

Virginia:

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

Present: Dr. Jessica Ligon, South District Supervisor - Chair
Jesse N. Rutherford, East District Supervisor – Vice Chair
Ernie Q. Reed, Central District Supervisor
David Parr, West District Supervisor
Cameron Lenahan, North District Supervisor
Candice W. McGarry, County Administrator
Amanda B. Spivey, Administrative Assistant/Deputy Clerk
Grace E. Mawyer, Director of Finance and Human Resources
Susan F. Rorrer, Director of Information Systems
Dylan M. Bishop, Director of Planning and Zoning
Kevin Wright – Animal Control Supervisor
Jerry West – Director of Parks and Recreation

Absent: None.

I. CALL TO ORDER

Dr. Ligon called the meeting to order at 2:00 p.m., with all five (5) Supervisors present to establish a quorum.

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

II. PUBLIC COMMENTS

Robin Hauschner – Lovingston, Virginia

Mr. Robin Hauschner stated that PJM Interconnection, the regional transmission organization which coordinates the delivery of electricity to all our homes, faces significant threats to its ability to consistently maintain a fully operational grid. Mr. Hauschner said that aging infrastructure, cumbersome interconnection queues, and increasingly large demands from consumers such as data centers put the grid at increased risk for failure. He stated that by June 2027, it is expected that PJM's reserve margins will not be met. He said that there have been efforts to mitigate the likelihood of power losses resulting from this, but they fall short of being adequate. He said the Eddystone generating station in Pennsylvania was ordered to remain operational despite being scheduled for retirement in May 2025.

Mr. Hauschner stated that the station's operation had been extended to August 2025, then to February 2026, and it would likely continue being extended until supply and demand challenges are resolved—placing more strain on the aging facility. He stated that in this case, mechanical failure of an aging infrastructure was considered less dangerous than failing to meet growing demand, and this reliance could result in a situation similar to the one Texas customers faced during winter storm Uri in 2021. He said that relying on reserve margins that include aging infrastructure can lead to greater harm being absorbed by residential households, including those in Nelson.

Mr. Hauschner said that PJM has stated that in the event of a load needing to be shed, transmission owners like Dominion and load-serving entities like CVEC would receive guidance proportional to their contribution to the total load, on how much load to shed in order to prevent total grid failure. He said CVEC accounts for 0.36% of Dominion's active load and about 0.07% of PJM's total, which he stated seems minimal but could be devastating if additional load, such as Project Hercules, is added. He said Table 2 presents various load shed scenarios, and stated that for small proportional loads, PJM would not ask for more than 5 megawatts, but with Project Hercules, the calculations would change. He said that without a mandatory disconnect for the facility in load shed scenarios, PJM's proportional framework would require CVEC to shed a larger share of the existing 86 megawatts in its territory. Mr. Hauschner stated that in a worst-case scenario, a 5% load shed would mean 19.3 megawatts, or 22.44% of the load of the rest of CVEC's service territory, which he said would be unsafe to rotate during severe conditions.

Mr. Hauschner stated that he had asked the Board to push CVEC for transparency regarding their mitigation strategies and for answers to specific questions, such as whether PJM's framework would remain proportional or if certain territories would be given more weight. He asked if Project Hercules had a curtailment agreement that would let CVEC force a disconnect during emergencies, and if CVEC had a plan for which feeders to cut first when responding to load shedding requests. He stated that allocations should not be random, and critical

infrastructure such as hospitals must be protected. He said he understood the Board would have difficulty stopping a by-right facility in Appomattox, but Nelson should join other CVEC counties in opposing the installation. He emphasized that loss of life should not have to be the reason for community or regional action.

Stephen Bayne – Nellysford, Virginia

Mr. Bayne stated that said the presentation in today’s packet addressed the reduction of the real estate tax rate to offset a greater than 30% increase resulting from the 2026 reassessment. He stated it was unfortunate that the scenarios for reduced tax rates began at 57 cents instead of 50 cents, the rate that would fully offset a 30% increase, and it was important for residents to have full transparency to understand these scenarios. Mr. Bayne said the County’s five districts were affected differently by the reassessment, and their analysis needed to start at the County level before moving to a district-by-district review. Mr. Bayne said the analysis focused on a FY27 school deficit totaling \$2.1 million, but he stated he had been unable to find that budget on the website, and some parts of the analysis might be premature given the budget calendar. He reiterated that it was important for Nelson County citizens to understand all details of the reassessment’s effects and how the County and their representatives are protecting affordability to the fullest extent possible.

III. CONSENT AGENDA

Mr. Rutherford moved to approve the Consent Agenda as presented. Mr. Parr seconded the motion, which passed unanimously (5-0) by roll call vote and the following resolutions were adopted:

A. Resolution – R2026-05 Minutes for Approval:

**RESOLUTION R2026-05
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF MINUTES
(March 18, 2025 and January 28, 2026)**

RESOLVED, by the Nelson County Board of Supervisors that the minutes of said Board meetings conducted on March 18, 2025 and January 28, 2026, be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

B. Resolution – R2026-06 Budget Amendment:

**RESOLUTION R2026-06
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF FISCAL YEAR 2025-2026 BUDGET
February 10, 2026**

Appropriation of Funds (General Fund)

Amount	Revenue Account (-)	Expenditure Account (+)
\$ 41,389.80	3-100-009999-0001	4-100-071020-8004
\$ 66,000.00	3-100-001899-0030	4-100-081020-7055
<u>\$ 1,472.63</u>	3-100-003303-0107	4-100-031020-1013
\$ 108,862.43		

IV. PRESENTATIONS

A. VDOT Report

VDOT Administrator Robert Brown stated that VDOT has been involved in snow removal for most of February, and he thanked the County for its patience. He said they had not been able to get a lot of maintenance work done but would be addressing numerous potholes in the coming weeks.

Mr. Rutherford said that on Rockfish River Road between Route 29 and Laurel Road, there is one driveway that has been pouring water pretty much basically year-round. He said the recent deep freeze has created a natural “glacier” that keeps migrating and getting worse and at times has been 3-4 inches thick, especially at the peak of the snow. He commented that it looks like crews have scraped it a couple times, but they may need a more permanent resolve with that road, which may have a bad crown or swale. He then confirmed that the issue was 11944 Rockfish River Road.

The Board had no other VDOT issues to discuss.

B. 2026 Reassessment Analysis #2

Ms. McGarry reported that last month's meeting began with the first preliminary analysis of the reassessment, and they had reached a point where they could describe the 2026 tax levy at the 65 cents per \$100 of taxable value versus the 2025 tax levy at the same tax rate. Ms. McGarry said the increase was determined to be about \$6,645,614, which is a 31.5% change. She stated that the equivalent tax increase using 65 cents per \$100 of value is 15.58 cents, and the 2026 tax value of the penny is \$426,540. Ms. McGarry stated that as Mr. Bayne had noted, the rate to equalize the tax revenue would be 49.5 cents, or 50 cents rounded to the whole penny.

Ms. McGarry explained that the chart attempts to show a comparison of the percentage increases that could be considered to retain equivalent revenue and the resulting new tax rate. She said the far left of the chart shows the percentage increase retained. She said she started with the 16% because Mr. Rutherford had suggested it as a possible starting point for the Board. She stated that other scenarios can be considered beyond what is shown in the chart, and she had also looked at increases from 16% up to 19%; the 100% collection equivalent in dollars is shown, and for the first line at 16%, the equivalent tax revenue would be \$3,372,721.

COMPARISON OF % INCREASE RETAINED, EQUIVALENT REVENUE, AND RESULTING NEW TAX RATE							
% Increase Retained	100% Equivalent \$	% Per Year	100% \$ Per Year	Pennies in Tax Rate Per Year	Pennies in Tax Rate Retained - 4 years	Equivalent New Tax Rate	100% 2026 Tax Year Revenue
16.00%	\$ 3,372,720	4.00%	\$843,180	\$0.02	\$0.08	\$0.57	\$24,452,220
16.50%	\$ 3,478,117	4.13%	\$869,529	\$0.02	\$0.08	\$0.58	\$24,557,617
17.00%	\$ 3,583,515	4.25%	\$895,879	\$0.02	\$0.08	\$0.58	\$24,663,015
17.50%	\$ 3,688,912	4.38%	\$922,228	\$0.02	\$0.09	\$0.58	\$24,768,412
18.00%	\$ 3,794,310	4.50%	\$948,577	\$0.02	\$0.09	\$0.58	\$24,873,810
18.50%	\$ 3,899,707	4.63%	\$974,927	\$0.02	\$0.09	\$0.59	\$24,979,207
19.00%	\$ 4,005,105	4.75%	\$1,001,276	\$0.02	\$0.09	\$0.59	\$25,084,605
<i>* Each 1% of increase retained equates to \$210,795 in tax revenue</i>							

Note: Cents shown have been rounded to the nearest whole penny

Ms. McGarry explained that dividing that by the four-year reassessment period yields about 4% per year. She said dividing equally among the four years would equal \$843,180 per year or 2 cents in the tax rate, for a total of 8 cents retained over four years, which equates to a new equivalent tax rate of 57 cents. Ms. McGarry said the 100% tax levy for tax year 2026 would be \$24,452,220. She stated that each 1% increase retained equates to \$210,795 in tax revenue, and the cents shown in the chart have been rounded to the nearest whole penny.

Mr. Rutherford said he would like to see where neighboring localities were in their real estate tax rates and which counties are undergoing reassessments.

Ms. McGarry agreed to provide that information. She then presented a slide with the budgetary timeline, which she said is mostly tax year reassessments layered with fiscal years and the state biannual K-12 LCI re-benchmarking cycle, and this is the second year of the current state biennium. She explained that their new reassessment revenue would be realized for a full fiscal year in the 2027 tax year, which is the start of the new state biennium for education funding and encompasses FY26-27 and FY27-28. She said the next reassessment would be effective January 2030, before the next biennium in FY31.

BUDGETARY TIMELINE – TAX YEAR REASSESSMENTS, FISCAL YEARS, AND STATE BIENNIAL K-12 LCI/RE-BENCHMARKING

2026 TY Reassessment Effective	2027 TY - New RE Revenue	2028 TY	2029 TY	2030 TY Reassessment Effective	2031 TY - New RE Revenue	2032 TY
FY25/26	FY26/27	FY27/28	FY28/29	FY29/30	FY30/31	FY31/32
FY27 State, Federal, Other Revenue Loss (Schools)	\$1,286,637					
FY28 Anticipated State K-12 LCI/Rebenchmarking Revenue Loss (Schools)		\$1,087,000				
Increase in FY27 School Division Expenditures	\$842,579	TBD				
Total FY27 School Revenue Deficit	\$2,129,216	TBD				

The FY27 School Division Budget (Introduced 2/5/2026) shows a revenue deficit of \$2,129,215 – comprised of a net reduction in State, Federal, and Other funds of (\$1,286,637) and an increase in expenditures of \$842,579 (a 2.49% increase from FY26.)

2026 Reassessment Revenue at 16% Retained	\$3,372,720
FY27 School Revenue Deficit	-\$2,129,216
FY28 Anticipated State K-12 LCI/Rebenchmarking Revenue Loss (Schools)	-\$1,087,000
Remaining 2026 Reassessment Revenue	\$156,504

These charts ONLY show the potential distribution of 2026 Reassessment Revenue at 16% retained. Other estimated real estate growth and other Local revenue growth is not factored into this example.

Ms. McGarry reported that she had attended the recent School Board meeting at which they introduced their FY27 budget, which is based on the governor's introduced budget—so there will be changes reporting to the General Assembly that may affect a lot of these numbers. She said the schools are showing a revenue deficit of \$2,129,215, which is comprised of a net reduction in state, federal, and other funds of \$1,286,637 and increased expenditures of \$842,579, which represents a 2.49% increase on the expenditure side from FY26.

Ms. McGarry said the school division has indicated that the deficit in FY27-28 is expected to be at least \$1,087,000, with expenditures yet to be determined. She said the chart also shows a total FY27 school revenue deficit of \$2.1 million, to be determined for FY28. She explained that factoring in 16% of the reassessment increase at \$3.3 million, accounting for the \$2.1 million in school revenue deficit, and considering the FY28 anticipated minimum deficit related to the LCI re-benchmarking would leave a remaining amount of \$156,504. She added that these charts only show the potential distribution of 2026 Reassessment Revenue at 16% retained. She reiterated that this does not account for any other estimated real estate growth or other local revenue growth and is strictly dealing with the potential increase in real estate revenue from the reassessment.

Mr. Lenahan asked if they were anticipating a million and a quarter increase from other departments.

Ms. McGarry responded that they did not know that yet, as they are still building the budget for the March 10 presentation to the Board, and this only takes into account the known school funding budgetary numbers.

Ms. McGarry presented tax examples by district for a 16% increase using the \$0.57 per \$100 value and a zero property tax rate, stating that these examples may not be representative of the district as a whole and were selected to illustrate a variety of assessment increases and how they translate to tax impact with the 16% increase. Ms. McGarry stated that the first example showed land and improvements totaling \$461,600 for 2025, and a \$0.65 tax rate yielded 2025 taxes of \$3,000.40. She stated that for 2026, property values increased by 13.47%, and applying the \$0.57 tax rate resulted in 2026 taxes of \$2,985.66, a decrease of \$14.74 or 0.49%.

Ms. McGarry said the West District example was a mix of market-value land, a land use component, and improvements. She said in 2025, the property had a land use discount of \$30,800, without that land use, a regular property value would be \$499,400; the 2025 taxes were \$3,246.10, and the land use discount represented a \$200.20 reduction in 2025 taxes. She said the 2026 property values included a \$30,800 land use discount, and without the discount, there would have been a 23.08% increase in assessed value. She stated that with land use, the assessment was 21.41% higher. She said applying the \$0.57 tax rate, 2026 taxes were \$3,455.91, and the discount remained \$175.56. Ms. McGarry said the tax difference for 2026 versus 2025 was \$24.64, a decrease of 12.31%. She commented that the assessed value shown on a property assessment does not necessarily equate to the tax obligation.

Ms. McGarry reported that the Central District example included land and improvements. She stated 2025 taxes were \$5,379.40. She said the 2026 assessed value increased 28.61% to \$1,064,400. She stated that applying the \$0.57 tax rate, 2026 taxes would be \$6,067.08, a difference of \$687.68 or a 12.78% increase.

Ms. McGarry said the North District example had land and improvements with a 50% increase in property value from 2025 to 2026. She stated this resulted in a \$482.16 tax difference, a percentage change of 31.54%. She stated that the South District example included land and improvements, with 2025 taxes of \$1,061.45. She said the 2026 property values increased 20.76%, resulting in a dollar difference of \$62.59 or a 5.9% increase.

Ms. McGarry said one example was property that was land only, representing another land use case. She stated that in 2025, the tax obligation was \$222.95, and the land use discount on that obligation was \$1,264.90. She said that in 2026, the property value discount was \$232,800. She stated that the regular market value increase would have been 16.69%, but land use status kept the value change at 0%. She said the decrease in the tax rate from \$0.65 to \$0.57 resulted in a decrease in the tax obligation of \$1,326.96 or a 4.91% increase overall.

Mr. Lenahan said it looks like the North District is hit the hardest. Mr. Reed asked if she had taken a median or an average when providing these examples.

Ms. McGarry responded that she had just picked one, stating that her goal was to find some varying percentage increases in values.

Mr. Rutherford suggested using local MLS to see what the median sales were for specific property values.

C. FY27 Department Budget Requests

1. Information Systems – Susan Rorrer

Ms. Rorrer stated that she had good news regarding the E-911 and IT budgets, as both would remain essentially the same as last year, with any increases primarily due to increases in maintenance and support costs. She said the budgets and services would be maintained at prior levels while keeping costs stable, and no new funding was being requested for Information Systems but additional services like vulnerability scanning and data and asset management would be implemented using VITA and funds from the Virginia State and local cybersecurity grant program. Ms. Rorrer explained that these services would increase County security and compliance with local election security standards, and all costs for these items would be paid through the grant program and overseen by the state for three years, resulting in progress without extra cost.

Ms. Rorrer stated that for the E-911 budget, the Virginia PSAP grant program would provide funding for eligible costs. She said the current year's grant funding was used for replacing the CAD and RMS server for 911 and the Sheriff's Office, paying annual AT&T ESI Net charges for 911 services as well as other PSAP needs. She said in FY27, up to \$350,000 in funding would be available from the program, which they have tentatively planned for carpet and furniture replacement in the 911 center and for paying annual ESI Net charges. Ms. Rorrer said the budget was further offset by the County share of the statewide 911 tax, which she reported was about \$77,000 for the year.

Ms. Rorrer said capital outlay projects included routine battery replacement for County UPS and stated that they would be looking at the replacement of a County server that is used for the County's real estate financial management municipal software, replacement of mobile data computers for the Sheriff's Department. She reiterated that the carpet and furniture replacement was also considered. Ms. Rorrer stated that additional items included an upgrade to the County radio system for a trunked system to provide more capacity and channels for public safety, and a potential new tower site in southern Nelson for improved coverage.

2. Planning & Zoning – Dylan Bishop

Ms. Bishop reported that the Planning & Zoning budget remains substantially the same from year to year to cover advertising costs, travel, training and continuing education. She stated that she would speak on a request pertaining to junkyard cleanup. She explained that her department enforces compliance with the zoning ordinance, and the highest volume of complaints and violations issued are related to junkyards. Ms. Bishop said it is often difficult to bring these properties into compliance for several reasons, noting that violators are typically elderly, disabled, or experiencing medical or financial hardship, and lack resources or support from family and friends. She noted that the department's goal is not to penalize or intimidate, but to ensure property compliance, public health, safety, and welfare. She said the program is complaint-based, and staff works with violators on a realistic timeline for compliance, maintaining communication and documenting progress.

Ms. Bishop reported that this request is to re-establish a grant program allowing violators to seek funding for property cleanup. She stated that cleanup money was allocated a few years ago but could not be used due to COVID, court closures, and staff turnover. Ms. Bishop said the department now has a new planner, Cody Barker, who has a background in zoning code enforcement. She said the department is ready to pilot the program and will use local companies to facilitate junk removal and inoperable vehicle removal. Ms. Bishop stated that staff would work with property owners on a compliance plan and timeline, using available funds to compensate

cleanup companies. She noted that Planning and Zoning would also request that tipping fees be waived. Ms. Bishop stated that several cases in the past year could benefit from this program, and the draft zoning ordinance provides clearer parameters for defining junkyards and establishes minimum standards for setback, screening, and maintenance.

Mr. Lenahan asked if they could possibly team up with Habitat for Humanity or the court systems for community service.

Ms. Bishop responded that she absolutely thinks there are opportunities, and staff has been in discussions with the Sheriff's Department as well, noting that part of this starting this program would be identifying resources that will help clear these properties up.

Ms. Bishop stated that one recommendation from the draft ordinance update includes adopting a Countywide fee schedule, and she said that currently, the fees are included in the zoning ordinance, which requires public hearings to amend. Ms. Bishop stated that a fee schedule allows the Board more leniency to make necessary fee changes. She said staff is working on drafting a proposed schedule for zoning and subdivision fees, along with a manual to address procedures for various land use applications, and she stated that this should streamline and clarify application requirements for any citizens or developers looking to locate their projects in Nelson County.

Ms. Bishop stated that staff evaluated fee schedules for other localities, including Albemarle, Amherst, Fluvanna, Greene, and Louisa, and she said fees for Nelson definitely fall towards the lower end of these. She stated that currently, Nelson County does not charge for administrative zoning approvals such as new structures like a single family dwelling, home occupations, and signs. Ms. Bishop said that by charging even just \$15 per zoning approval, revenue would increase by approximately \$3,000 a year as a conservative estimate based on FY25 numbers. Ms. Bishop stated that some localities require anywhere from \$30 to \$85, but \$15 sounds fine to her. Ms. Bishop stated that an increase in public hearing fees is suggested, as the current public hearing fee often barely covers the cost of the required legal advertisement, and raising fees would ensure additional revenues to cover those costs and staff time. She stated that the majority of revenue generated by Planning and Zoning comes from plat fees, which can also be increased as Nelson is one of the lowest in the region.

Ms. Bishop said that in addition to establishing minimum performance standards in the draft ordinance regarding short-term rentals, there has been discussion on requiring a yearly registration fee in addition to the business license. Ms. Bishop stated that new software being rolled out allows staff to track short-term rentals, and she said a common practice is charging an annual fee, typically in the amount of an average nightly rate. She stated that this can also be incorporated into the proposed fee schedule, and Ms. Bishop said staff can have that prepared and ready for review at any time. Ms. Bishop stated she is available for any other questions about budget requests, fees, or junkyard cleanup.

Dr. Ligon asked Ms. Bishop if she could provide what neighboring localities are charging.

Mr. Rutherford asked if the rate was voted on by this Board or handled administratively.

Ms. Bishop responded that she would provide a chart of neighboring localities' rates and said the rates would be voted on by the Board.

Ms. Bishop reported that her next item, somewhat unrelated to budget, is the scoping for mapping exercises for the update the County is currently working on. Ms. Bishop said that when the scope for the Comprehensive Plan was initially discussed, followed by the zoning and subdivision ordinance, the County decided on a three-phased approach; she stated that the Comprehensive Plan was completed first, then the zoning and subdivision ordinances, and finally mapping for phase three. Ms. Bishop said that this decision was made due to the high need to update the ordinance, which dates back to 1977, for improved usability and state code compliance.

Ms. Bishop stated that the land use evaluation determined that the current ordinance is only 50 to 70% compliant with state code, and she said that map amendments in conjunction with an ordinance overhaul could derail the adoption process, so this method ensures the mapping process begins with a strong and compliant ordinance. She said that recent discussions and concerns about zoning and subdivision updates have centered on minimum lot sizes and zoning districts, staff inquired about scoping out preliminary mapping exercises. Ms. Bishop stated that although this would delay the current adoption schedule, it would guide discussion and inform decision-making regarding the best map size.

Ms. Bishop reported that staff sent a meeting poll to the Board and Planning Commission members to schedule more focused discussions on hot topics such as lot size, mapping, and any other general feedback at this stage. Ms. Bishop said that staff met with Berkeley Group that morning and, at the Board's direction, she stated that staff would be glad to work with Berkeley Group on a work order amendment to include preliminary mapping services. She noted that was included in the original scope of work as an optional service. She commented

that they done several work order amendments to add various aspects from the optional services list. Ms. Bishop said that they would work on map exercises internally. She stated that another work session would be scheduled to compare the current zoning ordinance to the future land use map and the Comprehensive Plan, and Ms. Bishop said that they could discuss how proposed text changes have addressed certain aspects, continue with the text amendment adoption, and then revisit the mapping fully in Phase 3.

Ms. Bishop said that if a work order amendment was approved at the March 10th meeting, a work session could be scheduled for the first week of April, and a notice about the amended adoption timeline would be posted, if it has not already, to the Nelson 2042 and County websites to keep the public informed about progress.

Ms. Bishop asked if there were any questions about the process or direction for her to move forward with drafting a work order amendment with the Berkeley Group, or if they would like to see a map.

Dr. Ligon responded that she was on board and would love to see a map.

Mr. Rutherford agreed, stating that it is reasonable for them to get that and do the zoning at the same time.

Ms. Bishop responded that it would be totally appropriate at this point in the process, but she did not think it would have been wise to do it in conjunction throughout the whole process at the same time. She added that doing these initial exercises would help them make confident decisions for the ordinance.

Mr. Rutherford asked if they would be full-stopping zoning and then doing mapping and then doing both public hearings, or if they would be doing the public hearings for the zoning still.

Ms. Bishop responded that the idea would be to put a pin in the zoning ordinance, work on preliminary mapping exercises, then continue with just the text amendment adoption process, then do another scope for Phase 3, which would be the full mapping.

The Board was in agreement to have Ms. Bishop proceed with getting a work order amendment.

3. Animal Control – Kevin Wright

Mr. Wright stated that Animal Control's budget would remain mostly the same, and they were not soliciting any increases for the upcoming year and would continue normal operations. He offered to answer questions.

Mr. Rutherford asked if telecommunications encompassed both phones and internet. Mr. Wright confirmed that it did.

Mr. Lenahan asked for Mr. Wright's thoughts on the dog tax, as it seemed like a lot of work for a little payout. Mr. Wright agreed, stating that he has been looking into what other localities are doing. Ms. McGarry pointed out that it is required by state code and it cannot be removed.

Mr. Wright said there is software that ties into local veterinarian information, with more revenue possible and more components that make sense.

Dr. Ligon stated that Albemarle County uses a software where the veterinarian is required to put in every rabies shot that is given, and then the outside entity runs the transaction and makes money based on the transaction costs, with the revenue then passed back to the County. She said that would only be a good idea is if they use the same program that Albemarle or Amherst or neighboring counties use because they would then receive the revenue for Nelson County animals that go outside of the County for veterinary care, and they currently do not receive revenue for animals that go outside the County. She added that it's a great idea from the County's perspective, and Nelson would still set the price—with the transaction company just realizing those fees.

Mr. Lenahan asked how many tags were issued each year.

Dr. Ligon responded that it was a very low number.

V. NEW & UNFINISHED BUSINESS

A. Nelson County Recreation Foundation Update

Nelson County Parks and Recreation Director Jerry West reported that he was presenting the recommended appointed board of directors for the newly created Nelson County Recreation Foundation. He stated that after introducing this idea in early 2025, he and the County administration developed their vision and detailed goals

before opening public applications. Mr. West said that during this process, he and his colleagues worked with Phillip Payne to create the first draft of the foundation bylaws and articles of incorporation.

Mr. West reported that the application process was opened in November with an initial deadline of December 19, 2025, with the goal of having representation from all five districts. Mr. West stated that as of that deadline, there were no applications from the Central and East districts, so the deadline was extended through December 29 and again through January 26; however, after multiple attempts, there were still no applications from those two districts. Mr. West stated that there was a strong selection of 14 applications from all other areas, and a decision was made to move forward with seven individuals from that group of 14, as well as himself in the role of Director of Parks and Recreation, and Grace Mawyer, who volunteered to serve as the initial treasurer for the foundation. He stated that the seven selected members were Andrew Hudson, Greg Mullins, James Bibb, Jessica Mauzy, Ross Ruffing, Sonya Westervelt, and Arianna Hartman. He stated that the intent with the number was to keep the board at a manageable size, neither too large nor too small. Mr. West said the packet contains their qualifications and reasons for their suitability as board members, and the first meeting with the group would be organized soon to review and make the final edits to the foundation bylaws. He stated that once the bylaws are finalized by the group and approved by Mr. Payne, they will be submitted to the IRS for official 501c3 status. He said that the foundation will serve as an outlet for fundraising and building community support for years to come. Mr. West said with up to 11 members allowed, there remained a two-person buffer. Mr. Parr asked if Mr. West and Ms. Mawyer would be voting members. Mr. West confirmed that they would be.

Ms. McGarry clarified that they are just seeking the Board’s endorsement to move forward with the applicants, and no official action is needed since this is a private foundation. The Board was fine to proceed as presented.

B. Real Estate Tax Exemption Application – Synchronicity Foundation (R2026-07)

Ms. McGarry explained that staff does not have any additional information to add regarding Synchronicity, and the Board had not requested that Commissioner Goff be present since this is a carryover item from a previous meeting.

Mr. Reed **moved** to adopt Resolution R2026-07 as presented, approving the real estate tax exemption application. Mr. Rutherford **seconded** the motion, which passed 4-1, with Mr. Lenahan voting no, and the following resolution was adopted:

**RESOLUTION R2026-07
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF REAL ESTATE TAX EXEMPTION APPLICATION**

RESOLVED, pursuant to and in accordance with the applicable provisions of §58.1-3605 and §58.1-3651 of the Code of Virginia, 1950 as amended, and Sec. 11-185 of the Code of the County of Nelson Virginia, the Nelson County Board of Supervisors hereby approves the triennial real estate tax exemption application submitted by Synchronicity Foundation, Inc. as presented.

Mr. Parr commented that there were lots of questions when this was last presented, but his questions have now been answered.

Mr. Lenahan said he felt this was opening up a can of worms. Mr. Parr responded that the can has actually been open for 25 or 26 years. Mr. Lenahan stated that what he looked up was permissive, not mandatory—and meditation is an art of practice by religion, but it is not a religion. He added that this meant anyone could claim tax-exempt status for any religion of their own making.

C. Authorization for Public Hearing to Amend Chapter 2, Article III, Sec. 2-74 Local Emergency (R2026-08)

Ms. McGarry reported that this proposed ordinance amendment has arisen from the County’s recent declaration of local emergency. She explained that their local code requires that once the emergency is declared, the Board must ratify it within five days, whereas the state code allows 45 days, so staff is proposing to amend the County code to mirror the state code. She suggested that they strike the language that requires the entire Board of Supervisors within five days of the declaration to have a special meeting meet and confirm such declaration, and replace it with the Board being able to meet at its next regularly scheduled meeting or a special meeting within 45 days of the declaration, whichever comes first. She said this resolution authorizes staff to advertise a public hearing for this code amendment, and they would plan to hold the public hearing on March 10th at 7 p.m.

Mr. Rutherford **moved** to adopt Resolution R2026-08 as presented, authorizing staff to advertise a public hearing. Mr. Parr **seconded** the motion, which passed unanimously (5-0) and the following resolution was adopted:

**RESOLUTION R2026-08
NELSON COUNTY BOARD OF SUPERVISORS
AUTHORIZATION FOR PUBLIC HEARING TO AMEND CHAPTER 2,
ADMINISTRATION, ARTICLE III, EMERGENCY SERVICES, DIVISION I,
SECTION 2-74 DECLARATION OF LOCAL EMERGENCY**

RESOLVED, by the Nelson County Board of Supervisors pursuant to and in accordance with the provisions of 15.2-1427 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, March 10, 2026 at 7:00 p.m. in the General District Courtroom of the Courthouse in Lovingston.

The purpose of the public hearing is to receive public comments on an Ordinance proposed for passage to amend Chapter 2, Administration, Article III, Emergency Services, Division I, Section 2-74 Declaration of Local Emergency. Proposed amendments to Section 2-74 (a) would align the County Code with the Code of Virginia 44-146.21, allowing for the Board of Supervisors to confirm a local emergency declaration at its next regularly scheduled meeting or at a special meeting within 45 days of the declaration, whichever occurs first.

VI. REPORTS, APPOINTMENTS, DIRECTIVES AND CORRESPONDENCE

A. Reports

1. County Administrator’s Report

Ms. McGarry noted that the Board had received a list of dates that Davenport would be available to meet and look at the County’s debt capacity and fund balance, and to provide other financial advisement. She indicated that staff would be proposing to have a work session on Wednesday, February 25, 2026 from 4 to 6 p.m., with Planning Commission to follow at 7 p.m. She noted that this would allow Dr. Ligon time between the two meetings. The Board was in agreement to meet on February 25th.

Ms. McGarry presented the County Administrator's Report:

A. DSS Building Project: Sitework including installation of stormwater management systems, electrical and data conduit installation, and retaining wall form work continues onsite. County staff, BCO Marrs, and Jeff Brantley have been working with PMA, Timmons, the Lovingston Fire Dept., and NCSA to finalize fire protection design elements before the building footers and slab are poured.

B. Department of Social Services: Advisory board member appointments and contact information were sent to VDSS. VDSS has emailed members with credentials and links to complete new board member training within 60-90 days; with an initial meeting date to be determined once training is complete.

C. 2026 Reassessment: The Board of Equalization Department of Taxation training has concluded, with members certified by the state, pending appointment by Circuit Court order. After that point, the board will set their hearing schedule for release to the public and will begin hearing assessment appeals.

D. Transfer Station Tipping Floor Replacement: The project invitation to bid has been issued, with bidding documents available February 11 and the following schedule proposed:

- Optional pre-bid meeting – February 17, 2026
- Receive sealed bids – March 4, 2026 at 2 p.m.
- Award contract – March 18, 2026 at a continued or called meeting of the BOS
- Complete construction – May 31, 2026

An MOU has been executed with Amherst County for solid waste disposal at their landfill during the project construction period.

E. Former Larkin Property Test Wells: Local well driller contact information has been provided to CHA, the County’s engineering consultants, to gather pricing information for potential inclusion in the FY27 CIP for the Board’s consideration.

F. Cover the Caboose Project: Inclement weather has delayed a Madison Heights firm, Cascio and Sons Construction from coming on site to provide a quote; however, they will be providing an estimated cost range by mid-week and will provide a refined quote after coming on site next week.

G. Space Needs Follow-Up: Nelson Center managers are finalizing the requested financial information, and possible short or long-term options from the School Division remain pending.

Mr. Parr asked for clarification. Ms. McGarry noted that the School Division had not provided any input on short-term or long-term options at this point. She indicated that staff did know what the School Division's square footage space needs were. She said she thought that the School Division had been tasked with determining what options worked for them in the short-term and long-term. She commented that Dr. Hester had toured the Nelson Center with Margaret Clair to see what space was available and the configuration. She noted that Dr. Hester had also seen the current DSS facilities.

H. NCSA Lovingson Sewer Rehabilitation Project: County staff and NCSA reviewed an update to the project's Preliminary Engineering Report, which includes expansion of the scope of work and new cost projections to include 10 additional manholes that have now been located within the project area, as well as other issues identified through use of CCTV cameras of the system in May 2025. Two alternative scopes with probable costs of \$4,115,000 and \$5,545,000 have been provided, with \$2,235,000 being the estimated cost of the original project scope. Project engineers, NCSA staff, and County staff are working with USDA/RD on how best to address this, either within the original budget, completing the most critical elements or obtaining an expanded loan from USDA/RD. Future presentation of this subject in detail is anticipated in the near future.

Ms. McGarry noted that she believed the lesser of the two new cost estimates utilized the same technology of lining the interior of the pipes, while the higher estimate involved pipe replacement.

I. Seven Stars Music Festival: Festival organizers have announced 2026 festival dates of October 9-11 for a similar sized event as in 2025 and have issued a press release that includes estimated economic benefits to the County and region, which is provided.

J. Meals and Lodging Tax Collection & Lodging Entity Tracking: The number of lodging units increased from 833 to 838. TOT taxes collected for the Calendar Year 2025 totaled \$2,743,694.

Mr. Parr asked if Maureen Kelley had reviewed the press release from Seven Stars. Ms. McGarry noted that she was aware that Ms. Kelley had the report but she was not sure how much of the information she had tried to validate. She indicated that the Commissioner of Revenue was following up with Seven Stars in regards to their reported TOT and Food and Beverage revenue amounts. Mr. Lenahan commented that the food and beverage amounts did not correspond to Ms. McGarry's graph. Mr. Rutherford asked to get some correspondence from Kim Goff regarding that information.

K. Staff Reports: Department and office reports for January/February have been provided.

Ms. McGarry reported that VDOT would be holding a Lovingson sidewalk improvement TAP grant open house and public hearing on February 26, 2026 at the Nelson Center from 4 to 6 p.m. She explained that this was not the typical "public hearing" based on previous similar VDOT events; they would have project storyboards, and the public can make comments at that time and submit questions that the agency will answer at a later date, but there would be no formal presentation.

2. Board Reports

Mr. Rutherford:

Mr. Rutherford reported that he had attended VACo Day and hence was not able to attend the TJPDC meeting. He said there was a lot of correspondence pertaining to the hold harmless funds, which assist multiple localities, and this would be a 4% change and is perceived as a hard sell. He said the appropriations committee and their staff are the decisionmakers on this, and he offered one year instead of the two or three proposed. He said that their legislative liaison, David Blount, is having numerous conversations with senators and delegates to see if he can get some traction, but he has not yet sent any updates.

Mr. Lenahan:

Mr. Lenahan said he had no report.

Mr. Reed:

Mr. Reed stated that he had attended the TJPDC Zoom call, as their office was being remodeled, but they would resume in-person meetings in March. He added that there was not a lot of activity at the meeting, nor with the JABA Advisory Board meeting.

Mr. Parr:

Mr. Parr reported that the EMS Council had met this month but did not have much going on. He mentioned that he would be attending Insurance Day at the General Assembly the following day, and he would be sure to bring up the composite index, among other issues.

Dr. Ligon:

Dr. Ligon reported that the Planning Commission meeting was canceled, but Ms. Bishop had provided an excellent plan for the future in terms of doing smaller meetings where they could delve into more details.

B. Appointments

Library Advisory Committee

Mr. Rutherford **moved** to appoint Erin Loving as East District representative on the Library Advisory Committee. Mr. Parr **seconded** the motion, which passed unanimously (5-0).

Other Expiring Appointments/Vacancies

Ms. Spivey stated that she was waiting to hear back from Mr. Hall on whether he would like to continue with the James River Alcohol Safety Action Program, and she hoped to have an update next month. Mr. Reed asked Ms. Spivey if she could provide some background information on James River ASAP. Ms. Spivey also stated that the EDA advertisement was Countywide and not by district, as is the BZA—for which they are seeking a regular board member as well as an alternate.

Dr. Ligon asked if Ms. Spivey could also send information on the Ag/Forestral Advisory Committee. Ms. Spivey noted that she would send additional information, she confirmed that Planning and Zoning coordinated those meetings. She noted that they were currently seeking a producer member for the Ag and Forestral Advisory Committee as Andy Wright had resigned from that position.

C. Correspondence

Ms. McGarry mentioned the correspondence received from Mr. Hauschner, which mirrored what he had provided in public comment.

D. Directives

Mr. Parr said he had mentioned this casually before, but he would like to have staff look into a “tire amnesty day” for citizens and revisit what they have done in the past.

Mr. Rutherford mentioned that Albemarle had done a tire clean-up from the river, and the County was part of that event.

Mr. Lenahan commented that there seem to be problems with used mattresses and old couches, etc. at the donation shed at the Rockfish Refuse Center, as well as issues with resellers and others who use the shed. Mr. Reed noted that there have been ongoing issues there, which the attendants are well aware of. Mr. Lenahan asked what the Board thought about a three-month suspension on just the donation shed. Mr. Parr asked how bad it was other than a few mattresses. Dr. Ligon suggested that they get Jeff Brantley to assess the situation and report back.

The Board took a brief recess.

VII. CLOSED SESSION PURSUANT TO §2.2-3711 (A) (1), (A)(7) & (A)(8)

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;"

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

(A)(8) - "Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter." Mr. Lenahan seconded the motion, which passed unanimously (5-0) by roll call vote.

Supervisors conducted the closed session and upon its conclusion, Mr. Lenahan moved to reconvene in public session. Mr. Rutherford seconded the motion and there being no further discussion, Supervisors voted unanimously (5-0) 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 (5-0) by roll call vote to approve the motion.

VIII. OTHER BUSINESS (AS PRESENTED)

There was no other business to discuss.

IX. ADJOURN AND CONTINUE TO FEBRUARY 25, 2026 AT 4:00 P.M. AN EVENING SESSION WILL NOT BE CONDUCTED.

At 4:56 p.m., Mr. Rutherford moved to adjourn and continue the meeting to February 25, 2026 at 4:00 p.m. Mr. Parr seconded the motion. There being no further discussion, Supervisors approved the motion by vote of acclamation and the meeting adjourned.