

**Virginia:**

AT A CONTINUED MEETING of the Nelson County Board of Supervisors at 1:00 p.m. in the General District Courtroom located on the third floor of the Nelson County Courthouse in Lovingston, Virginia.

Present: Jesse N. Rutherford, East District Supervisor –Chair  
Robert G. “Skip” Barton, South District Supervisor – Vice Chair  
Ernie Q. Reed, Central District Supervisor  
Thomas D. Harvey, North District Supervisor  
J. David Parr, West District Supervisor  
Stephen A. Carter, County Administrator  
Amanda B. Spivey, Administrative Assistant/Deputy Clerk  
Candice W. McGarry, Director of Finance and Human Resources  
Maureen Kelley, Director of Tourism and Economic Development

**I. Call to Order**

Mr. Rutherford called the meeting to order at 1:00 p.m., with five (5) Supervisors present to establish a quorum.

Mr. Reed moved to make an addition to the motion to convene in closed session to include (A)(1): personnel. Mr. Harvey seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

**II. Resolution – R2022-07 Minutes for Approval**

Mr. Parr moved to approve **Resolution R2022-07** and Mr. Reed seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following resolution was adopted:

**RESOLUTION R2022-07  
NELSON COUNTY BOARD OF SUPERVISORS  
APPROVAL OF MINUTES  
(December 7, 2021)**

**RESOLVED**, by the Nelson County Board of Supervisors that the minutes of said Board meeting conducted on **December 7, 2021** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

**III. Redistricting Plan – Ordinance O2021-10**

Mr. Carter explained to the Board that as an outcome of the State redistricting map that had been approved, County staff had to rework the local plan. He noted that they had come up with five different scenarios for redistricting and ordinances related to each scenario. Mr. Carter indicated to the Board that that Option 2-1 was the best scenario and that he wanted to first present that option to the Board for their reactions and input. He noted if needed, they would provide the additional scenarios. Mr. Carter noted that Mr. Payne was present and available to provide guidance on the process if needed. He emphasized that the deadline for completion was March 21<sup>st</sup>, and the Board would need to act on the ordinance that day.

Mr. Rutherford noted that he and Mr. Reed had reviewed the plans as they would affect their districts. He felt that Option 2-1 would work best for both districts. Mr. Reed confirmed that he was in agreement with Mr. Rutherford and he then asked Ms. Rorrer to present plan 2-1 on the screen. Ms. Rorrer presented the area of change, showing that it would move folks in the area bordered by the railroad tracks, Thomas Nelson Highway and Irish Road in Faber. She estimated that it would involve moving roughly 120 people from the Central District to the East District. The Board had no further questions. Ms. Rorrer noted that she did have the other scenarios available to present on the screen if needed.

Mr. Reed made a motion to adopt Ordinance O2021-10, Nelson County Board of Supervisors Redistricting Plan 2021 which would encompass plan 2-1 as presented. Mr. Parr seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following ordinance was adopted:

**ORDINANCE O2021-10**

**NELSON COUNTY BOARD OF SUPERVISORS  
REDISTRICTING PLAN 2021  
TO RE-APPORTION LOCAL ELECTION DISTRICTS, ESTABLISH BOUNDARY LINES OF  
THE ELECTION DISTRICTS AND TO ESTABLISH PRECINCTS AND POLLING PLACES  
WITHIN EACH ELECTION DISTRICT**

**WHEREAS**, the Board of Supervisors of Nelson County, Virginia has established in accordance with state and federal requirements a Redistricting Plan for 2021; and,

**WHEREAS**, the Redistricting Plan for 2021 provides for the re-apportionment of election districts, establishes boundary lines for each election district and establishes precincts and polling places therein within each election district; and,

**WHEREAS**, in accordance with state law a public hearing was duly advertised and conducted on December 14, 2021; and,

**WHEREAS**, state law requires that Nelson County’s Redistricting Plan for 2021 be adopted by ordinance.

**NOW THEREFORE, BE IT ORDAINED** by the Board of Supervisors of Nelson County, Virginia that the Sections 2-27, 2-28, and 2-29 Code of the County of Nelson, Virginia be and hereby is amended as follows:

**Sec. 2-27. Districts.**

- (a) There shall be five (5) election districts in the county: East, West, North, South and Central, and each such district shall be entitled to elect one (1) member to the board of supervisors.
- (b) The election district boundaries shall be as follows:

*North District.* Beginning at the most northerly point of Nelson County which is also the common junction of the boundaries of the counties of Augusta, Albemarle and Nelson;

thence, in a southwesterly direction along the boundary line between the counties of Augusta and Nelson to the bench mark on Humpback Mountain;

thence, by a straight line in a southerly direction to the headwaters of Paul's Creek;

thence, in a southeasterly direction along the centerline of Paul's Creek to an elevation of 800 feet;

thence, by a straight line in a southeasterly direction to its intersection with Rockfish Valley Highway/State Route 151;

thence, in a southwesterly direction along the centerline of Rockfish Valley Highway/State Route 151 to its intersection with Allen Creek;

thence, in a southeasterly direction along the centerline of Allen Creek to its confluence with the South Fork of the Rockfish River;

thence, down the South Fork of the Rockfish River to its intersection with an unnamed tributary of the South fork of the Rockfish river;

thence, in a southwesterly direction along the unnamed tributary to its headwaters;

thence, by a straight line in an easterly direction to the headwaters of an unnamed stream;

thence, in a southeasterly direction along the centerline of the unnamed stream to its confluence with an unnamed tributary of the Rockfish River;

thence, in a southeasterly direction along the centerline of the unnamed tributary to its confluence with the Rockfish River;

thence, in a northerly direction along the centerline of the Rockfish River to its intersection with the Rockfish Magisterial District boundary;

thence, in an easterly direction along the Rockfish Magisterial District boundary as it crosses Pilot and Archer Mountains to its intersection with the county line;

thence, in a northwesterly direction along the county line to the point of beginning.

*East District.* Beginning at a point at the intersection of the Schuyler and Lovingston Magisterial boundaries;

thence, in an easterly direction along the Schuyler Magisterial District boundary as it crosses High Top and Woods Mountains to its intersection with Davis Creek Lane/State Route 623;

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thence, in a southerly direction along Davis Creek Lane/State Route 623, crossing Thomas Nelson Highway, and continuing along Myndus Road/State Route 623 to its intersection with Stagebridge Road/State Route 623;

thence, in an easterly direction along Stagebridge Road/State Route 623 to its intersection with Rockfish River Road/State Route 617;

thence, in a southeasterly direction along Rockfish River Road/State Route 617 to its intersection with the Norfolk Southern Railway;

thence, in a northeasterly direction along the Norfolk Southern Railway to its intersection with Irish Road/State Route 617 ~~the county line~~;

*thence, in a northwesterly direction along Irish Road/State Route 617 to its intersection with Thomas Nelson Highway/State Route 29;*

*thence, in a northeasterly direction along Thomas Nelson Highway/State Route 29 to its intersection with the county line;*

thence, in a southeasterly direction along the county line to its intersection with the James River;

thence, in a southwesterly direction along the James River to its intersection with James River Road/State Route 56;

thence, in a northwesterly direction along James River Road/State Route 56 to its intersection with Eagle Mountain Drive/State Route 648;

thence, in a northerly direction along Eagle Mountain Drive/State Route 648 to its intersection with Brownings Cove/State Route 719;

thence, in a northerly direction along Brownings Cove/State Route 719 to its intersection with the American Electric Power Company power line;

thence in a west southwesterly direction along the American Electric Power Company power line to its intersection with the centerline of the north bound lane of Thomas Nelson Highway/State Route 29;

thence, in a southwesterly direction along the centerline of the north bound lane of Thomas Nelson Highway/State Route 29 to its intersection with Freshwater Cove Lane/State Route 653;

thence, in a northwesterly direction along Freshwater Cove Lane/State Route 653 to its intersection with an unimproved road leading to Becknor's Ridge;

thence, in an easterly direction along the unimproved road leading to Becknor's Ridge to its intersection with the benchmark thereon;

thence, in a north-northwesterly direction following the ridge line of Becknor's Ridge and continuing along the ridge line to the top of Pat's Knob;

thence, in a northerly direction along the Lovingson Magisterial District boundary to the point of beginning.

*South District.* Beginning at a point at the intersection of Freshwater Cove Lane/State Route 653 and Thomas Nelson Highway/State Route 29;

thence, in a southwesterly direction along Thomas Nelson Highway/State Route 29 to its intersection with the county line;

thence, in a southeasterly direction along the county line to the James River;

thence, in a northeasterly direction along the James River to its intersection with James River Road/State Route 56;

thence, in a northwesterly direction along James River Road/State Route 56 to its intersection with Eagle Mountain Drive/State Route 648;

thence, in a northerly direction along Eagle Mountain Drive/State Route 648 to its intersection with Brownings Cove/State Route 719;

thence, in a northerly direction along Brownings Cove/State Route 719 to its intersection with the American Electric Power Company power line;

thence, in a west southwesterly direction along the American Electric Power Company power line to its intersection with the centerline of the north bound lane of Thomas Nelson Highway/State Route 29;

thence, in a southwesterly direction along the centerline of Thomas Nelson Highway/State Route 29 to the point of beginning.

*West District.* Beginning at a point on the northwest boundary of the county at its intersection with Beech Grove Road/State Route 664;

thence, in an easterly direction along the centerline of Beech Grove Road/State Route 664 to its intersection with Patrick Henry Highway/State Route 151;

thence, in a southerly direction along the centerline of Patrick Henry Highway/State Route 151 to that point on Patrick Henry Highway/State Route 151 which is due west of the bench mark at Brent's Gap;

thence, along a straight line in an east-northeasterly direction to its intersection with the Massies Mill Magisterial District boundary on a peak of Horseshoe Mountain;

thence, in a southerly direction along the Massies Mill Magisterial District boundary to the top of Pat's Knob;

thence, in a south-southeasterly direction following the ridge line that becomes Becknor's Ridge and along such ridge to a bench mark thereon;

thence, in a southwesterly direction from the bench mark along an unimproved road to its intersection with Freshwater Cove Lane/State Route 653;

thence, in a southwesterly direction along Freshwater Cove Lane/State Route 653 to its intersection with the centerline of the north bound lane of Thomas Nelson Highway/State Route 29;

thence, in a southwesterly direction along the centerline of the north bound lane of Thomas Nelson Highway/State Route 29 to its intersection with the county line;

thence, in a general northerly direction along the county line to the point of beginning.

*Central District.* Beginning at a point on the northwest boundary of the county at its intersection with Beech Grove Road/State Route 664;

thence, in an easterly direction along the centerline of Beech Grove Road/State Route 664 to its intersection with Patrick Henry Highway/State Route 151;

thence, in a southerly direction along the centerline of Patrick Henry Highway/State Route 151 to that point on Patrick Henry Highway/State Route 151 which is due west of the bench mark at Brent's Gap;

thence, along a straight line in an east-northeasterly direction to its intersection with the Massies Mill Magisterial District boundary on a peak of Horseshoe Mountain;

thence, in a southerly direction along the Massies Mill Magisterial District boundary until its intersection with the Schuyler Magisterial District boundary;

thence, in an easterly direction along the Schuyler Magisterial District boundary as it crosses High Top and Woods Mountains to its intersection with Davis Creek Lane/State Route 623;

thence, in a southerly direction along Davis Creek Lane/State Route 623, crossing Thomas Nelson Highway, and continuing along Myndus Road/State Route 623 to its intersection with Stagebridge Road/State Route 623;

thence, in an easterly direction along Stagebridge Road/State Route 623 to its intersection with Rockfish River Road/State Route 617;

thence, in a southeasterly direction along Rockfish River Road/State Route 617 to its intersection with the Norfolk Southern Railway;

thence, in a northeasterly direction along the Norfolk Southern Railway to its intersection with *Irish Road/State Route 617* ~~the county line~~;

*thence, in a northwesterly direction along Irish Road/State Route 617 to its intersection with Thomas Nelson Highway/State Route 29;*

*thence, in a northeasterly direction along Thomas Nelson Highway/State Route 29 to its intersection with the county line;*

thence, in a northwesterly direction along the county line to its intersection with the Rockfish Magisterial District boundary;

thence, in a westerly direction along the Rockfish Magisterial District boundary as it crosses Pilot and Archer Mountains to its intersection with the Rockfish River;

thence, in a southerly direction along the centerline of the Rockfish River to its confluence with an unnamed tributary of the Rockfish River;

thence, in a northwesterly direction along the unnamed tributary, crossing Berry Hill Road/State Route 613, and continuing to its confluence with an unnamed stream;

thence, in a northwesterly direction along the centerline of the unnamed stream to its headwaters;

thence, by a straight line in a westerly direction to the headwaters of an unnamed stream;

thence, in a northeasterly direction along the unnamed stream to its confluence with the South Fork of the Rockfish River;

thence, up the South Fork of the Rockfish River to its confluence with Allen Creek;

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thence, in a westerly direction along the centerline of Allen Creek to its intersection with Rockfish Valley Highway/State Route 151;

thence, in a northeasterly direction along the centerline of Rockfish Valley Highway/State Route 151 to a point approximately 400 feet northeast of the intersection of Rockfish Valley Highway/State Route 151 and Lodebar Estate/State Route 613;

thence, by a straight line in a northwesterly direction along to its intersection with Paul's Creek;

thence, in a northwesterly direction along the centerline of Paul's Creek to its headwaters;

thence, by a straight line in a northerly direction to the bench mark on Humpback Mountain;

thence, in a southwesterly direction along the county line to the point of beginning.

(c) The magisterial district boundaries remain unchanged.

(Ord. of 5-17-01; Res. No. R2009-45, 5-28-09; Ord. No. O2011-02, 4-12-11)

State law reference(s)—Code of Virginia, 24.2-304.3, 24.2-304.1, 24.2-311.

**Sec. 2-28. Precincts and polling places.**

The precincts and their polling places are established as follows:

*North District:*

*Rockfish Precinct*

*Polling place:* Rockfish Valley Volunteer Fire and Rescue Building Department, 11100 Rockfish Valley Highway, Afton, VA 22920

All that area comprising the North Election District as set forth in section 2-27 above.

*East District:*

*Lovingston Precinct*

*Polling place:* Lovingston Volunteer Fire Department, 53 Baker Lane, Lovingston, VA 22949

All that portion of the East District as set forth in section 2-27 above lying north and west of a line beginning at a point on the East District boundary at the confluence of the James River and Swan Creek and continuing in a northwesterly direction along Swan Creek to its intersection with Cabell Road/State Route 626;

thence, northeast along Cabell Road/State Route 626 to its intersection with Warminster Drive/ State Route 604;

thence, northwest along Warminster Drive/State Route 604 to its intersection with Hunting Lodge Road/State Route 646;

thence, northeast along Hunting Lodge Road/State Route 646 to its intersection with Virginia Lee Drive;

thence in a straight line from such intersection to the confluence of Beaver Creek and Buffalo Creek;

thence, west along Beaver Creek to its intersection with Glade Road/State Route 722;

thence, southwest along Glade Road/State Route 722 to its intersection with the Lovingston Magisterial District boundary;

thence, northwest along the Lovingston Magisterial District boundary to its intersection with the Norfolk Southern Railway;

thence, in a northeasterly direction along the Norfolk Southern Railway to its intersection with Rockfish River Road/State Route 617.

*Schuyler Precinct*

*Polling place:* Walton's Mountain Museum Community Center, 6484 Rockfish River Road, Schuyler, VA 22969

All that portion of the East District as set forth in section 2-27 above lying southeast of the line established for the Lovingston Precinct.

*South District:*

*Shipman Precinct*

*Polling place:* Carriage House at Oak Ridge Estate, 2383 Oak Ridge Road, Shipman, VA 22971

All that portion of the South District as set forth in section 2-27 above lying north of a line beginning at a point on the south bank of the James River opposite the mouth of Owens Creek, thence along the centerline of Owens Creek to the centerline of State Route 626, thence in a southwesterly direction along the centerline of State Route 626 to its intersection with State Route 721;

thence, due north along a straight line to the Tye River;

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thence, up the Tye River to the confluence of the Buffalo River and the Tye River;

thence, up the Buffalo River to the Nelson County line.

*Gladstone Precinct*

*Polling place:* Gladstone Rescue Squad Building, 8834 Richmond Highway, Gladstone, VA 24553

All that portion of the South District as set forth in section 2-27 above lying south of the line established for the Shipman Precinct.

*West District:*

*Roseland Precinct*

*Polling Place:* Massies Mill Ruritan Club, 5439 Patrick Henry Highway, Roseland, VA 22967

All that portion of the West District as set forth in section 2-27 above lying south and east of a line beginning at a point on the Nelson County line where a line drawn due south will intersect with the end of the State Route 684;

thence, along a straight line to the confluence of Pannels Creek with the North Fork of the Tye River;

thence, along a straight line to the top of the De Priest Mountain;

thence, along a straight line to the junction of the county lines of Rockbridge, Amherst and Nelson.

*Montebello Precinct*

*Polling Place:* Montebello Volunteer Fire and Rescue Building Department, 119 Fork Mountain Lane, Montebello, VA 24464

All that portion of the West District as set forth in section 2-27 above lying west and north of the line established for the Roseland Precinct.

*Central District:*

*Nellysford Precinct*

*Polling place:* Tuckahoe Clubhouse Community Center, 37 Stone Orchard Drive, Nellysford, VA 22958

All that portion of the Central District as set forth in section 2-27 above lying northwest of a line beginning at a point on the Central District boundary at the intersection of the Massies Mill Magisterial District boundary and the Schuyler Magisterial District boundary and continuing along the Schuyler Magisterial District boundary to its intersection with the stream which feeds the lake on the east side of Gullysville Road/State Route 629;

thence, east along said creek to its intersection with the Rockfish River;

thence, in a northerly direction along the centerline of the Rockfish River to its confluence with an unnamed tributary of the Rockfish River located south of Truslow's Lane/State Route 788.

*Faber Precinct:*

*Polling place:* ~~Nelson Rescue Squad Building~~ Faber Volunteer Fire Department, Station 2, 8301 Irish Road, Faber, VA 22938

All that portion of the Central District as set forth in section 2-27 above lying southeast of the line established for the Nellysford Precinct.

*Central Absentee Voter Precinct:*

*Polling place:* Nelson Memorial Library, 8521 Thomas Nelson Highway, Lovingston, VA 22949-0321

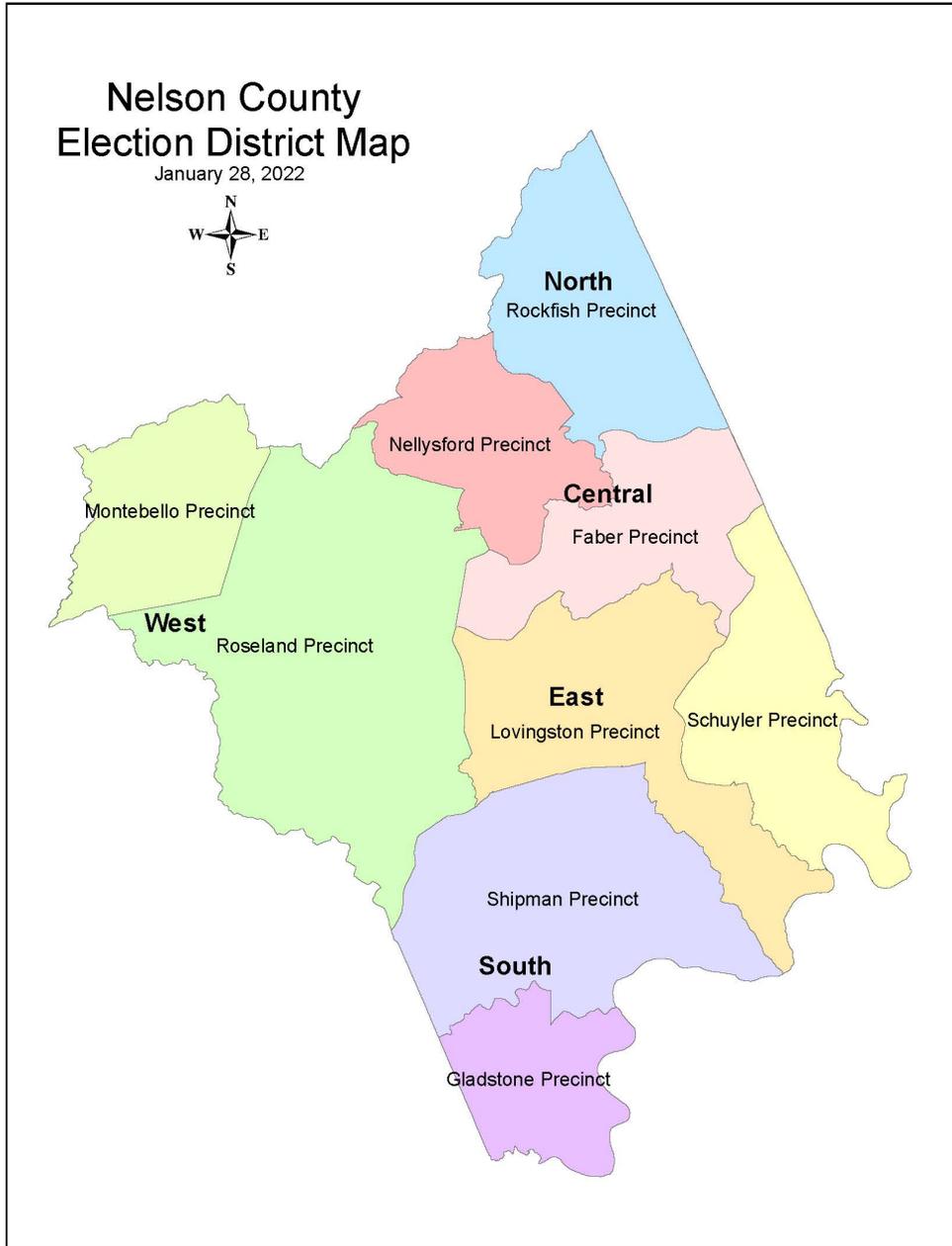
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(Ord. of 5-17-01; Ord. of 9-10-02; Ord. of 6-8-04; Res. No. R2009-45, 5-28-09; Ord. No. O2010-07, 7-22-10; Ord. No. O2011-02, 4-12-11; Ord. No. O2013-01, 1-8-13; Ord. No. O2013-05, 8-13-13; Ord. No. O2019-01, 4-9-19)

**Sec. 2-29. Maps.**

The map of the election districts and precincts which follows shall control in those instances where there is a discrepancy between the map and the description in section 2-27 or 2-28 above. The county administrator is directed to prepare enlarged detailed copies of the election map and to provide two (2) of such copies to the registrar.

(Ord. of 5-17-01; Res. No. R2009-45, 5-28-09; Ord. No. O2011-02, 4-12-11)



Mr. Rutherford thanked County staff for all of their work on the redistricting plan.

#### **IV. Closed Session**

Mr. Reed 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)(3): Discussion or consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; and, (A)(6): Discussion or consideration of the investment of public funds, where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected; and, (A)(1): Personnel. Mr. Harvey seconded the motion and there being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

Supervisors conducted the closed session and upon its conclusion, Mr. Reed moved to reconvene in public session. Mr. Barton 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. Reed moved that pursuant to the requirements of Chapter 37, Virginia Freedom of Information Act and Section 2.2-3712 of the Code of Virginia, that the Nelson County Board of Supervisors certify that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body. Mr. Harvey seconded the motion and there being no further discussion, Supervisors voted unanimously (5-0) to approve the motion.

The Board then took a five-minute recess.

#### **V. Capital Improvements (Work Session)**

Mr. Rutherford called the meeting back to order.

Mr. Carter began the Capital Improvements work session by noting that as an outcome of the December 7<sup>th</sup>, 2021 work session, the Board agreed to have another meeting to discuss and possibly prioritize, or decide on, the capital improvement initiatives that the Board would want to proceed with. He gave an overview of each of the projects for consideration.

##### **Recreation Center**

Mr. Carter noted that the recreation center was a little more complicated as there were six options for facilities and a few outdoor options as well. He said that combining the facility with the outdoor option made it a much more expensive project. He suggested that should the Board wish to focus on the recreation facility, it may be better to look at either an indoor facility or outdoor facility, but maybe not both. Additionally, he suggested they could reduce the scope of either the indoor or outdoor facility.

##### **Department of Social Services**

Mr. Carter reviewed two options for the construction of a facility for Social Services. He listed option one as a 6000 square foot facility estimated at \$2.4 million, and then option two, at 6500 square feet and estimated at \$2.5 million, Mr. Carter gave details on the proposed site location, which sits on about 18 acres in the Callohill Business Park. He indicated that the Economic Development Authority currently owned the property and it would need to be transferred back to the County.

### **Proposed Joint Agricultural Center with Amherst County**

Mr. Carter noted that at the December 7<sup>th</sup> work session, the Board was presented with the initial outcomes of the Preliminary Architectural Feasibility Report that Architectural Partners had completed. He noted that County staff had not proceeded beyond that report. He reported that initial cost estimate of \$51 million was based on input from Amherst County.

### **School Division Initiatives**

Mr. Carter pointed out that the high school renovation was the most expensive consideration. He noted that the Board had previously agreed with the School Board's request for funding the roof replacement at the high school and middle school, along with the brick façade work. He indicated that depending on the Board's decisions on the roof and brick, County staff would work with Davenport to incorporate those costs into any financing that the Board decided to undertake.

### **McGinnis Building**

Mr. Carter brought up the McGinnis building status, reminding the Board that Architectural Partners had performed an assessment of the building. He reported that their estimate for renovation and significant repairs was about \$500,000.

Mr. Carter concluded his review of the capital improvement initiatives, and noted that the next steps would be for the Board to choose priorities and possibly make decisions to proceed. He noted that Mr. Kooch from Davenport was present to answer any questions regarding fiscal capacity of the County.

### **Department of Social Services**

Mr. Rutherford felt that the Board could act on the Social Services facility, noting they had previously committed to looking at in their prior regular session. He asked County staff and Jim Vernon of Architectural Partners what action would be needed to authorize them to move forward. Mr. Carter confirmed that staff would need the Board's authorization to design the facility and bid the facility, noting staff would bring back the construction design and cost estimates to make sure the Board wanted to move forward. He noted that staff would also work with Ms. Maureen Kelley and the Economic Development Authority on transferring the property back to the County.

Mr. Parr asked what role Social Services staff would have with the design and layout of the facility. Mr. Carter responded that Architectural Partners would work directly with Social Services staff to make sure that the needs are met for office alignments. Mr. Reed pointed out the two different square foot options. Mr. Carter suggested to let the plans go to design and go from there. Mr. Barton asked if proposed land had been evaluated. Mr. Carter confirmed that it had initially been looked at and thought they had identified an area suitable for construction but it would be further evaluated for confirmation.

Mr. Barton made a motion to move forward with the designs and acquisition of the property for the Social Services facility. Mr. Parr seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

Mr. Rutherford asked Mr. Vernon of Architectural Partners how long it would take to get the designs. Mr. Vernon estimated about three months for design development and another four months for construction drawings, and then about a month for bidding.

### **Recreation Center**

Mr. Rutherford asked if they needed to revisit the Recreation Center options. Mr. Carter reiterated that there were six different options for the facility and then about four options for outdoor facilities. Mr. Carter noted that there were two different location options, one of which was still to be determined and the other was on property owned by the schools.

Mr. Barton did not feel any of the facility options were acceptable to him. He asked how much input they would have on the design. Mr. Rutherford noted that it was still very preliminary at the moment. Mr. Carter noted that the Board would need to decide which of the options they would want to proceed with, noting that Mr. Vernon could take questions. He also suggested that they may want to have Mr. Kooch from Davenport to speak to the County's fiscal capacity and how to stay within that capacity. Mr. Rutherford suggested to defer on the decision until they had more information, hopefully by the next meeting. The Board was in consensus to defer any decisions regarding the recreational facility.

### **Proposed Joint Agricultural Center with Amherst County**

Mr. Rutherford turned the focus to the agricultural facility. He noted that some of the stakeholders wished to speak to the Board. Mr. Carter asked to reiterate to the Board that the preliminary study endorsed by both Nelson and Amherst was about 20% complete. He felt that if the Board wished to proceed on the study, then the next step would be for the Board to endorse completing that study and then the results would be brought back. He speculated that Amherst was ready to proceed with the study.

Mr. Parr asked if the study included evaluating for sufficient water. Mr. Carter noted he would have to check, but if it was not, it could be included in the scope. Mr. Carter reiterated that the next logical step would be for the Board to endorse completing the study and then both Boards would have sufficient information to determine next steps thereafter.

Mr. Rutherford asked if the Board wanted to move forward with the study or defer. Mr. Parr stated that they should move forward with the study and make sure that the water is being looked at. Mr. Rutherford noted that those funds had been dedicated but not expended for the study.

Mr. Parr spoke to clarify on what the ag facility committee was looking for. He stated they were not requesting funding or support for full \$51 million preliminary estimate. He noted they were looking for land acquisition and some seed money, not for Nelson County to fund \$25 million. Mr. Parr indicated that he had asked the head of the committee, Chris Bryant, to speak under public comments at the next meeting to give a summary of the project and an update on where things are at. Mr. Barton thought it may be good to wait until then to decide. Mr. Parr didn't think they needed to wait on deciding to continue with the study. Mr. Reed asked if there would be savings to the County if they did not continue with the rest of study. Mr. Carter noted the County had expended about \$5,000 of its \$30,000 share, so about \$25,000 would be saved. Mr. Barton asked to wait until the following week. Mr. Parr was in agreement and there was a general consensus by the Board to wait.

### **School Division Initiatives**

The Board circled back to the high school renovations. Mr. Carter noted the two options for renovation of the high school facility. He noted the less extensive option was estimated at \$15 million, while the larger scale renovation was just over \$31 million. Mr. Carter felt that the decisions on school renovation would determine what other projects they could complete and when they could be completed.

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Mr. Carter noted legislation for the General Assembly had been approved by full Senate but failed by House finance subcommittee that would have allowed local governments an option to add an additional 1% local option sales and use tax. He said it would not likely to pass, but if it did, it would add money to help with the high school renovation and other capital improvement projects. Mr. Carter noted that staff estimated that at 1%, it would be about \$1.4 million in revenue but tracking closer to \$2 million. Mr. Rutherford asked if the additional tax had to be done by referendum. Mr. Carter confirmed that it would, however it didn't seem likely to pass.

In returning to the consideration of the school renovation project, Mr. Carter suggested that the subject would be a discussion to have with the School Board for more perspective and insight. He noted that Mr. Gary Harvey of Architectural Partners was not permitted to attend the meeting, so County staff included the same information presented at the December 7<sup>th</sup> meeting.

Mr. Roland Kooch of Davenport noted that he had been in conversation with the Bond Council regarding the proposed legislation. He pointed out the if legislation came back and a referendum became possible, in order put the local option sales and use tax together with a project like the school renovations, the debt would have to be acquired after the referendum passed.

Mr. Reed asked about an update on a joint meeting with the School Board. Mr. Rutherford said he had spoken with School Board Chair, Margaret Clair, and it would be difficult to have a joint meeting until April. He noted the School Board was in the process of their search for the new Superintendent and working through their budget issues. Mr. Parr noted they were trying to have 2x2 (two Board members and two School Board members) meetings if possible.

Mr. Carter pointed out that if the local 1% option fails in the current year, the County could potentially seek legislation for a designation naming Nelson County with the ability to have the local 1% option. He noted that a few other localities had that designation. He suggested if that were possible, they could defer the school renovation for another year to utilize that option for funding.

Mr. Reed returned to the topic of the joint meeting and asked if an April meeting would fall in the middle of the budget process. Mr. Rutherford and Mr. Carter both confirmed that it would be close to the end of the process. Mr. Reed asked if it would be helpful to have input from the School Board on the renovation as well as information on their budget. Mr. Carter stated that it would be helpful and noted that County staff was waiting for the School Board's budget to come out. Mr. Reed noted that if the Board pursued a joint meeting for April, they could defer any decisions for the time being.

Mr. Rutherford brought back the subject of the McGinnis building and asked Mr. Vernon of Architectural Partners if it would be better to consider putting the offices from the McGinnis building into a new facility at Callohill rather than trying to rehabilitate the building. Mr. Vernon noted there were benefits to adding the square footage into the Social Services project. Mr. Rutherford asked if Mr. Vernon could work on some additional estimates to include offices from the McGinnis building. Mr. Carter noted one of Mr. Vernon's prior suggestions to build office pods off of a central structure, which could allow expansion over time. Mr. Rutherford asked if the Board would be open to considering his suggestion for an estimate to include the additional space for the McGinnis offices.

Mr. Reed about the floodplain issues relating to the McGinnis building. Mr. Carter noted that he would need to reconfirm, but his understanding was that the building could not be torn down and rebuilt because it sits in the floodway. Mr. Carter confirmed that the building was in a good location but it had significant issues that needed to be addressed. Mr. Rutherford acknowledged that there was a way to build within the floodplain, however it could be quite expensive. Mr. Rutherford noted they could fix the

building but may have to make repairs in the future depending on the soils. Mr. Carter then reminded the Board that the building was built on poor fill dirt, which is causing settlement of the building.

The Board was in agreement to get additional figures from Architectural Partners on adding the offices from the McGinnis building to the proposed office building at Callohill for Social Services.

Mr. Carter suggested the Board get a quick update from Mr. Kooch. Mr. Rutherford asked Mr. Kooch to approach the Board to walk through some of the financial information and possibly include a rough estimate that would include the offices from the McGinnis building being relocated to Callohill in a new facility.

Mr. Kooch gave an overview on his debt capacity/affordability analysis presentation from the December 7<sup>th</sup> work session.

## Debt Affordability | Impact of Capital Reserve Fund/Debt Service Structuring



- How can the County accelerate its Natural Debt Affordability?
  - Use \$900,000 of the County’s Unassigned Fund Balance toward a Capital Reserve Fund to defray temporary Debt Service “peaks”
  - Use a Strategic Funding Approach: 2 years of interest only followed by 25 years of level debt service (principal and interest).
- Preliminary Result: Approximately \$18 Million of Natural Debt Affordability is accelerated to FY 2023 and does not require any new recurring revenues.

Potential Debt Affordability vs. FY 2022 (D.S.) Budget Level

Fiscal Year	Total	Natural Affordability	Borrowing Capacity (1)	Revised Borrowing Capacity (2)
Total	\$ 19,852,027		\$ 51,915,000	\$ 51,915,000
1 2022	3,323,140	-	-	-
2 2023	3,473,786	-	-	18,000,000
3 2024	3,276,430	46,710	730,000	-
4 2025	2,144,932	1,178,209	17,270,000	-
5 2026	2,161,677	1,161,463	-	-
6 2027	2,170,826	1,152,314	-	-
7 2028	2,068,455	1,254,685	1,600,000	1,600,000
8 2029	577,859	2,745,281	23,285,000	23,285,000
9 2030	329,922	2,993,218	3,875,000	3,875,000
10 2031	325,000	2,998,140	75,000	75,000
11 2032	-	3,323,140	5,080,000	5,080,000

**\$18 Million of Natural Debt Affordability is accelerated using up to \$900,000 of Capital Reserve Funds and Minimal Structuring of Debt Service.**

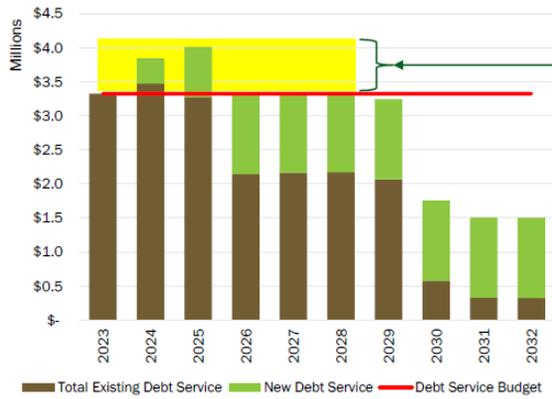
(1) Assumes 4% and 25 years of level debt service.  
 (2) With Capital Reserve Fund of \$1.3 Million to defray debt service; assumes 2 years interest only, followed by 25 years of level debt service (4% interest rate).

Mr. Kooch pointed out that the County had about \$18 million in natural debt affordability available in 2023 by using about \$900,000 of capital reserve funds to help offset debt service. He noted that the capital reserve funds would help offset debt service peaks.

# Debt Affordability | Impact of Capital Reserve Fund/Debt Service Structuring (cont.)



Use of Capital Reserve Funds



**\$18 Million of Natural Debt Affordability is accelerated using \$900,000 of Capital Reserve Funds to offset Debt Service "peaks".**

- Projected Debt Service cash flows are shown with the use of approximately \$900,000 of Capital Reserve Funds to defray the Debt Service "Peaks" over FY 2024 and FY 2025.
- Minimal amounts are needed in FY 2027 and FY 2028.

Note: New Debt Service assumes 25 year repayment; New Debt Service in Years 2033-2050 not shown

Mr. Kooch provided ways to increase the County’s debt affordability to about \$35 million by layering in the debt over time and using an increased capital reserve fund of \$2.3 million.

Mr. Kooch then led the Board to a higher end scenario that would provide about \$48 million in debt affordability but he noted that it would require use of about \$3 million from capital reserve funds to offset debt peaks.

The Board had no questions for Mr. Kooch and Mr. Rutherford thanked him for his time.

Mr. Rutherford suggested that McGinnis building may be something they can take up at the Board meeting the following week.

## VI. Other Business

Mr. Reed asked about timeline updates for the comprehensive plan, particularly in reference to public meetings. He noted that he was trying to coordinate his schedule so that he could be present for the process. Mr. Carter did not have a schedule yet, but he indicated that the consultant contract would be on the agenda for the next Board meeting. He noted that the contract information should include a timeline.

Mr. Rutherford asked to add the McGinnis building to the agenda for the next meeting. He thought that would be a reasonable item to take action on with Social Services. Mr. Rutherford reiterated that the Board would wait for more information is it pertained to the recreation center and the school projects. Mr. Rutherford noted that the ag facility would come up during the next meeting. Mr. Carter asked if the recreation center needed to be on the agenda for consideration. Mr. Rutherford suggested that they wait on recreation center until March/April while they wait for more information and work through the budget.

Mr. Carter informed the Board that one of the auditors from Robinsons, Farmer, Cox and Associates would be in attendance at the next meeting to provide a presentation on the audit report.

January 31, 2022

The Board had no other business to discuss.

**VII. Adjournment**

At 3:06 p.m., Mr. Parr moved to adjourn and Mr. Harvey seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the meeting adjourned.