

February 9, 2021

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: Jesse N. Rutherford, East District Supervisor – Vice Chair
Ernie Q. Reed, Central District Supervisor – Chair
J. David Parr, West District Supervisor
Robert G. “Skip” Barton, South District Supervisor
Stephen A. Carter, County Administrator
Grace Mawyer, Administrative Assistant/Deputy Clerk
Candice W. McGarry, Director of Finance and Human Resources
Robert Brown, VDOT Residency Administrator
Dylan Bishop, Director of Planning and Zoning
Emily Hjulstrom, Planning and Zoning Planner
Claire Richardson, Director of Parks and Recreation

Absent: Thomas D. Harvey, North District Supervisor

I. CALL TO ORDER

Mr. Reed called the meeting to order at 2:02 pm, with four (4) Supervisors present to establish a quorum and Mr. Harvey being absent.

- A. Moment of Silence
- B. Pledge of Allegiance – Mr. Rutherford led the Pledge of Allegiance

Mr. Reed then advised that Ms. Richardson has an announcement and invited her to come forward and speak. Ms. Richardson noted that the Blue Ridge Tunnel project received a national award from the Coalition for Recreational Trails, adding that a total of twelve awards were given out. She advised that we are the only recipient in Virginia to receive an award, and the tunnel won in the Construction and Design category. She stated that a major qualifier and prerequisite for the award is the receipt of Recreational Trails Program funding, which the County did receive in 2015 for a total of \$425,000. Ms. Richardson congratulated the county and staff who have been working on the project for so long, adding that we truly are fortunate to have this recreational and historic amenity in Nelson County, not only due to this award but also because of the high visitation levels we have had to date.

Mr. Carter commended Ms. Richardson for her work on this, noting that she was the one who recommended that the County submit this application.

II. PUBLIC COMMENTS

1. Edith Napier, Arrington VA

Ms. Napier noted that as a board member of the Nelson Heritage Center, she comes before the Board today on behalf of the Board of Directors of the Millennium Group of the Nelson Heritage Center. She noted that during a BOS meeting last year, a representative of the Virginia Health Department requested assistance in locating a long-term home for the Nelson branch of the Health Department. She advised that the Heritage Center contacted the Virginia Health Department and has been working diligently with their General Services Administration Department to offer them an exceptional long-term option for their facility. She added that they are working with an architecture firm that provided estimated costs of the renovation based on the Health Department's requirements and the present layout of the space at the Heritage Center. She advised that they have conducted space fit tests and are presently in the construction drawing stage, with an estimated completion date of January or February 2022. She reiterated that they are working diligently to be able to offer appropriate space for the Health Department at the Nelson Heritage Center for the benefit of the citizens of Nelson County, adding that this is only five minutes from the Health Department's present location.

Ms. Napier stated that it was noted during the budget planning session last week that there is a need for the Department of Social Services and the Health Department to be located in the same facility. She noted that as a member of the Nelson County Department of Social Services Board, she can truly attest to the great and urgent need of appropriate office space for the mission of DSS. She then noted that there is no requirement for DSS and the Health Department to be collocated, adding that these departments have separate and different missions. Ms. Napier requested that the Board of Supervisors issue a letter of endorsement for the Nelson branch of the Health Department to be located at the Nelson Heritage Center.

2. Danny Harris, Jefferson Area Board for Aging (JABA)

Mr. Harris reported that JABA has really amped up their virtual calendar, adding that seniors can get online and participate in virtual bingo, chair exercises, devotions, and other things. He advised that they are tentatively planning to reopen on March 1st, depending on how the numbers are looking. He noted that they are still providing home delivered meals to people in the area who need them, and he added that the recipients do not have to be affiliated with JABA. Mr. Harris then thanked the BOS for their support and care they have shown to JABA, especially in these hard times.

III. CONSENT AGENDA

Mr. Reed noted that he would like to add Resolution **R2021-08** Recognition of the County EMS Agencies to the Consent Agenda.

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Mr. Rutherford then moved to approve the Consent Agenda with the addition and Mr. Parr seconded the motion. There being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion and the following resolutions were adopted:

A. Resolution – **R2021-05** Minutes for Approval

**RESOLUTION R2021-05
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF MINUTES
(January 12, 2021)**

RESOLVED, by the Nelson County Board of Supervisors that the minutes of said Board meeting conducted on **January 12, 2021** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

B. Resolution – **R2021-06** Budget Amendment

**RESOLUTION R2021-06
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF FISCAL YEAR 2020-2021 BUDGET
NELSON COUNTY, VA
February 9, 2021**

I. **Appropriation of Funds (General Fund)**

<u>Amount</u>	<u>Revenue Account (-)</u>	<u>Expenditure Account (+)</u>
\$ 1,000.00	3-100-001899-0007	4-100-071020-3021
\$ 3,480.40	3-100-002404-0001	4-100-031020-5419
\$ 4,480.40		

II. **Appropriation of Funds (School Fund)**

<u>Amount</u>	<u>Revenue Account (-)</u>	<u>Expenditure Account (+)</u>
\$ 250,000.00	3-205-001899-0012	4-205-006400-8000

III. **Appropriation of Funds (Piney River Water/Sewer Fund)**

<u>Amount</u>	<u>Revenue Account (-)</u>	<u>Expenditure Account (+)</u>
\$ 39,788.00	3-501-004105-0001	4-501-042040-8004

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IV. Transfer of Funds (General Fund Recurring Contingency)

<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
\$ 39,788.00	4-100-999000-9901	4-100-093100-9207

V. Transfer of Funds (General Fund School Resource Officer Reserve)

<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
94,782.00	4-100-999000-9910	4-100-031020-7015

VI. Transfer of Funds (General Fund Employee Benefits)

<u>Amount</u>	<u>Credit Account (-)</u>	<u>Debit Account (+)</u>
\$ 2,065.00	4-100-019030-5616	4-100-012010-2103
\$ 1,772.00	4-100-019030-5616	4-100-012090-2002
\$ 2,265.00	4-100-019030-5616	4-100-012090-2013
\$ 3,715.00	4-100-019030-5616	4-100-012130-2002
\$ 1.00	4-100-019030-5616	4-100-012130-2009
\$ 686.00	4-100-019030-5616	4-100-012130-2013
\$ 3,115.00	4-100-019030-5616	4-100-012150-2002
\$ 1,861.00	4-100-019030-5616	4-100-012150-2013
\$ 1,382.00	4-100-019030-5616	4-100-012180-2002
\$ 1,013.00	4-100-019030-5616	4-100-012180-2013
\$ 1,481.00	4-100-019030-5616	4-100-013020-2002
\$ 112.00	4-100-019030-5616	4-100-013020-2006
\$ 73.00	4-100-019030-5616	4-100-013020-2009
\$ 1,913.00	4-100-019030-5616	4-100-013020-2013
\$ 2,420.00	4-100-019030-5616	4-100-021060-2002
\$ 3,032.00	4-100-019030-5616	4-100-021060-2013
\$ 1,140.00	4-100-019030-5616	4-100-022010-2002
\$ 227.00	4-100-019030-5616	4-100-022010-2006
\$ 142.00	4-100-019030-5616	4-100-022010-2009
\$ 8,255.00	4-100-019030-5616	4-100-022010-2013
\$ 16,462.00	4-100-019030-5616	4-100-031020-2002
\$ 2,057.00	4-100-019030-5616	4-100-031020-2013
\$ 6,756.00	4-100-019030-5616	4-100-032010-2002
\$ 100.00	4-100-019030-5616	4-100-032010-2006
\$ 1,680.00	4-100-019030-5616	4-100-032010-2013
\$ 1,782.00	4-100-019030-5616	4-100-032030-2002
\$ 2,825.00	4-100-019030-5616	4-100-034010-2013

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\$ 918.00	4-100-019030-5616	4-100-035010-2002
\$ 1,915.00	4-100-019030-5616	4-100-035010-2013
\$ 2,798.00	4-100-019030-5616	4-100-042030-2002
\$ 548.00	4-100-019030-5616	4-100-042030-2013
\$ 4,866.00	4-100-019030-5616	4-100-043020-2002
\$ 629.00	4-100-019030-5616	4-100-043020-2013
\$ 5,900.00	4-100-019030-5616	4-100-071020-2002
\$ 7,623.00	4-100-019030-5616	4-100-081010-1001
\$ 102.00	4-100-019030-5616	4-100-081010-2006
\$ 63.00	4-100-019030-5616	4-100-081010-2009
\$ 3,215.00	4-100-019030-5616	4-100-081010-2013
<u>\$ 2,994.00</u>	4-100-019030-5616	4-100-081020-2002
\$ 99,903.00		

C. Resolution – **R2021-08** In Recognition of County EMS Agencies

**RESOLUTION R2021-08
NELSON COUNTY BOARD OF SUPERVISORS
IN RECOGNITION OF COUNTY EMS AGENCIES**

WHEREAS the Board of Supervisors of Nelson County, Virginia recognizes the need to prepare for, respond to, and recover from natural and man-made disasters, and

WHEREAS the County of Nelson has a responsibility to provide for the safety and well-being of its citizens and visitors,

NOW, THEREFORE, BE IT HEREBY PROCLAIMED by the Board of Supervisors of Nelson County, Virginia, pursuant to §15.2-955 of the Code of Virginia, that the following organizations and groups are hereby officially approved as entities that are authorized to provide Emergency Medical Services in Nelson County:

Roseland Rescue, Incorporated – P.O. Box 39, Roseland, VA 22967

Gladstone Volunteer Fire and Rescue Service – P.O. Box 94, Gladstone, VA 24553

Rockfish Valley Volunteer Fire and Rescue – 11100 Rockfish Valley Highway, Afton, VA 22920

Wintergreen Property Owners Volunteer Rescue Squad Incorporated (DBA Wintergreen Rescue Squad)
– P.O. Box 711, Nellysford, VA 22958

IV. PUBLIC HEARING

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A. FY21-26 Secondary Six Year Plan (R2021-07)

Mr. Robert Brown referred to the FY21 Construction Budget and noted that this is the same budget from the approved Six Year Plan from last year. He advised that this budget is simply the second year as it was approved in 2019, and many of the projects have been completed.

Mr. Brown advised that construction has been completed for the following projects:

- Aerial Drive
- Greenfield Drive
- Jacks Hill Road
- Rhue Hollow Road
- Rhue Hollow Lane
- Emblys Gap Road
- Carter Hill Road
- Bottoms Lane

Mr. Brown advised that initial construction has been completed for Shields Gap Road, however, they found out their State maintenance went about 300 feet beyond where they had it marked, so they will go back and hard surface that 300 feet.

Mr. Brown noted that High Peak Road is under construction, and next on the list is Cedar Creek Road, Wilson Road, a section of Campbells Mountain Road, and a section of North Fork Road.

Mr. Brown advised that at this time, they are not going to be doing a full revision of the priority list for unpaved roads, and they will go through this process more formally like in years past. He added that they may have a work session in April for this, and a draft Six Year Plan for the new year could be presented in May. He noted that the main purpose of today's hearing is to get a FY21 budget put to record.

Mr. Rutherford asked if VDOT paved Hunting Lodge to Aerial Drive, and Mr. Brown stated yes.

Mr. Reed then opened the public hearing.

There being no persons who wished to be recognized, the public hearing was closed.

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Mr. Rutherford then moved to approve resolution **R2021-07** Approval of FY21-FY26 Secondary Six-Year Road Plan and Mr. Parr seconded the motion. There being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion and the following resolution was adopted:

RESOLUTION R2021-07
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF FY21-FY26 SECONDARY SIX-YEAR ROAD PLAN
AND FY20/21 CONSTRUCTION PRIORITY LIST

WHEREAS, Sections 33.2-331 and 33.2-332 of the 1950 Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan, and

WHEREAS, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2020/21 through 2025/26) as well as the Construction Priority List (2020/21) on February 9, 2021 after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List, and

WHEREAS, Staff of the Virginia Department of Transportation, appeared before the Board and recommended approval of the Six-Year Plan for Secondary Roads (2020/21 through 2025/26) and the Construction Priority List (2020/21) for Nelson County,

NOW THEREFORE BE IT RESOLVED, that said Board finds the Plan(s) to be in the best interests of the Secondary Road System in Nelson County and of the citizens residing on the Secondary System, and as such said Secondary Six-Year Plan (2020/21 through 2025/26) and Construction Priority List (2020/21) are hereby approved, as amended if applicable.

V. PRESENTATIONS

A. VDOT Report

Mr. Robert Brown of VDOT was present and reported the following:

Mr. Brown first reported on the progress on Route 664 Reed's Gap. He advised that the through tractor trailer restriction has been approved; Augusta County has put up their signs, and ours were either put up yesterday or are going up today. He noted that the signs are covered and will be uncovered either at the end of this week or the first of next week to give businesses time to make preparations to find an

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alternate route. He stated that he worked with Maureen Kelley to get out a message to the businesses that she regularly communicates with to get the word out, and he has personally reached out to some of the businesses that he knows will be affected. He advised that for the alternate route, you can go up Route 64 to 29 in Charlottesville and come back down because that is unrestricted. Routes 250, 151, and 6 have that 65-foot restriction on them. He added that he has communicated with these businesses that they can get a permit from the DMV to allow them to travel those roads and not be ticketed.

Mr. Parr asked where the signs are located on our side of the mountain, and Mr. Brown noted they are on Route 151 and there will be a sign on our side of the parkway.

Mr. Brown advised that some trucks will likely still come across and get hung up, but this should help. He then reported that he is working to make a physical improvement in the acute curve on the Nelson side of the parkway, right adjacent to the parkway. He noted that it is their intention to do significant widening on the outside of that curve as soon as weather permits. He added that another goal is to do a final paving in that area to take some of the super elevation out of that curve, as that is a big problem with the trucks getting stuck.

Mr. Brown referred to last month's concerns about the shoulder closures and advised that the fiber optic people putting in cable along Route 29 were shut down, and they are also out of the county now.

Regarding the 694 Naked Mountain Road shoulder, Mr. Brown noted that he passed this issue on to his superintendent and hasn't heard back yet.

Supervisors then discussed the following VDOT issues:

Mr. Rutherford:

Mr. Rutherford had no VDOT issues to discuss.

Mr. Reed:

Mr. Reed noted that he has heard from a constituent concerning the end of Davis Creek Road where it goes from being paved to unpaved. He advised that quite a few residents up there are interested in seeing that paved. Mr. Brown noted that VDOT did a lot of work to that road when they did Perry Lane, and it would not be much work to hard surface the remainder. Mr. Rutherford noted that this would be a great idea.

Mr. Barton:

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Mr. Barton had no VDOT issues to discuss.

Mr. Parr:

Mr. Parr thanked Mr. Brown and Augusta for all their work on Reeds Gap, adding that he knows it was a group effort.

VI. NEW & UNFINISHED BUSINESS

A. Presentation of Draft Ordinances – Solar Energy & Nonconforming Uses (D. Bishop)

Ms. Bishop presented the following information pertaining to the proposed nonconforming uses ordinance:

At the Planning Commission meeting on December 18, 2019, the initial draft of the nonconforming ordinance was reviewed. A flow chart was provided indicating a “left lane” option, where a nonconforming structure after two years would be required to be demolished, relocated, or receive a variance, and a “right lane” option, where after two years the nonconforming structure could be used for a permitted use in the zoning district in which it is located. After some discussion, staff was directed to revise the draft ordinance to reflect the “left lane” option, with the one-time two-year extension provision added back in.

Staff was then asked to evaluate the option of a “center lane,” where a nonconforming structure may be used only for the then existing or a more restricted use. State code Section 15.2-2307 provides:

“A zoning ordinance may provide that land, buildings, and structures and the uses thereof which do not conform to the zoning prescribed for the district in which they are situated may be continued only so long as the then existing or a more restricted use continues and such use is not discontinued for more than two years, and so long as the buildings or structures are maintained in their then structural condition...”

This allows nonconforming structures to be used for the existing grandfathered use or a more restricted use, as long as it is not discontinued for more than two years. One potential issue is “use creep,” where a landowner obtains a determination that the proposed new use is less intensive but later evolves the use into something more intensive to get under the regulatory wire. Another drawback of this approach is that the Zoning Administrator is required to make a subjective judgement call as to what a “more restricted use” is.

This would be addressed through collaboration with the Building Official regarding intensity of uses. The statewide building code is very clear on what types of uses are more restrictive than others. This easily addresses nonconforming structures that are within the initial two-year period.

The question still remains... what should happen to a nonconforming structure after the use has been discontinued for more than two years? The current drafted option allows a nonconforming structure that has not been used in over two years to be used only for a more restricted use. This can be considered a

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“step-down” method, where if the property owner has not applied for an extension of grandfathering status and has passed the two-year mark, the structure cannot be used for the previous existing use, but only a more restricted use.

What happens when these discontinued structures are single-family dwellings, and cannot be more restricted than that? Because it is likely that the majority of nonconforming structures in the County are single-family dwellings, the solution to this is to indicate in the ordinance that the residential occupancy of a single-family dwelling is the most restricted use. This would allow the owner of a nonconforming single-family dwelling that has not been occupied in over two years, the opportunity to use the structure only as a single-family dwelling.

Another question that came up was whether the *same* owner must pay taxes for fifteen years in order to maintain nonconforming status. After conferring with the County Attorney, it was determined that the trigger is the payment of the taxes for fifteen years and not whether the ownership remains the same for fifteen years. This provision actually protects these structures from removal, which renders the original “left lane” option virtually toothless. Although these structures would not be required to be removed, nothing should preclude the property owner from seeking a variance to bring it into compliance, so this provision was added as well.

The one-time two-year extension request was added back into this draft as well, which would allow the property owner more time to establish the then existing or a more restricted use prior to expiration (total of four years).

Regarding the discussion of what “discontinued” actually means, any use of the structure must be allowable, either as an existing grandfathered use or other permitted use.

The ordinance was reworked to add an intent section, as well as address nonconforming uses, structures, and lots individually. By revising this article, it will be clearer to make determinations relating to nonconforming uses, structures, lots, and any combination.

Planning Commission held a public hearing on the proposed ordinance on January 27, 2021 and recommended approval to the Board of Supervisors (5-0).

Mr. Rutherford asked if this kind of model is consistent across the Commonwealth, and Ms. Bishop noted that a lot of the ordinance was pulled directly from State Code, which is typically what other localities in the region have done as well.

Ms. Hjulstrom then came forward and noted that the proposed solar energy ordinance is an entire new ordinance because the county does not currently have a way to address solar. She presented the following information pertaining to the proposed solar energy ordinance:

In 2019 Nelson County received several inquiries regarding commercial solar energy systems. Staff initially looked into the solution of adding it as a definition but it became evident that solar would need to have its own ordinance. The initial draft of the Solar Energy Ordinance was reviewed by the Planning Commission on October 28th, 2020. The Planning Commission reviewed it again on November 18th, 2020 and then moved it to public hearing. On January 7th, 2021 the Planning Commission held a public hearing and recommended approval of the Solar Energy Ordinance to the Board of Supervisors with a vote of 5-0.

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The Solar Energy Ordinance addresses Solar Energy Farms; all net metering systems used to provide power to individuals are currently allowed by right. The proposed ordinance separates Solar Energy Systems by size - systems that are under one acre being defined as Small Solar Energy Systems, and over one acre being defined as Large Solar Energy Systems. Section 22A-4 General Provisions will apply to all large systems and to small systems as applicable.

Section 22A-5 Small Solar Energy Systems defines what requirements will apply specifically to small systems. In the proposed Ordinance, small systems would be permitted by-right in A-1, B-1, B-2, M-1, and M-2, and by Special Use Permit in C-1, R-1, and R-2 in accordance with "Article 12: General Provisions,".

Section 22A-6 Large Solar Energy Systems defines what requirements will apply specifically to large systems. In the proposed Ordinance, large systems would be permitted by a Special Use Permit in A-1, C-1, M-1, B-1, and B-2, and by-right in M-2, provided that:

The primary use of the system is electrical generation to be sold to the wholesale electricity markets and not used primarily for the onsite consumption of energy by a dwelling or commercial building.

Mr. Parr asked if there is a maximum size for the large solar energy systems, and Ms. Hjulstrom stated no, adding that something could always be denied for being too large in the review process.

The Board thanked Ms. Bishop and Ms. Hjulstrom for their work, adding that this project has taken some time.

Mr. Parr then moved to approve Resolution **R2021-09** and Mr. Rutherford seconded the motion. There being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion and the following resolution was adopted:

**RESOLUTION R2021-09
NELSON COUNTY BOARD OF SUPERVISORS
AUTHORIZATION FOR PUBLIC HEARINGS
AMENDMENT OF THE CODE OF NELSON COUNTY, VIRGINIA
APPENDIX A ZONING, ARTICLE 11 NONCONFORMING USES
APPENDIX A ZONING, ARTICLE 22A SOLAR ENERGY**

BE IT RESOLVED, that pursuant to §15.2-1427 of the Code of Virginia 1950 as amended, the County Administrator is hereby authorized to advertise a public hearing to be held on March 9, 2021 at 7:00 PM in the General District Courtroom in the Courthouse in Lovingston, Virginia. The purpose of the public hearing is to receive public input on two Ordinances proposed for passage to amend Appendix A, Article 11, Nonconforming Uses to incorporate provisions addressing nonconforming uses, structures, and lots and Article 22A Solar Energy to incorporate provisions pertaining to solar energy systems.

VII. REPORTS, APPOINTMENTS, DIRECTIVES AND CORRESPONDENCE

A. Reports

1. County Administrator's Report

Mr. Carter presented the following report:

A. Covid-19 (Coronavirus): Vaccinations of County staff have begun with 20 employees initially receiving the first inoculation on February 4th. County staff are coordinating with VDH on the next group of employees, which can include members of the Board, to receive the first vaccine inoculation. A specific date has not been established as of this communication. With respect to County operations, there are no current incidences of County staff contracted the virus or being required to quarantine. Telework for County departments continues but will be concluded once all employees have been provided access to the vaccine.

Mr. Carter made a correction to his report and noted that a staff member of the Commissioner of the Revenue's office has contracted the virus, and because of close contact, that office has closed this week.

B. Tye River Water System: The project is completed other than the removal of the elevated water tank, which was delayed due to inclement weather. The tank is now scheduled for removal February 19th-23rd.

C. BR Tunnel Project: Document close out of the Phase 3 Project is still in process. Work to install fencing along Depot Lane and to expand the eastern parking lot (25 additional spaces) are both in process.

D. Report on VA-ABC Licensed Entities: Pending confirmation of state agency representative's attendance at the proposed meeting. County staff are continually working to schedule the session.

E. Board Planning Session: Subject to input from the Board, County staff plan to proceed with work aimed at positioning the top five priority capital projects to move to a point of decision on the feasibility of implementation.

F. Piney River Wastewater System: A contract was awarded in December 2020 to Patterson Construction Company, Inc. of Fredericksburg, VA in the amount of \$39,788.00 for overall repair of the Route 56 primary pumping station. The company has completed an initial assessment of the work to be completed but the actual repair project will not commence until the first of April, which is within the 120-day contract period.

G. 2022 General Reassessment: The 2022 General Reassessment is in process. In conferring with the principal in charge for Wampler-Eanes (Gary Eanes), the status of work is too early to provide any input on changes in total real property valuations.

H. FY21-22 Budget: Preparation of the draft FY21-22 Budget is in process with submittal to the Board anticipated by late February to early March.

2. Board Reports

Mr. Barton:

Mr. Barton noted that the Department of Social Services is still without a home, adding that they have received money for two new positions, but they have no place to put them. He noted that sooner or later, we are going to have to deal with this. He then emphasized the continuous need for foster parents and added that just one or two could make a huge difference. Mr. Rutherford concurred about the need for foster parents, adding this has been a huge struggle in Nelson. He advised that he believes there is now an opportunity to take the foster classes virtually.

Mr. Rutherford:

Mr. Rutherford noted that the Thomas Jefferson Planning District Commission met, and they are sad to see Chip Boyles transition as the TJPDC Director to the Charlottesville City Manager position. He wished the best of luck to Mr. Boyles. He added that the TJPDC is looking at affordable housing and broadband on a regional basis, adding that the struggle of housing supply will be an amplified topic as they go into the new year. Mr. Rutherford then noted that he missed the last water authority meeting.

Mr. Parr:

Mr. Parr noted that the EMS Council did not meet this past month, but they did do a mass communication to vote on the two proposed projects for CARES Act funding. He advised that the Piney River project was approved and the Gladstone project was not approved. He added that this will be presented for discussion at the March meeting.

Mr. Reed:

Mr. Reed noted that the Planning Commission has approved a proposal for a cell tower on Jonesboro Road, and this will be moving to the BOS for consideration next month. He then noted that as a follow-up to the joint meeting of the BOS and School Board, they have a joint planning committee which will be meeting soon. He advised that Mr. Rutherford and Mr. Parr will be serving on that committee along with two members of the School Board to talk about capital priorities. He added that they will be doing a series of two on twos with the other supervisors, and himself and Mr. Barton will be meeting with two other School Board members. He noted that the boards had a great joint meeting and he looks forward to building on the relationship and working together with the schools.

B. Appointments

Ms. Mawyer reviewed the following table:

(1) New Vacancies/Expiring Seats & New Applicants :					
Board/Commission	Term Expiring	Term & Limit Y/N	Incumbent	Re-appointment	Applicant (Order of Pref.)
Region Ten Community Services Board	6/30/2022	3 Years/ 3 term limit	Diane Jacobs (T1)	N-stepped down	Patricia Heggie (can start in May/June)
(2) Existing Vacancies:					
Board/Commission	Terms Expired				

Ms. Mawyer noted that Diane Jacobs stepped down from her position on the Region Ten Community Services Board, and an application from Patricia Heggie has been received for the position. She added that Ms. Heggie advised that she cannot start until May or June. She stated that the County does have another representative, Peggy Whitehead, serving on that board currently. Mr. Reed suggested keeping the position open for the time being and seeing if anybody else is interested. The rest of the Board agreed.

C. Correspondence

Mr. Rutherford:

Mr. Rutherford asked about the status of the census for Nelson as well as the process of redrawing districts. Mr. Carter noted that Staff is waiting for confirmation from the federal entity to move forward with that, adding that it will probably be closer to the third quarter of this year or so.

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Mr. Barton:

Mr. Barton asked who is responsible for making sure people in Nelson County have the Covid vaccine available to them. Mr. Carter advised that the Blue Ridge Health District and the overall state agency are responsible, adding that the Board nor County Staff are in charge of any of that. He reiterated that the distribution of the vaccines, the schedule of the clinics, etc. are all done administratively and operationally through the health districts.

Mr. Carter noted that Staff heard last week at one of the Governor's news conferences that the state is receiving 23% more vaccine, and a couple weeks ago, our health district reported that there were 2930 vaccines per week. He stated that the bottleneck is the availability of vaccines.

Mr. Reed asked if there is a projected reopening of County offices. Mr. Carter noted that it has been discussed internally that once all staff has been able to at least be offered to be vaccinated, we will start reopening everything. He added that it is still uncertain as to when that may happen.

Mr. Parr:

Mr. Parr had no correspondence.

Mr. Reed:

Mr. Reed had no correspondence.

D. Directives

Mr. Rutherford noted that he would like to make sure some level of priority is being put into the Comprehensive Plan in the budget. Mr. Carter noted that in the expenditures in the draft budget, there has been at least \$25,000 requested for this, adding that the Board can take a look at this in the first budget work session.

Mr. Barton spoke of the need to deal with the issue of the Health Department, adding that the Board needs to make a decision on that. He noted that one negative is the location of the Heritage Center, however, there are all sorts of positives in terms of what the Heritage Center can offer the community as a whole. He asked what other alternative we have and stressed that the Board needs to do something. He suggested writing a letter supporting locating the Health Department at the Heritage Center. Mr. Reed noted that this subject could be added to the agenda for the next meeting so that Mr. Harvey can be present and have an opportunity to address it.

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Mr. Barton then stressed that the community needs a place to swim, adding that it doesn't have to be an indoor facility. He asked Staff to find out the cost and think of a location. He stated that he would like to meet with the recreation supervisor and talk about this, adding that he thinks it would be feasible. Mr. Carter noted that he sent an email to the Board last week pertaining to how to move forward at the Staff level with the five priorities the Board established on January 29th. He added that Staff will bring back information to the Board on each one of those projects. Mr. Barton emphasized that he would like to see the costs controlled as much as possible, adding that he thinks it should be an outdoor, summer only recreation area.

Mr. Reed noted that including that and any feasibility study, Mr. Barton's suggestion is vital for the recreation in Nelson County. He added that he also realizes that combining DSS and the Health Department is maybe not a good idea. He noted that it is still a priority, but not necessarily one home for both.

Mr. Carter assured that Staff will keep the Board informed on these things, and they just got the priority list on the 29th. He added that Staff outlined a strategy to the Board last Friday. He then emphasized that he does not make these decisions, but rather the Board does, and if they want to change them, that is certainly their perspective.

Mr. Rutherford noted that a feasibility study will give a number of scenarios along with dollar amounts by engineers and staff. He added that engineers will see some efficiencies that the Board and Staff may not see.

VIII. OTHER BUSINESS (AS PRESENTED)

There was no other business considered by the Board.

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

At 3:25 PM, Mr. Rutherford moved to adjourn and Mr. Parr seconded the motion. There being no further discussion, Supervisors voted unanimously (4-0) by roll call vote to approve the motion and the meeting adjourned.