Mr. Eanes said that the Board of Supervisors will be reviewing the tax rate and the income required to maintain County operations, and the tax rate could be adjusted or it may remain the same, and that decision will be determined by their budget. He stated that reassessment is not simply a means to raise taxes, but is intended to equalize the tax burden among property owners. Mr. Eanes noted that he does not yet have figures on what the County's average increase would be.

Mr. Eanes presented examples of Nelson County sales values versus assessment values, noting a marked difference between the two in some cases, with the sales price being significantly higher in many instances. He indicated that several of the examples shown had been renovated or flipped, and that was not reflected in the assessed values. He explained that they would insure that the property information was correct and updated and then apply the market adjustment.

Mr. Reed asked if they were still completing door to door assessments. Mr. Eanes stated that they were still doing some assessments in the Stoney Creek area, then they would run back through the entire County and look at homes that have been under construction and pick up any new homes that have been built since they started the reassessment. He said that all the information would be released to taxpayers all at one time — most likely in early November. He indicated the property owners would have the opportunity to appeal their assessments if they wished to do so, or simply to review the property card data to ensure it is all correct.

Dr. Ligon asked if it is typical to see jumps like this, or are these unprecedented. Mr. Eanes said that it was happening everywhere. He commented that in another county, the assessments had increased by 70%. Dr. Ligon asked if Nelson should be completing reassessments more often. Mr. Eanes suggested that they should at least keep doing them every four years. He noted that they were reading about places in Florida where they were starting to see a decline in property values, and at some point the values here will simply have to level out. He commented that he did not see how young people could afford to buy their own homes.

Mr. Parr emphasized that this report is just more proof that they need to get a handle on short-term rentals, as he would bet that a lot of the sales flips are now Airbnbs.

Ms. McGarry asked what the County's current sales ratio was. Mr. Eanes noted he did not have that with him, but the last time they had looked, it had already dropped into the 70's. He commented that there were some sales out there where the sales price was closer to the assessed value. He noted that some of those were newer homes that they had all of the correct information on. He commented that some of the homes were getting updates without a building permit, and then being put on the market.

V. NEW & UNFINISHED BUSINESS

A. Authorization for Public Hearing on Piney River Water and Sewer Rates (R2025-68)

Ms. McGarry stated that at their August meeting, the Board asked staff to come back with an authorization for a public hearing based on Option 3 as discussed at that meeting, setting rates for the next four years. She said that Resolution 2025-68 would authorize a public hearing for Tuesday, October 14, 2025 at 7:00 p.m. Ms. McGarry said the resolution would authorize four years of rates in Section 12-153, where they will adjust the base service fees for water and sewer based on the usage fees as shown.

Ms. McGarry stated that the proposal is to move the existing rates to the first column as of January 1, 2026. She explained that after this date, the new rates would begin on July 1 of 2026, 2027, and 2028. Ms. McGarry apologized for jumping around and said that the resolution addressed the connection fee table first in Section 12-152. She explained that this would equalize the current connection fee rates with those of the Service Authority as of January 1, 2026.

Ms. McGarry further stated that the proposed grinder pump fees for monthly service would also be adjusted on a four-year rate schedule, starting until January 1, 2026 and moving to a July 1 schedule for the years 2026, 2027, and 2028. She explained that other proposed changes included modifications to yard hydrant fees, return check fees, unauthorized water and sewer use fees, fees for copies of the water and sewer ordinance, and inspection fees, all designed to align the County's fees for the Piney River water and sewer system with those of the Nelson County Service Authority.

Ms. McGarry said new sections would be added to include a misuse damage fee, a customer requested service fee, and a new service opinion fee, all of which are currently utilized by the Nelson County Service Authority in their system's operation.

Mr. Parr moved to adopt **Resolution R2025-68** authorizing a public hearing on Piney River water and sewer rates. Dr. Ligon seconded the motion. There being no further discussion, Supervisors approved the motion unanimously (3–0) by roll call vote and the following resolution was adopted:

RESOLUTION R2025-68
NELSON COUNTY BOARD OF SUPERVISORS
AUTHORIZATION FOR PUBLIC HEARING TO AMEND CHAPTER 12, UTILITIES, ARTICLE
III, WATER AND WASTEWATER, DIVISION TEN OF THE CODE OF NELSON COUNTY,
VIRGINIA

RESOLVED by the Nelson County Board of Supervisors pursuant to and in accordance with the provisions of §15.2-1427 and the applicable provisions of §15.2-2119, §15.2-2122 and §15.2-2143 of the Code of Virginia, 1950 as amended, that the County Administrator be and is hereby authorized to advertise a public hearing notice for the conduct of a public hearing on **Tuesday, October 14, 2025 at 7:00 p.m.** in the General District Courtroom of the Courthouse in Lovingson.

The purpose of the public hearing is to receive public comments on an Ordinance proposed for passage to amend Chapter 12, Utilities, Article III, Water and Wastewater, Division Ten, Schedules of Rates, Fees, and Other Charges. Specific changes are proposed for sections 12-152 Connection Fees, 12-153 Base Service Fees for water and sewer, 12-169 Grinder Pump Fees as follows:

Sec. 12-152. Connection Fees

Water and Sewer Connection Fees - Each Service by Meter Size			
Meter Size	Effective Date:	Existing	1/1/2026
5/8" to 3/4"		\$2,000.00	\$4,000.00
- Full 3/4" (3/4")		\$3,000.00	\$6,000.00
- One Inch (1")		\$5,000.00	\$10,000.00
- One & One Half (1 1/2")		\$8,000.00	\$17,500.00
- Two Inch (2")		\$16,000.00	\$32,000.00
- Three Inch (3")		\$32,000.00	\$64,000.00
- Four Inch (4")		\$50,000.00	\$100,000.00
- Six Inch (6")		\$100,000.00	\$200,000.00

Sec. 12-153. Base service fees.

Proposed Rates and Fees – Monthly Service

Effective Date:	Existing	1/1/2026	7/1/2026	7/1/2027	7/1/2028
Water Usage - (4,000 gallons monthly minimum)	\$29.90	\$34.36	\$38.82	\$43.28	\$52.20
Water Usage - (per 1,000 gallons over monthly min)	\$6.10	\$7.36	\$8.61	\$9.87	\$12.38
Sewer Usage - (4,000 gallons monthly minimum)	\$29.60	\$39.22	\$48.85	\$58.47	\$77.72
Sewer Usage - (per 1,000 gallons over monthly min)	\$6.85	\$7.91	\$8.97	\$10.03	\$12.15

Sec. 12-169. Grinder pump fees.

Proposed Grinder Pump Fees – Monthly Service

Effective Date:	Existing	1/1/2026	7/1/2026	7/1/2027	7/1/2028
Grinder Pump Fees	\$9.00	\$12.07	\$15.14	\$18.20	\$24.34

Other proposed changes: Sections 12-156 Yard hydrant fees, 12-160 Returned check fees, 12-164 Unauthorized water/sewer use fees, 12-165 Copy of the water and sewer ordinance, and 12-167 Inspection fees, are to align the County’s fees for the Piney River Water and Sewer System with the Nelson County Service Authority’s

fees. New sections will add a Misuse/Damage Fee, Customer Requested Service Fee, and New Service Opinion Fee, all of which the Nelson County Service Authority currently utilizes in the operation of their system.

B. Request for Local Grant Match to Purchase AEDs – Sheriff Embrey (R2025-69)

Sheriff Mark Embrey addressed the Board and reported that his office had applied for a Rescue Squad Assistance Fund (RSAF) grant award for the purchase of AED equipment for his office, which he views as a countywide need versus a department need. Sheriff Embrey explained that his office, in collaboration with Mr. Adkins and the Nelson County Dispatch, is dispatched to all calls for service whenever there is a medical emergency, anytime someone is unresponsive, and particularly when there is cardiac arrest. He stated that deputies often arrive on the scene before Wintergreen, the volunteer community, and the Nelson Emergency Services (NEMS). Sheriff Embrey said that when deputies are on scene, the only service they can provide is CPR, which they are trained in bi-annually, and he expressed gratitude for this training and the ability to provide aid.

Sheriff Embrey stated that several months ago, the office acquired a portable and mobile AED, which is kept in the Sheriff's Office. Sheriff Embrey explained that they responded to a similar call for service involving cardiac arrest. He said that one of the deputies grabbed the AED and arrived on scene, they were able to save a life using the AED. He explained that this experience highlighted the importance of having the AED available, as he does not want deputies to stand by waiting for advanced emergency services when they could be applying lifesaving measures.

He stated that this led the department to apply for a grant, which he said was in the best interest of the department on behalf of the County as a whole. Sheriff Embrey said that they were fortunate to receive the grant, which provided a 50-50 cash local match and allowed them to obtain grant funds not to exceed \$4,950. He explained that they found a product that the department is very interested in, the ZOLL AEDs from Core Medical LLC.

He stated that the ZOLL AEDs were chosen because they are effective and are also used by Wintergreen Fire and Rescue and NEMS. Sheriff Embrey explained that their current AED has interchangeable pads, and NEMS has agreed to replace them at no cost. He said that NEMS has plenty of pads available and that the parts and components are compatible and interchangeable, providing reliable backup whenever the devices are used. Sheriff Embrey stated that the department currently has two AEDs: one mobile unit and another that is permanently fixed. He explained that NEMS certifies and checks the permanent AED annually to ensure it is operational. He said that for these reasons, the department wants to continue using this product.

Sheriff Embrey explained that he has included a financial report of the County's local asset forfeiture funds in the packet; typically, purchases like this could be made using forfeiture money, and he had discussed this with Ms. McGarry. Sheriff Embrey explained that he included documentation of local expenditures that have impacted those funds and stated that he would provide further details in writing about where the money came from and why it was needed unexpectedly. He stressed that he felt this was a Countywide need, rather than a department need, and it could save the lives of anyone in need.

Mr. Reed asked for an update on asset forfeiture and what the result would be if he used those funds.

Sheriff Embrey responded that he had the money to pay for this if his request was denied today, and he referenced the updated balance as shown on Line 10, which was just over \$29,000. He confirmed that the asset forfeiture balance rolls over from year to year.

Dr. Ligon agreed that having the correct equipment, sooner, to an emergency was a good idea. She noted that her concern was regarding the training and certifications and how they would keep up with that, as there are instances where people are not in cardiac arrest and inappropriate use of AEDs can cause damage. Sheriff Embrey indicated that the training was consistent through Wintergreen Fire and Rescue. She asked if there were certain certifications or a liability on the County for the Sheriff's Office. Sheriff Embrey responded that he would be happy to get back to her on that.

Mr. Parr asked the Sheriff what the match amount would be. Sheriff Embrey indicated that the grant funded portion was not to exceed \$4,950. He reported that the cost for the AEDs would be \$8,700 and he noted that he was asking the County for \$4,350.

Dr. Ligon asked what the lifespan of the equipment is. Sheriff Embrey responded that he would have to check with the manufacturer. Dr. Ligon asked if there was a yearly cost for the AEDs and Sheriff Embrey confirmed that there was not. Mr. Reed asked if Asset Forfeiture Funds would qualify as the match for the grant. Sheriff Embrey confirmed that he could use the Asset Forfeiture Funds to cover the match if the Board decided not to provide the \$4,350. Dr. Ligon noted that she was still interested in the liability. Sheriff Embrey noted he would have to follow up on that.

Chief Ray Cook stated that if someone takes the AED and follows the instructions step by step, they have done what they are supposed to do. He said when he worked at the hospital, once the pads were placed on the person, the AED tells you if there is a heartbeat and tells you when to shock.

Mr. Reed stated that since asset forfeiture money is available for this, he would be in favor of that versus allocating new funds—but if anything else comes up in the future that the Sheriff has to request funds for, they would certainly be receptive to that.

Sheriff Embrey commented that he views this as a County need, not a department need.

Mr. Parr stated that he was in agreement that the purchase needed to happen, and it was something that they could all benefit from. He asked for examples of how Sheriff Embrey would use the Asset Forfeiture Funds in line 10. Sheriff Embrey responded that they have purchased two vehicles with that funding in the past, and he has also had to use it for event overtime pay, which totaled \$7,550. He noted that they had another event coming up in October that would be for overtime, which worried him that he could be in the same situation next year, trying to pay his people and people from other agencies. Mr. Parr noted that the promoter reimburses for the event. Sheriff Embrey noted that they did have a signed contract and they would be reaching out to four or five other agencies for staffing due to the scale of the event, but he was not sure they would be able to get enough people together in the short amount of time remaining.

Mr. Parr stated that he supports using County funds to purchase something that has already saved a life, especially given that the Sheriff's Department has used the forfeiture funds in the past for significant items that did not have to come out of the County budget. Sheriff Embrey noted that his latest purchase was for throwbags for flood events, which cost around \$2,500 to outfit the entire agency and be trained by Wintergreen. He noted that the money for the throwbags was expended out of his County budget line. He noted the expense for the AEDs would hurt his budget line because he had not budgeted for it. He indicated that he was working to keep the department moving forward. Mr. Parr recommended that the Board support and fund Sheriff Embrey's request. He also asked for Sheriff Embrey to keep the Board up to date on things that are happening, like the throwbags they have purchased out of their own funds. Sheriff Embrey noted he would be happy to do that. He commented that the Board should be receiving his newsletters with updates on things like the traffic unit enforcement, and the Flock camera system. He noted he was happy to provide updates to the Board.

Dr. Ligon commented that she has always felt that they had depressed response times when someone calls Dispatch so she was in agreement to provide funds for the AED grant match. She said that when they have events and the Board approves events, they should always consider the impact on local emergency services and try to recoup some of those funds.

Dr. Ligon moved to adopt **Resolution R2025-69** to provide funding as requested for AED. Mr. Parr seconded the motion.

Mr. Reed noted that the overtime for the event coming up is reimbursable. Sheriff Embrey explained that the revenues did not meet what was expected for the July 4th event so there was no funding to pay the Sheriff's Office for the overtime. Ms. McGarry stated that the October event is already sold out. Sheriff Embrey said they are expecting 25,000 people, and he has sent a contract out for \$56,000 worth of services based on the need request versus the supply and demand. He said they are working on the logistics now, and this is going to be a huge event that impacts Wintergreen and all first responders.

There being no further discussion, Supervisors approved the motion by roll call vote (3–0) and the following resolution was adopted:

RESOLUTION R2025-69
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF LOCAL GRANT MATCH TO PURCHASE 12 ZOLL AEDS

WHEREAS, the Nelson County Sheriff's Office is a recipient of a Rescue Squad Assistance Fund (RSAF) Grant Award, which has a 50/50 State/Local Match; and

WHEREAS, the Sheriff intends to use these grant funds to purchase 12 Zoll AED Plus-Encore Series units; 1 for each patrol car, which will allow patrol division deputies arriving first on scene, to provide life-saving measures,

NOW THEREFORE BE IT RESOLVED, that the Nelson County Board of Supervisors hereby approves the Sheriff's request for local grant match funding of \$4,350 to aid in the purchase 12 ZOLL AED Plus – Encore Series units at a total cost of \$8,700.

C. Faber Volunteer Fire Department Interest Free Loan Request – Chief Cook (R2025-70)

Chief Raymond Cook stated that he is requesting a \$34,000 loan from the Emergency Services Interest Free Loan Fund to complete purchase of the new tanker that was previously approved. He noted that he should be able to pay the loan back in three years. Chief Cook reported that over the last two years, he paid \$24,000 when the department bought the vehicle, which accounted for 20% of the funds needed; the remaining 80% of the funds to pay for the chassis of the truck were provided by the County, which saved several thousand dollars on the purchase price. Chief Cook stated that he could now contribute an additional \$24,000 to complete the purchase, while the County would pay 80% of the remaining balance on the truck.

He explained that the current balance is \$287,657, with the County responsible for 80% of that amount, and he would need to provide the other 20%. Chief Cook said he currently has \$24,000, and with an additional \$34,000, the payment would be complete. He stated that he should be able to repay that amount in three years, which would be around \$12,000 per year. Chief Cook explained that he may pay it off sooner but wanted to be cautious due to uncertain times, which was why he was presenting the request now. He said there were questions on the loan application regarding the truck being taken out of service, and indicated that the truck was aged.

Chief Cook stated that he was not definite about the outcome but explained that efforts were ongoing in the north side of the County to establish a response building in Schuyler. Chief Cook said the Community Center had agreed to allow the use of the wooded area behind the ballpark, which the County had basically given to them years ago, and that the ballpark had been sold for a dollar. He stated that the area behind the ballpark is much easier to grade than the previously considered downtown location, which was offered before by a citizen.

Chief Cook said he hoped to get the response building completed and explained that the retired tanker's future was uncertain. He stated that having a tanker and a small response truck in Schuyler would be useful, especially once outside the area served by hydrants. Chief Cook explained that tanker support from all fire departments in the County is strong, but it takes a long time to reach Howardsville, so they are hopeful to move ahead with the response building project. He stated that unexpected expenses over the past year had impacted his ability to pay towards the new tanker.

Chief Cook explained that he had driven one of his fire trucks into a hole, incurring costs. He said the good news about the attack truck that was damaged during the storm was that the pump and tanker were transferred to a new chassis, resulting in a nearly complete 2025 chassis. He stated that insurance should cover almost all of the damages, and the re-chassised truck would come back into service as a practically new engine for the County. Chief Cook explained that the process of re-chassising trucks might become more common due to the high price of equipment. He stated that a re-chassis could cost about \$150,000, compared to \$350,000 for a new attack truck, and said that this was a good decision that would benefit the county. Chief Cook explained that he was asking for \$34,000, which he should be able to repay in three years.

Chief Cook said he appreciated the opportunity to make the request and to provide an update on the department's status. He explained that the insurance payout was still in his capital fund, and reiterated that he had paid for the re-chassis, which cost \$75,000, as well as for the tanker chassis. Chief Cook said that the balance owed on the attack truck was also in his capital fund.

Dr. Ligon moved to adopt **Resolution R2025-70** to provide the interest-free loan as requested. Mr. Parr seconded the motion. He stated that this item has been discussed and approved at the Emergency Services Council.

There being no further discussion, Supervisors approved the motion by roll call vote (3–0) and the following resolution was adopted:

**RESOLUTION R2025-70
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF INTEREST FREE LOAN REQUEST FOR
FABER VOLUNTEER FIRE DEPARTMENT**

BE IT RESOLVED, that the Nelson County Board of Supervisors hereby approves an interest free loan request from Faber Volunteer Fire Department in the amount of \$34,000 to help purchase a 2025 1,500-gallon capacity tanker.

VI. REPORTS, APPOINTMENTS, DIRECTIVES AND CORRESPONDENCE

A. Reports

1. County Administrator's Report

Ms. McGarry provided the following report:

A. DSS Building – Ms. McGarry reported that Coleman-Adams is securing all permits with building hazmat, abatement, and demolition anticipated to be done in the next few weeks; site work will follow. Regular project meetings will begin soon. The construction will begin soon, and the parked vehicles that are at the site are expected to be moved by September 22nd or sooner if we need them to.

B. Department of Social Services Agency Corrective Action Plan – Ms. McGarry reported that the County issued an agency update on September 4 in a press release.

- In August, the agency received 23 Child Protective Service (CPS) referrals; 15 were validated and accepted, for a 65% rate; 8 were screened out, which is 35% of that total. Of the 15 validated or accepted referrals, 4 were assigned as investigations, which is 27%, and 11 were assigned as family assessments, which is 73%. This data is in a positive contrast with SFY2024 data that showed 26% of CPS referrals were validated and accepted, 74% were screened out, 0% were assigned as investigations, and 90% were assigned as family assessments. Their current data is more in line with the Piedmont regional data for SFY2024, where 42% of CPS referrals were validated or accepted, 58% were screened out, 19% were assigned as investigations, and 78% were assigned as family assessments.
- DSS agency staffing has improved with the hiring of a Family Services Specialist and Benefits Program Specialist. They both started on September 1st. Recruitment for a Director, a Family Services Supervisor, and Administrative Coordinator II has begun. Agency coordination has been reestablished with positive feedback from local agencies and community partners, and staff is working towards implementation of a new local DSS Advisory Board, with initial member recruitment anticipated to begin later this month.
- The agency is continuing to work with the state VDSS and is working through its Corrective Action Plan. Personnel resignations have impacted progress and compliance with case protocols and data entry into the electronic case files this past month; however, staff is working diligently with VDSS practice consultants on current cases and case backlogs.

C. Larkin Phase 1 Well Evaluation & Dillard Creek Flow Evaluation – Ms. McGarry stated that the County has received both reports for the Larkin Phase 1 project, the well evaluation, and the Dillard Creek flow evaluation. She said she is seeking advisement from the Board on whether they want to schedule a work session with CHA or just have them present at the Board's regular October meeting.

The Board discussed having the reports presented by CHA at the October meeting, with a work session to follow at a later date if needed. Ms. McGarry noted the Board did not have to decide that day, and she could follow up back up with them on it.

D. Space Needs Meeting – August 26 – Ms. McGarry reported that they are collecting information on 400 Front Street and the Nelson Center for consideration as possible solutions for relocation of non-court related offices from the courthouse.

E. Zoning and Subdivision Ordinance Update – Ms. McGarry reported that there is more information on their nelson2042.com website regarding the Zoning and Subdivision update, and the Board and Planning Commission have been holding joint work sessions with the Berkeley Group to review proposed chapters of the new ordinance. The next steps include:

- October 22 – Joint Board and Planning Commission work session #6 to look at the 151 Overlay District, short-term rentals, and any outstanding questions.
- December 17 – Joint Board and Planning Commission work session to review the full draft ordinance.
- January 2026 – Hold public open house and review.
- February 2026 – Hold preadoption work session and final revisions work session.
- March 2026 – Planning Commission public hearing and recommendation for the Board.
- April 2026 – Board public hearing and consider adoption of the new zoning and subdivision ordinance.

- F. Seven Stars Music Festival** – Ms. McGarry reported that the Seven Stars Music Festival is scheduled for October 9–12 at Oak Ridge, and staff and applicable agencies have been meeting weekly with the promoters, 100X, LLC. She said the event includes numerous onsite camping options, and logistics such as site plans, traffic plans, emergency services, and security are being finalized. She said the temporary event permit has been circulated to approvers, with VDH being the final signature. She noted that the event is sold out and is expected to draw a maximum of 23,500 attendees.
- G. Christmas Lights:** – Ms. McGarry stated that A. Spivey has been following up to gather more information on the status of the lights, the light pole brackets and connections, and costs to operate them. Should the Board decide to take on the lights, we would anticipate at a minimum, the cost to replace any bulbs on the lights currently in inventory. We do not have a total count at this time. Additional costs would include the electric service (both AEP and CVEC), as well as any costs to make the necessary repairs to the power supply on each of the poles used. Ms. Spivey heard back from Elaine Hooker, who said the Nellysford lights cost \$150 for the season. The cost is estimated that the lights in Lovings-ton would cost about \$750-\$800 for the season, which is what we were billed to an account set up without our permission in early 2024 – we ended up not having to pay that bill, but we do not know if in the future, we would need to have an account set up to cover this. We are expecting updates soon from AEP and CVEC.
- H. Cover the Caboose Effort – Piney River Rail Trail** – Ms. McGarry reported that they have two quotes for this project and are seeking a third. The highest quote was a turnkey including installation at \$57,580, and the other was a purchased kit for \$15,000 with the possibility of volunteer assembly from a local barn builder. Maintenance has just cleared trees in front of the caboose to provide a clear image for a mock-up design to be provided by one of the quoting entities.
- I. Nelson County Community Development Family Assistance Program** – Ms. McGarry said that Ms. Clair had reported that as of September 2, they have had 26 people contact them and get applications for more than \$13,000 in assistance, but of those, they have only had 17 families actually complete the applications and receive funding of \$4,700.
- J. Piney River Pump Station Phase 2** – Ms. McGarry said they had received a quote on the specifications for the pump station at \$263,103, which is subject to escalation for any increases of materials and components greater than 5% after the time of the quote. Manufacturing is estimated to take 24 to 38 weeks from when Smith & Loveless received the approved submittal data. Staff is preparing to proceed with ordering the pump station and are gathering pricing information related to installation as well as consulting with DEQ on their required coordination. There is a turnkey price including installation from the pump station vendor’ installer at \$425,744; the current FY26 budget includes \$323,125 for the project, so they are shopping around to see if they can get the cost down.
- K. Tipping Floor Replacement Project** – Ms. McGarry said she would be seeking approval from the Region 2000 Authority at their October meeting, to be able to approach Amherst County regarding direct hauling the County’s solid waste to their landfill facility versus hauling it to the Livestock Rd. facility during floor replacement. If authorized, approval from the Amherst BOS will be sought for a Spring timeframe; coinciding with the opening of their new landfill cell. The primary concern is the hauling time from our sites to the Livestock Road facility, which impacts our ability to effectively keep up with processing the waste stream during this time. While we may be paying about \$10 more per ton for disposal in Amherst (a total estimated \$5,000 more), we will have savings from pausing the secondary hauling by Thompson Trucking (Transfer Station to Livestock Road) for approximately 1 month, the equivalent of about \$22,000. Preliminary coordination with Amherst staff on this has been taking place in case the necessary approvals are provided.
- L. Meals and Lodging Tax Collection/Lodging Entity Tracking** – Ms. McGarry said she provided updated charts, and the number of lodging units remained at 824. Economic development and tourism, IT, and planning and zoning staff are vetting short-term rental software platforms for purchase, with economic development staff to be the primary user for the tracking purposes.

Dr. Ligon asked how things were going at the Rockfish re-use shed. Ms. McGarry responded that she has not heard of any other complaints are noted any issues for a while now. Mr. Reed confirmed that he had not been made aware of any new incidents, and staff has been vigilant.

Mr. Parr commended Ms. McGarry and staff on their work with the DSS situation. Ms. McGarry thanked him and mentioned that Allison McGarry has been stepping into a daily leadership role.

2. Board Reports

Dr. Ligon:

Dr. Ligon reported that the Board and Planning Commission had a joint work session. She indicated that Planning Commission hoped to work through more of the Zoning Ordinance on their own at another meeting to be more efficient, and then they would present their ideas to the Board of Supervisors. She noted that they were able to get through a lot more material that way.

Mr. Parr:

Mr. Parr said that the Sheriff and Faber fire chief had covered most of his EMS Council report.

Mr. Reed:

Mr. Reed reported that he had attended the summer VACo conference, which Mr. Rutherford had also attended, and it was an early look at their legislative program. He said that the candidates for both Governor and Attorney General were all present to speak and it was a great experience to be able to listen and compare each of the individuals running for office.

B. Appointments

Ms. Spivey reported that they had received an application from Marcia McDuffie who has applied for the West District position on the Nelson County Library Committee. She noted that Ms. McDuffie had previously served on the JMRL Board as Nelson's representative. She also reported that they had received one application for the JABA Council on Aging from Carl Stellwag who was seeking reappointment. She noted that they would be advertising for the DSS Advisory Board and planned to bring applications to the next meeting for consideration. She then reported that they were seeking applicants to serve on the following Boards/Commissions: Board of Zoning Appeals (alternate), Nelson County Library Committee – South District, Thomas Jefferson Area Community Criminal Justice Board, and the Ag & Forestal District Advisory Committee (landowner).

Nelson County Library Advisory Committee

Mr. Parr moved to **appoint Marcia McDuffie for the West District position on the Nelson County Library Advisory Committee**. Dr. Ligon seconded the motion. There being no further discussion, Supervisors approved the motion by roll call vote (3–0).

JABA Council on Aging

Mr. Reed moved to **reappoint Carl Stellwag to the JABA Council on Aging**, beginning a new term in 2026. Dr. Ligon seconded the motion. There being no further discussion, Supervisors approved the motion by roll call vote (3–0).

C. Correspondence

There was none.

D. Directives

Mr. Reed stated that his understanding from a conversation with a constituent recently is that most of the recycled plastic the County collects ultimately ends up in a landfill after being trucked down to North Carolina, and little if any of it makes it into a recycled product. He said if that is the case, they might want to consider whether continuing that program is prudent, especially if trucking it involves a distance. He asked to get a report on the cost of that portion of the recycling program is, and then they could decide whether to look into it more.

Ms. McGarry responded that the County direct hauled the recycling, and plastic was at about \$60 a ton that the County paid for that to get recycled. She noted that their tipping fee at Region 2000 is \$34 per ton. She noted that there was a gap between what they were paying to landfill trash versus what they were paying for recycling. She said they could review that recycling program to see what percentage was actually being recycled.

Dr. Ligon commented on the Christmas lights and asked if staff could discuss the poles along the 151 corridor for lights also. She noted that there were some business owners who wanted to buy and install lights in that area.

VII. OTHER BUSINESS (AS PRESENTED):

Dr. Ligon noted that the majority of the correspondence she gets from the Gladstone area is in regards to kids in the street and reducing the speed limit. She commented that reducing the speed limit at a specific area in Gladstone has hit some resistance, and she would like to have Board support to pay the cost for VDOT to put “Children at Play” signs on either end of the street there. She noted that in theory, they had some money set aside for the Gladstone area after the solar vote. She noted that the cost was minimal and the signs would alert the cut-through drivers headed to the river that there were young families there. Mr. Parr noted he did not have a problem with it, but he was worried about opening a can of worms. He commented that the community had been vocal about the traffic situation. He indicated that he would not support a speed limit reduction. The Board members expressed their support to have two “Children at Play” signs placed by VDOT on Gladstone Road. Ms. Spivey noted that VDOT would ensure that the signs were placed in the correct locations.

VIII. ADJOURN & CONTINUE – EVENING SESSION AT 7PM

At 3:50 p.m., Dr. Ligon moved to continue the Board meeting until 7:00 p.m. Mr. Parr seconded the motion. There being no further discussion, Supervisors approved the motion by roll call vote (3–0) and the meeting was continued to 7:00 p.m.

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 three (3) Supervisors present to establish a quorum. Mr. Harvey and Mr. Rutherford were absent.

II. PUBLIC COMMENTS

Ryan Morris – Roseland, VA

Mr. Morris stated that he and many other community members are just learning about the proposed subsidized housing project on St. James Church Road, which will have a notable impact on the area. He commented that several concerns and questions had been presented and he believed that they could all benefit from organized communication within the community. He requested that they hold a town hall style meeting with the West District Supervisor and, if possible, representatives from the Nelson County Community Development Foundation. He commented that learning more about the project, while addressing community concerns, would be in the best interest of all parties.

There were no others wishing to speak and Mr. Reed closed public comments.

III. PUBLIC HEARINGS

A. Ordinance O2025-08 – Amendment to Chapter 2, Article I, Sec. 2-1 Purchasing Procedures and Policies

Consideration of an ordinance proposed for passage to amend Chapter 2, Article I, Sec. 2-1 Purchasing Procedures and Policies. Proposed amendments in summary, would increase the County’s purchase order threshold from \$2,500 to \$5,000 and increase the capitalization threshold in fixed asset inventory from \$5,000 to \$10,000.

Ms. Mawyer reported that the purpose of this ordinance is to amend the ordinance related to purchasing policies and procedures. She noted that the current policy requires a purchase order for purchases of items over \$2,500 with three quotes required. She indicated that the policy has not been updated since 2011. She noted that the County’s capitalization threshold has been historically been \$5,000. She explained that this was our minimum cost at which an asset must be reported as a fixed asset on the balance sheet, rather than an expense.

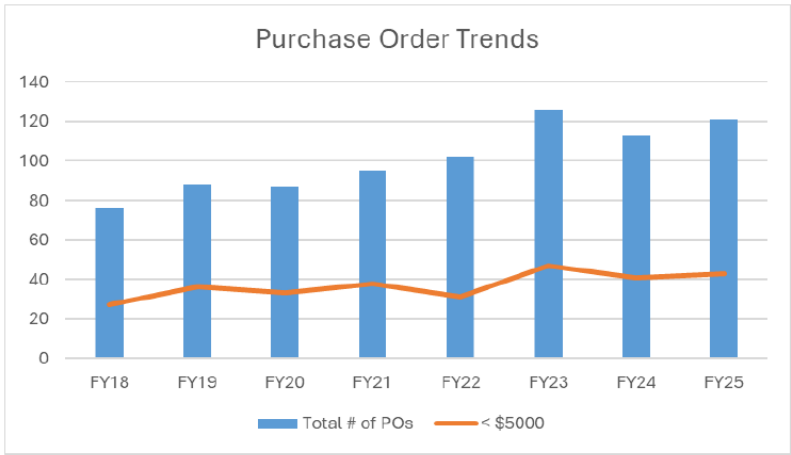
Ms. Mawyer stated that staff is proposing changing the purchase order threshold from \$2,500 to \$5,000, and the capitalization threshold from \$5,000 to \$10,000, which will better align Nelson with surrounding localities, keep up with inflationary trends while reducing administrative burden and keep us in line with federal guidelines.

Ms. Mawyer reported that the majority of surrounding localities also had \$5,000 purchase order thresholds. She then showed the County’s purchase order data since FY2018. She explained that the trend showed a gradual

increase in the number of purchase orders issued, as well as an increase in the amount issued that are under \$5,000.

Nelson County Purchase Order Data since FY2018:

	FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25
Total # of POs	76	88	87	95	102	126	113	121
< \$5000	27	36	33	38	31	47	41	43



Since 2017, our numbers of Purchase Orders issued have increased as well as those under \$5,000.

Ms. Mawyer reported that in 2024, the United States Office of Management and Budget (OMB) revised the definition of equipment under the Uniform Guidance and raised their capitalization threshold from \$5,000 to \$10,000. She noted that the County’s auditors, Robinson, Farmer, Cox & Associates, support the revisions to the capitalization threshold, given the OMB revisions.

Ms. Mawyer said the updates would require an amendment to Chapter 2, Article I, Section 2-1 Purchasing Procedures and Policies. She noted that the previously approved R2025-57 authorized the public hearing. Ms. Mawyer asked the Board to consider adoption of Ordinance O2025-08. She noted that if adopted, staff would work to update the Purchasing Policy to reflect the adopted changes and circulate it to all County departments.

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

Mr. Parr noted that it was a no brainer, noting that they had been at \$2,500 for 15 years. He commented that just by time value of money, it was time to double it. He spoke in support of the changes to the purchase order threshold and the capitalization threshold.

Dr. Ligon moved to adopt Ordinance **O2025-08** as presented. Mr. Parr seconded the motion. There being no further discussion, Supervisors approved the motion by roll call vote (3–0) and the following ordinance was adopted:

ORDINANCE O2025-08
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF THE CODE OF NELSON COUNTY, VIRGINIA
CHAPTER 2 ADMINISTRATION, ARTICLE I IN GENERAL

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

Amend

Sec. 2-1. Purchasing procedures and policies.

(c) Purchasing authority. No person shall make any commitment for supplies, materials or services in the county unless authorization has been granted by the county administrator or his/her designee. Department heads or constitutional officers are hereby granted authority for purchases less than ~~twenty five hundred dollars (\$2,500.00)~~ **five thousand dollars (\$5,000)** provided such purchases meet a legitimate need of the department and the necessary funds are budgeted.

(g) Requisitions. Department heads or their designees shall submit a requisition for all purchases of goods and/or services greater than ~~twenty five hundred dollars (\$2,500.00)~~ **five thousand dollars (\$5,000)** to the finance department prior to a purchase order being issued.

(j) Small purchase procurement.

(1) For purchases between ~~twenty five hundred dollars (\$2,500.00)~~ **five thousand dollars (\$5,000)** and thirty thousand dollars (\$30,000.00), there must be either three (3) telephone, three (3) written, or three (3) internet quotations.

(2) Purchases of goods and nonprofessional services greater than thirty thousand dollars (\$30,000.00) and up to one hundred thousand dollars (\$100,000.00) shall require the written informal solicitation of a minimum of four (4) bidders or offerors. Public notices shall be posted in accordance with the Virginia Public Procurement Act.

(3) Purchases of professional services greater than thirty thousand dollars (\$30,000) and up to fifty thousand dollars (\$50,000.00) shall require the written solicitation of four (4) bidders or offerors.

(m) Fixed asset inventory. All capital goods and equipment and those materials over ~~five thousand dollars (\$5,000.00)~~ **ten thousand dollars (\$10,000)** in value assigned to each department shall be logged on the fixed asset inventory at the time of delivery or assignment. Department heads shall annually review the inventory for their department(s) and shall list and account for any changes in the inventory by report to the purchasing agent or his/her designee at each fiscal year end. The fixed asset inventory will also be used for both insurance and inventory control purposes.

(n) Documents. The following five (5) documents will be used as a part of the county purchasing procedures and policies:

(1) Requisition for purchase. A requisition for purchase is prepared by the user department to explain and request a needed purchase provided for in the department's budget.

(2) Telephone/internet quotation. A telephone/internet quotation form is utilized to record cost quote comparisons for goods and/or services in accordance with the established guidelines of the Purchasing Manual of Nelson County and is submitted to the purchasing agent or his/her designee along with a requisition for purchase for those goods and/or services.

(3) Purchase order. Purchase order forms will be used by the purchasing agent or his/her designee for all purchases exceeding ~~twenty five hundred dollars (\$2,500.00)~~ **five thousand dollars (\$5,000)** for which a requisition for purchase has been approved.

(4) Fixed asset inventory. Department heads shall annually review the fixed asset inventory for their department(s) and shall list and account for any changes in the inventory by report to the purchasing agent or his/her designee at each fiscal year end.

(5) Request for proposal/invitation for bid. A request for proposal/invitation for bid is an official bidding document specifying goods or scope of services being procured and detailing the manner in which bidders/vendors should respond to the county administrator or his/her designee for the purchase of professional services greater than fifty thousand dollars (\$50,000.00) and for the purchase of goods and nonprofessional services greater than one hundred thousand dollars (\$100,000.00).

BE IT FURTHER ORDAINED, by the Nelson County Board of Supervisors that this Ordinance becomes effective upon adoption.

IV. OTHER BUSINESS (AS PRESENTED)

There was no other business to discuss.

V. ADJOURNMENT

At 7:09 p.m., Mr. Parr moved to adjourn the meeting. Dr. Ligon seconded the motion. There being no further discussion, Supervisors approved the motion by roll call vote (3–0).