Virginia:

AT A CONTINUED MEETING of the Nelson County Board of Supervisors at 10:00 a.m. in the Former Board of Supervisors Room located on the fourth floor of the Nelson County Courthouse, in Lovingston, Virginia.

Present:
Ernie Q. Reed, Central District Supervisor – Chair
Dr. Jessica L. Ligon, South District Supervisor – Vice Chair
Jesse N. Rutherford, East District Supervisor
J. David Parr, West District Supervisor – Chair
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

I. CALL TO ORDER

Mr. Reed called the meeting to order at 10:00 a.m. with four (4) Supervisors present to establish a quorum. Mr. Harvey was absent.

II. 3/18 WORK SESSION & 3/20 JOINT MEETING FOLLOWUP

Ms. McGarry stated that she had some follow-up from the March 18th work session and March 20th joint meeting with the School Board. She reviewed the well and septic fees, which provides for a local fee of $75 for installation of any onsite sewage disposal system and $25 for construction of a private well. She explained that Virginia Department of Health (VDH) collects the fees jointly, issuing County permits by VDH and Building Inspections. She said that staff are still trying to determine how/where the fees get remitted.

Ms. McGarry reported that she and Jeremy Marrs had discussed the Board's desire to review the fees charged by the Building Inspections department. She noted that Mr. Marrs would begin working on some fee comparisons and suggested fees for the Board's consideration in May.

Ms. McGarry reviewed business license fees and reported that per State Code, the County cannot charge more than $30 for a business license fee, which was based on population size. She noted that the County's population would have to increase to 25,000 to be able to raise the business license fee to $50.

Ms. McGarry reported that the Spay and Neuter Fund revenues were funds that were remitted by the State Department of Taxation to the County and represented monies contributed to the State Spay and Neuter Fund through designation on local tax returns. She commented that the amount of funds remitted could vary greatly. She explained that when people file their state taxes, there are many options that they can choose to donate their tax refund to, one of which is the State Spay and Neuter Fund, and anyone in our locality that chooses to do that, those funds are remitted to Nelson County.

Ms. McGarry then provided follow-up information on the Animal Control vehicles. She indicated that after speaking with Kevin Wright, he noted that he had not requested a vehicle and upon further review of his department's budget request, it was determined that the vehicle request was part of the department's CIP submission. Ms. McGarry indicated that staff was recommending removal of funding for a new vehicle from Animal Control's budget for the upcoming fiscal year. Mr. Parr asked if they could reallocate that funding towards a new vehicle for the Emergency Services Director.

Ms. McGarry responded that they could, noting that the next bit of information pertains to the ECC first response vehicle. She reported that the current 2002 Chevy Tahoe has an odometer reading of 169,396, and staff suggests reallocating the Animal Control vehicle funds toward the ECC vehicle. She indicated that John Adkins had been researching some less expensive options for the ECC vehicle. She said one option would be a 2025 Ram SSV, and it would have to be ordered by April 4th, with a 90 to 120-day turnaround to receive it, but they could pay for it with next year's fiscal funds. She noted that the current vehicle has significant body rust from Wintergreen and all the salt, and it needs tie rods, sway bar links, a front end alignment, and perhaps other repairs. She added that they are going to have Front Street Garage look at it and provide an estimate, because they still have time to do something else. She said the County also has an old Jeep Cherokee that does not get driven a lot.

Dr. Ligon asked if John Adkins needed a large vehicle.

Ms. McGarry responded that he keeps a lot of emergency management equipment in the back.

Mr. Parr commented that unlike previous ECC directors, Mr. Adkins is frequently onsite and hands on.

Ms. McGarry noted that they would also get a camper shell for the back of the truck to hold his tools.

Mr. Parr said the buildout for that is included in his estimate.

Ms. McGarry said the total cost with the extras for the Ram is about $54,000, versus about $71,500 for a Tahoe.

Mr. Parr said beyond the overall needs and use, the current vehicle is embarrassing for a County representative.

Regarding the Roseland Volunteer Rescue Squad ambulance, Ms. McGarry reported that NEMS is no longer rotating volunteer ambulances into the service program, as that was discontinued several years ago. She said they borrow units from Rockfish Volunteer Rescue if NEMS is in a bind and needs a vehicle for some reason—Roseland only has one viable ambulance in service, so borrowing from them is not really an option.

She noted that this did not address the question of whether or not the County could reassume ownership of that vehicle if they're not using it all that much, but they use it when they go out. She emphasized that they would need to look at call volume and other factors before making a move in that direction.

Dr. Ligon stated that technology is going to be outdated eventually, and she wondered if that unit would even be viable in five to seven years if Roseland does start answering calls—and in the meantime, the unit is just sitting there doing nothing.

Ms. McGarry commented that she can't speak to the number of calls right now as far as what they are doing or not doing, but she agreed that it is an expensive piece of equipment to let it sit there.

Ms. McGarry reported that she provided current Piney River water/sewer rates and Service Authority rates, which are not all the fees charged but they reflect the monthly usage rates. Ms. Mawyer confirmed that the Shipman rates are the same at $48.30.

Piney River Rates:

	Water	Sewer
Minimum usage—Up to 4,000 gallons per month	$29.90	$29.60
Cost per 1,000 gallons, exceeding 4,000	6.10	6.85

Unmetered water or sewer residential customers will be charged for four thousand (4,000) gallons per month.

Nelson County Service Authority Rates (effective July 1, 2023)

Base Service Fee allots consumption up to 4,000 gallons per billing period.

	Base Service Fees	
	Water	Sewer
Lovingston, Schuyler, Gladstone	48.30	69.70
Wintergreen Mountain System	52.90	69.70

Ms. McGarry said staff would need to report back on developed fee recommendations and then look at the procedural steps for increasing rates, but it would involve a public hearing at a minimum because they would have to amend the County's water/wastewater ordinance. She confirmed that everyone is paying $29.90 plus a $9.00 grinder pump fee for sewer.

Mr. Rutherford commented that they have been discussing this for a long time, and Lovingston, Schuyler, and Gladstone should not be paying higher rates than anyone else.

Board members emphasized that a rate increase would need to be gradual, and Ms. McGarry agreed that staff would look at a phased approach.

Mr. Rutherford asked if they would need to do a public hearing every year it increases.

Ms. McGarry responded that staff would check on that, as they may be able to include the phased approach in the ordinance.

Mr. Rutherford said they discussed the Service Authority acquiring this entity about six years ago, and their biggest points of non-interest were related to capital improvements for the system and the rate being too low to sustain.

Dr. Ligon noted that the County had just made a massive improvement by working on the rates.

Mr. Reed said this would also give them a timeline for consideration of assuming Service Authority taking over; if they go with a four-year phase, they could do it for three and then make a transfer in the fourth year.

Ms. McGarry said this may be a moving target as the Service Authority considers rate increases of their own. She said if the Board's amenable, staff will build the FY26 budget on the current rates and amend as needed if new rates are established, and she would bring suggested rate increases forward in the near future.

Ms. McGarry reported that the Board had received the school bus fleet information at their joint meeting with the School Board on March 20, and staff had provided the updated school CIP in the information before them. She said that based on their .6645 LCI and the enrollment of 1,417, there are two things that are provided from the Department of Education Calc tool: The total funding for FY26 programs is the state share of the total funded programs at $9,996,425; the FY26 local share of total funded programs is $13,256,834; the required local effort, based on the standards of quality (SOQ) accounts, required local effort is $9,997,003.

Ms. McGarry said that concluded her responses to the Board's previous inquiries.

She stated that she wanted to ask them about the ECC vehicle and the fact it is driven home. She noted that she was not sure of the Board's thoughts on that. Mr. Parr asked how far "home" was. Dr. Ligon responded that it is far down a dirt road in Albemarle, and she didn't even like taking her vehicle down that road.

Ms. McGarry said the question is whether any employee, regardless of who they are and where they live, should be able to take the vehicle home. She commented that she could see the benefit in times of an emergency. She noted that the Sheriff's Department drives their vehicles home, and Animal Control drives theirs home when they are on call, and she stated that she is not certain there is a current policy related to County vehicles. Ms. Mawyer asked if there was a maximum number of miles for Sheriff's Department employees who live out of County. Mr. Rutherford commented that was probably up to the Sheriff, he noted that Albemarle deputies had to get approval from the Sheriff to take their vehicle home.

The Board discussed the possibility of having the ECC vehicle parked at the Faber Fire Department as it would be on the way to almost any direction of response. Mr. Rutherford asked what the County's policy was currently, as it related to County vehicles being driven home. Ms. McGarry commented that she was not sure there was a policy on that, noting that she would have to check.

Mr. Rutherford pointed out that individuals might negotiate that in their contracts at the point of hire.

Dr. Ligon said the problem is that they have a significant number of staff that don't even live in the County yet drive County vehicles, which Nelson is having to pay for. Ms. McGarry noted that the majority were in the Sheriff's Department. Mr. Rutherford commented that they should look at creating a vehicle policy.

Dr. Ligon noted that they would need to see if the fire department would consider allowing the ECC vehicle to be parked at the Faber Fire Department.

Ms. McGarry asked if the Board wanted to consider vehicle use logs as part of their policy, as some citizens have said they'd like to see some transparency with County vehicle usage.

Dr. Ligon asked how fair it was if someone is putting 80 miles on a County vehicle daily just to get to and from the County, for the County to be required to replace that vehicle at 150,000 miles.

Mr. Parr said at one point for his job, he had to log and account for personal miles on the company vehicle, and the company took that out of his check—so there are procedures available for that type of usage.

Mr. Rutherford said in the construction world, there was always an expectation that you should be willing to drive 30 minutes to get to work or a jobsite; the alternative view was how much more expensive it was to make that extra 30 miles then go to a different job site.

He added that in this instance, it is a stable location 100% of the time, but Animal Control and the Sheriff's Department might go on patrol near the place where they live. He said he has had great success with GPS systems on his construction vehicles, which protects both the vehicle operator and the County.

Mr. Parr commented that insurance companies often provide devices now, which helps with rates and tracking, and a lot of carriers with commercial vehicles are offering devices such as Progressive's "Snapshot." Ms. McGarry noted that some options may be able to provide data that could help create a vehicle replacement schedule.

Dr. Ligon commented that for 250 days per year, 80 miles was 20,000 miles. Mr. Rutherford noted the recommended replacement for Sheriff's vehicles was at 100,000 miles. Dr. Ligon noted there were also the expenses related to tires and regular maintenance. Mr. Rutherford suggested they consider exploring GPS systems.

Mr. Rutherford asked if you could FOIA log data from staff, and Ms. McGarry responded that you probably could.

Ms. McGarry stated that staff would follow up on this and with Sheriff Embrey to clarify his policy. Dr. Ligon reiterated that a lot of his workforce does not live here. Ms. McGarry noted that having a take home vehicle as a deputy was one of the main perks.

Ms. McGarry stated that the next topic on the work session agenda was the FY26 tax rates, which would actually be Tax Year 2025.

Mr. Rutherford said he had no interest in raising tax rates, so they can vote on that anytime.

Ms. McGarry presented a few changes that affect the capital outlay budget, which included taking out the Animal Control truck and perhaps adding in the ECC vehicle. She said they have a balance of forest sustainability funds from FY23 that didn't get pulled in, and she would like to make that adjustment. She said this would add $41,389 to the Parks and Rec Department budget, which would pull into their funding balance and provide that department with the additional funding for potential use, should the Board decide to do something with it.

Changes to Contingencies

Introduced Budget Recurring Contingency		**$0**
Subtotal of Changes		**$0**
Balance as of 03/25/25		**$0**

Introduced Budget Non-Recurring Contingency	**$**	**341,303**		
Staff - Removal of Animal Control Truck in Capital Outlay	**$**	**51,000**		
Subtotal of Changes	**$**	**51,000**	**Total All Contingencies**	
Balance at 3/25/25	**$**	**392,303**	**$**	**392,303**

Introduced Budget Year Ending Balance	**$**	**3,872,300**
Staff - Pull Omitted Forest Sustainability Balance (FY23) from YE Balance	**$**	**41,389**
Staff -Reduction of Animal control Truck in Capital Outlay	**$**	**(51,000)**
Subtotal of Changes	**$**	**3,862,689**
Balance at 3/25/25	**$**	**3,862,689**

Expenditure Changes 3-25-25

Staff - FY23 Balance of Forest Sustainability Funds to P&R Department	$	41,389
Staff - Remove Animal Control Truck from Capital Outlay	$	(51,000)

Revenue changes 3-25-25

The Board then agreed to discuss MACAA first.

Ms. McGarry said Mr. Edwards of MACAA had provided some follow-up information in the email provided to the Board, and the agency feels fairly confident that they would have the capacity to do 12 to 14 children in the after-school program at each school—for a full capacity of 24 to 28 students. She said that Mr. Edwards indicates they would start marketing this program almost immediately so that everyone would be aware of its availability, which should boost enrollment, and the majority of the budget request is to pay program personnel salary and benefits.

Ms. McGarry said MACAA's request also includes expansion of emergency services to a broader range of services to include self-sufficiency, job training, adult education, financial literacy, and other initiatives to help families move beyond emergency services only. She stated that the agency plans to continue the Project Discovery program, which aids high school students with entering college as first generation in their families. She reiterated that most of MACAA's request was for the afterschool program.

Ms. McGarry reported that MACAA expended $6,200 approximately for emergency services in FY24 and $1,100 in FY25 for 23 households. She commented that $1,100 for 23 households did not seem like much, unless the 23 households also applied to the FY24 amount spent.

Mr. Reed said he hoped MACAA would do outreach for expanded services, because they are not likely to be used if people do not know about them.

Mr. Rutherford commented that the County paid $24,376 for emergency assistance in FY23-24, meaning the return on investment is about a quarter of what the County gives them, and that's a lot of overhead to cover to write a $6,000 check.

Ms. McGarry said in the current year, MACAA anticipated serving 60 people, with 82 as the proposed number of beneficiaries for FY26 emergency assistance.

Dr. Ligon asked if these recipients were people who have exhausted social services and other programs and end up going to this one.

Mr. Rutherford said it is an additional source, and once they have exhausted DSS, they go to MACAA.

Mr. Reed pointed out that DSS publicizes the availability of MACAA's programs and lets constituents know what is available.

Dr. Ligon said she had concerns about the return on investment, and funding an agency that may not fully provide what they promise.

Mr. Rutherford asked if MACAA had an office at the Nelson Center. Ms. McGarry noted that they had a location there, but she was unsure whether they were still operating there. Mr. Reed commented that it would be good to know whether they were staffing that at all.

Mr. Rutherford said he understood the afterschool program and the Pioneer program, but he did not feel the emergency assistance piece was prudent—as the County would be better off writing a check for $25,000 to DSS for emergency assistance.

Dr. Ligon said the other option would be the Nelson County Community Development Foundation.

Mr. Parr commented that he was hesitant to do too much until MACAA can demonstrate a good track record.

Ms. McGarry commented that she thought the Schools were in favor of continuing the afterschool program with MACAA. Mr. Rutherford said he was willing to give MACAA another chance because there are limited options for the schools. He noted that he was not sure there was a mechanism for the schools to take on the afterschool program internally.

Mr. Reed said he was willing to give MACAA funding for everything for a year and track it closely because they are all needed services, and the agency itself is in need to get themselves reorganized.

Dr. Ligon asked how Mr. Reed felt about the money for emergency services going to a place they know has a true track record of helping Nelson County people. She emphasized that when they give to certain scenarios, they need to think about how much money is being spent on administration, and she would feel better about providing the emergency services funding portion to another entity that has a proven track record. She said that would be the County's way of having MACAA prove that they could handle the other two programs.

Mr. Reed commented that it was their way of cutting services. Mr. Rutherford said he didn't know if they were cutting services if they're only getting $1,100. He suggested that they could allocate those emergency services funds to NCCDF or someone like DSS, and stipulate that those funds cannot go towards overhead costs like salaries and must be used to provide utility assistance. Mr. Reed noted that staffing was required to apply the program. Dr. Ligon noted they were suggesting giving the funds to an organization that already has the staff. Mr. Rutherford noted that there were mechanisms to prove income.

Dr. Ligon emphasized that other organizations have protocols in place and a proven track record. Mr. Reed asked if the County could choose which programs to fund. Ms. McGarry noted she was pretty sure they had that discretion and if something were to change mid-year and funding was disbursed on a quarterly basis, then the County has some control over disbursement if things go awry. Dr. Ligon commented that she did not like promising funds and then withdrawing them. Ms. McGarry noted that she did not either, but it was a mechanism they could use.

Dr. Ligon asked if the NCCDF was well-run, as her perception is that they do a good job. Mr. Reed stated that they do an incredible amount with incredibly little. Dr. Ligon asked if Mr. Reed would like to give these funds to a well-run County entity. Mr. Rutherford suggested that they stick with only utility assistance. Dr. Ligon noted that they could ask Margaret Clair what they provide services for and how they do it. She commented that her goal was not to cut an avenue, but to see the return on investment.

Mr. Reed said it would be good to determine first whether NCCDF has the capacity to assign the funds.

Dr. Ligon said she was fairly certain Ms. Clair would articulate whether or not they could. Ms. McGarry indicated that she could reach out to Ms. Clair about the proposition.

Mr. Rutherford suggested they fund the afterschool program and Project Discovery as requested by MACAA, noting that they were possibly withdrawing the emergency assistance funding and reallocating it elsewhere.

Mr. Reed suggested that they find out that information from Ms. Clair and whether MACAA has a presence in Nelson County, the latter of which would provide him some assurance.

Dr. Ligon said establishing an office here would cost them more.

Mr. Rutherford suggested that they also drill down into the overhead costs. Ms. McGarry asked if they wanted to limit it to utility assistance. Dr. Ligon suggested they see the range of services that MACAA covered. She noted that she did not want to limit anything, she just wanted more efficient use of funds.

III. FY26 BUDGET WORK SESSION

A. School Budget Request
B. Capital Outlay
C. 2026 Tax Rates

Ms. McGarry said it was up to the Board what they needed to discuss regarding the school budget.

Dr. Ligon stated that they need to address the school bus issue now. She noted the lead times on ordering buses. She commented that the bus situation was dire and noted the need to start a plan.

Mr. Parr said they need to stop kicking the same can down the road and just budget for this. Mr. Rutherford noted that they had budgeted for four (4) buses. He asked what was involved with ordering the buses. Ms. McGarry stated that the Board could go ahead and authorize the purchase order now, and the buses wouldn't come in until next fiscal year anyway. The Board was in consensus to authorize the purchase order for four (4) buses.

Dr. Ligon said two constituents have come to her regarding the schools' cost for fuel, and one who works for a propane company felt the costs were exorbitant. She noted she was not sure who to ask about it. Mr. Reed commented that this is a question for the School Board, and Ms. Irvin and the School Board seem fairly astute regarding reducing expenses. He said that a lot of the comments that the Board gets about the school budget, don't directly get relayed to the School Board during their budgeting process. Mr. Rutherford said that dynamic has existed as long as the Board of Supervisors and School Board have, because the Board is the taxing mechanism. Mr. Reed stated that people need to understand the process better instead of waiting until it comes before the Board to then say that they have a problem. Mr. Parr agreed but said they still should not ignore those concerns.

Ms. McGarry said staff can let the Schools know the Board authorizes them to go ahead and issue the PO for the school buses.

Mr. Rutherford spoke regarding school capital improvements. He stated that two or three years ago when looking at capital improvement needs, the Board brought together $20 million to make overall improvements, so the School Board's assessment that the Board of Supervisors is ignoring them is just not true. He said the $2.5 million grant then came up for the high school, which absorbed all $20 million, and that left three schools in a dire situation with capital improvement needs.

Mr. Parr said the Board conversations around that were just to allocate $20 million for everything that the Schools needed instead of them asking for piecemeal improvements, and that was the plan until the high school renovation project came about.

Mr. Rutherford said at that time, he didn't feel the high school renovation was as pressing as some of the other needs, but the grant pushed things in another direction.

Ms. McGarry confirmed that staff would proceed with advertising the budget with the current school number in it. She said she would ask the Board to authorize the public hearing at the April 8 meeting, and it would be advertised to take place on May 13.

Ms. McGarry said if there were no changes to the tax rate, or alternatively if the Board wanted to authorize a public hearing on any increases, she had motions prepared for both of those scenarios.

Mr. Parr asked if there were any items that had been cut from the budget that needed to be revisited. He commented that several things had been cut from the budget, while nothing had been cut from the School budget. He asked what they may have cut, that they may need to reconsider.

Mr. Parr stated that after the joint meeting with the School Board, he had a conversation with a Board member about wanting to add the drones and the Emergency Services truck. He said if they added the drones and emergency services vehicle back in, the total would be about $100,000, which he said he had told the Board member that amount would probably come out of the School budget. He noted that the Board member told him that was not a problem, and they could make that work. He commented that there was some room if they had anything they wanted to reconsider.

Mr. Rutherford said they had discussed possible grant opportunities for the drones, and some firefighters had indicated that there was specific training necessary in those certifications.

Ms. McGarry stated that they learned from Jeff Brantley that Skyline Roofing could come in and do all the repairs for the leaks mentioned, and overall they thought the roof was in really good shape, so he didn't think any funding was needed for a courthouse roof repair.

Ms. McGarry confirmed that the School Division would have a 12 percent increase in health insurance for the upcoming fiscal year. She commented that they had budgeted for a 15 percent increase and it ended up being 12 percent.

Staff clarified that the drones would have been $27,000, so that would free up some money, and they would add the ECC vehicle back in at $54,000. Ms. McGarry noted that the $38,000 in Animal Control was for a part-time shelter attendant position that had been requested, which would be a recurring expense. She said she did not feel the position was necessary at this time because they recently got the full-time shelter position in addition to the existing shelter manager position.

Ms. McGarry noted that the Electoral Board's requested cart may be eligible for grant funding.

Mr. Rutherford asked if Gladstone Seniors were still going strong on meals, as well as Rockfish. Ms. McGarry confirmed that they were. She noted that Gladstone's location and proximity to other counties meant they were probably serving some non-Nelson residents. Dr. Ligon and Mr. Rutherford agreed. Dr. Ligon noted in her visits with the Gladstone Seniors, they were also preparing meals for homebound Nelson residents.

Mr. Rutherford asked for clarification on the governing aspect between the recreation department, the County, and the foundation for the Blue Ridge Tunnel Trail.

Ms. McGarry explained that the foundation deals primarily with the historical side, although they do raise money for small things like a freestanding plaque. She noted that the County was responsible for maintenance and the bricks/mortar of it.

Board members discussed the potential there for revenue generating from flashlights, water bottles, etc.

Mr. Parr indicated that someone in Waynesboro makes hats with lights, stickers, and the like for the Tunnel —which made him wonder who owns the copyright, if anyone.

Ms. McGarry said at one point when they were working on getting grants and thinking about the future of the tunnel, they talked about turning it over to the state or National Park Service or another entity.

Mr. Rutherford said that's a great idea from a liability perspective as well. Ms. McGarry noted that no research had been done to explore those options yet.

The Board discussed the idea of a vending machine set up for flashlights and other items. Dr. Ligon noted that the revenues may not pay for a permanent restroom facility but it could help to maintain them.

The Board discussed the need for improvement with the GIS system.

Ms. McGarry responded that they are getting a new one and recently switched companies, and the new one should be more user friendly and have enhanced functionality.

Ms. McGarry stated that staff would have a resolution for 2026 tax rates at their meeting in April, as well as the resolution for the Personal Property tax relief percentage distribution. She also clarified that if they were to advertise a public hearing on the tax rate, they could not go up at the public hearing, but they could go down. She said they could make any changes to the budget they advertise for public hearing, in regard to increases or decreases. She said that over the next week or so, the Commissioner's office would be getting the personal property tax values loaded, so they'll have a clearer picture for 2025, which she can then plug into the model for estimating FY26 revenue.

IV. OTHER BUSINESS (AS PRESENTED)

There was none presented.

V. ADOURN AND CONTINUE TO APRIL 1, 2025 AT 10 A.M. FOR A BUDGET WORK SESSION

At 11:13 a.m. Mr. Rutherford moved to continue their meeting to April 1, 2025 at 10:00 a.m. and Dr. Ligon seconded the motion, which passed unanimously (4–0) by vote of acclamation and the meeting was adjourned.